CRAIGHEAD COUNTY

PURCHASING

POLICY

Revised January 2002, as revised
March 1, 2005, as revised
March 25, 2008,as revised
August 17, 2011,as revised
January 25,2012,as revised
January 7, 2014,as revised
January 7, 2016,as revised
January 10, 2017

Purchasing Department
Craighead County Courthouse Annex
511 Union Room 119
Jonesboro, Arkansas 72401
Phone No. (870) 933-4500
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FROM THE PURCHASING AGENT:
In a centralized purchasing system, there are two key elements necessary in order for the system to function properly and adequately serve the needs of Craighead County.

Planning: This key element is a must for all office/departments within the County. Adequate time for procurement of necessary supplies and services must be an integral part of each office/ department's daily operation. Without this planning, additional costs may be incurred through:

A. Higher price per unit cost
B. Higher freight cost
C. Lesser quality products and services
D. Man-hours not utilized efficiently

2. **Communication:** Good, clear, and knowledgeable communication is a necessity within all areas of each office/department and between related office/departments. Good communication channels allow pertinent information to get to the proper people in the most efficient time within the department. Any purchasing system relies on the same principles of procuring needed supplies and services at the right price, right time, right quality and right quantity. Your purchasing requirements must be carefully analyzed in order to allow the purchasing department to follow guidelines and proper channels in getting purchase orders issued and deliveries made to meet the necessary time schedule. Only through your cooperation, can the Purchasing Department service your needs adequately. All procedures set forth in this manual require that planning and communication be an integral part of your purchasing procedure. Most obstacles can be avoided by proper foresight.

PURCHASING AGENT
CRAIGHEAD COUNTY

PURPOSE OF MANUAL
The purpose of this Purchasing Manual is to provide one complete source of purchasing information. This information will be utilized by each County office/department when obtaining supplies, materials, and services. The compliance with procedures, as set forth in this manual, is essential to the achievement of the primary objective of a centralized purchasing system.

OBJECTIVES OF CENTRALIZED PURCHASING

The primary objective of a centralized purchasing system is to maximize expenditures in a manner that will yield the most economical value for each tax dollar spent. Therefore, departmental cooperation is of the utmost importance and responsibilities of each functional area in the purchasing process should be clearly understood.

It is the intent of this Purchasing Policy, and supported by the Purchasing Department, County Court, Quorum Court, and Arkansas Code l4-22-111 and 19-11-259 that every effort be made to purchase goods and services in the following order, providing that price, quality, and service are competitive.

1. Local level: (With-in Craighead County).
2. State level: (With-in the State of Arkansas).
3. Out of State level: (Outside the State of Arkansas).

LEGAL AUTHORITY FOR PURCHASING

Authority for making purchases is provided by state law and county ordinances. In the centralized purchasing system, only the purchasing department and those so authorized by the Purchasing Agent, may be permitted to make purchases for the County.

EMERGENCY ORDINANCE NO. 78-8

BE IT ORDAINED BY THE QUORUM COURT, OF CRAIGHEAD COUNTY, STATE OF ARKANSAS THAT:

SECTION 1. The Budget Committee of the Quorum Court is hereby authorized to promulgate all rules and regulations, deemed necessary for the proper and orderly development of a comprehensive purchasing policy for Craighead County, provided that the committee is restricted from any action in violation of County Ordinance and/or the General Laws of the State of Arkansas.

SECTION 2. Any action by the budget committee may be reversed or altered by a majority vote of the entire Quorum Court.

SECTION 3. It is hereby determined that Craighead County is in need of a comprehensive purchasing policy. Therefore, an emergency is declared to exist and this ordinance being necessary for the peace, health and safety is declared to be in full force and effect from and after its passage.

JOURNAL OF PROCEEDINGS
OF THE

CRAIGHEAD COUNTY QUORUM COURT

Jonesboro, Arkansas February 22, 1982

Justice Atwood made a motion, seconded by Justice Hardwick to accept the proposed County Purchasing Policy presented to the Court at the last meeting. All members being in favor, the Policy was adopted. [Ref: Emergency Ordinance No. 78-8.]

