

5% In-State Bid Preference (House Bill 1885)

HB 1885 provides for a 5% in-state bid preference. **However, the bill does require specific verbiage to be included in your bid documents.**

Some language you could consider putting in your bid is:

“Pursuant to Oklahoma State Statute Title 61, Section 103, regarding Competitive Bidding Required: Any construction contract issued under this section may provide for a local bid preference of not more than five percent (5%) of the bid price if the public trust governing body determines that there is an economic benefit to the local area or economy. Provided, however, the local bidder or contractor must agree to perform the contract for the same price and terms as the bid proposed by the nonlocal bidder or contractor. No local bid preference shall be granted unless the local bidding entity is the second lowest qualified bid on the contract. A “local bid” means the bidding person is authorized to transact business in the State of Oklahoma and maintains a bona fide establishment for transacting business within the state. This provision does not apply to any construction contract for which federal funds are available for expenditure when its provisions may be in conflict with federal law or regulations.”