

Senate Bill 508

By: Senators Hill of the 32nd and Loudermilk of the 52nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 36-91-21 of the Official Code of Georgia Annotated, relating to
2 competitive award requirements, so as to provide for certain requirements as to public
3 advertisements; to provide for related matters; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Code Section 36-91-21 of the Official Code of Georgia Annotated, relating to competitive
8 award requirements, is amended by revising subsection (b) as follows:

9 "(b) Any competitive sealed bidding process shall comply with the following requirements:

10 (1) The governmental entity shall publicly advertise an invitation for bids pursuant to
11 Code Section 36-91-20;

12 (2) Bidders shall submit sealed bids based on the criteria set forth in such invitation;

13 (3) The governmental entity shall open the bids publicly and evaluate such bids without
14 discussions with the bidders; and

15 (4) The contract ~~shall~~ may be awarded to the lowest responsible and responsive bidder
16 whose bid meets the requirements and criteria set forth in the invitation for bids;
17 provided, however, that if the bid from the lowest responsible and responsive bidder
18 exceeds the funds budgeted for the public works construction contract, the governmental
19 entity may negotiate with such apparent low bidder to obtain a contract price within the
20 budgeted amount. Such negotiations may include changes in the scope of work and other
21 bid requirements."

22 SECTION 2.

23 All laws and parts of laws in conflict with this Act are repealed.