

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

RESOLUTION SEEKING REFORM OF
HOUSE BILL 1295
CERTIFICATE OF INTERESTED PARTIES

WHEREAS, Section 2252.908, Government Code should apply only to *written contracts* involving the provision of *goods and services* to the governmental entity. It should not apply, for example, to bonds sold by local governments or donations made to local governments by individuals, corporations or charitable foundations; and

WHEREAS, all contracts awarded to the lowest bidder should be exempt, as personal connections do not impact such procurements, and all bids must be let in accordance with existing state law; and

WHEREAS, all contracts issued by negotiations based on a statement of qualifications (SOQ), request for proposals (RFP) or some other subjective methodology, regardless of size, should remain under the law; and

WHEREAS, the definition of a “controlling interest” as to an ownership interest or participating interest in an entity by virtue of units, percentage, shares, stock, or otherwise is amended to state the law applies to such ownership or participating interest that exceeds 50%, 40% if there are more than three owners, or 30% if there are more than 100 owners; and

WHEREAS, purchases made through a cooperative purchasing program or interlocal agreement currently authorized under state law should be exempt from the law as these purchases are significantly less prone to being impacted by personal connections, including purchases made pursuant to:

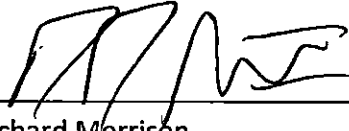
- Subchapter D, Chapter 271, Local Government Code (purchasing programs established by Texas Comptroller of Public Accounts);
- Subchapter F, Chapter 271, Local Government Code (interlocal agreements with other governmental entities);
- Subchapter G, Chapter 271, Local Government Code (purchases through U.S. General Services Administration); and
- Section 791.025, Government Code (interlocal contracts for purchases).

NOW, THEREFORE, BE IT RESOLVED THAT, the Commissioners Court of Fort Bend County supports changes to Texas Government Code Section 2252.908 to implement the clarifications and modifications stated herein during the 85th Regular Session of the Legislature.

ADOPTED by the Fort Bend County Commissioners Court this 13th day of December, 2016.



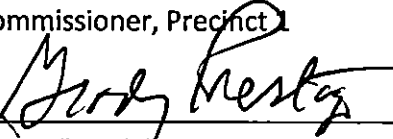
Robert Hebert, County Judge



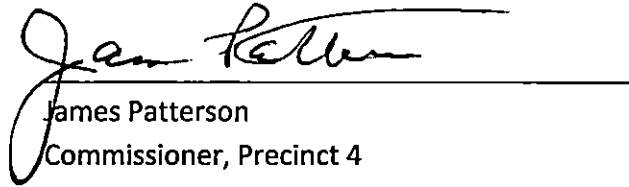
Richard Morrison
Commissioner, Precinct 1



Andy Meyers
Commissioner, Precinct 3

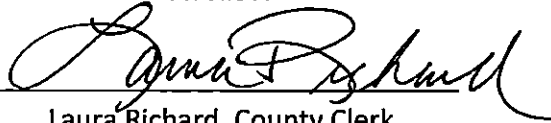


James "Grady" Prestage
Commissioner, Precinct 2



James Patterson
Commissioner, Precinct 4

ATTEST:



Laura Richard, County Clerk

