

An Act

ENROLLED HOUSE
BILL NO. 3271

By: Boles, Davis and Burns of
the House

and

Paxton of the Senate

An Act relating to counties and county officers;
amending 19 O.S. 2011, Section 1500.1, as amended by
Section 2, Chapter 358, O.S.L. 2013 (19 O.S. Supp.
2019, Section 1500.1), which relates to county
purchasing; establishing an online bidding process
for counties; providing for online bidding process
procedures; and providing an effective date.

SUBJECT: County purchasing

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

SECTION 1. AMENDATORY 19 O.S. 2011, Section 1500.1, as
amended by Section 2, Chapter 358, O.S.L. 2013 (19 O.S. Supp. 2019,
Section 1500.1), is amended to read as follows:

Section 1500.1 A. Except as otherwise provided by Section 1500
et seq. of this title, the county purchasing agent shall have the
authority to develop, implement and promote policies and procedures
that allow the procurement of materials and equipment through
contracts that are flexible, value based and are in the best
interests of the state and its political subdivisions.

B. Except as otherwise provided, the county purchasing agent
shall have the authority to use electronic commerce for the
solicitation, notification, and other purchasing processes. For
purposes of this subsection, "electronic commerce" means the use of
electronic methods to enable solicitations, open bids, supplier
response, bid submission, notice of contract award, county
acquisition processes, or any other function to make an acquisition.

C. ~~Counties~~ The boards of county commissioners shall have the authority to conduct a procurement transaction by electronic means subject to the provisions of the Uniform Electronic Transactions Act.

D. The board of county commissioners shall have the authority to establish an online bidding process with a vendor authorized by state contract as provided by the Office of Management and Enterprise Services.

1. The purchasing agent shall comply with all bid notice requirements as prescribed in paragraph 2 of subsection B of Section 1505 of this title or the Public Competitive Bidding Act of 1974.

2. Solicitations shall designate an opening and closing date and time for bids. Sealed bids received pursuant to this subsection shall be first opened in an open meeting of the board of county commissioners concurrently with other sealed bids received as provided in Section 1505 of this title or the Public Competitive Bidding Act of 1974.

3. The board of county commissioners shall be authorized to require online bidders to register before the opening date and time and, as part of that registration, require bidders to agree to any terms, conditions or other requirements of the solicitation or applicable acts.

4. The board of county commissioners shall be authorized to require potential online bidders to prequalify as bidders. Solicitations and published bid notices shall indicate the prequalification requirements for online bids. Bids submitted by online bidders not meeting a prequalification requirement shall be disqualified from consideration.

SECTION 2. This act shall become effective November 1, 2020.

Passed the House of Representatives the 3rd day of March, 2020.

Presiding Officer of the House
of Representatives

Passed the Senate the 11th day of May, 2020.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____