

1 ENGROSSED HOUSE
2 BILL NO. 3879

By: Wallace of the House
and
Thompson of the Senate

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7 [competitive bidding - modifying certain monetary
8 limits for public construction contracts -
9 effective date]
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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 61 O.S. 2011, Section 102, as last
15 amended by Section 1, Chapter 186, O.S.L. 2013 (61 O.S. Supp. 2019,
16 Section 102), is amended to read as follows:

17 Section 102. As used in the Public Competitive Bidding Act of
18 1974:

19 1. "Administrator" means the State Construction Administrator
20 of the Construction and Properties Division of the Office of
21 Management and Enterprise Services;

22 2. "Awarding public agency" means the public agency which
23 solicits and receives sealed bids on a particular public
24 construction contract;

1 3. "Bidding documents" means the bid notice, instruction to
2 bidders, plans and specifications, bidding form, bidding
3 instructions, general conditions, special conditions and all other
4 written instruments prepared by or on behalf of an awarding public
5 agency for use by prospective bidders on a public construction
6 contract;

7 4. "Chief administrative officer" means an individual
8 responsible for directing the administration of a public agency.
9 The term does not mean one or all of the individuals that make
10 policy for a public agency;

11 5. "Construction management trade contract or subcontract"
12 means any public construction contract, exceeding Fifty Thousand
13 Dollars (\$50,000.00) in amount, that is awarded as a trade contract
14 in an agency construction management contract or awarded as a
15 subcontract in an at-risk construction management contract;

16 6. "Public agency" means the State of Oklahoma, and any county,
17 city, town, school district or other political subdivision of the
18 state, any public trust, any public entity specifically created by
19 the statutes of the State of Oklahoma or as a result of statutory
20 authorization therefor, and any department, agency, board, bureau,
21 commission, committee or authority of any of the foregoing public
22 entities;

23 ~~6.~~ 7. "Public construction contract" or "contract" means any
24 contract, exceeding ~~Fifty Thousand Dollars (\$50,000.00)~~ One Hundred

1 Thousand Dollars (\$100,000.00) in amount, or any construction
2 management trade contracts or subcontracts exceeding Fifty Thousand
3 Dollars (\$50,000.00) in amount, awarded by any public agency for the
4 purpose of making any public improvements or constructing any public
5 building or making repairs to or performing maintenance on the same
6 except where the improvements, construction of any building or
7 repairs to the same are improvements or buildings leased to a person
8 or other legal entity exclusively for private and not for public use
9 and no public tax revenues shall be expended on or for the contract
10 unless the public tax revenues used for the project are authorized
11 by a majority of the voters of the applicable public agency voting
12 at an election held for that purpose and the public tax revenues do
13 not exceed twenty-five percent (25%) of the total project cost. The
14 amount of public tax dollars committed to the project will not
15 exceed a fixed amount established by resolution of the governing
16 body prior to or concurrent with approval of the project;

17 ~~7.~~ 8. "Public improvement" means any beneficial or valuable
18 change or addition, betterment, enhancement or amelioration of or
19 upon any real property, or interest therein, belonging to a public
20 agency, intended to enhance its value, beauty or utility or to adapt
21 it to new or further purposes. The term does not include the direct
22 purchase of materials, equipment or supplies by a public agency, or
23 any personal property, including property as defined in paragraphs 1
24

1 and 4 of subsection B of Section 430.1 of Title 62 of the Oklahoma
2 Statutes;

3 ~~8.~~ 9. "Purchasing cooperative" means an association of public
4 entities working together to provide leverage in achieving best
5 value and/or the best terms in contracts awarded through a
6 competitive bidding process; and

7 ~~9.~~ 10. "Retainage" means the difference between the amount
8 earned by the contractor on a public construction contract, with the
9 work being accepted by the public agency, and the amount paid on
10 said contract by the public agency.

11 SECTION 2. AMENDATORY 61 O.S. 2011, Section 103, as last
12 amended by Section 2, Chapter 405, O.S.L. 2019 (61 O.S. Supp. 2019,
13 Section 103), is amended to read as follows:

14 Section 103. A. Unless otherwise provided by law, all public
15 construction contracts exceeding ~~Fifty Thousand Dollars (\$50,000.00)~~
16 One Hundred Thousand Dollars (\$100,000.00) or construction
17 management trade contracts or subcontracts exceeding Fifty Thousand
18 Dollars (\$50,000.00) shall be let and awarded to the lowest
19 responsible bidder, by open competitive bidding after solicitation
20 for sealed bids, in accordance with the provisions of the Public
21 Competitive Bidding Act of 1974. No work shall be commenced until a
22 written contract is executed and all required bonds and insurance
23 have been provided by the contractor to the awarding public agency.

