

HOUSE BILL NO. 6376

November 12, 2020, Introduced by Reps. Coleman, Meerman and Steven Johnson and referred to the Committee on Government Operations.

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,

1 printing, and articles of every description needed for the
 2 maintenance and operation of each county office, department, and
 3 institution, except those supplies that are of a strictly
 4 perishable character, basing his **or her** contract or contracts upon
 5 estimates to be furnished **to him or her** by the county officers and
 6 heads of county departments and institutions. ~~Such~~**The** estimates
 7 ~~shall~~**must** be furnished by the first day of July of each year ~~for~~
 8 an entire year. ~~and all such~~**Before January 1, 2022,** contracts
 9 ~~shall~~**must** be made after full notice by advertisement of not less
 10 than 4 weeks in at least 4 of the leading newspapers of ~~the~~**this**
 11 state to be selected by ~~said~~**the purchasing** agent. ~~Such~~**Beginning**
 12 **January 1, 2022, contracts must be made after the purchasing agent**
 13 **posts public notice of the advertisement as set forth in the local**
 14 **government public notice act. The** advertisements ~~shall~~**must** call
 15 for sealed bids or proposals to furnish the aggregate of the
 16 desired article and supplies as estimated for by ~~such~~**the** office,
 17 department, or institution, naming the articles and supplies and
 18 the quantities and character required, and all ~~such~~**the** bids or
 19 proposals ~~shall~~**must** be for the entire period of 1 year. ~~such~~**The**
 20 supplies, articles, and merchandise ~~to~~**must** be delivered at ~~such~~
 21 **those** times and in ~~such~~**those** quantities as ~~said~~**the purchasing**
 22 agent may from time to time designate. ~~and should~~**If** the
 23 supplies, or any portion ~~thereof,~~**of supplies,** as contracted for,
 24 ~~be~~**are** not sufficient for the year for which the contract or
 25 contracts ~~shall be~~**are** made, then the contractor or contractors
 26 ~~shall be~~**are** required to furnish such additional supplies at the
 27 prices named for similar articles under contract or contracts. ~~÷~~
 28 ~~Provided, That should said~~**However, if the** purchasing agent at any
 29 time ~~discover~~**discovers** that he **or she** could purchase the same

1 supplies for less money for any 1 year by buying the same for less
 2 time than 1 year, he ~~shall have~~ **or she has** the authority to make
 3 ~~such-the~~ purchase for a shorter length of time, but not less than 3
 4 months, it being the purpose of this act to authorize and require
 5 ~~said-the~~ purchasing agent to make ~~such~~-contracts upon ~~such~~-terms as
 6 **that** will secure the best and cheapest rates for the county in the
 7 purchase of articles and supplies of necessity for ~~said-the~~
 8 offices, departments, and institutions, and to that end he **or she**
 9 shall reserve the right to reject any and all bids ~~,~~ or to accept
 10 any bid in part or reject it in part. ~~;~~ ~~and if~~ **If** none of the bids
 11 ~~and-or~~ proposals are ~~deemed~~-**considered** advantageous and
 12 satisfactory, ~~he-the~~ **purchasing agent** may buy in the open market
 13 until a proper and satisfactory bid **or proposal** is offered. The
 14 period for which ~~such-the~~ bids or proposals are invited ~~shall~~-**must**
 15 be clearly stated in ~~said-the~~ advertisements, as well as the terms
 16 and conditions contemplated by ~~the provisions of~~-this act. ~~When~~-**If**
 17 the same article is estimated for by 2 or more offices,
 18 departments, or institutions, but of different brands or grades,
 19 the purchasing agent may determine which of the brands or grades
 20 ~~shall~~-**must** be purchased ~~so as to~~ produce uniformity in use by all
 21 the offices, departments, and institutions. ~~;~~ ~~Provided, That~~
 22 **However, all** other things being equal, supplies offered by bidders
 23 who have an established local business in the county ~~shall~~-have
 24 preference.

25 Enacting section 1. This amendatory act does not take effect
 26 unless Senate Bill No. ____ or House Bill No. 6440 (request no.
 27 02449'19) of the 100th Legislature is enacted into law.