

HOUSE BILL No. 5766

September 9, 2014, Introduced by Rep. Crawford and referred to the Committee on Local Government.

A bill to amend 1917 PA 307, entitled

"An act to provide for the purchase of all supplies, merchandise and articles of every description and character needed for the maintenance and operation of all county offices, departments and institutions, in counties adopting the provisions of this act,"

by amending section 5 (MCL 45.85).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. It ~~shall be~~ **IS** the duty of the purchasing agent
2 ~~aforesaid~~ **OF THE COUNTY** to contract for all supplies, merchandise,
3 printing, and articles of every description needed for the
4 maintenance and operation of each county office, department, and
5 institution, except those supplies that are of a strictly
6 perishable character, basing his **OR HER** contract or contracts upon
7 estimates to be furnished **TO** him **OR HER** by the county officers and

1 heads of county departments and institutions. ~~Such~~**THE** estimates
 2 shall be furnished by the first day of July of each year ~~for an~~
 3 entire year. ~~and all such~~**BEFORE JANUARY 1, 2015**, contracts shall
 4 be made after full notice by advertisement of not less than 4 weeks
 5 in at least 4 of the leading newspapers of the state to be selected
 6 by ~~said~~**THE PURCHASING** agent. ~~Such~~**BEGINNING JANUARY 1, 2015,**
 7 **CONTRACTS SHALL BE MADE AFTER THE PURCHASING AGENT PROVIDES TIER C**
 8 **PUBLIC NOTICE OF THE ADVERTISEMENT AS SET FORTH IN THE LOCAL**
 9 **GOVERNMENT PUBLIC NOTICE ACT. THE** advertisements shall call for
 10 sealed bids or proposals to furnish the aggregate of the desired
 11 article and supplies as estimated for by ~~such~~**THE** office,
 12 department, or institution, naming the articles and supplies and
 13 the quantities and character required, and all ~~such~~**THE** bids or
 14 proposals shall be for the entire period of 1 year. ~~such~~**THE**
 15 supplies, articles, and merchandise ~~to~~**SHALL** be delivered at ~~such~~
 16 **THOSE** times and in ~~such~~**THOSE** quantities as ~~said~~**THE PURCHASING**
 17 agent may from time to time designate. ~~and should~~**IF** the
 18 supplies, or any portion thereof, as contracted for, ~~be~~**ARE** not
 19 sufficient for the year for which the contract or contracts ~~shall~~
 20 ~~be~~**ARE** made, then the contractor or contractors shall be required
 21 to furnish such additional supplies at the prices named for similar
 22 articles under contract or contracts. ~~Provided, That should said~~
 23 **HOWEVER, IF THE** purchasing agent at any time ~~discover~~**DISCOVERS**
 24 that he **OR SHE** could purchase the same supplies for less money for
 25 any 1 year by buying the same for less time than 1 year, he ~~shall~~
 26 ~~have~~**OR SHE HAS** the authority to make ~~such~~**THE** purchase for a
 27 shorter length of time, but not less than 3 months, it being the

1 purpose of this act to authorize and require ~~said~~**THE** purchasing
2 agent to make ~~such~~ contracts upon ~~such~~ terms as ~~as~~**THAT** will secure
3 the best and cheapest rates for the county in the purchase of
4 articles and supplies of necessity for ~~said~~**THE** offices,
5 departments, and institutions, and to that end he **OR SHE** shall
6 reserve the right to reject any and all bids ~~, or~~ to accept any bid
7 in part or reject it in part. ~~, and if~~**IF** none of the bids ~~and~~**OR**
8 proposals are ~~deemed~~**CONSIDERED** advantageous and satisfactory, he
9 **THE PURCHASING AGENT** may buy in the open market until a proper and
10 satisfactory bid **OR PROPOSAL** is offered. The period for which ~~such~~
11 **THE** bids or proposals are invited shall be clearly stated in ~~said~~
12 **THE** advertisements, as well as the terms and conditions
13 contemplated by ~~the provisions of~~ this act. ~~When~~**IF** the same
14 article is estimated for by 2 or more offices, departments, or
15 institutions, but of different brands or grades, the purchasing
16 agent may determine which of the brands or grades shall be
17 purchased ~~so as~~ to produce uniformity in use by all the offices,
18 departments, and institutions. ~~:- Provided, That~~**HOWEVER, ALL** other
19 things being equal, supplies offered by bidders who have an
20 established local business in the county shall have preference.

21 Enacting section 1. This amendatory act does not take effect
22 unless House Bill No. 5560 of the 97th Legislature is enacted into
23 law.