

45A.050 Centralization of procurement -- Exemptions -- Reciprocal preference for resident bidders.

- (1) Except as provided in KRS 45A.800 to 45A.835 and KRS Chapters 175, 176, 177, and 180, all rights, powers, duties, and authority relating to the procurement of supplies, services, and construction, and the management, control, warehousing, sale, and disposal of supplies, services, and construction now vested in or exercised by any state agency under the several statutes relating thereto, are hereby transferred to the secretary of the Finance and Administration Cabinet as provided in this code, subject to the provisions of subsection (2) of this section.
- (2) Unless otherwise ordered by the secretary of the Finance and Administration Cabinet, the acquisition of the following shall not be required through the Finance and Administration Cabinet:
 - (a) Works of art for museum and public display;
 - (b) Published books, maps, periodicals, and technical pamphlets; and
 - (c) Services of visiting speakers, professors, and performing artists.
- (3) The Finance and Administration Cabinet shall include in all state agency price contracts for the purchase of materials or supplies a provision that, as approved by the secretary of the Finance and Administration Cabinet, any political subdivision, including cities of all classes, counties, school districts, or special districts, may participate in these contracts to the same extent as the Commonwealth. Any political subdivision may purchase materials and supplies in accordance with a contract for supplies and materials entered into by the Finance and Administration Cabinet for the Commonwealth, including those contracts negotiated by the cabinet with vendors who maintain a General Services Administration price agreement as provided in KRS 45A.045(8). Political subdivisions of the Commonwealth must comply with other provisions of the Kentucky Revised Statutes which require purchase by competitive bidding, before participating in the contract, unless the state contract has been let by competitive bidding, or the contract was negotiated as provided in KRS 45A.045(8).
- (4) The Finance and Administration Cabinet shall inform the Department for Local Government, which shall then inform the appropriate purchasing agent of each political subdivision interested in participating under this section, of all state agency contracts in effect between the Commonwealth and vendors.
- (5) The secretary of the Finance and Administration Cabinet shall promulgate administrative regulations necessary for the implementation of this section and necessary to provide that the Commonwealth be reimbursed for any additional expenses incurred by the Commonwealth in allowing political subdivisions to participate in contracts with vendors.
- (6) The Finance and Administration Cabinet shall comply with all provisions relating to the methods of purchasing in the Kentucky Revised Statutes. This section is not intended to repeal or otherwise affect any provision of the Kentucky Revised Statutes regarding purchasing methods of the Finance and Administration Cabinet.

- (7) Notwithstanding any other statute to the contrary, all public agencies as defined in KRS 45A.490 shall comply with the provisions for reciprocal preference for resident bidders in KRS 45A.490 to 45A.494.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 117, sec. 35, effective July 15, 2010; and ch. 162, sec. 6, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 47, sec. 29, effective June 26, 2007. -- Amended 1998 Ky. Acts ch. 69, sec. 17, effective July 15, 1998. -- Amended 1997 (1st Extra. Sess.) Ky. Acts ch. 4, sec. 25, effective May 30, 1997. -- Amended 1994 Ky. Acts ch. 95, sec. 8, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 496, sec. 2, effective July 13, 1990. -- Created 1978 Ky. Acts ch. 110, sec. 11, effective January 1, 1979.

Legislative Research Commission Note (7/15/2010). This section was amended by 2010 Ky. Acts chs. 117 and 162, which do not appear to be in conflict and have been codified together.