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County Uniform Highway Law

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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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Reference Number: CTAS-916

The County Uniform Highway Law, at T.C.A. § 54-7-113, provides a purchasing law for the county highway department when purchasing for the department is not governed by private act, County Purchasing Law of 1957, or the County Financial Management System of 1981. The purchasing provisions of the County Uniform Highway Law do not apply to Shelby, Davidson, Knox, and Hamilton counties.

The County Uniform Highway Law does not establish a purchasing system, but T.C.A. § 54-7-113(c) does provide the following guidelines regarding highway department purchasing:

- All purchases of \$25,000 or more must be publicly advertised and competitively bid.
- Leases or lease-purchase arrangements requiring payment of \$25,000 or more, or which are for 90 days or more, must be advertised and competitively bid.
- Purchases of like items which individually cost less than \$25,000, but which are customarily purchased in lots of two or more, must be publicly advertised and competitively bid if the total purchase price of these items is expected to exceed \$25,000 during the fiscal year.

The following are exempted from public advertisement and competitive bidding requirements under T.C.A. § 54-7-113(c):

- Purchases of less than \$25,000 may be made in the open market without newspaper notice, but must wherever possible be based on at least three competitive bids.
- Repair of heavy road building machinery or other heavy machinery for which limited repair facilities are available need not be bid.
- Purchases may be made without competitive bidding in actual emergencies arising from unforeseen causes, including delays by contractors, delays in transportation, and unanticipated volume of work (but not including neglect or indifference in anticipating normal needs).
- No county road department shall be required to publicly advertise and competitively bid purchases of \$25,000 or less, even if such bids are required by public or private act.

The road department or chief administrative officer must obtain at least three competitive bids when possible.

Purchasing Agent—The County Uniform Highway Law does not designate a purchasing agent.

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