

By: Senator(s) Hawks

To: Fees, Salaries and  
Administration;  
County Affairs

SENATE BILL NO. 2432

1 AN ACT TO AMEND SECTION 65-7-95, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT THE BOARD OF SUPERVISORS MAY LEASE HEAVY ROAD  
3 MACHINERY FROM VENDOR QUOTES AND NOT BID SUCH LEASES; AND FOR  
4 RELATED PURPOSES. BE IT ENACTED BY THE LEGISLATURE OF THE STATE  
5 OF MISSISSIPPI:

6  
7 SECTION 1. Section 65-7-95, Mississippi Code of 1972, is  
8 amended as follows:

9 65-7-95. The methods of constructing, reconstructing and  
10 maintaining the public roads and bridges in this state, other than  
11 those under the actual charge of the State Highway Department,  
12 shall be as follows:

13 Any county may purchase implements and material through its  
14 central purchase system; may employ labor; may work, construct,  
15 reconstruct and maintain the public roads; may build bridges; and  
16 may do any and all things necessary to be done to work, construct,  
17 reconstruct and maintain the public roads and to build bridges as  
18 herein provided. If, in the opinion of the board of supervisors,  
19 any part of the work necessary to be done in working,  
20 constructing, reconstructing and maintaining the public roads and  
21 in building bridges in such county, or any part or parts thereof,  
22 can best be done by awarding contracts therefor, the board of  
23 supervisors may advertise for bids and make contracts therefor in  
24 accordance with the provisions of Section 31-7-13; and the board  
25 of supervisors may, in its discretion, use any funds heretofore or  
26 hereafter raised by bond issue or otherwise for working,  
27 constructing, reconstructing, maintaining and improving the public  
28 roads and for building bridges as herein provided. In no event

29 shall any contract provided above be awarded that shall extend  
30 beyond thirty (30) days from the termination and end of the term  
31 of office of the members of the boards of supervisors awarding  
32 same.

33 Before any board of supervisors may hire, lease or rent any  
34 heavy road machinery or equipment for use in the construction,  
35 reconstruction or maintenance of any county road or bridge, such  
36 board of supervisors shall first adopt an order adjudicating the  
37 necessity for leasing or renting such machinery or equipment, the  
38 purposes for which it is to be used, the type of such machinery or  
39 equipment and the reasons why the leasing or renting thereof will  
40 promote the public interest of the county. Such order shall also  
41 direct the clerk of the board of supervisors to advertise for bids  
42 for such machinery or equipment, which bids shall be returnable on  
43 a day to be fixed by the board of supervisors, in accordance with  
44 Section 31-7-13, or the order shall direct that the clerk or road  
45 manager solicit vendor quotes and to select the lowest of at least  
46 two (2) vendor quotes subject to approval by the board.

47 All contracts for the leasing or renting of such machinery or  
48 equipment shall be awarded to the lowest and best responsible  
49 bidder whose bid price or rental consideration is not in excess of  
50 the current rates and charges fixed and prescribed by the  
51 Nielsen/Data Quest publication, which rates and charges fixed and  
52 prescribed by the Nielsen/Data Quest publication shall be on file  
53 with the Governor's Office of General Services at that time.

54 All invoices submitted for the leasing or renting of such  
55 machinery or equipment shall identify the equipment by number and  
56 name and shall include the number of hours of labor performed and  
57 the dates thereof.

58 SECTION 2. This act shall take effect and be in force from  
59 and after its passage.