

**SUMMARY OF PUBLIC TRUST
BIDDING REQUIREMENTS**

Amount of Contract	Construction Contracts	Labor, Equipment or Materials
<p>Contract exceeds \$50,000</p> <p>(The PCBA, 61 O.S. § 103, divides the bidding requirement into contracts that exceed \$50,000 and those that are less than \$50,000. This poor drafting leaves a technical gap for contracts that are right at \$50,000. We would err on the side of caution and apply the more stringent bidding requirements for contracts that are \$50,000 and interpret the language as contracts 'of \$50,000 or more'.)</p>	<p>Public Competitive Bidding Act ("PCBA") applies: PCBA requires "open competitive bidding after solicitation for sealed bids."</p> <p>Notice must be published in a newspaper of general circulation and published in the county where the work is to be done, each notice by publication to be published in 2 consecutive weekly issues of said newspaper with first publication at least 20 days prior to date set for opening of bids</p> <p>Notice must also be sent to trade or construction publications, but does not necessarily have to be published. 61 O.S. § 104.</p> <p>All other requirements regarding solicitation and opening of bids under the PCBA apply.</p>	<p>Public Trust Act ("PTA") applies: public invitation to bid, advertised at least once a week for two (2) successive weeks in a newspaper of general circulation in the county where the principal office of the trust is located prior to date bids are to be received and opened. 60 O.S. § 176 F and H.</p>
<p>Contract less than \$50,000, but in excess of \$25,000</p> <p>(For reason stated above regarding drafting, interpret as "\$25,000 or more'.)</p>	<p>PCBA only requires "receipt of written bids."</p> <p>Therefore, can follow the PTA bid and notice requirements. The PTA requires a public invitation to bid, advertised at least once a week for two (2) successive weeks in a newspaper of general circulation in the county where the principal office of the trust is located prior to date bids are to be received and opened. 60 O.S. § 176 F and</p>	<p>PTA applies. See requirements above or in preceding section.</p>

	H.	
Contract less than \$25,000	<p>PCBA requires "receipt of written bids" for construction contracts less than \$50,000, but at or more than \$2,500.</p> <p>Must continue to solicit bids, but can use less stringent PTA notice and bid requirements.</p>	PTA does not require bidding for contracts less than \$25,000.
Contract less than \$2,500	PCBA permits negotiation with a qualified contractor.	PTA does not require bidding for contracts less than \$25,000.