

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representative Vess

A Bill

HOUSE BILL 1665

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 14-58-303 TO INCREASE THE
9 MAXIMUM AMOUNT OF MUNICIPAL PURCHASES BEFORE BIDS ARE
10 REQUIRED TO TEN THOUSAND DOLLARS (\$10,000) AND TO CLARIFY
11 THE AUTHORITY OF THE MAYOR TO MAKE MUNICIPAL PURCHASES;
12 AND FOR OTHER PURPOSES."

Subtitle

15 "TO INCREASE THE MAXIMUM AMOUNT OF
16 MUNICIPAL PURCHASES BEFORE BIDS ARE
17 REQUIRED TO \$10,000 AND TO CLARIFY THE
18 AUTHORITY OF THE MAYOR TO MAKE CITY
19 PURCHASES."

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23 SECTION 1. Arkansas Code 14-58-303 is amended to read as follows:

24 "14-58-303. Purchases and contracts generally.

25 (a) In a city of the first class, the mayor or his duly authorized
26 representative shall have exclusive power and responsibility to make purchases
27 of all supplies, apparatus, equipment, materials, and other things requisite
28 for public purposes in and for the city and to make all necessary contracts
29 for work or labor to be done or material or other necessary things to be
30 furnished for the benefit of the city, or in carrying out any work or
31 undertaking of a public nature therein.

32 (b)(1) The municipal governing body shall provide, by ordinance, the
33 procedure for making all purchases which do not exceed the sum of five ten
34 thousand dollars ~~(\$5,000)~~ (\$10,000).

35 (2)(A)(i) Where the amount of expenditure for any purpose or
36 contract exceeds the sum of five ten thousand dollars ~~(\$5,000)~~ (\$10,000), the

1 mayor or his duly authorized representative shall invite competitive bidding
2 thereon by legal advertisement in any local newspaper.

3 (ii) Bids received pursuant to the advertisement
4 shall be opened and read on the date set for receiving the bids in the
5 presence of the mayor or his duly authorized representative, ~~together with any~~
6 ~~committee that may be named by the mayor or the governing body for this~~
7 ~~purpose.~~

8 (iii) ~~The officials designated to receive the bids~~
9 mayor or his duly authorized representative shall have exclusive power to
10 award the bid to the lowest responsible bidder, but may reject any and all
11 bids received.

12 ~~(iv) The mayor and any committee designated to~~
13 ~~receive bids may reject any and all bids received.~~

14 (B) The governing body, by ordinance, may waive the
15 requirements of competitive bidding in exceptional situations where this
16 procedure is deemed not feasible or practical."
17

18 SECTION 2. All provisions of this act of general and permanent nature
19 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
20 Revision Commission shall incorporate the same in the Code.
21

22 SECTION 3. If any provisions of this act or the application thereof to
23 any person or circumstance is held invalid, the invalidity shall not affect
24 other provisions or applications of the act which can be given effect without
25 the invalid provisions or application, and to this end the provisions of this
26 act are declared to be severable.
27

28 SECTION 4. All laws and parts of laws in conflict with this act are
29 hereby repealed.
30
31
32
33
34
35
36

provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

/s/ Rep. Flanagin, et al

APPROVED: March 28, 1995.

ACT 812

AN ACT to Amend Arkansas Code § 14-58-303 to Increase the Maximum Amount of Municipal Purchases Before Bids are Required to Ten Thousand Dollars (\$10,000) and to Clarify the Authority of the Mayor to Make Municipal Purchases; and for Other Purposes.

Subtitle

TO INCREASE the Maximum Amount of Municipal Purchases Before Bids are Required to \$10,000 and to Clarify the Authority of the Mayor to Make City Purchases.

Be It Enacted by the General Assembly of the State of Arkansas:

SECTION 1. Arkansas Code 14-58-303 is amended to read as follows:

"14-58-303. Purchases and contracts generally.

(a) In a city of the first class, the mayor or his duly authorized representative shall have exclusive power and responsibility to make purchases of all supplies, apparatus, equipment, materials, and other things requisite for public purposes in and for the city and to make all necessary contracts for work or labor to be done or material or other necessary things to be furnished for the benefit of the city, or in carrying out any work or undertaking of a public nature therein.

(b)(1) The municipal governing body shall provide, by ordinance, the procedure for making all purchases which do not exceed the sum of ten thousand dollars (\$10,000).

(2)(A)(i) Where the amount of expenditure for any purpose or contract exceeds the sum of ten thousand dollars (\$10,000), the mayor or his duly authorized representative shall invite competitive bidding thereon by legal advertisement in any local newspaper.

(ii) Bids received pursuant to the advertisement shall be opened and read on the date set for receiving the bids in the presence of the mayor or his duly authorized representative.

(iii) The mayor or his duly authorized representative shall have exclusive power to award the bid to the lowest responsible bidder, but may reject any and all bids received.

(B) The governing body, by ordinance, may waive the requirements of competitive bidding

in exceptional situations where this procedure is deemed not feasible or practical.”

SECTION 2. All provisions of this act of general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. If any provisions of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: March 28, 1995.

ACT 813

AN ACT to Amend the Interlocal Cooperation Act to Authorize Public Agencies to Create Public Bodies Corporate and Politic as a Legal Entity for Joint Cooperative Action; and for Other Purposes.

Subtitle

AN ACT to Authorize Public Agencies to Create