

CHAPTER 392

COUNTY PURCHASING DEPARTMENT

392.01 Repealed.
 392.02 Repealed.
 392.03 Repealed.
 392.06 Creation of county purchasing department.
 392.07 Duties of purchasing department.

392.08 Director of purchasing; employees.
 392.09 Rules and regulations.
 392.10 Voidable purchases, contracts, and sales.
 392.11 Laws not affected.

392.01 [Repealed, 1985 c 109 s 17]

392.02 [Repealed, 1985 c 109 s 17]

392.03 [Repealed, 1985 c 109 s 17]

392.06 CREATION OF COUNTY PURCHASING DEPARTMENT.

In order to create economies through volume buying, to promote competitive bidding, and to provide more efficient public service, the county board of any county may establish a county purchasing department. The county board may direct an existing county office, department or agency to perform the duties of the county purchasing department or may create a new department or agency for that purpose.

History: 1985 c 109 s 13

392.07 DUTIES OF PURCHASING DEPARTMENT.

Subdivision 1. The county purchasing department shall perform all acts necessary to purchase or contract for all supplies, materials, equipment, and contractual services required by any or all county offices, departments or agencies. The county board shall select the county offices, departments or agencies to be serviced by the county purchasing department. The board may authorize any county office, department or agency designated by the board to purchase directly, without the intervention of the director of purchasing, certain specified supplies, materials, equipment, or contractual services, and shall designate the manner in which the purchases shall be made.

Subd. 2. The county purchasing department also shall perform the following duties:

- (1) Prepare all specifications for supplies, materials and equipment;
- (2) Transfer to or between county offices, departments or agencies, or sell supplies, materials, and equipment which is surplus, obsolete, or unused.

History: 1985 c 109 s 13

392.08 DIRECTOR OF PURCHASING; EMPLOYEES.

The county board shall appoint a director of purchasing to direct the operations of the county purchasing department. The director of purchasing shall be qualified by training and experience for the position. The board may appoint an existing county officer to serve as director of purchasing. The board shall fix the salary of the director and require the director to post a bond as the board determines necessary. The board shall provide the director with assistants, office space, equipment, and supplies necessary to carry out the duties of the office. Except for the director, who may be removed from that office by the board for reasons of misconduct or incompetency after due notice and hearing, all employees of the

county purchasing department shall be employed in accordance with civil service regulations existing in the county, if any regulations exist.

History: 1985 c 109 s 13

392.09 RULES AND REGULATIONS.

The county board shall adopt rules and regulations as necessary to carry out sections 392.06 to 392.10 and file them with the county auditor. The board may authorize any county office, department or agency designated by it to purchase supplies, materials, equipment or contractual services in the open market for immediate delivery in emergencies. It shall define emergencies and designate the manner in which these purchases shall be made and reported to the director of purchasing.

History: 1985 c 109 s 13

392.10 VOIDABLE PURCHASES, CONTRACTS, AND SALES.

The purchase or contract for any supplies, material, equipment, or contractual service by any county office, department or agency, or the sale of surplus, obsolete, or unusable supplies, material, or equipment by any county office, department or agency contrary to sections 392.06 to 392.10 is voidable. The head of the office, department or agency is personally liable for the cost of such an order or contract and for the reasonable value of supplies, material, or equipment sold. If an order or contract has been paid for out of county funds, the amount may be recovered in the name of the county in an action brought for that purpose. Property sold contrary to sections 392.06 to 392.10, or the reasonable value of the property, may be recovered in the name of the county in a similar manner.

History: 1985 c 109 s 13

392.11 LAWS NOT AFFECTED.

Sections 392.06 to 392.10 are not intended to modify, amend, or repeal any law relating to counties in regard to bidding or any law existing at the time of passage of sections 392.06 to 392.10 which authorize the establishment or creation of a county purchasing agent or department, or a combined city and county joint purchasing arrangement.

History: 1985 c 109 s 13