RESPONSIBILITIES

PURCHASING AGENT/DEPARTMENT

1. Obtaining prices on comparable items.
2. Maintaining up-to-date vendor files.
3. Locating new and additional sources of supplies and services.
4. Advertising for bids, receiving bids, and maintaining bid files.
5. Selecting vendors, preparing purchase orders, and making purchases.
6. Assisting in the preparation of specifications and maintaining files on specifications.
7. Maintaining historical performance files.
8. Assisting in the preparation of contracts.
9. Assisting in marketing and redistributing surplus assets.

COUNTY OFFICES/DEPARTMENTS

Preparing purchase requisitions that supply complete information or supplying complete information on items and services to be purchased.

2. Assisting the Purchasing Department by suggesting sources of supply and past performance information.
3. Planning purchases to eliminate avoidable emergencies.
4. Preparing specifications.
5. Insuring that unauthorized purchases are not made by office/ department personnel.
6. Insuring that funds are available to make purchases.
7. Submitting purchase requests early so there is ample time to make the purchases.
8. Sending samples of the product to be purchased, when feasible, to the purchasing department to help insure the purchase of the same type and quality of product.

NOTE:

The Purchasing Department recommends that each Office/Department designate one person within that Office/Department to correspond with the Purchasing Department concerning the procurement of supplies and services.

OFFICE/DEPARTMENT PURCHASES

1. Offices/Departments may purchase items and services up to $500 directly from vendors on a charge basis. Purchases less than $100 will not need a P.O. number, unless required by the vendor or Office/Department head; while purchases of $100 to $500 will require a P.O. number and it will be given over the phone to the authorized person making the purchase, with the cost of the products or services being given to the Purchasing Department. Delivery tickets for such acquisition are to be signed by an authorized employee making the purchase. The delivery tickets or invoices must be turned in to the person designated by each department to receive such documents immediately after the purchase. Failure to follow this procedure incurs lost time in payment of bills and adversely affects the County's credit privileges. It is the

Office/Department Head's responsibility to ensure that those charges are not abused and that all personnel are diligently instructed as to the necessity of turning in all invoices/delivery tickets. Also, the practice of 'double-billing'/ 'splitting the invoice price', or any other practice of dividing a purchase in order to make the amount appear to conform to the criteria of a lesser charge is prohibited.

2. Purchases over $500 should be channeled through the Purchasing Department, except, purchases for replacement parts and labor for repairs for machinery and equipment which cost in excess of $500 may be made by the Office/Department head, provided that this practice is not abused and the best interest of the county is first and foremost, and that competitive vendors are contacted on a periodic basis to ensure that the county is getting the best buy in quality and price.

3. For purchases over $500 and less than $20,000; no less that two (2) bids should be received and documented. In cases where two (2) or more bids are not obtainable, the Purchasing Agent should document the reason therefore.

4. A bid for an item will be effective for a period of three (3) months, providing the low bidder maintains the same quotation and providing the Purchasing Agent has no justification for re-bidding. If the low bidder will not maintain the previous quotation, new bids may be taken.

5. For purchases that amount to Twenty Thousand dollars ($20,000) or more, the Purchasing Agent shall follow the formal bidding procedures, as outlined in Arkansas Code 14-22-102.

DOWN TIME PURCHASES

Purchases may be made directly from the vendor in such instances where the items or services needed to continue to operate at minimum capacity is less costly to the County than the down time expense that would other- wise be incurred by not being able to operate, and the Purchasing Department cannot be readily contacted. In such instances where the cost exceeds $500, but less than $20,000, a written statement should be attached to the delivery 'ticket or invoice, signed by the Office/Department head, explaining in detail, the nature and necessity of the purchase, and forwarded to the Purchasing Department within five (5) working days. Down time purchases cannot exceed Twenty Thousand dollars ($20,000).

EMERGENCY PURCHASES

An emergency is defined as an unforeseen and unavoidable situation in which human life, health, public safety and/or property is in jeopardy. In this type of situation, purchases may be made directly from the vendor for the needed items or services, provided the Purchasing Department cannot be readily contacted. A written statement should be attached to the delivery ticket or invoice, signed by the Office/Department head, explaining in detail the nature of the emergency and the necessity of the purchase, and forwarded to the Purchasing Department within five (5) working days. (Ref: Arkansas Code 14-22-106 Item 8.

