

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1729

By: Kidd

AS INTRODUCED

An Act relating to purchasing; amending 19 O.S. 2011, Sections 1501, as last amended by Section 1, Chapter 321, O.S.L. 2016 and 1505, as last amended by Section 14, Chapter 25, O.S.L. 2019 (19 O.S. Supp. 2019, Sections 1501 and 1505), which relate to the duties of county purchasing agents and procedures for county government operations; modifying certain exception from bidding procedures; modifying authorization to purchase from next lowest bidder; updating statutory language; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 19 O.S. 2011, Section 1501, as last amended by Section 1, Chapter 321, O.S.L. 2016 (19 O.S. Supp. 2019, Section 1501), is amended to read as follows:

Section 1501. A. The county purchasing agent:

1. Shall, within the amount of the unencumbered balance, make all purchases that are paid from county funds for the various institutions, departments, officers, and employees of the county, except at public auctions and as otherwise provided for by law;

1 2. May make purchases for political subdivisions of this state
2 within the county if authorized by appropriate action of the
3 governing board or body of the political subdivision affected;

4 3. Shall make purchases and rental or lease-purchase agreements
5 only after following the bidding procedures as provided for by law,
6 except:

- 7 a. when the purchase does not exceed Fifteen Thousand
8 Dollars (\$15,000.00). All purchases made pursuant to
9 this subparagraph shall be by a single purchase order.
10 Splitting purchase orders which would result in paying
11 an amount in excess of the limitations specified in
12 this subparagraph is expressly prohibited. Any person
13 convicted of violating the provisions of this
14 subparagraph shall be guilty of a misdemeanor and such
15 person shall forfeit the person's position or office,
16 b. when the total payments of a rental or lease-purchase
17 agreement do not exceed the current bid limit as
18 established in subparagraph a of this paragraph,
19 c. when articles and items are covered by single-source
20 contracts,
21 d. service or maintenance contracts on equipment or
22 machinery which are entered into at the time of the
23 purchase of the equipment or machinery,

- 1 e. purchases made pursuant to a blanket purchase order as
2 provided for in Section 310.8 of Title 62 of the
3 Oklahoma Statutes,
- 4 f. when materials for road or bridge improvements do not
5 exceed Seven Dollars (\$7.00) per yard or per ton,
- 6 g. purchases of fuel if the county purchasing agent
7 obtains telephone quotes from at least three vendors
8 prior to the purchase and the lowest and best quote is
9 selected. Documentation of these quotes shall be
10 recorded in the permanent records of the clerk,
- 11 h. purchases of tools, apparatus, machinery or equipment
12 from a state agency or a political subdivision of the
13 state as provided for in subsection C of Section 421.1
14 of this title,
- 15 i. purchases of food for prisoners incarcerated in the
16 county jail; provided, in counties having a population
17 in excess of one hundred thousand (100,000) persons,
18 the county purchasing agent shall follow bidding
19 procedures as provided by law unless the county
20 purchasing agent obtains telephone quotes pursuant to
21 the whole total of food items requisitioned prior to
22 the purchase and the lowest and best quote is
23 selected. Documentation of these quotes shall be
24 recorded in the permanent records of the county clerk,

- 1 j. when a county solicits bids for the purchase of
2 processed native materials for road and bridge
3 improvements, the county may accept all bids received,
4 with the lowest and best bid from those accepted to be
5 selected at the time of opening of any construction
6 project. The selection of the bid shall be based upon
7 availability, bid price, plus transportation costs,
- 8 k. when a vendor has been selected as the lowest and best
9 bidder to furnish a particular item or items to the
10 county during a specified time period and in the event
11 the vendor is unable to perform, the purchasing agent
12 may solicit telephone quotes for the item or items
13 needed from the list of qualified bidders and provide
14 for the purchase of the items at the lowest and best
15 quote available,
- 16 l. when considering the purchase of an item or items from
17 the state bid list as provided by the Office of
18 Management and Enterprise Services or the General
19 Services Administration, if the same exact item is
20 available from ~~a local~~ any vendor at or below the
21 price listed on the state bid list or the General
22 Services Administration list, the item may be obtained
23 from the vendor,
- 24

