

House Bill 833 (COMMITTEE SUBSTITUTE) (AM)

By: Representatives Lunsford of the 110th, Knight of the 126th, Yates of the 73rd, Talton of the 145th, Loudermilk of the 14th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local government,
2 so as to provide that the Georgia Procurement Registry shall be used in addition to the
3 official legal organ for advertisement of certain bid opportunities for goods and services and
4 public works construction contracts by a municipal corporation, county, or local board of
5 education; to require advertisement of certain bid opportunities by local government entities
6 via the Georgia Procurement Registry; to provide that advertisement via the Georgia
7 Procurement Registry shall be at no cost to local government entities; to provide for other
8 matters relative to the foregoing; to provide an effective date; to repeal conflicting laws; and
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
13 in Chapter 80, relating to general provisions applicable to counties, municipal corporations,
14 and other government entities, by inserting at the end thereof a new Code Section 36-80-21
15 to read as follows:

16 "36-80-21.

17 Each bid opportunity of a municipal corporation, county, or local board of education for
18 goods and services valued at \$40,000.00 or more and each bid opportunity for public works
19 construction contracts valued at \$100,000.00 or more shall be advertised by such respective
20 local government entity by means of the Georgia Procurement Registry as established in
21 Code Section 50-5-69, and may be advertised in the official legal organ of the municipal
22 corporation, county, or local board of education in the same manner as required by Code
23 Section 36-91-20. Advertisement by means of the Georgia Procurement Registry shall be
24 at no cost to the municipal corporation, county, or local board of education. Each
25 advertisement shall include such details and specifications as will enable the public to
26 know the extent and character of the bid opportunity."

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SECTION 2.

Said title is further amended in Code Section 36-91-20, relating to contracting and bidding requirements for public works construction contracts, by striking subsection (b) and inserting in lieu thereof a new subsection (b) to read as follows:

"(b) Prior to entering into a public works construction contract other than those exempted by Code Section 36-91-22, a governmental entity shall publicly advertise the contract opportunity. Such notice shall be posted conspicuously in the governing authority's office and shall be advertised via the Georgia Procurement Registry established under subsection (b) of Code Section 50-5-69. In addition, such contract opportunity may be advertised in the legal organ of the county or by electronic means on an Internet website of the governmental entity or an Internet website identified by the governmental entity. Contract opportunities shall be advertised a minimum of two times, with the first advertisement occurring at least four weeks prior to the opening of the sealed bids or proposals. The second advertisement shall follow no earlier than two weeks from the first advertisement. Plans and specifications shall be available on the first day of the advertisement and shall be open to inspection by the public. The advertisement shall include such details and specifications as will enable the public to know the extent and character of the work to be done. All required notices of advertisement shall also advise of any mandatory prequalification requirements or pre-bid conferences as well as any federal requirements pursuant to subsection (d) of Code Section 36-91-22."

SECTION 3.

This Act shall become effective on July 1, 2006.

SECTION 4.

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