

1 institutions, departments, officers, and employees of the county,
2 except at public auctions and as otherwise provided for by law;

3 2. May make purchases for political subdivisions of this state
4 within the county if authorized by appropriate action of the
5 governing board or body of the political subdivision affected. The
6 term "political subdivisions" includes, but is not limited to, fire
7 protection districts created pursuant to the provisions of Section
8 901.1 et seq. of Title 19 of this title, and benevolent or
9 charitable corporate volunteer or full-time fire departments for
10 unincorporated areas created pursuant to the provisions of Section
11 592 et seq. of Title 18 of the Oklahoma Statutes;

12 3. Shall make purchases and rental or lease-purchase agreements
13 only after following the bidding procedures as provided for by law,
14 except:

- 15 a. when the purchase does not exceed Fifteen Thousand
16 Dollars (\$15,000.00). All purchases made pursuant to
17 this subparagraph shall be by a single purchase order.
18 Splitting purchase orders which would result in paying
19 an amount in excess of the limitations specified in
20 this subparagraph is expressly prohibited. Any person
21 convicted of violating the provisions of this
22 subparagraph shall be guilty of a misdemeanor and such
23 person shall forfeit the person's position or office,
24

- 1 b. when the total payments of a rental or lease-purchase
2 agreement do not exceed the current bid limit as
3 established in subparagraph a of this paragraph,
4 c. when articles and items are covered by single-source
5 contracts,
6 d. service or maintenance contracts on equipment or
7 machinery which are entered into at the time of the
8 purchase of the equipment or machinery,
9 e. purchases made pursuant to a blanket purchase order as
10 provided for in Section 310.8 of Title 62 of the
11 Oklahoma Statutes,
12 f. when materials for road or bridge improvements do not
13 exceed Three Dollars (\$3.00) per yard or per ton,
14 g. purchases of fuel if the county purchasing agent
15 obtains telephone quotes from at least three vendors
16 prior to the purchase and the lowest and best quote is
17 selected. Documentation of these quotes shall be
18 recorded in the permanent records of the clerk,
19 h. purchases of tools, apparatus, machinery or equipment
20 from a state agency or a political subdivision of the
21 state as provided for in subsection C of Section 421.1
22 of this title,
23 i. purchases of food for prisoners incarcerated in the
24 county jail; provided, in counties having a population

1 in excess of one hundred thousand (100,000) persons,
2 the county purchasing agent shall follow bidding
3 procedures as provided by law unless the county
4 purchasing agent obtains telephone quotes pursuant to
5 the whole total of food items requisitioned prior to
6 the purchase and the lowest and best quote is
7 selected. Documentation of these quotes shall be
8 recorded in the permanent records of the county clerk,
9 j. when a county solicits bids for the purchase of
10 processed native materials for road and bridge
11 improvements, the county may accept all bids received,
12 with the lowest and best bid from those accepted to be
13 selected at the time of opening of any construction
14 project. The selection of the bid shall be based upon
15 availability, bid price, plus transportation costs,
16 k. when a vendor has been selected as the lowest and best
17 bidder to furnish a particular item or items to the
18 county during a specified time period and in the event
19 the vendor is unable to perform, the purchasing agent
20 may solicit telephone quotes for the item or items
21 needed from the list of qualified bidders and provide
22 for the purchase of the items at the lowest and best
23 quote available,
24

1. when considering the purchase of an item or items from the state bid list as provided by the Office of Management and Enterprise Services or the General Services Administration, if the same exact item is available from a local vendor at or below the price listed on the state bid list or the General Services Administration list, the item may be obtained from the vendor,
- m. any item or items bid by the Office of Management and Enterprise Services which may be purchased by the county, provided the vendor is willing to supply the item or items to the county at the bid price,
- n. when a county obtains proceeds from the sale of its property at a public auction, that county may use those proceeds to acquire items previously identified as needed by the county at the same public auction pursuant to subsection D of Section 1505 of this title,
- o. when an item or items have been competitively bid by a county, or on behalf of a group of counties, provided:
- (1) the notice to bidders shall list each county which may participate in the purchase of the item or items being bid,