- 1 m. any item or items bid by the Office of Management and
2 Enterprise Services which may be purchased by the
3 county, provided the vendor is willing to supply the
4 item or items to the county at the bid price,
- 5 n. when a county obtains proceeds from the sale of its
6 property at a public auction, that county may use
7 those proceeds to acquire items previously identified
8 as needed by the county at the same public auction
9 pursuant to subsection D of Section 1505 of this
10 title,
- 11 o. when an item or items have been competitively bid by a
12 county, or on behalf of a group of counties, provided:
- 13 (1) the notice to bidders shall list each county
14 which may participate in the purchase of the item
15 or items being bid,
- 16 (2) the notice of bid is advertised, as provided by
17 law, in each of the counties which may
18 participate in the purchase of the item or items,
- 19 (3) all vendors on the list of qualified bidders of
20 each participating county who offer the item or
21 items for sale received notice of the bid
22 request, and
- 23 (4) the vendor awarded the bid is willing and able to
24 provide the item or items at the bid price,

1 p. counties may participate in a nationwide purchasing
2 program sponsored by the national association
3 representing counties and local cooperative
4 procurement agreements entered into by the counties
5 and other local jurisdictions or any other
6 competitively bid nationwide purchasing program, or

7 q. when the Governor declares an emergency in a county,
8 the district attorney of that county shall have the
9 authority to temporarily waive competitive bidding
10 procedures for purchases that may expedite a response
11 to the emergency situation. This temporary waiver
12 shall be in addition to any powers exercised pursuant
13 to Section 683.11 of Title 63 of the Oklahoma
14 Statutes.

15 The purchases shall be paid by attaching properly itemized
16 invoices, as described in Section 1505 of this title, to a purchase
17 order which has been prepared by the county purchasing agent and
18 submitting both to the county clerk for filing, encumbering, and
19 consideration for payment by the board of county commissioners;

20 4. Shall not furnish any supplies, materials, equipment, or
21 other articles, except upon receipt of a requisition signed by a
22 county officer. Written requisitions will not be required for
23 blanket purchase orders as provided for in Section 310.8 of Title 62
24 of the Oklahoma Statutes. Each county officer may designate not

1 more than two employees who also shall be authorized to sign
2 requisitions in the absence of the county officer. A written
3 designation of the employees shall be filed with the county clerk
4 and shall be entered in the minutes of the board of county
5 commissioners. The county may designate two individuals who are not
6 county employees for each of the following entities within the
7 county to act as receiving and requisitioning officers:

- 8 a. fire protection districts organized and operated
9 pursuant to the provisions of Sections 901.1 through
10 901.29 of this title,
- 11 b. fire protection services established pursuant to the
12 provisions of Section 351 of this title,
- 13 c. volunteer or full-time fire departments established
14 pursuant to Section 592 of Title 18 of the Oklahoma
15 Statutes, and
- 16 d. municipal fire departments organized and operated
17 pursuant to the provisions of Sections 29-101 through
18 29-108 and Sections 29-201 through 29-204 of Title 11
19 of the Oklahoma Statutes.

20 A written designation of these individuals shall be filed with
21 the county clerk and shall be entered in the minutes of the board of
22 county commissioners meeting in which the designations are made.
23 Further, entities described in subparagraphs a, b, c and d of this
24 paragraph, choosing to have any nonemployee of the county designated

1 as a receiving and requisitioning officer shall provide evidence of
2 blanket bond coverage or employee dishonesty liability insurance for
3 each such designee;

4 5. Shall make lease or lease-purchase agreements for road
5 machinery and equipment if the county has adequate funds
6 appropriated during any fiscal year for such purpose and only after
7 following the bidding procedures as provided for in Section 1505 of
8 this title. The term of any lease or lease-purchase agreement
9 authorized pursuant to this paragraph may be for any period up to
10 one (1) year; provided, the term shall not extend beyond the end of
11 any fiscal year, with an option to renew such agreement subject to
12 the requirement that adequate funds are appropriated during the
13 fiscal year by the county for such purpose. The State Auditor and
14 Inspector's office shall be notified by the county of the terms and
15 conditions of a lease or lease-purchase agreement authorized
16 pursuant to this paragraph before any such agreement is made by the
17 county purchasing agent; and

18 6. Shall perform such other duties as may be delegated by the
19 appointing authority or as may be provided for by law.

