



Municipal Technical Advisory Service
INSTITUTE for PUBLIC SERVICE

Published on *MTAS* (<http://www.mtas.tennessee.edu>)

October 23, 2019

Laws Related to Purchasing in Modified City Manager-Council Chartered Cities

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](http://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Reference Number: MTAS-1689

6-35-205. Purchasing —

(a) Except as provided in § 6-36-115, the manager shall be responsible for all city purchasing but he may delegate such duty to any subordinate appointed by the manager.

(b)

(1) Competitive prices for all purchases and public improvements shall be obtained whenever practicable and in accordance with regulations established by ordinance, and the purchase made from or the contract awarded to the lowest responsible bidder, provided that the city shall have the power to reject any and all bids.

(2) Formal sealed bids shall be obtained in all transactions involving the expenditure of ten thousand dollars (\$10,000) or more, and the transaction shall be evidenced by written contract submitted to and approved by the council; provided that in cases where the council indicates by formal unanimous resolution of those present at the meeting, based upon the written recommendation of the manager, that it is clearly to the advantage of the city not to contract with competitive bidding, it may authorize noncompetitive contracts.

(3) The council may also authorize the making of public improvements or the performing of any other city work by any city department or agency without competitive bidding.

(c) Purchasing and contract procedures not prescribed by this charter or other law may be established by ordinance.

6-35-206. Management of city property and equipment — Lease of property and equipment to contractors for city services —

(a) The management of all city property and equipment except school property and equipment shall be the responsibility of the city manager who shall prepare for the approval of the council regulations governing the acquisition, custody, use and disposal of all such property and equipment. Such regulations shall provide for a regular inventory, appraisal and marking of all such property and shall require that the disposal of any city property and equipment valued at more than five hundred dollars (\$500), provided that any sale for more than one thousand dollars (\$1,000), or any sale of real estate shall be subject to the approval of the city council.

6-36-115. Purchases and contracts —

(a) All materials, supplies and equipment shall be purchased by the director of schools in accordance with procedures approved by the board of education, except that centralized purchasing with the city administration may be utilized where it is mutually agreed upon by the council and board or their delegated representatives.

(b) The board of education or director of schools, in making purchases and contracts, shall be subject to the provisions of this charter relating to purchases and contracts by the city council and city manager, with the board of education standing in the stead of the council and the director of schools standing in the stead of the city manager.

(c) No purchase, expenditure or contract shall be made in excess of available school funds.

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Source URL (retrieved on 10/23/2019 - 1:59am): <http://www.mtas.tennessee.edu/reference/laws-related-purchasing-modified-city-manager-council-chartered-cities-1>

