

HOUSE BILL 612

IN THE HOUSE

February 6, 1979

Introduced and referred to
Committee on Local Government.

1 HOUSE BILL NO. 612
2 INTRODUCED BY Thiess

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT A COUNTY
5 FROM PURCHASING ANY GOODS OR SERVICES IN EXCESS OF \$10,000
6 WITHOUT SUBMITTING THE PURCHASES TO COMPETITIVE BIDDING;
7 AMENDING SECTIONS 7-5-2301, 7-5-2302, AND 7-5-2304, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 7-5-2301, MCA, is amended to read:

11 "7-5-2301. Competitive, advertised bidding required
12 for certain large purchases or construction contracts. (1)
13 Except as provided in 7-5-2304, ~~no contract for~~ the purchase
14 of any vehicle, road machinery, or other machinery,
15 apparatus, appliances, or equipment or for any materials or
16 supplies of any kind for ~~which must be paid~~ a sum in excess
17 of \$10,000 or for the construction of any building, road, or
18 bridge for ~~which must be paid~~ a sum in excess of \$10,000
19 ~~shall~~ may not be entered into ~~made~~ by a county governing
20 body without first publishing a notice calling for bids for
21 furnishing the same.

22 (2) The notice must be published in the official
23 newspaper of the county at least once a week for 3
24 consecutive weeks before the date fixed therein for
25 receiving bids.

1 (3) Every such ~~contract purchase~~ shall be let to the
2 lowest and best responsible bidder."

3 Section 2. Section 7-5-2302, MCA, is amended to read:

4 "7-5-2302. Use of competitive, nonadvertised bidding
5 for certain purchases. (1) Except as provided in 7-5-2303,
6 on any purchase ~~contract entered into made~~ by a county
7 governing body for ~~the purchase of~~ any vehicle, machinery,
8 appliances, apparatus, building, or materials and supplies
9 for ~~which must be paid~~ a sum in excess of \$4,000 but less
10 than \$10,000, bids shall be solicited without advertising
11 from persons, firms, or corporations who have caused to be
12 filed with the governing body of the county a request in
13 writing that its name be listed with the governing body for
14 solicitations on the particular items set forth in the
15 request. The governing body shall solicit bids of
16 prospective suppliers whose names are listed as provided
17 herein, which solicitation shall contain the same
18 information as is required to be set forth in
19 advertisements. If a person, firm, or corporation whose
20 name is listed fails for a period of 1 year to respond to
21 any solicitation for bids, such listing may be canceled.

22 (2) The governing body of the county ~~shall let such~~
23 ~~contract to~~ must purchase the items subject to the bid from
24 the lowest and best responsible bidder.

25 (3) Compliance with the provisions of this section

1 shall be considered as meeting the requirements of
2 7-5-2301."

3 Section 3. Section 7-5-2304, MCA, is amended to read:

4 "7-5-2304. Exemptions from competitive bidding
5 requirements. The provisions of 7-5-2301 and 7-5-2302 shall
6 not apply to ~~contracts for:~~

7 (1) ~~contracts for~~ public printing entered into in
8 accordance with the provisions of part 24; and

9 ~~(2) purchases of goods or services related to snow~~
10 ~~removal; and~~

11 ~~(2)(3) emergency~~ purchases which, in the opinion of
12 the governing body, are made necessary by fire, flood,
13 explosion, storm, earthquake, other elements, epidemic, riot
14 or insurrection, or for the immediate preservation of order
15 or the public health or for the restoration of a condition
16 of usefulness which has been destroyed by accident, wear,
17 tear, or mischief or for the relief of a stricken community
18 overtaken by calamity."

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