20 B. Each department of county government needing repairs to
21 equipment, machinery or vehicles shall make estimates and
22 requisition a purchase order from the county purchasing agent for
23 repairs not in excess of Ten Thousand Dollars (\$10,000.00). Repairs
24 in excess of Ten Thousand Dollars (\$10,000.00) shall be submitted on

1 a blanket purchase order as provided in Section 310.8 of Title 62 of
2 the Oklahoma Statutes.

3 SECTION 2. AMENDATORY 19 O.S. 2011, Section 1505, as
4 last amended by Section 14, Chapter 25, O.S.L. 2019 (19 O.S. Supp.
5 2019, Section 1505), is amended to read as follows:

6 Section 1505. The following procedures shall be used by
7 counties for the requisition, purchase, lease-purchase, rental, and
8 receipt of supplies, materials, road and bridge construction
9 services, equipment and information technology and telecommunication
10 goods and services for the maintenance, operation, and capital
11 expenditures of county government unless otherwise provided for by
12 law.

13 A. The procedure for requisitioning items for county offices
14 shall be as follows:

15 1. The requesting department shall prepare a requisition form
16 in triplicate. The requisition shall contain any specifications for
17 an item as deemed necessary by the requesting department. The form
18 shall be prescribed by the State Auditor and Inspector;

19 2. The requesting department shall retain a copy of the
20 requisition and forward the original requisition and a copy to the
21 county purchasing agent; and

22 3. Upon receipt of the requisition, the county purchasing
23 agent, within two (2) working days, shall begin the bidding and
24 purchasing process as provided for in this section. Nothing in this
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1 section shall prohibit the transfer of supplies, materials, or
2 equipment between county departments upon a written agreement
3 between county officers.

4 B. The bid procedure for selecting a vendor for the purchase,
5 lease-purchase, or rental of supplies, materials, equipment and
6 information technology and telecommunication goods and services used
7 by a county shall be as follows:

8 1. The county purchasing agent shall request written
9 recommendations from all county officers pertaining to needed or
10 commonly used supplies, materials, road and bridge construction
11 services, equipment and information technology and telecommunication
12 goods and services. From such recommendations and available
13 requisition, purchase, or inventory records, the county purchasing
14 agent shall prepare a list of items needed or commonly used by
15 county officers. The county purchasing agent shall request from the
16 Purchasing Division or from the Information Services Division in the
17 case of information technology and telecommunication goods and
18 services of the Office of Management and Enterprise Services all
19 contracts quoting the price the state is paying for the items. The
20 county purchasing agent shall either request the Purchasing Division
21 or the Information Services Division of the Office of Management and
22 Enterprise Services, as applicable, to make the purchase for the
23 county or the county purchasing agent shall solicit bids for unit
24 prices on the items for periods of not to exceed twelve (12) months

1 in the manner described in paragraph 2 of this subsection. If the
2 county purchasing agent receives a requisition for an item for which
3 the county purchasing agent does not have a current bid, the county
4 purchasing agent shall request from the Purchasing Division or the
5 Information Services Division of the Office of Management and
6 Enterprise Services, as applicable, all contracts quoting the price
7 the state is paying for the item. The county purchasing agent shall
8 either request the Purchasing Division or the Information Services
9 Division of the Office of Management and Enterprise Services, as
10 applicable, to make the purchase for the county or the county
11 purchasing agent shall solicit bids in the manner described in
12 paragraph 2 of this subsection. Nothing in this paragraph shall
13 prohibit bids from being taken on an item currently on a twelve-
14 month bid list, at any time deemed necessary by the county
15 purchasing agent. Whenever the county purchasing agent deems it
16 necessary to take a bid on an item currently on a twelve-month bid
17 list, the reason for the bid shall be entered into the minutes of
18 the board of county commissioners;

