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# Sealed Bidding Procedures Act

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Sealed Bidding Procedures Act

## Private Acts of 1995 Chapter 10

**SECTION 1.** This act shall be known as the "Sealed Bidding Procedures Act for Henry County".

**SECTION 2.** The General Assembly hereby declares that Henry County, Tennessee is in need of a systemized procedure for the public opening of sealed bids on county purchases so as to increase efficiency and promote public confidence in the county purchasing process.

**SECTION 3.** (a) In all instances of purchasing by the submission of sealed bids, whether involving the county general fund, the county highway fund, the county school fund, or the Henry County Medical Center the following procedures shall apply:

(1) Any public advertisement inviting sealed bids shall indicate the date, time, and place where such bids shall be opened, and such advertisement shall indicate that such event may be attended by the general public; and

(2) The provisions of subdivision (1) to the contrary notwithstanding, the county official who would otherwise be supervising the public opening of the sealed bids may postpone such public opening until another date, time, or place provided that such postponement shall be announced orally at the date, time, and place originally advertised or by the posting of a notice of postponement at the place originally scheduled on or before the date and time previously announced.

(3) As to either method, the announcement of the postponement of the opening shall state the date, time, and place that the postponed opening of sealed bids shall occur.

(b) Nothing in this act shall be construed as requiring an immediate or public decision on the awarding of any purchase contract, or the immediate or public determination of any other ultimate decision regarding the purchase. Nothing in this act shall be construed as limiting in any way the right of the county to reject any and all bids to the extent the county otherwise has such right under public law.

**SECTION 4.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county commission of Henry County. Its approval or rejection shall be proclaimed by the presiding officer of the county commission and certified to the secretary of state.

**SECTION 5.** For purposes of approving or rejecting the provisions of the act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 4.

Passed: February 27, 1995.

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