

THE STATE OF TEXAS

MISCELLANEOUS ORDER
EXEMPTION FROM THE BIDDING PROCESS
VARIOUS UTILITIES
PURCHASING

COUNTY OF COLLIN

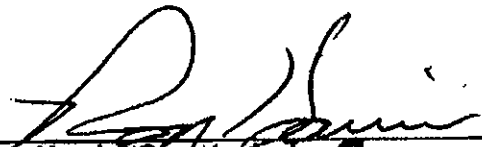
On June 24, 2003 the Commissioners' Court of Collin County, Texas, met in regular session with the following members present and participating, to wit:


Ron Harris
Phyllis Cole
Jerry Hoagland
Joe Jaynes
Jack Hatchell


County Judge, Presiding
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4

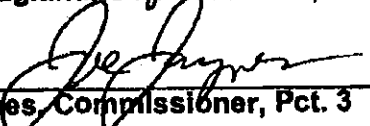
During such session the court considered a request for approval to grant an exemption from the competitive bidding process for various electric, gas, water and other utility companies in connection with any request that Collin County would make for the relocation of such services in accordance with Local Government Code 262.024 (a) (7) (A and C).


Thereupon, a motion was made, seconded and carried with a majority vote of the court for approval to grant an exemption from the competitive bidding process for various electric, gas, water and other utility companies in connection with any request that Collin County would make for the relocation of such services in accordance with Local Government Code 262.024 (a) (7) (A and C). Same is hereby approved in accordance with the attached documentation.



Ron Harris, County Judge


Phyllis Cole, Commissioner, Pct. 1


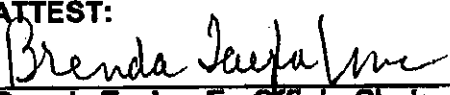
Jerry Hoagland, Commissioner, Pct. 2


Joe Jaynes, Commissioner, Pct. 3


Jack Hatchell, Commissioner, Pct. 4



ATTEST:



Brenda Taylor, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S

COMMISSIONERS' COURT AGENDA REQUEST FORM

REQUESTS MUST BE RECEIVED NO LATER THAN 12:00 PM
ON THE TUESDAY PRIOR TO THE MONDAY MEETING.

This space for Court Clerk

RECEIVED
COMMISSIONERS' COURT
JUN 17 10:17

AGENDA NUMBER:
REGULAR _____
CONSENT _____

INSTRUCTIONS ON THE REVERSE

REQUESTING DEPARTMENT

Date: 06/02/2003 Court Date: 06/24/2003 Phone/Ext: 4119 Department: Purchasing

Description of Agenda Item: Consideration and approval
for request for an exemption from the bidding process for
various electric, gas, water and other utility services in connection
with relocation of such services requested by Collin County.

BUDGET RELATED INFORMATION
MUST COMPLETE FOR ALL EXPENDITURES/RFP'S

This item is part of the current budget: Yes No

Amount Budgeted: 100,000
(or needed)

Account Number: 010-9001-601-7102

JD 06/16/03

DEPARTMENT HEAD SIGNATURE: *Franklin Ogberto*

PURCHASING DEPARTMENT ACTION & COMMENTS

Enter "not to exceed" cost estimate(s) for the requested item(s): _____

CHECK TWO OF THE BELOW			
ADVERTISE	<input type="checkbox"/>	BIDS	<input type="checkbox"/>
AWARD	<input type="checkbox"/>	PROPOSALS	<input type="checkbox"/>

BOND REQUIRED: _____ INS. REQ'D: _____
ANNUAL ACTION: _____ EFFECTIVE: _____
AD DATES: _____ OPEN DATE/TIME: _____

Item Description for Agenda: Commissioners Court consideration and approval of granting an exemption from the competitive bidding process for various electric, gas, water and other utility companies in connection with any request that Collin County would make for the relocation of such services in accordance with Local

Remarks: Government Code 262.024 (a) (7)(A and C). A copy of the code is attached.

PURCHASING AGENT SIGNATURE: *Franklin Ogberto* cm

AUDITOR'S OFFICE ACTION & COMMENTS

BUDGET/FUNDING VERIFICATION	
BUDGETED	<input type="checkbox"/>
UNBUDGETED	<input type="checkbox"/>
FUNDS NOT AVAILABLE	<input type="checkbox"/>

FUNDS AVAILABLE	<input type="checkbox"/>
ACCOUNT NUMBER FOR AVAILABLE FUNDS	_____
(Needed for Agenda Submission)	

BUDGET AMENDMENT REQUIRED	
NON-EMERGENCY, Sec 111.011 LGC	<input type="checkbox"/>
EMERGENCY, Sec 111.010 LGC	<input type="checkbox"/>

FUNDS TRANSFER RECOMMENDATION

AMOUNT	DEPARTMENT NAME	ACCOUNT NUMBER
\$ _____ From	_____	_____
\$ _____ From	_____	_____
\$ _____ To	_____	_____
\$ _____ To	_____	_____