19 2. Bids shall be solicited by mailing or emailing a notice to
20 all persons or firms who have made a written request of the county
21 purchasing agent that they be notified of such bid solicitation and
22 to all other persons or firms who might reasonably be expected to
23 submit bids. Notice of solicitation of bids shall also be published
24 one time in a newspaper of general circulation in the county.

1 Notices shall be mailed and published at least ten (10) days prior
2 to the date on which the bids are opened. Proof of the mailing or
3 emailing shall be made by the affidavit of the person mailing or
4 emailing the request for bids and shall be made a part of the
5 official records of the county purchasing agent. Whenever any
6 prospective supplier or vendor dealing in or listing for sale any
7 particular item or article required to be purchased or acquired by
8 sealed bids fails to enter or offer a sealed bid for three
9 successive bid solicitations, the name of the supplier or vendor may
10 be dropped from the mailing lists of the board of county
11 commissioners;

12 3. The sealed bids received from vendors and the state contract
13 price received from the applicable Division of the Office of
14 Management and Enterprise Services shall be given to the county
15 clerk by the county purchasing agent. The county clerk shall
16 forward the sealed bids and state contract price, if any, to the
17 board of county commissioners;

18 4. The board of county commissioners, in an open meeting, shall
19 open the sealed bids and compare them to the state contract price.
20 The board of county commissioners shall select the lowest and best
21 bid based upon, if applicable, the availability of material and
22 transportation cost to the job site within thirty (30) days of the
23 meeting. For any special item not included on the list of needed or
24 commonly used items, the requisitioning official shall review the

1 bids and submit a written recommendation to the board before final
2 approval. The board of county commissioners shall keep a written
3 record of the meeting as required by law, and any time the lowest
4 bid was not considered to be the lowest and best bid, the reason for
5 such conclusion shall be recorded. Whenever the board of county
6 commissioners rejects the written recommendation of the
7 requisitioning official pertaining to a special item, the reasons
8 for the rejection shall be entered in their minutes and stated in a
9 letter to the requisitioning official and county purchasing agent;

10 5. The county purchasing agent shall notify the successful
11 bidders and shall maintain a copy of the notification. The county
12 purchasing agent shall prepare and maintain a vendors list
13 specifying the successful bidders and shall notify each county
14 officer of the list. The county purchasing agent may remove any
15 vendor from such list who refuses to provide goods or services as
16 provided by contract if the removal is authorized by the board of
17 county commissioners. The county purchasing agent may make
18 purchases from the successful bidders for a price at or below the
19 bid price. If a vendor who is the low bidder cannot or will not
20 sell goods or services as required by a county bid contract, the
21 county purchasing agent may make a one-time purchase from the next
22 low bidder or take quotations as provided in paragraph 6 of this
23 subsection, ~~provided, however, such purchase does not exceed Fifteen~~
24 ~~Thousand Dollars (\$15,000.00) as the amount specified in~~

1 ~~subparagraph a of paragraph 3 of subsection A of Section 1501 of~~
2 ~~this title; and~~

3 6. When bids have been solicited as provided for by law and no
4 bids have been received, the procedure shall be as follows:

- 5 a. the county purchasing agent shall determine if
6 potential vendors are willing to commit to a firm
7 price for a reduced period of time, and, if such is
8 the case, the bid procedure described in this
9 subsection shall be followed,
- 10 b. if vendors are not willing to commit to a firm price
11 for a reduced period, the purchasing agent shall
12 solicit and record at least three quotes of current
13 prices available to the county and authorize the
14 purchase of goods or services based on the lowest and
15 best quote as it becomes necessary to acquire such
16 goods or services. The quotes shall be recorded on a
17 form prescribed by the State Auditor and Inspector and
18 shall be attached to the purchase order and filed with
19 the county clerk's copy of the purchase order. Any
20 time the lowest quote was not considered to be the
21 lowest and best quote, the reason for this conclusion
22 shall be recorded by the county purchasing agent and
23 transmitted to the county clerk, or

