

Senate Bill 182

By: Senators Tate of the 38th, Scott of the 36th, Fort of the 39th, Paul of the 40th, Hecht of the 34th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

To amend an Act creating and establishing a purchasing department in certain counties of this state, approved March 27, 1941 (Ga. L. 1941, p. 408), as amended, particularly by an Act approved April 29, 1975 (Ga. L. 1975, p. 1147), an Act approved March 25, 1980 (Ga. L. 1980, p. 3858), and an Act approved April 13, 1993 (Ga. L. 1993, p. 288), so as to change the provisions relative to public letting and bids; to change the provisions relative to advertisement of bids; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating and establishing a purchasing department in certain counties of this state, approved March 27, 1941 (Ga. L. 1941, p. 408), as amended, particularly by an Act approved April 29, 1975 (Ga. L. 1975, p. 1147), an Act approved March 25, 1980 (Ga. L. 1980, p. 3858), and an Act approved April 13, 1993 (Ga. L. 1993, p. 288), is amended by striking Section 9 in its entirety and inserting in lieu thereof a new Section 9 to read as follows:

"SECTION 9.

If the several parts of the work or labor to be done or the supplies, materials, and equipment to be furnished shall together or in part involve the expenditure of more than \$100,000.00, such work or labor or supplies, materials, or equipment shall be procured only by contract on public letting founded on sealed bids under such regulations as shall be made by the board of commissioners or other county authority. The terms of such contracts, subject to such regulations and in conformity with law, shall be settled by the county attorney as an act of preliminary specification to a proposal for bids. The agency letting the contract and the board of commissioners may reject all bids if they shall deem it in the interest of the county to do so; if not, they shall, without other consent or approval, award the contract to the lowest responsible bidder. Such bids shall not be accepted after the time limit stated

1 in the proposal for bids and shall not be opened except in the presence of both the county
2 purchasing agent, or the designee thereof, and the head of the agency requesting the items.
3 The bids shall be decided by the agency letting the contract. Whenever a contract is
4 awarded to anyone other than the lowest bidder, the agency awarding the same shall file
5 in its office and with said county authority a statement in detail of the reasons therefor."

6 **SECTION 2.**

7 This Act shall become effective upon its approval by the Governor or upon its becoming law
8 without such approval.

9 **SECTION 3.**

10 All laws and parts of laws in conflict with this Act are repealed.