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1 B. Notwithstanding subsection A of this section, in awarding
2 public construction contracts exceeding ~~Fifty Thousand Dollars~~
3 ~~(\$50,000.00)~~ One Hundred Thousand Dollars (\$100,000.00) or
4 construction management trade contracts or subcontracts exceeding
5 Fifty Thousand Dollars (\$50,000.00), counties, cities, other local
6 units of government and any public trust with a county or a
7 municipality as its sole beneficiary may provide for a local bid
8 preference of not more than five percent (5%) of the bid price if
9 the awarding public agency determines that there is an economic
10 benefit to the local area or economy. Provided, however, the local
11 bidder or contractor must agree to perform the contract for the same
12 price and terms as the bid proposed by the nonlocal bidder or
13 contractor. Any bid preference granted hereunder must be in
14 accordance with an established policy adopted by the governing body
15 of the awarding public agency to clearly demonstrate the economic
16 benefit to the local area or economy. Provided, further, no local
17 bid preference shall be granted unless the local bidding entity is
18 the second lowest qualified bid on the contract. The bid
19 specifications shall clearly state that the bid is subject to a
20 local bidder preference law. For purposes of this section, "local
21 bid" means the bidding person is authorized to transact business in
22 this state and maintains a bona fide establishment for transacting
23 such business within this state. This provision does not apply to
24 any construction contract for which federal funds are available for

1 expenditure when its provisions may be in conflict with federal law
2 or regulation.

3 C. Except as provided in subsection E of this section, other
4 construction contracts for the purpose of making any public
5 improvements or constructing any public building or making repairs
6 to the same for ~~Fifty Thousand Dollars (\$50,000.00)~~ One Hundred
7 Thousand Dollars (\$100,000.00) or less shall be let and awarded to
8 the lowest responsible bidder by receipt of written bids or awarded
9 on the basis of competitive quotes to the lowest responsible
10 qualified contractor. Work may be commenced in accordance with the
11 purchasing policies of the public agency.

12 D. Except as provided in subsection E of this section, other
13 construction contracts for less than ~~Five Thousand Dollars~~
14 ~~(\$5,000.00)~~ Ten Thousand Dollars (\$10,000.00) may be negotiated with
15 a qualified contractor. Work may be commenced in accordance with
16 the purchasing policies of the public agency.

17 E. The provisions of this subsection shall apply to public
18 construction for minor maintenance or minor repair work to public
19 school district property. Other construction contracts for less
20 than Twenty-five Thousand Dollars (\$25,000.00) may be negotiated
21 with a qualified contractor. Construction contracts equal to or
22 greater than ~~Twenty-five Thousand Dollars (\$25,000.00)~~ Fifty
23 Thousand Dollars (\$50,000.00) but less than ~~Fifty Thousand Dollars~~
24 ~~(\$50,000.00)~~ One Hundred Thousand Dollars (\$100,000.00) shall be let

1 and awarded to the lowest responsible bidder by receipt of written
2 bids. No work shall be commenced on any construction contract until
3 a written contract is executed and proof of insurance has been
4 provided by the contractor to the awarding public agency.

5 F. The Construction and Properties Division of the Office of
6 Management and Enterprise Services may award contracts using best
7 value competitive proposals. As used in this subsection, "best
8 value" means an optional contract award system which can evaluate
9 and rank submitted competitive performance proposals to identify the
10 proposal with the greatest value to the state. The Office of
11 Management and Enterprise Services, pursuant to the Administrative
12 Procedures Act, shall promulgate rules necessary to implement the
13 provisions of this subsection.