Blanket purchase orders may be issued in some instances where supplies or services of the same type are purchased several times throughout the year, providing a vendor has been established.

BUDGETED PURCHASES

When an Office/Department wishes to order fixed assets or other services that have been approved by item or category in the annual budget, the purchase procedure as defined in this manual is to be followed.

NON BUDGETED PURCHASES
When an Office/Department wishes to purchase items or services that have not been included in the annual budget, approval from the County Court must be granted before the purchase can be made by the Purchasing Department.

LATE ORDERS
Once the Purchasing Department has issued a purchase order, no follow-up work is done on the order unless the requesting department advises that the item has not been delivered on time. Upon notification of a late order, the Purchasing Department will contact the vendor.

CANCELLATION OF PURCHASE ORDERS
Cancellations of purchase orders for those can be made only through the Purchasing Department for those orders routed through the Purchasing Department.

SALES TAX
Craighead County must pay the current rate of state and local sales tax on commodities and services purchased, 6.5% State, 1% Local County tax; 1% Jonesboro City Tax;
Total of 8.5%

ADDENDUMS-
As new legislation is enacted or purchasing policies and procedures are updated or changed that alter the scope of this manual, the Purchasing Agent/Department will issue to each Office/Department an addendum to this manual. This addendum is to be placed in this manual and made a part thereof.
The Craighead County Purchasing Policy has been amended and updated to include a current State and County amendments and being in force and effective January 10, 2017.

CONCLUSION-
Obviously, no policy, manual or directive can been written in a manner that will encompass every event. Therefore, those areas that have not been clearly defined in this manual are subject to discussion between the Purchasing Agent and any interested party.

OFFICES AND DEPARTMENTS
County Judge
County Clerk
County Treasurer
County Collector
County Assessor
Building Maintenance
Election Commission
Computer Services
Lake City Clerk
County Sheriff
Circuit Court Administrator
Trial Court Administrator II
Trial Court Administrator III

Trial Court Administrator IV
Trial Court Administrator V
District Court
Juvenile Court
Prosecuting Attorney
County Jail
Coroner
Circuit Court
Deputy Prosecuting Attorney
Victim Witness Assistance
Office of Emergency Management
Veteran's Service Office
County Extension Office
County Road Department
Circuit Clerk Recorder Cost Fund
911 Emergency Service
Public Defender

TO EACH OFFICE/DEPARTMENT IN CRAIGHEAD COUNTY

This Purchasing Policy is in force and effective upon receipt.
Ed Hill
Craighead County Judge

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A.C.A. § 14-22-101 (Copy w/ Cite) Pages: **3**

A.C.A. § 14-22-101

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-101 (2017)

14-22-101. Definitions.

As used in this chapter, unless the context otherwise requires:

(1) "Commodities" means all supplies, goods, material, equipment, machinery, facilities, personal property, and services other than personal services, purchased for or on behalf of the county;

(2) "Formal bidding" means the procedure to be followed in the solicitation and receipt of sealed bids, wherein:

(A) Notice shall be given of the date, time, and place of opening of bids, and the names or a brief description and the specifications of the commodities for which bids are to be received, by one (1) insertion in a newspaper with a general circulation in the county, not less than ten (10) days nor more than thirty (30) days prior to the date fixed for opening such bids;

(B) Not less than ten (10) days in advance of the date fixed for opening the bids, notices and bid forms shall be furnished to all eligible bidders on the bid list for the class of commodities on which bids are to be received, and to all others requesting them; and

(C) At least ten (10) days in advance of the date fixed for opening bids, a copy of the notice of invitation to bid shall be posted in a conspicuous place in the county courthouse;

(3) "Open market purchases" means those purchases of commodities by any purchasing official in which competitive bidding is not required;

(4) "Purchase" means not only the outright purchase of a commodity, but also the acquisition of commodities under rental-purchase agreements or lease-purchase agreements or any other types of agreements whereby the county has an option to buy the commodity and to apply the rental payments on the purchase price thereof;

