

Current through the 2018 Regular Session of the General Assembly

Official Code of Georgia Annotated

Title 50. State Government

Chapter 5. Department of Administrative Services

Article 3. State Purchasing

Part 1. General Authority, Duties, and Procedure

§ 50-5-69. Purchases without competitive bidding; central bid registry; procurement cards; rules and regulations; applicability to emergency purchases; Purchasing Advisory Council

(a) If the needed supplies, materials, equipment, or service can reasonably be expected to be acquired for less than \$25,000.00 and is not available on state contracts or through statutorily required sources, the purchase may be effectuated without competitive bidding. The commissioner of administrative services may by rule and regulation authorize the various offices, agencies, departments, boards, bureaus, commissions, institutions, authorities, or other entities of the state to make purchases in their own behalf and may provide the circumstances and conditions under which such purchases may be effected. In order to assist and advise the commissioner of administrative services in making determinations to allow offices, agencies, departments, boards, bureaus, commissions, institutions, authorities, or other entities of the state to make purchases in their own behalf, there is created a Purchasing Advisory Council consisting of the executive director of the Georgia Technology Authority or his or her designee; the director of the Office of Planning and Budget or his or her designee; the chancellor of the University System of Georgia or his or her designee; the commissioner of the Technical College System of Georgia or his or her designee; the commissioner of transportation or his or her designee; the Secretary of State or his or her designee; the commissioner of human services or his or her designee; the commissioner of community health or his or her designee; the commissioner of public health or his or her designee; the commissioner of behavioral health and developmental disabilities or his or her designee; and one member to be appointed by the Governor. The commissioner of administrative services shall promulgate the necessary rules and regulations governing meetings of such council and the method and manner in which such council will assist and advise the commissioner of administrative services.

(b) The department shall establish a central bid registry to advertise the various procurement and bid opportunities of state government. Such central bid registry shall be entitled the Georgia Procurement Registry and shall operate in accordance with appropriate rules and regulations applicable to the department's responsibility to manage the state's procurement system. It shall be the responsibility of each agency, department, board, commission, authority, and council to report to the department its bid opportunities in a manner prescribed by the Department of Administrative Services. The commissioner of administrative services is authorized and directed to promulgate rules and regulations to carry out this responsibility and shall determine the most economical method to conduct public notification of such bid opportunities.

(c) The Department of Administrative Services is authorized to permit departments, institutions, and agencies of state government to utilize a procurement card that will electronically pay and monitor payments by state institutions pursuant to subsection (a) of this Code section subject to approval of the State Depository Board pursuant to the State Depository Board's authority to prescribe cash management policies and procedures for state agencies under Code Section 50-17-51. All purchases made through procurement cards shall be included on a monthly summary report to be prepared by each state department, institution, and agency in a form to be approved by the Department of Administrative Services.

(d) The commissioner of administrative services shall promulgate rules and regulations necessary to carry out the intent of this Code section.

(e) Nothing in this Code section shall apply to or affect the laws, rules, and regulations governing emergency purchases.

(f) The Division of Family and Children Services of the Department of Human Services may enter into contracts for the purchase of or may purchase placements for children in the care or custody of the Division of Family and Children Services of the Department of Human Services without competitive bidding pursuant to the oversight and authority of the director of the Division of Family and Children Services of the Department of Human Services.

HISTORY: Ga. L. 1976, p. 752, § 1; Ga. L. 1980, p. 90, § 4; Ga. L. 1983, p. 520, § 1; Ga. L. 1996, p. 885, § 6; Ga. L. 1998, p. 1372, § 2; Ga. L. 2001, p. 792, § 2; Ga. L. 2005, p. 117, § 13A/HB 312; Ga. L. 2009, p. 453, § 2-4/HB 228; Ga. L. 2010, p. 286, § 21/SB 244; Ga. L. 2011, p. 705, § 5-28/HB 214; Ga. L. 2012, p. 760, § 1-1/HB 863; Ga. L. 2012, p. 775, § 50/HB 942; Ga. L. 2015, p. 552, § 18/SB 138; Ga. L. 2015, p. 1284, § 3/HB 259.