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Private Acts of 1933 Chapter 250

Dear Reader:

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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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

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Private Acts of 1933 Chapter 250

SECTION 1. That a Purchasing Commission be, and the same is, hereby created for all counties in this State having a population of not less than 9,020 and not more than 9,030, according to the Federal Census of 1930, or any subsequent Federal Census. Said Purchasing Commission shall be composed of three persons; one member of which shall be the County Judge, or the Chairman of the County Court of said county; one member of which shall be the Director of Accounts and Budgets of said county, who shall be the secretary of said Commission; and the third member of which shall be a qualified citizen of said county, who is a free-holder, who has been a bona fide resident of said county for at least three years prior to his election, and who holds no other public office or position.

As amended by: Private Acts of 1972, Chapter 317
Private Acts of 1975, Chapter 15

SECTION 2. That T. J. Stump is hereby named and appointed as the third member of said Commission, and he shall serve until the first Monday in January, 1934, when his successor shall be elected by the Quarterly County Court of said county, and such successor shall serve for a term of one year, and until his successor shall be elected and qualified. Said third member of said Commission shall be elected by the Quarterly County Court of said county at its January Term each year, for a term of one year.

SECTION 3. That the duties of said Purchasing Committee shall be to buy all supplies, materials, and equipment, required for the proper support and maintenance of any and all departments, institutions and agencies, supported by, or under control of, said county, and to arrange for the purchase or rental of any and all real estate, machinery, and all other supplies where said purchases or rents are to be paid out of any funds belonging to, or under the control of, said county, or any department, institution or agency thereof. Said Commission shall make such purchases by competitive bids under such manner as they may deem best for any bids that they may deem proper for the best interest of the county.

SECTION 4. That said Purchasing Commission may require such security as it may deem proper to accompany the bid or bids, and shall fix security to be given by the bidder, when bids are required. The Commission may reject any and all bids and secure new bids, if for any reason it is deemed for the best interest of the county to do so; and it shall have the power and authority to purchase goods or any other supplies, or to arrange for any rentals deemed necessary, without first advertising for bids on same, when such action is deemed necessary by the Commission.

SECTION 5. That said Purchasing Commission shall meet within thirty days after the passage of this Act and shall organize by the election of one of their number as chairman, and make a survey of the needs of the various departments, institutions and agencies of the county. Said Commission shall have the power to meet as often as its members deem necessary and advisable, and the duties of their office require. They shall also have the power to prescribe rules and regulations for their own government.

SECTION 6. That the Purchasing Commission shall keep a complete record of all purchases. All of said records will be kept in the files and accounting records which shall remain in the office of the County Judge.

As amended by: Private Acts of 1972, Chapter 317,
Private Acts of 1975, Chapter 15.

SECTION 7. [Deleted by Private Acts of 1975, Chapter 15]

SECTION 8. That the County Judge, or Chairman of the County Court, shall not receive any additional compensation for his services as a member of said Commission; the Director of Accounts and Budgets shall receive as compensation an amount as may be set by the Quarterly County Court for services as Purchasing Agent; the third member thereof shall receive the sum of Fifteen Dollars (\$15.00) per diem for each day's service while actually engaged in performing the work of the Commission. In addition thereto, the actual expenses incurred by the Commission, or any member thereof while acting in conformity with the rules and directions of said Commission, and in the performance of their duties, shall be paid; and all amounts payable under this section shall be paid out of the general county funds of said county, upon the warrant of the County Judge, or the Chairman of the County Court of said county.

As amended by: Private Acts of 1972, Chapter 317
Private Acts of 1975, Chapter 15

SECTION 9. That said Purchasing Commission shall make rules and regulations that shall govern the method and procedure for the purchase, delivery and storage of supplies, materials and equipment, for the various departments, institutions and agencies of the county. Such rules and regulations shall, as far as practicable, be uniform, and they shall be either general or limited in their application. They shall include provisions relating to the following:

1. Standardization of forms for estimates, requisitions, orders, contracts, and stores control.

2. Standardization of specifications for the purchase of supplies, materials and equipment.
3. Standardization of quality, grades and brands, to eliminate all unnecessary classes of commodities, or unnecessary grades or brands of the same commodity.
4. Establishment of definite periods for submitting estimates, and requisitions for various supplies, materials and equipment.
5. Submission of proposal for bids, and the receipt of bids for supplies, materials and equipment, and the stimulation of competition relative thereto.
6. Purchase of supplies, materials, and equipment by long or short term contracts, or by contracts or orders made at certain seasons of the year, or by blanket contracts or orders covering the requirements for such supplies, materials and equipment, of one or more using agencies.
7. Contracts for services other than personal services, such as telegraph and telephone services, and fuel, lights, water, and other office services for the several using agencies.
8. Regulations to secure prompt delivery of all supplies to using agencies.
9. Purchase of supplies, materials and equipment, without competition, in cases of emergency requiring immediate action.
10. Use and disposal of the products of county institutions or other agencies.
11. Disposal of obsolete, excess, and unsuitable supplies, materials, and salvage, or the transfer of same to other using agencies.
12. Storage of surplus supplies, materials and equipment not needed for immediate use.
13. Testing of supplies and materials.
14. Hearings on complaints with regard to the quality, grade or brand of goods.
15. Waiver of rules in special cases.

SECTION 10. That hereafter no official or employee of said county shall make any purchase, or contract to purchase, any materials, equipment, or supplies of any kind, except through, or in accordance with the rules and regulation of said Purchasing Commission. And it shall be unlawful for the County Judge, or Chairman of the County Court, or any other official of said county, to issue his warrant upon any fund or funds belonging to said county, or any department, institution or agency thereof, for any purchase or purchases, or for any rents or storage, until a proper requisition for same shall have been filed with said Purchasing Commission, and their written approval thereof obtained.

SECTION 11. That said Commission shall procure the necessary books, requisitions and all other supplies necessary to the carrying out of the purpose of this Act; and such books and supplies shall be paid for upon the warrant of the County Judge, or Chairman of the County Court, of such county, in the same manner as all other purchases are paid.

SECTION 12. That if any section, paragraph, clause, or phrase, of this Act shall be held invalid or unconstitutional, for any reason by any Court or other authority of competent jurisdiction and power, such action shall not affect the remaining portions of said Act, as the same would have been enacted into law had such invalid or unconstitutional part or parts been stricken out or elided therefrom.

SECTION 13. That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

SECTION 14. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 3, 1933.

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