1 c. if three quotes are not available, a memorandum to the
2 county clerk from the county purchasing agent shall
3 describe the basis upon which a purchase is
4 authorized. The memorandum shall state the reasons
5 why the price for such a purchase is the lowest and
6 best under the circumstances. The county clerk shall
7 then attach the memorandum to the county clerk's copy
8 of the purchase order and file both in the office of
9 the county clerk.

10 C. After selection of a vendor, the procedure for the purchase,
11 lease-purchase, or rental of supplies, materials, road and bridge
12 construction services, equipment and information technology and
13 telecommunication goods and services used by a county shall be as
14 follows:

15 1. The county purchasing agent shall prepare a purchase order
16 in quadruplicate and submit it with a copy of the requisition to the
17 county clerk;

18 2. The county clerk shall then encumber the amount stated on
19 the purchase order and assign a sequential number to the purchase
20 order;

21 3. If there is an unencumbered balance in the appropriation
22 made for that purpose by the county excise board, the county clerk
23 shall so certify in the following form:
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25

1 "I hereby certify that the amount of this encumbrance has been
2 entered against the designated appropriation accounts and that this
3 encumbrance is within the authorized available balance of ~~said~~ the
4 appropriation.

5 Dated this _____ day of _____, 20__.

6 _____
7 County Clerk/Deputy

8 of _____ County."

9 In instances where it is impossible to ascertain the exact amount of
10 the indebtedness sought to be incurred at the time of recording the
11 encumbrance, an estimated amount may be used. No purchase order
12 shall be valid unless signed by the county purchasing agent and
13 certified by the county clerk; and

14 4. The county clerk shall file the original purchase order and
15 return three copies to the county purchasing agent who shall file a
16 copy, retain a copy for the county road and bridge inventory officer
17 if the purchase order is for the purchase of equipment, supplies, or
18 materials for the construction or maintenance of roads and bridges,
19 and submit the other copy to the receiving officer of the requesting
20 department.

21 D. 1. The procedure for the purchase of supplies, materials,
22 equipment and information technology and telecommunication goods and
23 services at public auction or by sealed bid to be used by a county
24 shall be as follows:

- 1 a. the county purchasing agent shall prepare a purchase
2 order in quadruplicate and submit it with a copy of
3 the requisition to the county clerk,
4 b. the county clerk shall then encumber the amount stated
5 on the purchase order and assign a sequential number
6 to the purchase order,
7 c. if there is an unencumbered balance in the
8 appropriation made for that purpose by the county
9 excise board, the county clerk shall so certify in the
10 following form:

11 "I hereby certify that the amount of this encumbrance
12 has been entered against the designated appropriation
13 accounts and that this encumbrance is within the
14 authorized available balance of ~~said~~ the
15 appropriation.

16 Dated this _____ day of _____, 20__.

17 _____
18 County Clerk/Deputy

19 of _____ County."

20 In instances where it is impossible to ascertain the
21 exact amount of the indebtedness sought to be incurred
22 at the time of recording the encumbrance, an estimated
23 amount may be used. No purchase order shall be valid
24

1 unless signed by the county purchasing agent and
2 certified by the county clerk, and

- 3 d. the county clerk shall file the original purchase
4 order and return three copies to the county purchasing
5 agent who shall file a copy, retain a copy for the
6 county road and bridge inventory officer if the
7 purchase order is for the purchase of equipment,
8 supplies, or materials for the construction or
9 maintenance of roads and bridges, and submit the other
10 copy to the receiving officer of the requesting
11 department.