(5) "Purchase price" means the full sale or bid price of any commodity, without any allowance for trade-in;

(6) "Purchasing official" means any county official, individual, board, or commission, or his or her or its lawfully designated agent, with constitutional authority to contract or make purchases on behalf of the county;

(7) "Trade-in purchases" means all purchases where offers must be included with the bids of each bidder for trade-in allowance for used commodities; and

(8) (A) "Used or secondhand motor vehicles, equipment, or machinery" means motor vehicles, equipment, or machinery at least one (1) year in age from the date of original manufacture or that has at least two hundred fifty (250) working hours' prior use or five thousand (5,000) miles' prior use.

(B) (i) A purchase of a used motor vehicle, equipment, or machinery shall be accompanied by a statement in writing from the vendor on the bill of sale or other document that the motor vehicle, equipment, or machinery is at least one (1) year in age from the date of original manufacture or has been used a minimum of two hundred fifty (250) hours or driven a minimum of five thousand (5,000) miles.

(ii) This statement shall be filed with the county clerk at the time of purchase.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 2; 1975, No. 439, § 2; 1975, No. 617, § 2; 1985, No. 844, § 1; A.S.A. 1947, § 17-1602; Acts 2001, No. 219, § 1; 2009, No. 410, § 8; 2009, No. 756, § 21; 2015, No. 561, § 1.

View Full
1 of 1
Book Browse
A.C.A. § 14-22-101 (Copy w/ Cite) Pages: 3

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A.C.A. § 14-22-102

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-102 (2017)

14-22-102. Applicability.

(a) It is unlawful for any county official to make any purchases with county funds in excess of twenty thousand dollars ($20,000), unless the method of purchasing prescribed in this chapter is followed.

(b) This chapter shall not apply to any purchases under twenty thousand dollars ($20,000) or to the purchase of commodities set forth in § 14-22-106.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 1; 1975, No. 439, § 1; 1975, No. 617, § 1; 1985, No. 745, § 1; A.S.A. 1947, § 17-1601; Acts 1995, No. 431, § 1; 2003, No. 209, § 1; 2007, No. 249, § 1.

View Full 1 of 1
Book Browse
A.C.A. § 14-22-102 (Copy w/ Cite) Pages: 2

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A.C.A. § 14-22-103

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-103 (2017)

14-22-103. Penalty.

Any person or official who intentionally violates the provisions of this chapter upon conviction shall be fined in any amount not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000). In addition thereto, he or she may be removed from his or her office or position of employment with the county.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 13; A.S.A. 1947, § 17-1613.

View Full 1 of 1
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View Tutorial

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A.C.A. § 14-22-104

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-104 (2017)

14-22-104. Purchases permitted.

All purchases of commodities made by any county purchasing official with county funds, except those specifically exempted by this chapter, shall be made as follows:

(1) Formal bidding shall be required in each instance in which the estimated purchase price shall equal or exceed twenty thousand dollars ($20,000);

(2) Open market purchases may be made of any commodities where the purchase price is less than twenty thousand dollars ($20,000); and

(3) No purchasing official shall parcel or split any items of commodities or estimates with the intent or purpose to change the classification or to enable the purchase to be made under a less restrictive procedure.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 3; 1975, No. 439, § 3; 1975, No. 617, § 3; 1985, No. 745, § 2; A.S.A. 1947, § 17-1603; Acts 1995, No. 431, § 2; 2003, No. 209, § 2; 2007, No. 249, § 2.

View Full 1 of 1
Book Browse
A.C.A. § 14-22-104 (Copy w/ Cite) Pages: 2

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A.C.A. § 14-22-105

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-105 (2017)

14-22-105. Purchase of motor fuels and accessories.

For the purpose of this chapter, any county within this state may be considered a state agency for the purpose of purchasing gasoline, oil, and other motor fuels, and batteries, tires, and tubes for motor vehicles. Any county purchasing agent within this state may, by complying with Acts 1955, No. 313, §§ 13, 14 [repealed], purchase such commodities through the state purchasing agent under the authority set forth in these statutes.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 11; A.S.A. 1947, § 17-1611.

