

Tex. Health & Safety Code § 775.084

Section 775.084 - Competitive Bids

- (a) Except as provided by Subsection (i), the board must submit to competitive bids an expenditure of more than \$50,000 for:
- (1) one item or service; or
 - (2) more than one of the same or a similar type of item or service in a fiscal year.
- (b) The board shall request bids on items to be purchased or leased or services to be performed as provided by this subsection. The board shall notify suppliers, vendors, or providers by advertising for bids or by providing at least three suppliers, vendors, or purchasers with written notice by mail of the intended purchase. If the board decides to advertise for bids, the advertisement must be published in accordance with Section 262.025(a), Local Government Code. If the board receives fewer than three bids in response to the advertisement, the board shall give written notice directly to at least three suppliers, vendors, or providers of the intended purchase. If three suppliers, vendors, or providers are not available or known to the board, the board shall give written notice by mail directly to each supplier, vendor, or provider known to the board.
- (c) The advertisement or notice for competitive bidding must:
- (1) describe the work to be performed or the item to be purchased or leased;
 - (2) state the location at which the bidding documents, plans, specifications, or other data may be examined; and
 - (3) state the time and place for submitting bids and the time and place that bids will be opened.
- (d) The board may not prepare restrictive bid specifications.
- (e) Bids may be opened only by the board at a public meeting or by a district officer or employee at or in a district office.
- (f) The board may reject any bid. The board may not award a contract to a bidder who is not the lowest bidder unless, before the bid is awarded, the lowest bidder is given notice of the proposed award and an opportunity to appear before the board or its designated representative and present evidence concerning the bidder's responsibility.
- (g) A contract awarded in violation of this section is void.
- (h) This section applies to an expenditure of district tax revenues by any party or entity for the purchase of services, vehicles, equipment, or goods.
- (i) This section does not apply to:
- (1) the purchase or lease of real property;
 - (2) an item or service that the board determines can be obtained from only one source;
 - (3) a contract for fire extinguishment and suppression services, emergency rescue services, or ambulance services;

- (4) an emergency expenditure;
 - (5) the purchase of vehicle fuel;
 - (6) the purchase of firefighter bunker gear;
 - (7) the purchase of insurance coverage; or
 - (8) repairs funded by a payment made under an insurance claim.
- (j) Subsection (i) does not prohibit the board from soliciting competitive bids for any item, service, or contract listed in Subsection (i).
- (k) A contract for a public works project must be administered in the manner provided by Subchapter B or H, Chapter 271, Local Government Code, except as provided by this section.

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Amended By Acts 2007, 80th Leg., R.S., Ch. 1248, Sec. 3, eff. 9/1/2007.

Amended By Acts 2007, 80th Leg., R.S., Ch. 1272, Sec. 8, eff. 9/1/2007.

Amended By Acts 2005, 79th Leg., Ch. 1304, Sec. 1, eff. 9/1/2005.

Amended by Acts 2003, 78th Leg., ch. 235, Sec. 10, eff. 9/1/2003

Amended By Acts 2003, 78th Leg., ch. 930, Sec. 8, eff. 9/1/2003.

Added by Acts 1997, 75th Leg., ch. 392, Sec. 7, eff. 9/1/1997.