14 G. 1. A public agency shall not let or award a public
15 construction contract exceeding ~~Fifty Thousand Dollars (\$50,000.00)~~
16 One Hundred Thousand Dollars (\$100,000.00) or a construction
17 management trade contract or subcontract exceeding Fifty Thousand
18 Dollars (\$50,000.00) to any contractor affiliated with a purchasing
19 cooperative unless the purchasing cooperative and the contractor
20 have complied with all of the provisions of the Public Competitive
21 Bidding Act of 1974, including but not limited to open competitive
22 bidding after solicitation for sealed bids. A public agency shall
23 not let or award a public construction contract exceeding ~~Five~~
24 ~~Thousand Dollars (\$5,000.00)~~ Ten Thousand Dollars (\$10,000.00) up to

1 ~~Fifty Thousand Dollars (\$50,000.00)~~ One Hundred Thousand Dollars
2 (\$100,000.00) to any contractor affiliated with a purchasing
3 cooperative unless the purchasing cooperative and the contractor
4 have complied with all of the provisions of the Public Competitive
5 Bidding Act of 1974, including submission of a written bid upon
6 notice of competitive bidding.

7 2. A purchasing cooperative and its affiliated contractors
8 shall not be allowed to bid on any public construction contract
9 exceeding ~~Fifty Thousand Dollars (\$50,000.00)~~ One Hundred Thousand
10 Dollars (\$100,000.00) or any construction management trade contract
11 or subcontract exceeding Fifty Thousand Dollars (\$50,000.00) unless
12 the purchasing cooperative and its affiliated contractors have
13 complied with all of the provisions of the Public Competitive
14 Bidding Act of 1974, including but not limited to open competitive
15 bidding after solicitation for sealed bids. A purchasing
16 cooperative and its affiliated contractors shall not be allowed to
17 bid on any public construction contract exceeding ~~Two Thousand Five~~
18 ~~Hundred Dollars (\$2,500.00)~~ Five Thousand Dollars (\$5,000.00) unless
19 the purchasing cooperative and its affiliated contractors have
20 complied with all of the provisions of the Public Competitive
21 Bidding Act of 1974, including submission of a written bid upon
22 notice of open competitive bidding.

23 SECTION 3. AMENDATORY 61 O.S. 2011, Section 103.5, is
24 amended to read as follows:

1 Section 103.5 For purposes of the provisions of the Public
2 Competitive Bidding Act of 1974, contracts not exceeding ~~Fifty~~
3 ~~Thousand Dollars (\$50,000.00)~~ One Hundred Thousand Dollars
4 (\$100,000.00) entered into solely for right-of-way clearance by the
5 Transportation Commission and the Oklahoma Transportation Authority
6 for the exclusive purpose of demolition and removal of buildings,
7 foundations, slab floors, stem walls, steps, brush, shrubs,
8 brickbats or stone and all rubbish, scrap iron, fencing, and debris,
9 and the installation of new right-of-way fencing, shall not be
10 considered to be public construction contracts and shall not be
11 required to be open for competitive bidding.

12 SECTION 4. AMENDATORY Section 1, Chapter 288, O.S.L. 2014
13 (61 O.S. Supp. 2019, Section 103.7), is amended to read as follows:

14 Section 103.7 For purposes of the provisions of the Public
15 Competitive Bidding Act of 1974, contracts entered into solely for
16 projects and activities by the Oklahoma Department of Wildlife
17 Conservation relating to fish and wildlife conservation shall be let
18 and awarded using the competitive bidding process as set forth in
19 the Public Competitive Bidding Act of 1974. However, for contracts
20 of ~~Twenty-five Thousand Dollars (\$25,000.00)~~ Fifty Thousand Dollars
21 (\$50,000.00) or less the Department may administer the competitive
22 bidding process and let and award the contract itself rather than
23 the Construction and Properties Division of the Office of Management
24 and Enterprise Services.

1 SECTION 5. AMENDATORY 61 O.S. 2011, Section 104, as last
2 amended by Section 1, Chapter 40, O.S.L. 2017 (61 O.S. Supp. 2019,
3 Section 104), is amended to read as follows:

4 Section 104. All proposals to award public construction
5 contracts shall be made equally and uniformly known by the awarding
6 public agency to all prospective bidders and the public in the
7 following manner:

8 1. Notice thereof shall be given by publication in a newspaper
9 of general circulation and published in the county where the work,
10 or the major part of it, is to be done, such notice by publication
11 to be published in two consecutive weekly issues of the newspaper,
12 with the first publication thereof to be at least twenty-one (21)
13 days prior to the date set for opening bids; and

14 2. Notice thereof shall be sent to one in-state trade or
15 construction publication for their use and information whenever the
16 estimated cost of the public construction contract exceeds ~~Fifty~~
17 ~~Thousand Dollars (\$50,000.00)~~ One Hundred Thousand Dollars
18 (\$100,000.00) or the cost of the construction management trade
19 contract or subcontract exceeds Fifty Thousand Dollars (\$50,000.00);
20 provided, however, this section shall not be construed to require
21 the publication of the notice in such trade or construction
22 publication or the requirement to provide the notice to more than
23 one in-state trade or construction publication or to any out-of-
24 state trade or construction publications.