View Full 1 of 1
Book Browse
A.C.A. § 14-22-105 (Copy w/ Cite) Pages: 2

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A.C.A. § 14-22-106 (Copy w/ Cite) Pages: 4

A.C.A. § 14-22-106

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Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-106 (2017)

14-22-106. Purchases exempted from soliciting bids.

The following listed commodities may be purchased without soliciting bids:

(1) Perishable foodstuffs for immediate use;

(2) Unprocessed feed for livestock and poultry;

(3) Advanced emergency medical services provided by a nonprofit corporation and proprietary medicines when specifically requested by a professional employee;

(4) Books, manuals, periodicals, films, and copyrighted educational aids for use in libraries and other informational material for institutional purposes;

(5) Scientific equipment and parts therefor;

(6) Replacement parts and labor for repairs of machinery and equipment;

(7) Commodities available only from the federal government;

(8) (A) Any commodities needed in instances in which an unforeseen and unavoidable emergency has arisen in which human life, health, or public property is in jeopardy.

(B) An emergency purchase under subdivision (8)(A) of this section shall not be approved unless a statement in writing is attached to the purchase order describing the emergency necessitating the purchase of the commodity without competitive bidding;

(9) Utility services, the rates for which are subject to regulation by a state agency or a federal regulatory agency;

(10) Sand, gravel, soil, lumber, used pipe, or used steel;

(11) Used or secondhand motor vehicles, machinery, or equipment, except a used or

secondhand motor vehicle that has been under lease to a county when the vehicle has fewer than five thousand (5,000) miles of use shall not be purchased by the county when it has been used five thousand (5,000) miles or more except upon competitive bids as provided in this chapter;

(12) Machinery, equipment, facilities, or other personal property purchased or acquired for or in connection with the securing and developing of industry under the Municipalities and Counties Industrial Development Revenue Bond Law, § 14-164-201 et seq., or any other provision of law pertaining to the securing and developing of industry;

(13) Registered livestock to be used for breeding purposes;

(14) Motor fuels, oil, asphalt, asphalt oil, and natural gas;

(15) Motor vehicles, equipment, machinery, material, or supplies offered for sale at public auction or through a process requiring sealed bids;

(16) All goods and services that are regularly provided to state agencies and county government by the Department of Correction's various penal industries;

(17) (A) New motor vehicles purchased from a licensed automobile dealership located in Arkansas for an amount not to exceed the fleet price awarded by the Office of State Procurement and in effect at the time the county submits the purchase order for the same make and model motor vehicle.

(B) The purchase amount for a new motor vehicle may include additional options up to six hundred dollars ($600) over the fleet price awarded;

(18) Renewal or an extension of the term of an existing contract;

(19) Purchase of insurance for county employees, including without limitation health insurance, workers' compensation insurance, life insurance, risk management services, or dental insurance;

(20) Purchases made through programs of the National Association of Counties or the Association of Arkansas Counties;

(21) Goods or services if the quorum court has approved by resolution the purchase of goods or services through competitive bidding or procurement procedures used by:

(A) The federal government or one (1) of its agencies;

(B) Another state; or

(C) An association of governments or governmental agencies including associations of governments or governmental agencies below the state level; and

(22) (A) Goods or services available only from a single source.

(B) A purchase under this subdivision (22) shall be supported with:

(i) Documentation concerning the exclusivity of the single source; and

(ii) A county court order filed with the county clerk that sets forth the basis for the single source procurement.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 6; 1975, No. 439, §§ 5, 6; 1975, No. 617, §§

5, 6; 1981, No. 306, § 1; 1985, No. 844, §§ 2, 3; A.S.A. 1947, § 17-1606; Acts 1989, No. 879, § 1; 1991, No. 786, § 12; 1993, No. 237, § 1; 2001, No. 219, § 2; 2007, No. 13, § 1; 2009, No. 410, §§ 9, 10; 2009, No. 756, § 22; 2011, No. 1044, § 1; 2013, No. 465, § 1; 2015, No. 561, § 2.

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A.C.A. § 14-22-107

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-107 (2017)

14-22-107. List of eligible bidders.

