

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 3417

By: Strom, West (Josh), Archer,
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COMMITTEE SUBSTITUTE

An Act relating to cities and towns; amending 11 O.S. 2021, Section 10-116, which relates to purchases and sales by city manager and competitive bidding; clarifying that council requirements shall be in addition to the provisions of the Public Competitive Bidding Act; enacting a new section to combine procedures for reverse auction bidding that are applicable to all political subdivisions and public trusts; repealing 11 O.S. 2021, Sections 17-115 and 17-115.1, which relate to reverse auction bidding procedure; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 11 O.S. 2021, Section 10-116, is amended to read as follows:

Section 10-116. A. The city manager shall contract for, purchase, or issue purchase authorizations for all supplies, materials, and equipment for offices, departments, and agencies of the city government, subject to any regulations which the council

1 may prescribe. Every contract or purchase exceeding an amount to be
2 established by the council shall require the prior approval of the
3 council. The city manager may also sell or transfer to or between
4 offices, departments, and agencies, surplus or obsolete supplies,
5 materials, and equipment, subject to regulations the council may
6 prescribe.

7 B. The council may prescribe requirements and procedures for
8 competitive bidding. Notice and opportunity for competitive bidding
9 shall be given before a purchase or contract for supplies,
10 materials, or equipment is made, and before a sale of any surplus or
11 obsolete supplies, materials, or equipment is made, in accordance
12 with regulations the council may prescribe. The council shall not
13 exempt a particular contract, purchase, or sale from the requirement
14 of competitive bidding. The provisions of this subsection shall be
15 in addition to the provisions of Section 140 of Title 61 of the
16 Oklahoma Statutes.

17 C. The council may transfer some or all of the power granted to
18 the city manager pursuant to the provisions of this section to an
19 employee appointed by and subordinate to the city manager.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 141 of Title 61, unless there is
22 created a duplication in numbering, reads as follows:

23 A. A political subdivision or any public trust of which such
24 subdivision is beneficiary or any nonappropriated governmental

1 agency or instrumentality of the state is authorized to use a
2 reverse auction bidding procedure to obtain bids for the purchase of
3 goods or services of any type of kind. The reverse auction shall be
4 a real-time bidding process taking place at a previously scheduled
5 time and Internet location and for a previously established
6 duration, in which multiple suppliers, anonymous to each other,
7 submit bids to provide the goods or services. The reverse auction
8 procedure may be used as an alternative to any state law applicable
9 to the purchase of the goods or services.

10 B. The procedure shall provide:

11 1. A bid opening and bid closure. At the opening date and
12 time, the political subdivision or public trust shall begin
13 accepting reverse auction electronic bids. Reverse auction bids
14 shall be accepted until the bid closure, except as provided by
15 paragraph 6 of this subsection, unless the political subdivision or
16 public trust determines it is in the best interest of the political
17 subdivision or public trust to extend the closing time and notifies
18 the reverse auction bidders of the extended closing time by public
19 announcement at the Internet location at least fifteen (15) minutes
20 prior to the original closing time;

21 2. The posting of all reverse auction bids electronically and
22 updating of bids on a real-time basis by the political subdivision
23 or public trust;

1 3. The authorization for the political subdivision or public
2 trust to require bidders to register before the opening date and
3 time and, as part of that registration, require bidders to agree to
4 any terms, conditions, or other requirements of the solicitation or
5 applicable acts;

6 4. The authorization for the political subdivision or public
7 trust to also require potential bidders to prequalify as bidders and
8 to restrict solicitations to prequalified online and reverse auction
9 bidders;

10 5. The retention of the authority of the political subdivision
11 or public trust to determine the criteria that will be used as the
12 basis for making awards; and

13 6. The authorization for the political subdivision or public
14 trust to determine it is in the best interest of the municipality or
15 public trust to allow it to accept an electronic bid after the
16 specified official closing date and time, in the event the political
17 subdivision or public trust determines that a significant error or
18 event occurred that affected the electronic receipt of any reverse
19 auction bid by the political subdivision or public trust.

20 C. All bids submitted electronically through the reverse
21 auction bidding process pursuant to this section are subject to the
22 same public disclosure laws that govern bids received pursuant to
23 any other law of this state governing procurement procedures for a
24 political subdivision or public trust.

1 D. All remedies available to the political subdivision or
2 public trust and suppliers through a bid process pursuant to any
3 other law of this state are also available to the political
4 subdivision or public trust reverse auction bidders in a reverse
5 auction bidding process.

6 E. The procedures set out in this section may be used to obtain
7 acquisitions or award contracts for all needed operations or
8 purchase orders.

9 SECTION 3. REPEALER 11 O.S. 2021, Section 17-115, is
10 hereby repealed.

11 SECTION 4. REPEALER 11 O.S. 2021, Section 17-115.1, is
12 hereby repealed.

13 SECTION 5. This act shall become effective November 1, 2026.
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