Remarks: _____

COUNTY AUDITOR SIGNATURE: *[Signature]*

RECEIVED
 COUNTY AUDITOR
 JUN 17 AM 11:04

BUDGET DEPARTMENT ACTION & COMMENTS

COMMENTS RELATED TO BUDGET AMENDMENT JUSTIFICATION SUBMITTED BY DEPARTMENT

REJECTED

BUDGET OFFICER SIGNATURE: *[Signature]*

RECEIVED
 ADMINISTRATIVE SERVICES
 JUN 9 PM 3:13



Office of the County Purchasing Agent

DATE: June 3, 2003

TO: Judge Ron Harris and
Collin County Commissioners

FROM: Carol Magers *CM*
Buyer Manager

THROUGH: Frank Ybarbo
Purchasing Agent

RE: Request for exemption to competitive bidding procedures

Numerous times during any given year, requisitions are submitted, particularly by Road and Bridge, to relocate utilities such as water lines, electric lines, telephone lines, gas lines, etc. Many times such requests exceed the \$25,000 bid limit.

Such services are proprietary to the particular utility company involved and, therefore, qualifies as an exemption under Local Government Code 262.024 (a)(7)(A and C) which states "(a) A contract for the purchase of any of the following items is exempt from the requirement established by Section 262,023 if the Commissioners Court by order grants the exemption: (7) an item that can be obtained from only one source, including: (A) items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies; (c) electric power, gas, water and other utility services."

Therefore, in accordance with Section 262.024 (a)(7)(A and C), we are requesting consideration and approval from the Court for an exemption for such services in order that purchase orders may be processed in a timely manner so as not to create a work stoppage.

If you have any questions, please do not hesitate to contact me at extension 4119.

**Commissioners Court Minutes
June 24, 2003
Page 5 of 8**

temporary locations and it was just for this election only. Commissioner Jaynes asked Ms. Rowe to determine the costs of doing three (3) early voting locations in rural Collin County with a couple of days in Celina, Anna, and Farmersville in order to cover the western, central, and eastern parts of the County during the two (2) weeks of early voting. Commissioner Hatchell motioned to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court.

COURT ORDER NO. 2003-463-06-24

- n. Purchase a fax machine for the County Court at Law 1 (not budgeted -- funds available \$450), Telecommunications.

COURT ORDER NO. 2003-464-06-24

- o. Ratification of the County Judge's prior approval for exemption to Verona Water Supply from the competitive bid process in accordance with Local Government Cod 262.024 (a)(7)(A and C), Purchasing.

COURT ORDER NO. 2003-465-06-24

Individual Consideration Item p Granting exemption from the competitive bid process for various electric, gas, water and other utility companies in accordance with Local Government Code 262.024 (a)(7)(A and C), Purchasing. Commissioner Cole inquired why an exception would be granted now since there has been deregulation. Mr. Frank Ybarbo, Purchasing, stated these are proprietary lines, which belong to a specific company. In this situation, the companies in question actually own the water lines under the road and we cannot do anything without their permission. Mr. Ybarbo stated he is asking for a general exemption for any future proprietary lines they might encounter without having to ask approval from the Court each time. Commissioner Hatchell asked if the company contracted out the work. Mr. Ybarbo stated the County could not contract out the services but stated he believes the bids are competitive. Commissioner Hatchell stated for the record he wanted to see the quotes the company is getting because he does not feel the County would be doing due diligence if we gave them carte blanche. Mr. Ybarbo assured Commissioner Hatchell they would be reviewed. Commissioner Cole motioned to approve, Commission Hoagland seconded, and the motion passed with a 5-0 vote of the Court.

COURT ORDER NO. 2003-466-06-24

Individual Consideration Item q Creation of a Senior Secretary position in the Administrative Services department and budget adjustment of \$17,040.66 for same, Budget. Commissioner Cole inquired whether this was for the Senior Secretary position as previously discussed. Mr. Bill Bilyeu, Director of Administrative Services, stated Nicole Gillespie was transferring into Administrative Services and the position had not been created in the FY03 budget. These funds were for the balance of FY03. Commissioner Cole inquired whether Nicole was presently a Senior Secretary. Commissioner Cole motioned to approve, Commission Hatchell seconded, and the motion passed with a 5-0 vote of the Court.

COURT ORDER NO. 2003-467-06-24

Individual Consideration Item r Conduct an Activity Based Costing/Operational Analysis for County Court Probate, Budget. Mr. Rodney Rhoades, Budget, stated there would be no cost associated with this analysis as it would be covered under the present contract with Rehn Nelson which was approved in the last Court. Commissioner Hoagland inquired whether it was an hourly rate and Mr. Rhoades replied yes. Commissioner Jaynes inquired whether any of the suggestions being made by Mr. Nelson were being implemented and if they were successful. Mr. Rhoades stated they have been implemented and JP 1 was reconfigured as a result of the studies. Part of the process of the studies is that Mr. Nelson will come back and do follow-ups to determine how effective the recommendations put in place actually are. Commissioner Cole asked if a presentation would be done on the JP analysis for the different