

STATE OF TEXAS

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COUNTY OF COLLIN

**AN ORDER OF THE COMMISSIONERS COURT OF COLLIN COUNTY, TEXAS  
GRANTING AN EXEMPTION FROM COMPETITIVE BIDDING FOR COUNTY  
FOOD PURCHASES AND DELEGATING TO THE COUNTY PURCHASING AGENT  
THE AUTHORITY TO NEGOTIATE AND EXECUTE CONTRACTS FOR COUNTY  
FOOD PURCHASES**

**WHEREAS**, the Collin County Commissioners Court from time to time contracts for purchases of food items for County purposes, including providing food for the operation of the Collin County Detention Facility and the John R. Roach Juvenile Detention Center; and

**WHEREAS**, pursuant to Section 262.024(a)(8) of the Texas Local Government Code the Commissioners Court believes it to be prudent and appropriate to exempt purchases of items of food from the competitive bidding requirements of the County Purchasing Act (Tex. Local Government Code section 262.021 et seq.)

**WHEREAS**, the Commissioners Court has determined it is prudent and appropriate for food items to be purchased in accordance with section 262.024(d) of the Texas Local Government Code, which prescribes that the County obtain at least three bids for purchases of food items by telephone or written quotation at intervals specified by the Commissioners Court; and

**WHEREAS**, the Commissioners Court has determined that pursuant to section 262.024(d) of the Texas Local Government Code the appropriate intervals for soliciting bids for purchases of food items by telephone or written quotation are those set forth in the schedule appended to this Order as Exhibit A, so that pricing for food items is kept current for the best interest of the County and its taxpayers; and

**WHEREAS**, the Commissioners Court pursuant to section 262.001 of the Texas Local Government Code finds it to be prudent and appropriate to appoint the County Purchasing Agent as an authorized agent for the Commissioners Court to negotiate and make contracts on behalf of the County for purchases of food items;

**NOW, THEREFORE, BE IT ORDERED BY THE COLLIN COUNTY COMMISSIONERS COURT THAT:**

1. **Approval of Recitals as Findings of Fact.** The foregoing recitals, having been found by the Commissioners Court to be true and correct, are hereby incorporated into this Order as findings of fact.
2. **Grant of Exception to Competitive Bidding for Purchases of Food Items.** The Commissioners Court affirmatively grants the exception set forth in Section 262.024(a)(8) of the Texas Local Government Code with respect to County purchases of food items.

3. **Purchases of Food Items under Texas Local Government Code 262.024(d).** The Commissioners Court. The Commissioners Court hereby ORDERS that County purchases of food items subject to the County Purchasing Act be made in accordance with section 262.024(d) of the Texas Local Government Code, which prescribes that the County obtain at least three bids for purchases of food items by telephone or written quotation at intervals specified by the Commissioners Court. Such items and intervals are set for in the schedule appended to this Order as Exhibit A. The purchasing officer taking telephone, written, email, or other permissible bids under section 262.024(d) will keep a record of all bids solicited and the vendors contacted on the form at Exhibit B or an electronic spreadsheet approved by the Purchasing Agent. The Purchasing Agent will retain the record for at least one year or until audited by the County Auditor.
4. **Delegation of Authority to Make Contracts for Purchases of Food Items.** The Commissioners Court pursuant to section 262.001 of the Texas Local Government Code hereby appoints the County Purchasing Agent as an authorized agent for the Commissioners Court to negotiate and make contracts on behalf of the County for purchases of food items.
5. **No Restriction of Discretion.** Nothing in this Order shall be interpreted to limit the discretion of the County Purchasing Agent from seeking more than three bids for purchases of food items, or from using other practices, means or methods in the County Purchasing Agent's discretion to obtain food items at advantageous prices for the County so long as such practices, means or methods conform with this Order and applicable laws.
6. **Rescission of Order No. 2011-332-05-23 (May 23, 2011).** The provisions of this Order supersede and replace Commissioners Court Order No. 2011-332-05-23 (May 23, 2011). That Order is rescinded in its entirety.

**BE IT SO ORDERED.**

Passed and Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**COLLIN COUNTY COMMISSIONERS COURT**

\_\_\_\_\_  
Chris Hill, County Judge

\_\_\_\_\_  
Darrell Hale, Commissioner Precinct 3

\_\_\_\_\_  
Susan Fletcher, Commissioner Precinct 1

\_\_\_\_\_  
Duncan Webb, Commissioner Precinct 4

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Cheryl Williams, Commissioner Precinct 2

Attest:

\_\_\_\_\_  
County Clerk