1 SECTION 6. AMENDATORY 61 O.S. 2011, Section 107, as
2 amended by Section 313, Chapter 304, O.S.L. 2012 (61 O.S. Supp.
3 2019, Section 107), is amended to read as follows:

4 Section 107. A. A bidder on a public construction contract
5 exceeding ~~Fifty Thousand Dollars (\$50,000.00)~~ One Hundred Thousand
6 Dollars (\$100,000.00) or a construction management trade contract or
7 subcontract exceeding Fifty Thousand Dollars (\$50,000.00) shall
8 accompany the bid with:

9 1. A certified check, cashier's check or bid bond equal to five
10 percent (5%) of the bid, which shall be deposited with the awarding
11 public agency as a guaranty; or

12 2. An irrevocable letter of credit containing terms the
13 Construction and Properties Division of the Office of Management and
14 Enterprise Services prescribes, issued by a financial institution
15 insured by the Federal Deposit Insurance Corporation or the Federal
16 Savings and Loan Insurance Corporation for the benefit of the state,
17 on behalf of the awarding public agency, in an amount equal to five
18 percent (5%) of the bid. The awarding public agency shall deposit
19 the irrevocable letter of credit with the Division.

20 B. The cost of republication of the notice to bidders, actual
21 expenses incurred by reason of the bidder's default and the
22 difference between the low bid of the defaulting bidder and the
23 amount of the bid of the bidder to whom the contract is subsequently
24 awarded, but not to exceed the amount of the certified check,

1 cashier's check, bid bond or irrevocable letter of credit may, at
2 the discretion of the awarding public agency, be forfeited to the
3 awarding public agency in the event the apparently successful bidder
4 fails to execute the contract or fails to provide the required bonds
5 or irrevocable letters of credit and insurance to the awarding
6 public agency.

7 C. The public agency shall, upon receipt of notice from the
8 awarding public agency, return a certified or cashier's check, bid
9 bond, or irrevocable letter of credit to the successful bidder on
10 execution and delivery of the contract and required bonds or
11 irrevocable letters of credit and insurance. Checks of unsuccessful
12 bidders shall be returned to them in accordance with the terms of
13 the bid solicitation.

14 D. Nothing contained herein shall be construed so as to prevent
15 the awarding public agency or the courts from exonerating the bidder
16 and other parties to the bid security document from liability upon a
17 timely showing that the bidder committed what the courts have
18 determined under the common law to be an excusable bidding error and
19 for that reason it would not be equitable to enforce the bid
20 security.

21 SECTION 7. AMENDATORY 61 O.S. 2011, Section 113, as last
22 amended by Section 3, Chapter 299, O.S.L. 2019 (61 O.S. Supp. 2019,
23 Section 113), is amended to read as follows:

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1 Section 113. A. Except as otherwise provided by law, within
2 the period of time, not to exceed sixty (60) days, specified in the
3 bid notice by the awarding public agency, a contract embodying the
4 terms set forth in the bidding documents shall be executed by the
5 awarding public agency or, where construction management at-risk is
6 the project delivery method, by the construction manager and the
7 successful bidder. No bidder shall obtain any property right in a
8 contract awarded under the provisions of the Public Competitive
9 Bidding Act of 1974 until the contract has been fully executed by
10 both the bidder and the awarding public agency.