- 1 (2) the notice of bid is advertised, as provided by
2 law, in each of the counties which may
3 participate in the purchase of the item or items,
4 (3) all vendors on the list of qualified bidders of
5 each participating county who offer the item or
6 items for sale received notice of the bid
7 request, and
8 (4) the vendor awarded the bid is willing and able to
9 provide the item or items at the bid price,

10 p. counties may participate in a nationwide purchasing
11 program sponsored by the national association
12 representing counties and local cooperative
13 procurement agreements entered into by the counties
14 and other local jurisdictions or any other
15 competitively bid nationwide purchasing program, or

16 q. when the Governor declares an emergency in a county,
17 the district attorney of that county shall have the
18 authority to temporarily waive competitive bidding
19 procedures for purchases that may expedite a response
20 to the emergency situation. This temporary waiver
21 shall be in addition to any powers exercised pursuant
22 to Section 683.11 of Title 63 of the Oklahoma
23 Statutes.
24

1 The purchases shall be paid by attaching properly itemized
2 invoices, as described in Section 1505 of this title, to a purchase
3 order which has been prepared by the county purchasing agent and
4 submitting both to the county clerk for filing, encumbering, and
5 consideration for payment by the board of county commissioners;

6 4. Shall not furnish any supplies, materials, equipment, or
7 other articles, except upon receipt of a requisition signed by a
8 county officer. Written requisitions will not be required for
9 blanket purchase orders as provided for in Section 310.8 of Title 62
10 of the Oklahoma Statutes. Each county officer may designate not
11 more than two employees who also shall be authorized to sign
12 requisitions in the absence of the county officer. A written
13 designation of the employees shall be filed with the county clerk
14 and shall be entered in the minutes of the board of county
15 commissioners;

16 5. Shall make lease or lease-purchase agreements for road
17 machinery and equipment if the county has adequate funds
18 appropriated during any fiscal year for such purpose and only after
19 following the bidding procedures as provided for in Section 1505 of
20 this title. The term of any lease or lease-purchase agreement
21 authorized pursuant to this paragraph may be for any period up to
22 one (1) year ; provided, the term shall not extend beyond the end of
23 any fiscal year, with an option to renew such agreement subject to
24 the requirement that adequate funds are appropriated during the

1 fiscal year by the county for such purpose. The State Auditor and
2 Inspector's office shall be notified by the county of the terms and
3 conditions of a lease or lease-purchase agreement authorized
4 pursuant to this paragraph before any such agreement is made by the
5 county purchasing agent; and

6 6. Shall perform such other duties as may be delegated by the
7 appointing authority or as may be provided for by law.

8 B. Each department of county government needing repairs to
9 equipment, machinery or vehicles shall make estimates and
10 requisition a purchase order from the county purchasing agent for
11 repairs not in excess of Ten Thousand Dollars (\$10,000.00). Repairs
12 in excess of Ten Thousand Dollars (\$10,000.00) shall be submitted on
13 a blanket purchase order as provided in Section 310.8 of Title 62 of
14 the Oklahoma Statutes.

15 C. If the governing body of a fire protection district or a
16 benevolent or charitable corporate volunteer or full-time fire
17 department, as provided for in subsection A of this section, does
18 not authorize the county purchasing agent to make purchases pursuant
19 to paragraph 2 of subsection A of this section, and the fire
20 protection district or fire department receives sales tax revenue
21 from the county, unless otherwise provided by law, the fire
22 protection district or fire department shall:

23 1. Be the purchasing agent for the fire protection district or
24 fire department;

1 2. Follow the bidding procedures provided for in paragraph 3 of
2 subsection A of this section;

3 3. Remit copies of invoices to the board of county
4 commissioners; and

5 4. Keep accounting records of all purchases in a form approved
6 by the State Auditor and Inspector. The records shall be made
7 available to the State Auditor and Inspector, upon request.

8 SECTION 2. This act shall become effective July 1, 2016.

9 SECTION 3. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13
14 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT,
15 dated 02/10/2016 - DO PASS, As Coauthored.