(a) The county purchasing official shall establish and maintain a list of eligible bidders covering all commodities and shall furnish copies of it to all purchasing officials of the county.

(b) Any firm which desires to bid and have its name on the list of prospective bidders shall notify the purchasing official in writing of this desire, setting forth the class and description of commodities on which it desires to bid and the firm's qualifications as a responsible bidder.

(c) Every effort shall be made by the purchasing official to notify all eligible bidders before purchases are made.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 7; A.S.A. 1947, § 17-1607.

View Full 1 of 1
Book Browse
A.C.A. § 14-22-107 (Copy w/ Cite) Pages: 2

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A.C.A. § 14-22-108

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-108 (2017)

14-22-108. Bidding procedure.

(a) All bids which require either formal or informal bidding shall be opened in public and read at the time and place specified in the notice.

(b) The awarding of contracts need not be upon the day of the opening of the bids but may be at a later date to be determined by the purchasing official.

(c) In order to assure that the bidder will accept and perform a contract under the terms of his or her bid, the purchasing official may require bids to be accompanied by certified check or surety bond furnished by a surety company authorized to do business in this state in such a reasonable amount as the purchasing official shall determine.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 8; A.S.A. 1947, § 17-1608.

View Full 1 of 1
Book Browse
A.C.A. § 14-22-108 (Copy w/ Cite) Pages: 2

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A.C.A. § 14-22-109

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-109 (2017)

14-22-109. Descriptions and specifications.

(a) Descriptions and specifications shall be sufficiently restricted or specific so as to exclude cheap or inferior commodities which are not suitable or practicable for the purpose for which they are to be used, but at no time shall they be so specific in detail as to restrict or eliminate competitive bidding of any items of comparable quality and coming within a reasonably close price range.

(b) Brand names may be used to simplify or indicate the general description of the commodities required, but at no time, except for repair parts or items for use with existing equipment and machines or other health aids requested by a professional employee, shall such names be used to indicate any preference or to prevent bidding on commodities of like quality and coming within reasonably close price range.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 4; 1975, No. 439, § 4; 1975, No. 617, § 4; A.S.A. 1947, § 17-1604.

View Full 1 of 1
Book Browse
A.C.A. § 14-22-109 (Copy w/ Cite) Pages: 2

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FOCUS™ Terms Search Within Original Results (1 - 1) Go
Advanced...

View Tutorial

View Full 1 of 1
Book Browse
A.C.A. § 14-22-110 (Copy w/ Cite) Pages: 2

A.C.A. § 14-22-110

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-110 (2017)

14-22-110. Testing and examination of products.

(a) The purchasing official is authorized to establish and enforce standards for all commodities for which formal bidding is required and to make or cause to be made any test, examination, or analysis necessary therefor. He or she may require samples to be submitted and a certified analysis to accompany bids prior to awarding contracts.

(b) After the bids have been opened, the lowest responsible bidder may be required to submit his or her product or article to further testing and examination prior to awarding the contract.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 4; 1975, No. 439, § 4; 1975, No. 617, § 4; A.S.A. 1947, § 17-1604.

View Full 1 of 1
Book Browse
A.C.A. § 14-22-110 (Copy w/ Cite) Pages: 2

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FOCUS™ Terms Search Within Original Results (1 - 1) Go
Advanced...

View Tutorial

View Full 1 of 1
Book Browse
A.C.A. § 14-22-111 (Copy w/ Cite) Pages: 2

A.C.A. § 14-22-111

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-111 (2017)

14-22-111. Awarding of contracts.

(a) All contracts shall be awarded to the lowest responsible bidder, taking into consideration all relevant facts, including without limitation quality, time of performance, probability of performance, and location.

(b) (1) Any bid may be rejected by the purchasing official.

(2) (A) Where bids are rejected, but the proposed purchase is not abandoned, and the circumstances indicate that further solicitation for bids would be to the best interest of the county, new bids may be called for.

(B) If the low bid is not accepted, a written statement shall be made by the purchasing agent and filed with the county clerk giving reasons for such refusal.