11 B. Except as otherwise provided by law, within the period of
12 time specified in subsection A of this section, the following shall
13 be provided by the contractor to the awarding public agency for
14 public construction contracts exceeding ~~Fifty Thousand Dollars~~
15 ~~(\$50,000.00) One Hundred Thousand Dollars (\$100,000.00) or~~
16 construction management trade contracts or subcontracts exceeding
17 Fifty Thousand Dollars (\$50,000.00):

18 1. A bond or irrevocable letter of credit complying with the
19 provisions of Section 1 of this title;

20 2. A bond in a sum equal to the contract price, with adequate
21 surety, or an irrevocable letter of credit containing terms
22 prescribed by the Construction and Properties Division of the Office
23 of Management and Enterprise Services issued by a financial
24 institution insured by the Federal Deposit Insurance Corporation or

1 the Federal Savings and Loan Insurance Corporation for the benefit
2 of the state, on behalf of the awarding public agency, in a sum
3 equal to the contract price, to ensure the proper and prompt
4 completion of the work in accordance with the provisions of the
5 contract and bidding documents;

6 3. A bond in a sum equal to the contract price or an
7 irrevocable letter of credit containing terms as prescribed by the
8 Division issued by a financial institution insured by the Federal
9 Deposit Insurance Corporation or the Federal Savings and Loan
10 Insurance Corporation for the benefit of the state, on behalf of the
11 awarding public agency, in a sum equal to the contract price, to
12 protect the awarding public agency against defective workmanship and
13 materials for a period of one (1) year after acceptance of the
14 project, except when the awarding public agency is the Department of
15 Transportation or the Oklahoma Turnpike Authority, in such case the
16 period shall be for one (1) year after project completion; and

17 4. Public liability and workers' compensation insurance during
18 construction in reasonable amounts. A public agency may require the
19 contractor to name the public agency and its architects or
20 engineers, or both, as an additional assured under the public
21 liability insurance, which requirement, if made, shall be
22 specifically set forth in the bidding documents.

23 C. A single irrevocable letter of credit may be used to satisfy
24 paragraphs 1, 2 and 3 of subsection B of this section, provided such

1 single irrevocable letter of credit meets all applicable
2 requirements of subsection B of this section.

3 If the contractor needs additional time in which to obtain the
4 bond required pursuant to subsection B of this section, the
5 contractor may request and the awarding agency may allow the
6 contractor an additional sixty (60) days in which to obtain the
7 bond.

8 D. 1. After the award of a contract, but prior to its
9 execution, an awarding public agency, upon discovery of an
10 administrative error in the award process that would void an
11 otherwise valid award, may suspend the time of execution of the
12 contract. The agency may rescind the award and readvertise for
13 bids, or may direct correction of the error and award the contract
14 to the lowest responsible bidder, whichever shall be in the best
15 interests of the state.

16 2. If the awarding public agency has a governing body, the
17 agency shall, at the next regularly scheduled public business
18 meeting of the governing body of the agency, upon the record,
19 present to the governing body that an error has been made in the
20 award process and shall state the nature of the error. The
21 governing body, upon presentation of the facts of the error, may
22 rescind the award and readvertise for bids, or may direct correction
23 of the error and award the contract to the lowest responsible
24 bidder, whichever shall be in the best interests of the state.

1 E. No public agency shall require for any public construction
2 project, nor shall any general contractor submit a project bid based
3 on acquiring or participating in, any wrap-up, wrap-around, or
4 controlled insurance program. For the purposes of this subsection,
5 "wrap-up, wrap-around, or controlled insurance program" means any
6 insurance program that has the effect of disabling or rendering
7 inapplicable any workers' compensation, commercial general
8 liability, builders' risk, completed operations, or excess liability
9 insurance coverage carried by a subcontractor that is engaged or to
10 be engaged on a public construction project unless this is a cost
11 savings to the public or the need exists for a specialized or
12 complex insurance program and shall not apply to contracts less than
13 Seventy-five Million Dollars (\$75,000,000.00).

14 F. This act shall not apply to the public construction projects
15 of constitutional agencies which had authorized a wrap-up, wrap-
16 around, or controlled insurance program on or before April 11, 2000.

17 SECTION 8. AMENDATORY 61 O.S. 2011, Section 119.1, is
18 amended to read as follows:

19 Section 119.1 A. If no timely bid is received after bid
20 notices have been published on any proposed public construction
21 contract which does not exceed ~~Fifty Thousand Dollars (\$50,000.00)~~
22 One Hundred Thousand Dollars (\$100,000.00) or on any proposed
23 construction management trade contract or subcontract which does not
24 exceed Fifty Thousand Dollars (\$50,000.00):

1 1. The governing body of a county, city, town or school
2 district may direct its employees or agents to negotiate the
3 contract with a prospective contractor; or

4 2. The state agency, as defined in Section 202 of this title,
5 shall request the State Construction Administrator of the
6 Construction and Properties Division to negotiate a contract on its
7 behalf.

