

1 **SENATE FLOOR VERSION**

2 February 26, 2019

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 376

6 By: Standridge

7 [ roads and bridges - Oklahoma First Act - letting  
8 contracts - contract awarding procedure -  
9 noncodification - effective date ]

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

11 SECTION 1. NEW LAW A new section of law not to be  
12 codified in the Oklahoma Statutes reads as follows:

13 This act shall be known and may be cited as the "Oklahoma First  
14 Act".

15 SECTION 2. AMENDATORY 69 O.S. 2011, Section 1101, is  
16 amended to read as follows:

17 Section 1101. A. All contracts for construction work upon the  
18 state or county highway system shall be let and awarded pursuant to  
19 the provisions of the Public Competitive Bidding Act of 1974;  
20 provided that in awarding a transportation project adjusted score  
21 design-build contract, greater value is assigned to a proposal in  
22 proportion to the extent the proposal commits to using Oklahoma-  
23 owned businesses to perform work on the transportation project.  
24 However, the preference is suspended to the extent necessary to

1 prevent denial of federal monies or to eliminate inconsistency with  
2 federal law resulting from application of the preference. If the  
3 project advertised pursuant to the provisions of the Public  
4 Competitive Bidding Act of 1974 is for the construction of more than  
5 eight (8) miles of road, and is not a surface treatment only  
6 project, ~~said~~ the advertisement shall provide for bids on sections  
7 of the road no longer than eight (8) miles, as well as bids on the  
8 project as a whole. If the project advertised pursuant to the  
9 provisions of the Public Competitive Bidding Act of 1974 is a  
10 surface treatment only project of more than twenty (20) miles of  
11 road, the advertisement shall provide for bids on sections of the  
12 road no longer than twenty (20) miles, as well as bids on the  
13 project as a whole.

14 B. The Department may extend a contract no more than twenty-  
15 five percent (25%) of the length and extent of the original project.  
16 The price for the extension work shall not be greater than the  
17 contract unit basis.

18 SECTION 3. This act shall become effective November 1, 2019.

19 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION  
20 February 26, 2019 - DO PASS AS AMENDED  
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