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AS AMENDED

By: Rousselot, Cockroft and
Bennett of the House

Barrington of the Senate

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1 2. May make purchases for political subdivisions of this state
2 within the county if authorized by appropriate action of the
3 governing board or body of the political subdivision affected;

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

- 7 a. when the purchase does not exceed Fifteen Thousand
8 Dollars (\$15,000.00). All purchases made pursuant to
9 this subparagraph shall be by a single purchase order.
10 Splitting purchase orders which would result in paying
11 an amount in excess of the limitations specified in
12 this subparagraph is expressly prohibited. Any person
13 convicted of violating the provisions of this
14 subparagraph shall be guilty of a misdemeanor and such
15 person shall forfeit the person's position or office,
16 b. when the total payments of a rental or lease-purchase
17 agreement do not exceed the current bid limit as
18 established in subparagraph a of this paragraph,
19 c. when articles and items are covered by single-source
20 contracts,
21 d. service or maintenance contracts on equipment or
22 machinery which are entered into at the time of the
23 purchase of the equipment or machinery,
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- 1 e. purchases made pursuant to a blanket purchase order as
2 provided for in Section 310.8 of Title 62 of the
3 Oklahoma Statutes,
- 4 f. when materials for road or bridge improvements do not
5 exceed Three Dollars (\$3.00) per yard or per ton,
- 6 g. purchases of fuel if the county purchasing agent
7 obtains telephone quotes from at least three vendors
8 prior to the purchase and the lowest and best quote is
9 selected. Documentation of these quotes shall be
10 recorded in the permanent records of the clerk,
- 11 h. purchases of tools, apparatus, machinery or equipment
12 from a state agency or a political subdivision of the
13 state as provided for in subsection C of Section 421.1
14 of this title,
- 15 i. purchases of food for prisoners incarcerated in the
16 county jail; provided, in counties having a population
17 in excess of one hundred thousand (100,000) persons,
18 the county purchasing agent shall follow bidding
19 procedures as provided by law unless the county
20 purchasing agent obtains telephone quotes pursuant to
21 the whole total of food items requisitioned prior to
22 the purchase and the lowest and best quote is
23 selected. Documentation of these quotes shall be
24 recorded in the permanent records of the county clerk,

- 1 j. when a county solicits bids for the purchase of
2 processed native materials for road and bridge
3 improvements, the county may accept all bids received,
4 with the lowest and best bid from those accepted to be
5 selected at the time of opening of any construction
6 project. The selection of the bid shall be based upon
7 availability, bid price, plus transportation costs,
- 8 k. when a vendor has been selected as the lowest and best
9 bidder to furnish a particular item or items to the
10 county during a specified time period and in the event
11 the vendor is unable to perform, the purchasing agent
12 may solicit telephone quotes for the item or items
13 needed from the list of qualified bidders and provide
14 for the purchase of the items at the lowest and best
15 quote available,
- 16 l. when considering the purchase of an item or items from
17 the state bid list as provided by the Office of
18 Management and Enterprise Services or the General
19 Services Administration, if the same exact item is
20 available from a local vendor at or below the price
21 listed on the state bid list or the General Services
22 Administration list, the item may be obtained from the
23 vendor,
- 24

- 1 m. any item or items bid by the Office of Management and
2 Enterprise Services which may be purchased by the
3 county, provided the vendor is willing to supply the
4 item or items to the county at the bid price,
- 5 n. when a county obtains proceeds from the sale of its
6 property at a public auction, that county may use
7 those proceeds to acquire items previously identified
8 as needed by the county at the same public auction
9 pursuant to subsection D of Section 1505 of this
10 title,
- 11 o. when an item or items have been competitively bid by a
12 county, or on behalf of a group of counties, provided:
- 13 (1) the notice to bidders shall list each county
14 which may participate in the purchase of the item
15 or items being bid,
- 16 (2) the notice of bid is advertised, as provided by
17 law, in each of the counties which may
18 participate in the purchase of the item or items,
- 19 (3) all vendors on the list of qualified bidders of
20 each participating county who offer the item or
21 items for sale received notice of the bid
22 request, and
- 23 (4) the vendor awarded the bid is willing and able to
24 provide the item or items at the bid price,

1 p. counties may participate in a nationwide purchasing
2 program sponsored by the national association
3 representing counties and local cooperative
4 procurement agreements entered into by the counties
5 and other local jurisdictions or any other
6 competitively bid nationwide purchasing program, or

7 q. when the Governor declares an emergency in a county,
8 the district attorney of that county shall have the
9 authority to temporarily waive competitive bidding
10 procedures for purchases that may expedite a response
11 to the emergency situation. This temporary waiver
12 shall be in addition to any powers exercised pursuant
13 to Section 683.11 of Title 63 of the Oklahoma
14 Statutes.

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

20 4. Shall not furnish any supplies, materials, equipment, or
21 other articles, except upon receipt of a requisition signed by a
22 county officer. Written requisitions will not be required for
23 blanket purchase orders as provided for in Section 310.8 of Title 62
24 of the Oklahoma Statutes. Each county officer may designate not

1 more than two employees who also shall be authorized to sign
2 requisitions in the absence of the county officer. A written
3 designation of the employees shall be filed with the county clerk
4 and shall be entered in the minutes of the board of county
5 commissioners. The county may designate two individuals who are not
6 county employees for each entity to act as receiving and
7 requisitioning officers for fire protection districts and other
8 entities within the county. A written designation of these
9 individuals shall be filed with the county clerk and shall be
10 entered in the minutes of the board of county commissioners.
11 Further, entities choosing to designate any nonemployee of the
12 county to act as a receiving officer shall provide evidence of
13 blanket bond coverage or employee dishonesty liability insurance for
14 any such designee;

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

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

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

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

14 SECTION 2. AMENDATORY 19 O.S. 2011, Section 1503, is
15 amended to read as follows:

16 Section 1503. A. Each county officer shall designate two ~~(2)~~
17 employees to act as receiving officers for their departments. A
18 written designation of such employees shall be filed with the county
19 clerk and shall be entered in the minutes of the board of county
20 commissioners.

21 B. The county may designate two individuals who are not county
22 employees for each entity to act as receiving and requisitioning
23 officers for fire protection districts. A written designation of
24 these individuals shall be filed with the county clerk and shall be

1 entered in the minutes of the board of county commissioners.
2 Further, entities choosing to designate any nonemployee of the
3 county to act as a receiving officer shall provide evidence of
4 blanket bond coverage or employee dishonesty liability insurance for
5 any such designee.

6 SECTION 3. This act shall become effective July 1, 2016.

7 SECTION 4. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

11 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
12 March 28, 2016 - DO PASS AS AMENDED
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