8 B. The amount of a public construction contract which may be
9 awarded by the governing body pursuant to this section shall not
10 exceed ~~Fifty Thousand Dollars (\$50,000.00)~~ One Hundred Thousand
11 Dollars (\$100,000.00), nor shall the amount of a construction
12 management trade contract or subcontract awarded by the governing
13 body pursuant to this section exceed Fifty Thousand Dollars
14 (\$50,000.00), and the work to be performed shall be as specified in
15 the initial bidding documents. The contract shall be executed
16 within six (6) months after the date initially set for opening of
17 bids. The contract and contract procedure shall conform to all
18 other applicable provisions of the Public Competitive Bidding Act of
19 1974.

20 SECTION 9. AMENDATORY 61 O.S. 2011, Section 130, as last
21 amended by Section 1, Chapter 293, O.S.L. 2016 (61 O.S. Supp. 2019,
22 Section 130), is amended to read as follows:
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1 Section 130. A. The provisions of the Public Competitive
2 Bidding Act of 1974 with reference to notice and bids shall not
3 apply to an emergency if:

4 1. The governing body of a public agency declares by a two-
5 thirds (2/3) majority vote of all of the members of the governing
6 body that an emergency exists;

7 2. The Transportation Commission and the Oklahoma Tourism and
8 Recreation Commission, by majority vote of all the members of each
9 Commission, declare that an emergency exists; or

10 3. The chief administrative officer of a public agency without
11 a governing body declares that an emergency exists.

12 B. The governing body of a public agency may, upon approval of
13 two-thirds (2/3) majority of all of the members of the governing
14 body, delegate to the chief administrative officer of a public
15 agency the authority to declare an emergency whereby the provisions
16 of the Public Competitive Bidding Act of 1974 with reference to
17 notice and bids shall not apply to contracts less than ~~Seventy-five~~
18 ~~Thousand Dollars (\$75,000.00)~~ One Hundred Fifty Thousand Dollars
19 (\$150,000.00) in amount; provided, such authority of the Department
20 of Transportation and the Oklahoma Turnpike Authority shall not
21 extend to any contract exceeding Seven Hundred Fifty Thousand
22 Dollars (\$750,000.00) in amount and such authority of the Department
23 of Corrections shall not extend to any contract exceeding Two
24 Hundred Fifty Thousand Dollars (\$250,000.00) in amount for

1 situations in which the emergency impacts the conditions of
2 confinement, health and safety of correctional officers and inmates
3 in the custody of the Department of Corrections.

4 C. Upon approval of a two-thirds (2/3) majority vote, the
5 Oklahoma Conservation Commission may delegate to the Executive
6 Director the authority to declare an emergency and set a monetary
7 limit for the declaration. The provisions of this subsection may
8 only be used for the purpose of responding to an emergency involving
9 the reclamation of abandoned coal mines or the repair of damaged
10 upstream floodwater retarding structures.

11 D. An emergency declared by the Board of Corrections pursuant
12 to subsection C of Section 65 of this title shall exempt the
13 Department of Corrections from the limits which would otherwise be
14 imposed pursuant to subsection B of this section for the contracting
15 and construction of new or expanded correctional facilities.

16 E. The chief administrative officer of a public agency with a
17 governing body shall notify the governing body within ten (10) days
18 of the declaration of an emergency if the governing body did not
19 approve the emergency. The notification shall contain a statement
20 of the reasons for the action, and shall be recorded in the official
21 minutes of the governing body.

22 F. Emergency as used in this section shall be limited to
23 conditions resulting from a sudden unexpected happening or
24

1 unforeseen occurrence or condition whereby the public health or
2 safety is endangered.

3 G. The chief administrative officer of a public agency shall
4 report an emergency within ten (10) days of the emergency
5 declaration and include the official minutes of the governing body
6 of the public agency, if applicable, to the State Construction
7 Administrator of the Construction and Properties Division of the
8 Office of Management and Enterprise Services who shall compile an
9 annual report detailing all emergencies declared pursuant to this
10 section during the previous calendar year. The report shall be
11 submitted to the Governor, the President Pro Tempore of the Senate,
12 and the Speaker of the House of Representatives.

13 SECTION 10. This act shall become effective November 1, 2020.

14 Passed the House of Representatives the 9th day of March, 2020.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ____ day of _____, 2020.

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Presiding Officer of the Senate

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