



April 1, 2016

RE: Bidding Preferences – Reciprocity

In accordance with the state statute below, the schedule following this memo provides a list of states that provide bidders in their states a preference and a summary of that preference.

**Title 74 § 85.17A. Bidding Preferences—Reciprocity—Awarding contracts**

A. State agencies shall not discriminate against bidders from states or nations outside Oklahoma, except as provided by this section. State agencies shall reciprocate the bidding preference given by other states or nations to bidders domiciled in their jurisdictions for acquisitions pursuant to the Oklahoma Central Purchasing Act. The State Purchasing Director shall annually prepare and distribute to certified procurement officers a schedule providing which states give bidders in their states a preference and the extent of the preference. This schedule shall be used by state agencies in evaluating bids.

B. For purposes of awarding contracts state agencies shall:

1. Give preference to goods and services that have been manufactured or produced in this state if the price, fitness, availability and quality are otherwise equal;
2. Give preference to goods and services from another state over foreign goods or services if goods or services manufactured or produced in this state are not equal in price, fitness, availability, or quality; and
3. Add a percent increase to the bid of a nonresident bidder equal to the percent, if any, of the preference given to the bidder in the state in which the bidder resides.

The list of states providing bidders a preference and a summary of the preference may be found at the following:

[http://www.ok.gov/DCS/Central\\_Purchasing/State\\_Reciprocal\\_and\\_Preference\\_Practices.html](http://www.ok.gov/DCS/Central_Purchasing/State_Reciprocal_and_Preference_Practices.html)