



# State Competitive Bid Law

EDUCATION CODE

TITLE 2. PUBLIC EDUCATION

SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT

CHAPTER 44. FISCAL MANAGEMENT

SUBCHAPTER B. PURCHASES; CONTRACTS

Sec. 44.031. PURCHASING CONTRACTS.

- I. Except as provided by this subchapter, all school district contracts, except contracts for the purchase of produce or vehicle fuel, valued at \$50,000 or more in the aggregate for each 12-month period shall be made by the method, of the following methods, that provides the best value for the district:
  1. competitive bidding;
  2. competitive sealed proposals;
  3. a request for proposals, for services other than construction services;
  4. an interlocal contract;
  5. a design/build contract;
  6. a contract to construct, rehabilitate, alter, or repair facilities that involves using a construction manager;
  7. a job order contract for the minor construction, repair, rehabilitation, or alteration of a facility;
  8. the reverse auction procedure as defined by Section 2155.062(d), Government Code; or
  9. the formation of a political subdivision corporation under Section 304.001, Local Government Code.

II. Except as provided by this subchapter, in determining to whom to award a contract, the district shall consider:

1. the purchase price;
2. the reputation of the vendor and of the vendor's goods or services;
3. the quality of the vendor's goods or services;
4. the extent to which the goods or services meet the district's needs;
5. the vendor's past relationship with the district;
6. the impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses;
7. the total long-term cost to the district to acquire the vendor's goods or services; and
8. any other relevant factor specifically listed in the request for bids or proposals.