



May 19, 2024

Purchasing

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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Purchasing

Private Acts of 1951 Chapter 87

SECTION 1. That the County Judge of Anderson County is hereby designated as County Purchasing Agent of said county, whose duty it shall be to purchase any and all supplies and equipment for the use of county officials, employees and departments. Said County Purchasing Agent shall have the exclusive authority to enter into contracts for the purchase of supplies and equipment for the use of county officials, employees and departments. Said County Judge, acting as County Purchasing Agent, shall [sic] be charged with the full responsibility of carrying out the provisions of this Act, and he shall have sole power and authority to contract for and purchase materials, supplies and equipment of every kind whatsoever, including insurance, for the use of all officials, agents, servants, departments, or agency of, supported by or under the control of the county government of Anderson County, Tennessee. The said County Purchasing Agent shall likewise have the sole power and authority to arrange for the purchase or rental of any and all real estate, machinery or other equipment where such purchases or rentals are to be paid out of any funds belonging to the county or any department or agency thereof. Provided, however, that this Act shall not apply to the school system and the road system of said county, and purchases for schools and roads shall not be made under this Act, but shall be made under the statutes applicable thereto.

SECTION 2. That all purchases or contracts for the purchase of supplies, equipment or material for use of any official, employee or department or agency of the county government of Anderson County, the estimated value of which shall exceed Three Hundred (\$300.00) Dollars, shall, except in emergencies or in instances hereinafter provided, be made by the County Purchasing Agent only after he shall have received at least three (3) written competitive bids for said purchases or contracts for purchase of such supplies, equipment, or materials, and such purchases or contracts for purchases shall be made only in accordance with the lowest and best bids or bidders.

Said County Purchasing Agent may reserve the right to reject any and all bids, either in whole or in part, when he shall deem advisable so to reject the same. When two or more bids are submitted at the same price and for the same character, kind and quality of supplies, equipment or materials, he may, in his discretion, award the contract to either of such bidders or may apportion the requirements between and among the respective bidders.

When, in the opinion of the said County Purchasing Agent or any official or agency of the County needing such supplies, equipment or materials, an emergency requires the immediate purchase, the purchasing agent may purchase or contract to purchase such supplies, equipment or materials without the necessity of competitive bids, and said purchasing agent may likewise dispense with competitive bids in all instances where he is unable to obtain competitive bids.

SECTION 3. That the purchasing agent shall keep a complete record of all purchases or contracts, with copies of the original bids submitted in writing, the names of the bidders together with the amounts of their respective bids, which records shall at all times be open to inspection by any interested party.

SECTION 4. That neither the County Purchasing Agent nor any agent, assistant or employee of the county shall be financially interested, or have any personal beneficial interest, either directly or indirectly, in the purchase of any supplies, materials or equipment for the county, nor in any firm, partnership, association or individual furnishing any such supplies, equipment or materials; nor shall the County Purchasing Agent or any assistant, agent or employee accept or receive, directly or indirectly, from any person, firm, corporation or association to whom any contract may be awarded, by rebate, gift or otherwise, any money or other thing of value or contract for future reward or compensation.

The said County Purchasing Agent may require security to accompany bids and fix the amount thereof; may govern the procedure for the delivery and storage of supplies, equipment or materials; may govern the method of requisition by any county official, agency or department of the county, and shall have the authority to regulate the distribution of articles, parts, supplies, equipment or materials among the county officials or departments; may prescribe the forms for estimates, requisition, orders, contracts and security; may establish definite or regular periods for submitting estimates or requisitions; may dispose of or trade in obsolete, excess or unsuitable supplies, equipment or materials, and salvage or transfer them to other agencies or departments of the county; may provide hearing for complainants with regard to the quality, grade or brand of supplies, equipment or materials; and may do and perform all other acts and things necessary or requisite to fully comply with the provisions of this Act.

SECTION 5. That the provisions of this Act shall not apply to the purchase or contracts for purchase of any supplies, equipment or materials that are deemed and sold as Surplus War Commodities, offered for sale or sold by the United States Government.

SECTION 6. That the County Judge, in his capacity as County Purchasing Agent, shall be paid an additional salary of Twenty Four Hundred (\$2,400.00) Dollars per annum, over and above the compensation that he is now receiving for the performance of other duties. Said additional salary shall be paid monthly out of the general county fund, beginning with the month of the effective date of this statute.

SECTION 7. That the General Assembly expressly declares that each section, paragraph, or clause of this Act is severable, and that should any portion of this Act be held unconstitutional or invalid, the same shall not affect the remainder of this Act, and such unconstitutional or invalid portion shall be elided, and the General Assembly declares that it would have enacted this Act with such unconstitutional or invalid portions elided therefrom.

SECTION 8. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 31, 1951.

Compiler's Note: Information available to CTAS indicates that Anderson County has adopted and makes purchases according to the optional County Purchasing Law of 1957, codified at T.C.A. § 5-14-101, et seq.

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