12 2. The procedure for the purchase of supplies, materials and
13 equipment at a public auction when the purchase will be made with
14 the proceeds from the sale of county property at the same public
15 auction are as follows:

- 16 a. the purchasing agent shall cause such items being sold
17 to be appraised in the manner determined in Section
18 421.1 of this title,
19 b. the county purchasing agent shall prepare a purchase
20 order in quadruplicate and submit it with a copy of
21 the requisition to the county clerk,
22 c. the county clerk shall then encumber the amount of the
23 appraised value and any additional funds obligated by
24

1 the county on the purchase order and assign a
2 sequential number to the purchase order,

3 d. the county clerk shall certify that the amount of the
4 encumbrance is equal to the appraised value of the
5 item being sold plus any additional funds obligated by
6 the county. In effect the recording of the
7 encumbrance is an estimate that is authorized by law.
8 No purchase order shall be valid unless signed by the
9 county purchasing agent and certified by the county
10 clerk,

11 e. the county clerk shall file the original purchase
12 order and return three copies to the county purchasing
13 agent who shall file a copy, retain a copy for the
14 county road and bridge inventory officer if the
15 purchase order is for the purchase of equipment,
16 supplies or materials for the construction or
17 maintenance of roads and bridges, and submit the other
18 copy to the receiving officer of the requesting
19 department, and

20 f. a purchase shall not be bid until such time that the
21 appraised item or items are sold. Any item or items
22 purchased shall not exceed the appraised value plus
23 any additional funds obligated by the county or the
24

1 actual selling price of the item or items, whichever
2 is the lesser amount.

3 E. The procedure for the receipt of items shall be as follows:

4 1. A receiving officer for the requesting department shall be
5 responsible for receiving all items delivered to that department;

6 2. Upon the delivery of an item, the receiving officer shall
7 determine if a purchase order exists for the item being delivered;

8 3. If no such purchase order has been provided, the receiving
9 officer shall refuse delivery of the item;

10 4. If a purchase order is on file, the receiving officer shall
11 obtain a delivery ticket, bill of lading, or other delivery document
12 and compare it with the purchase order. If any item is back-
13 ordered, the back order and estimated date of delivery shall be
14 noted in the receiving report;

15 5. The receiving officer shall complete a receiving report in
16 quadruplicate which shall state the quantity and quality of goods
17 delivered. The receiving report form shall be prescribed by the
18 State Auditor and Inspector. The person delivering the goods shall
19 acknowledge the delivery by signature, noting the date and time;

20 6. The receiving officer shall file the original receiving
21 report and submit:

22 a. a copy of the purchase order and a copy of the
23 receiving report to the county purchasing agent, and
24

1 b. a copy of the receiving report with the delivery
2 documentation to the county clerk;

3 7. The county purchasing agent shall file a copy of the
4 purchase order and a copy of the receiving report;

5 8. Upon receipt of the original receiving report and the
6 delivery documentation, the county clerk shall maintain a file until
7 such time as an invoice is received from the vendor;

8 9. The invoice shall state the name and address of the vendor
9 and must be sufficiently itemized to clearly describe each item
10 purchased, the unit price when applicable, the number or volume of
11 each item purchased, the total price, the total purchase price, and
12 the date of the purchase;

13 10. Upon receipt of an invoice, the county clerk shall compare
14 the following documents:

- 15 a. requisition,
- 16 b. purchase order,
- 17 c. invoice with noncollusion affidavit as required by
18 law,
- 19 d. receiving report, and
- 20 e. delivery document.

21 The documents shall be available for public inspection during
22 regular business hours; and
23
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1 11. If the documents conform as to the quantity and quality of
2 the items, the county clerk shall prepare a warrant for payment
3 according to procedures provided for by law.

