

By: Representative Mims

To: Transportation

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1449

1 AN ACT TO AMEND SECTION 65-7-95, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE EXCEPTIONS TO CERTAIN LIMITATIONS ON BOARDS OF SUPERVISORS
3 AWARDING OF CONTRACTS FOR ROADS AND BRIDGES; AND FOR RELATED
4 PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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

8 65-7-95. The methods of constructing, reconstructing and
9 maintaining the public roads and bridges in this state, other than
10 those under the actual charge of the State Highway Department,
11 shall be as follows:

12 Any county may purchase implements and material through its
13 central purchase system; may employ labor; may work, construct,
14 reconstruct and maintain the public roads; may build bridges; and
15 may do any and all things necessary to be done to work, construct,
16 reconstruct and maintain the public roads and to build bridges as
17 herein provided. If, in the opinion of the board of supervisors,
18 any part of the work necessary to be done in working,
19 constructing, reconstructing and maintaining the public roads and



20 in building bridges in such county, or any part or parts thereof,
21 can best be done by awarding contracts therefor, the board of
22 supervisors may advertise for bids and make contracts therefor in
23 accordance with the provisions of Section 31-7-13; and the board
24 of supervisors may, in its discretion, use any funds heretofore or
25 hereafter raised by bond issue or otherwise for working,
26 constructing, reconstructing, maintaining and improving the public
27 roads and for building bridges as herein provided. Except for
28 contracts that receive funding from the Emergency Road and Bridge
29 Repair Fund or 2018 Transportation and Infrastructure Improvement
30 Fund, * * * no * * * contract provided above shall be awarded that
31 shall extend beyond thirty (30) days from the termination and end
32 of the term of office of the members of the boards of supervisors
33 awarding same.

34 Before any board of supervisors may hire, lease or rent any
35 heavy road machinery or equipment for use in the construction,
36 reconstruction or maintenance of any county road or bridge, such
37 board of supervisors shall first adopt an order adjudicating the
38 necessity for leasing or renting such machinery or equipment, the
39 purposes for which it is to be used, the type of such machinery or
40 equipment and the reasons why the leasing or renting thereof will
41 promote the public interest of the county. Such order shall also
42 direct the clerk of the board of supervisors to advertise for bids
43 for such machinery or equipment, which bids shall be returnable on



44 a day to be fixed by the board of supervisors, in accordance with
45 Section 31-7-13.

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

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

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

