

**TITLE 753. UNIVERSITY HOSPITALS TRUST  
CHAPTER 11. ACQUISITIONS AND CONSTRUCTION**

**RULE IMPACT STATEMENT**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

SUBCHAPTER 1. GENERAL PROVISIONS.

753:11-1-1. Purpose [NEW]

753:11-1-2. Definitions [NEW]

753:11-1-3. General Provisions [NEW]

753:11-1-4. Ethics [NEW]

753:11-1-5. Online Bidding (74 O.S. § 85.45r) [NEW]

SUBCHAPTER 3. PURCHASING

753:11-3-1. Supplier Selection and Standard Requirements [NEW]

753:11-3-2. Acquisitions [NEW]

753:11-3-3. Formal or Informal Competitive Solicitations (\$5,000 - \$50,000) [NEW]

753:11-3-4. Competitive Sealed Solicitations (\$50,000+) [NEW]

753:11-3-5. Bid Submission [NEW]

753:11-3-6. Bid Changes and Withdrawal [NEW]

753:11-3-7. Non-Responsive Bids. [NEW]

753:11-3-8. Contract Negotiation and Award [NEW]

753:11-3-9. Contract Management [NEW]

753:11-3-10. Acquisitions by Facilities Management and Housekeeping Contractor [NEW]

753:11-3-11. Professional Service Contracts [NEW]

753:11-3-12. Sole Source Contracts [NEW]

753:11-3-13. Emergency Acquisitions [NEW]

753:11-3-14. Credit/Debit Card [NEW]

SUBCHAPTER 5. DESIGN CONSULTANTS

753:11-5-1. Registration of Design Consultants [NEW]

753:11-5-2. Selection procedure [NEW]

753:11-5-3. Scheduling and performing interviews [NEW]

753:11-5-4. Negotiation of Contract [NEW]

753:11-5-5. Award of contract [NEW]

753:11-5-6. Professional services contracts [NEW]

SUBCHAPTER 7. CONSTRUCTION

753:11-7-1. Bid solicitations [NEW]

753:11-7-2. Bid documents [NEW]

753:11-7-3. Bid submittal [NEW]

753:11-7-4. Modifications/withdrawal of bids [NEW]

753:11-7-5. Bid openings [NEW]

753:11-7-6. Bid review and evaluation [NEW]

753:11-7-7. Contract award [NEW]

753:11-7-8. Pre-construction conference [NEW]

753:11-7-9. Construction conference [NEW]

753:11-7-10. Construction requirements; reviews and permits [NEW]

753:11-7-11. Adopted codes [NEW]

753:11-7-12. Payment requests [NEW]

753:11-7-13. Change orders [NEW]

753:11-7-14. Time extensions [NEW]

753:11-7-15. Substantial completion inspection [NEW]

753:11-7-16. Final inspection [NEW]

753:11-7-17. Contract completion [NEW]

#### SUBCHAPTER 9. CONSTRUCTION MANAGEMENT/AT RISK

753:11-9-1. Registration of Construction Managers [NEW]

753:11-9-2. Project designation consideration [NEW]

753:11-9-3. Selection procedure [NEW]

753:11-9-4. Selection committee [NEW]

753:11-9-5. Scheduling and performing interviews [NEW]

753:11-9-6. Fee negotiation and contracts [NEW]

753:11-9-7. Award of contract [NEW]

753:11-9-8. Changes to base contract [NEW]

#### SUBCHAPTER 11. BEST VALUE METHODOLOGY

753:11-11-1. Best Value vendor selection [NEW]

753:11-11-2. Vendor selection [NEW]

753:11-11-3. Clarification Period [NEW]

753:11-11-4. Risk minimization and performance [NEW]

753:11-11-5. Transparency and Best Value documentation [NEW]

753:11-11-6. Other requirements for contracts awarded using Best Value methodology [NEW]

#### SUBCHAPTER 13. SUPPLIER PROTESTS

753:11-13-1. Supplier notification [NEW]

753:11-13-2. Review and determination [NEW]

753:11-13-3. Supplier appeal of decision to deny protest [NEW]

753:11-13-4. Determination [NEW]

753:11-13-5. Administrative procedure [NEW]

753:11-13-6. Remedies [NEW]

753:11-13-7. Decision to be final [NEW]

#### **PURPOSE OF PROPOSED RULES:**

The University Hospitals Trust has conducted a substantial update to its acquisition and construction rules which better reflect updated practices and closely reflect those rules employed and adopted by other state entities.

#### **CLASS OF PERSONS AFFECTED/BENEFITTED:**

Persons seeking to do business with the University Hospitals Trust.

#### **PROBABLE ECONOMIC IMPACT:**

1. On affected classes: The economic impact will only be that which persons seeking to do business with the University Hospitals Trust may expend, which is anticipated to be minimal only.

2. On political subdivisions: There will be little or no economic impact due to the proposed change.

3. Fees: The proposed rule change does not address agency fees.

#### **PROBABLE COST TO AGENCY/OTHER AGENCY:**

Minimal administrative only. No additional personnel or budget expenses are anticipated.

**EFFECT ON STATE REVENUE:**

No economic impact to state revenue is anticipated.

**ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:**

No economic impact, or a need for cooperation from political subdivisions, is anticipated.

**EFFECT ON SMALL BUSINESS:**

None.

**ALTERNATIVE METHODS OF COMPLIANCE:**

There are no apparent alternative methods for compliance.

**PUBLIC HEALTH/SAFETY CONCERNS:**

There will be no known adverse impact or concerns as to public health, safety, or the environment that will result from this proposed rule change.

**DATE RULE IMPACT STATEMENT PREPARED:**

March 1, 2019