4 F. The following procedures are for the processing of purchase
5 orders:

6 1. The purchasing agent shall be allowed up to three (3) days
7 to process purchase orders to be presented to the board of county
8 commissioners for consideration and payment. Nothing herein shall
9 prevent the purchasing agent from processing or the board of county
10 commissioners from consideration and payment of utilities, travel
11 claims and payroll claims;

12 2. The board of county commissioners shall consider the
13 purchase orders so presented and act upon the purchase orders, by
14 allowing in full or in part or by holding for further information or
15 disallowing the same. The disposition of purchase orders shall be
16 indicated by the board of county commissioners, showing the amounts
17 allowed or disallowed and shall be signed by at least two members of
18 the board of county commissioners. Any claim held over for further
19 information shall be acted upon by allowing or disallowing same at
20 any future meeting of the board held within seventy-five (75) days
21 from the date of filing of the purchase order. Any purchase order
22 not acted upon within the seventy-five (75) days from the date of
23 filing shall be deemed to have been disallowed, but such
24

1 disallowance shall not prevent the refiling of the purchase order at
2 the proper time; and

3 3. Whenever any allowance, either in whole or in part, is made
4 upon any purchase order presented to the board of county
5 commissioners and is accepted by the person making the claim, such
6 allowance shall be a full settlement of the entire purchase order
7 and provided that the cashing of warrant shall be considered as
8 acceptance by the claimant.

9 G. The procedure upon consumption or disposal of supplies,
10 materials, or equipment shall be as follows:

11 1. For consumable road or bridge items or materials, a
12 quarterly report of the road and bridge projects completed during
13 such period shall be prepared and kept on file by the consuming
14 department. The quarterly report may be prepared and kept
15 electronically by the consuming department. The report shall
16 contain a record of the date, the place, and the purpose for the use
17 of the road or bridge items or materials. For purposes of
18 identifying county bridges, the board of county commissioners shall
19 number each bridge subject to its jurisdiction; and

20 2. For disposal of all equipment and information technology and
21 telecommunication goods which originally cost more than Five Hundred
22 Dollars (\$500.00), resolution of disposal shall be submitted by the
23 officer on a form prescribed by the State Auditor and Inspector's
24 Office to the board of county commissioners. The approval of the

1 resolution of disposal shall be entered into the minutes of the
2 board.

3 H. Inventory forms and reports shall be retained for not less
4 than two (2) years after all audit requirements for the state and
5 federal government have been fulfilled and after any pending
6 litigation involving the forms and reports has been resolved.

7 I. The procedures provided for in this section shall not apply
8 when a county officer certifies that an emergency exists requiring
9 an immediate expenditure of funds. Such an expenditure of funds
10 shall not exceed Five Thousand Dollars (\$5,000.00). The county
11 officer shall give the county purchasing agent a written explanation
12 of the emergency. The county purchasing agent shall attach the
13 written explanation to the purchase order. The purchases shall be
14 paid by attaching a properly itemized invoice, as described in this
15 section, to a purchase order which has been prepared by the county
16 purchasing agent and submitting them to the county clerk for filing,
17 encumbering, and consideration for payment by the board of county
18 commissioners.

19 J. The county purchasing agent may authorize county purchasing
20 officers to make acquisitions through the state purchase card
21 program as authorized by the State Purchasing Director in accordance
22 with Section 85.5 of Title 74 of the Oklahoma Statutes and defined
23 in Section 85.2 of Title 74 of the Oklahoma Statutes. Purchase
24 cardholders shall sign a purchase card agreement prior to becoming a
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1 cardholder and attend purchase card procedure training as required
2 by the State Purchasing Director. Complete descriptions of
3 purchases made by county government entities shall be published
4 through the state transparency portal pursuant to Section 85.33B of
5 Title 74 of the Oklahoma Statutes, and as warrants required to be
6 published pursuant to Sections 444 and 445 of this title.

7 K. Nothing in this section shall prohibit counties from
8 providing material and/or services bids on the twelve-month bid list
9 to all road and bridge projects and contracts. All non-road and
10 bridge related construction contracts shall refer to subsection A of
11 Section 103 of Title 61 of the Oklahoma Statutes.

12 SECTION 3. This act shall become effective November 1, 2020.

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14 57-2-3024 QD 1/16/2020 4:21:13 PM
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