

**Titus County
Purchase of Food for Inmate Meals
March 2022**

BACKGROUND & LEGAL REQUIREMENTS

Texas LGC 262.023 requires competitive bidding for one or more items under a contract that will require an expenditure exceeding \$ 50,000 or more. The current budget includes an allowance for inmate meals of over \$ 260,000.

Texas LGC 262.024(a)8) allows eleven different discretionary exemptions with one of these items being "An item of food." This exemption is only available if Commissioners' Court grants the exemption. If granted, the Texas LGC 262.024(d) states that this exemption shall apply only to the sealed competitive bidding requirements on food purchases. Counties are required to solicit at least three bids for purchases of food items by telephone or written quotations at intervals specified by Commissioners' Court. Counties shall award food purchase contracts to the responsible bidder who submits the lowest and best bid or shall reject all bids and repeat the bidding process. The officer taking telephone or written bids shall maintain, on a form approved by Commissioners' court, a record of all bids solicited and the vendors contacted. This record shall be kept in the purchasing office for at least one year or until audited by the county auditor.

Historically, the business manager has placed an ad in the newspaper for this service, and the sheriff has had to seek quotations because there has not been any response to the newspaper ad. The current contract is with Five Star Correctional Services and expires September 30, 2022.

REQUEST TO COMMISSIONERS' COURT

1. Commissioners are asked to grant the discretionary purchasing exemption to allow the sheriff or his designee to solicit telephone or written bids.
2. Commissioners are asked to approve the attached form and direct the sheriff or his designee to complete the form as documentation of bids solicited and vendors contacted.
3. Commissioners are asked to continue with the historic five-year solicitation calendar for food purchases unless sheriff requests a shorter solicitation period.

SHERIFF DEPARTMENT RESPONSIBILITIES

1. Solicit at least three bids for purchases of food items.
2. Record the list of bids solicited and the vendors contacted on the attached form.
3. Provide a copy of the completed form to the Titus County Auditor at least 10 work days before seeking approval for the purchase from Commissioners' Court.
4. Submit the approved form and ask commissioners to award the new contract to the selected vendor. The selected vendor shall be the responsible bidder who submits the lowest and best bid.