(c) All bidders shall be given equal consideration under the provisions of this chapter, except that when the bid represents items manufactured or grown in the county or offered for sale by business establishments having their principal place of business in the county with the quality being equal to articles offered by competitors outside the county, then the bidder shall be allowed a differential of not to exceed three percent (3%) of the purchase price in determining the low bid. However, in each instance in which this bid preference is requested, the bidder must so indicate before the date and time fixed for opening the bids and thereafter furnish satisfactory proof if requested.

(d) In all cases where there are equal or tie bids, preference shall be given to residents or firms located and doing business in the county.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 5; A.S.A. 1947, § 17-1605.

View Full 1 of 1
Book Browse
A.C.A. § 14-22-111 (Copy w/ Cite) Pages: 2

FOCUS™ Terms Search Within Original Results (1 - 1) Go
Advanced...

View Tutorial

View Full 1 of 1
Book Browse
A.C.A. § 14-22-112 (Copy w/ Cite) Pages: 2

A.C.A. § 14-22-112

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-112 (2017)

14-22-112. Order of approval.

(a) No contract shall be awarded or any purchase made until it has been approved by the county court, and no contract shall be binding on any county until the court shall have issued its order of approval.

(b) The order of the court shall be properly docketed. All documents and bids pertaining to the solicitation of bids and awarding of contracts under the purchasing procedure of this chapter shall be filed with the county clerk, together with the order of the court, which shall be filed by the clerk.

(c) No claim filed with the county for payment of any commodity, the purchase of which is regulated by this chapter, shall be paid; or no warrant shall be issued by the county clerk for the payment of it until the order of the court approving it shall have been issued and filed with the clerk.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 9; A.S.A. 1947, § 17-1609.

View Full 1 of 1
Book Browse
A.C.A. § 14-22-112 (Copy w/ Cite) Pages: 2

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FOCUS™ Terms Search Within Original Results (1 - 1) Go
Advanced...

View Tutorial

View Full 1 of 1
Book Browse
A.C.A. § 14-22-113 (Copy w/ Cite) Pages: 2

A.C.A. § 14-22-113

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-113 (2017)

14-22-113. Trade-ins.

(a) In the case of a purchase contract in which trade-ins are being offered on the purchase of commodities, the full purchase price shall govern the classification or purchase procedure to be followed in the solicitation for bids and the awarding of the contract.

(b) The purchasing official shall determine, with respect to trade-ins, what procedure shall be for the best interest of the county. If he or she so determines, such equipment or machinery may be sold outright under the law as provided.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 10; A.S.A. 1947, § 17-1610.

View Full 1 of 1
Book Browse
A.C.A. § 14-22-113 (Copy w/ Cite) Pages: 2

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Advanced...

View Tutorial

View Full 1 of 1
Book Browse
A.C.A. § 14-22-114 (Copy w/ Cite) Pages: 2

A.C.A. § 14-22-114

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-114 (2017)

14-22-114. Failure of performance.

If any bidder to whom a purchase contract is awarded under the provisions of this chapter shall refuse or fail to perform the contract or to make delivery when required by the contract, or shall deliver commodities which are inferior or do not meet the specifications under the bid, the county may pursue any remedy available at law or in equity, including, without limitation, the voiding of the contract.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 10; A.S.A. 1947, § 17-1610.

View Full 1 of 1
Book Browse
A.C.A. § 14-22-114 (Copy w/ Cite) Pages: 2

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Advanced...

View Tutorial

View Full 1 of 1
Book Browse
A.C.A. § 14-22-115 (Copy w/ Cite) Pages: 2

A.C.A. § 14-22-115

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Title 14 Local Government
Subtitle 2. County Government
Chapter 22 County Purchasing Procedures

A.C.A. § 14-22-115 (2017)

14-22-115. Legal counsel.

The purchasing official, upon approval of the county court, may call upon the prosecuting attorney of the district in which the county lies, or employ counsel for advice and aid in the preparation of necessary contracts and all other legal matters in connection with those purchases.

HISTORY: Acts 1965 (1st Ex. Sess.), No. 52, § 12; A.S.A. 1947, § 17-1612.

View Full 1 of 1
Book Browse
A.C.A. § 14-22-115 (Copy w/ Cite) Pages: 2

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