

State of Arizona  
House of Representatives  
Fiftieth Legislature  
Second Regular Session  
2012

# HOUSE BILL 2495

AN ACT

AMENDING SECTION 11-254.01, ARIZONA REVISED STATUTES; RELATING TO COUNTY BOARD OF SUPERVISORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-254.01, Arizona Revised Statutes, is amended to  
3 read:

4 11-254.01. County purchasing procedures; purchases to be based  
5 on competitive bids; local dealer preference;  
6 content and issuance of invitations and  
7 specifications; basis of awards and rejection of  
8 bids; professional services; buildings

9 A. All purchases of supplies, materials, equipment and contractual  
10 services, except professional services, made by the county AND having an  
11 estimated cost in excess of ten thousand dollars per transaction, or the  
12 aggregate dollar amount provided for in section 41-2535, if pursuant to  
13 section 41-2501, subsection C the board of supervisors adopts the aggregate  
14 dollar amount, shall be based on sealed, competitive bids. The county  
15 purchasing agent shall make the awards on board of supervisors approval. The  
16 invitation for bids and specifications must be issued in sufficient time  
17 before the purchase is made and in sufficient detail to permit free  
18 competition. Notice of the invitation for bids shall be published in a  
19 newspaper in accordance with title 39, chapter 2 unless the board of  
20 supervisors, by at least a two-thirds vote of its membership, determines that  
21 an emergency exists requiring immediate action to protect the public health  
22 or safety. Copies of the invitation and specifications shall be supplied to  
23 and bids shall be solicited from qualified sources consistent with the item  
24 to be purchased as determined by the county purchasing agent, including all  
25 qualified suppliers who before the issuance of the invitation notify the  
26 purchasing department in writing that they desire to bid on materials,  
27 supplies, equipment or contractual services.

28 B. Bids shall be opened publicly at the time and place stated in the  
29 invitation. On board approval, the county purchasing agent shall make awards  
30 with reasonable promptness by giving written notice to the responsible bidder  
31 whose bid conforms to the invitation and whose bid is the most advantageous  
32 to the county concerning price, conformity to the specifications and other  
33 factors. The board may reject all bids if rejection is in the public  
34 interest. FOR A PURCHASE WHERE THE ESTIMATED COST IS IN EXCESS OF FIFTY  
35 THOUSAND DOLLARS, THE COUNTY PURCHASING AGENT, SUBJECT TO BOARD APPROVAL, MAY  
36 AWARD THE CONTRACT TO A LOCAL DEALER IN PREFERENCE TO ANY COMPETING BIDDER  
37 WHO IS NOT A LOCAL DEALER IF THE BID OF THE COMPETING BIDDER, QUALITY AND  
38 SUITABILITY CONSIDERED IS LESS THAN FIVE PER CENT LOWER. FOR THE PURPOSES OF  
39 THIS SUBSECTION, "LOCAL DEALER" MEANS A DEALER, PERSON OR FIRM WHOSE  
40 PRINCIPAL PLACE OF BUSINESS IS WITHIN THE COUNTY LIMITS OF THE COUNTY MAKING  
41 THE AWARD.

- 1           C. For purchases of ten thousand dollars or less, or for purchases of  
2 less than the aggregate dollar amount if the county board of supervisors  
3 adopts the amount provided for in section 41-2535, each county shall develop  
4 purchasing procedures to comply with the uniform accounting system prescribed  
5 by the auditor general under section 41-1279.21.
- 6           D. Professional services shall be procured pursuant to written  
7 policies developed by the county purchasing agent and adopted by the board of  
8 supervisors.
- 9           E. All erections of and repairs and alterations to any county building  
10 are not subject to this section but are subject to title 34, chapter 2.