

IN THE COMMISSIONERS COURT
OF
MONTAGUE COUNTY, TEXAS

**ORDER EXEMPTING EMS SERVICE
FROM COMPETITIVE BIDDING PROCEDURES**

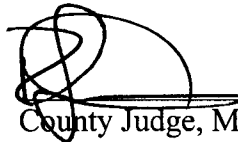
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BE IT REMEMBERED, that on the 10th day of April, 2017, the Commissioners Court of Montague County, Texas, after due notice, took up for consideration and possible action the exercise of discretion authorized by §262.024 of the Texas Local Government Code, subsection (a) (2), to exempt from competitive bidding procedures EMS service in a specified portion of the county.

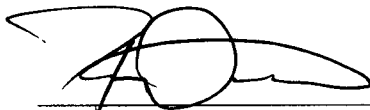
IT IS the finding of the Commissioners Court that the public interest will be served by County agreement of service to be used for the better and more efficient delivery of governmental services or public benefits. It is the further finding that competitive bidding procedures are not likely to produce the best value nor are such procedures appropriate for the specific needs of the County in regard to the specific item or service so acquired.

IT IS THEREFORE ORDERED that the County Commissioners Court has determined to grant the statutory exemption for EMS service in a specified portion of the county as provided by §262.024 of the Texas Local Government Code.

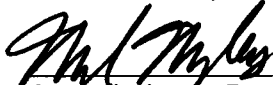
Dated: 4-10-17



County Judge, Montague County

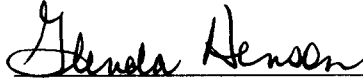


Commissioner, Precinct 1

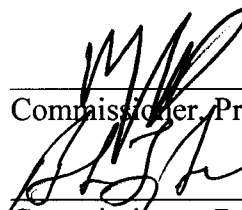
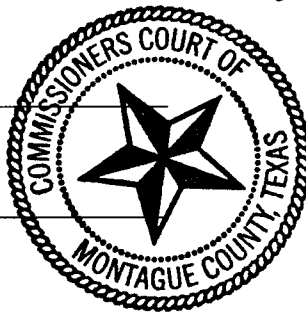


Commissioner, Precinct 3

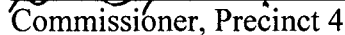
Attest:



County Clerk, Montague County



Commissioner, Precinct 2



Commissioner, Precinct 4

Vernon's Texas Statutes and Codes Annotated
Local Government Code (Refs & Annos)
Title 8. Acquisition, Sale, or Lease of Property
Subtitle B. County Acquisition, Sale, or Lease of Property
Chapter 262. Purchasing and Contracting Authority of Counties (Refs & Annos)
Subchapter C. Competitive Bidding in General (Refs & Annos)

V.T.C.A., Local Government Code § 262.024

§ 262.024. Discretionary Exemptions

Effective: September 1, 2007

Currentness

(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:

(1) an item that must be purchased in a case of public calamity if it is necessary to make the purchase promptly to relieve the necessity of the citizens or to preserve the property of the county;

(2) an item necessary to preserve or protect the public health or safety of the residents of the county;

(3) an item necessary because of unforeseen damage to public property;

(4) a personal or professional service;

(5) any individual work performed and paid for by the day, as the work progresses, provided that no individual is compensated under this subsection for more than 20 working days in any three month period;

(6) any land or right-of-way;

(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;

§ 262.024. Discretionary Exemptions, TX LOCAL GOVT § 262.024

(B) films, manuscripts, or books;

(C) electric power, gas, water, and other utility services; and

(D) captive replacement parts or components for equipment;

(8) an item of food;

(9) personal property sold:

(A) at an auction by a state licensed auctioneer;

(B) at a going out of business sale held in compliance with Subchapter F, Chapter 17, Business & Commerce Code;¹ or

(C) by a political subdivision of this state, a state agency of this state, or an entity of the federal government;

(10) any work performed under a contract for community and economic development made by a county under Section 381.004; or

(11) vehicle and equipment repairs.

(b) The renewal or extension of a lease or of an equipment maintenance agreement is exempt from the requirement established by Section 262.023 if the commissioners court by order grants the exemption and if:

(1) the lease or agreement has gone through the competitive bidding procedure within the preceding year;

(2) the renewal or extension does not exceed one year; and

(3) the renewal or extension is the first renewal or extension of the lease or agreement.

§ 262.024. Discretionary Exemptions, TX LOCAL GOVT § 262.024

(c) If an item exempted under Subsection (a)(7) is purchased, the commissioners court, after accepting a signed statement from the county official who makes purchases for the county as to the existence of only one source, must enter in its minutes a statement to that effect.

(d) The exemption granted under Subsection (a)(8) of this section shall apply only to the sealed competitive bidding requirements on food purchases. Counties shall solicit at least three bids for purchases of food items by telephone or written quotation at intervals specified by the 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, as provided by this subsection. The purchasing officer taking telephone or written bids under this subsection shall maintain, on a form approved by the commissioners court, a record of all bids solicited and the vendors contacted. This record shall be kept in the purchasing office for a period of at least one year or until audited by the county auditor.

Credits

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, § 59(c), eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 962, § 1, eff. Sept. 1, 1989; Acts 1989, 71st Leg., ch. 1001, § 2, eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 1060, § 1, eff. Aug. 28, 1989; Acts 1991, 72nd Leg., ch. 16, § 13.03, eff. Aug. 26, 1991; Acts 1997, 75th Leg., ch. 442, § 2, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 1065, § 1, eff. June 15, 2001; Acts 2007, 80th Leg., ch. 1272, § 3, eff. Sept. 1, 2007.

Notes of Decisions (12)

Footnotes

1

V.T.C.A., Bus. & Com. Code § 17.81 et. seq.

V. T. C. A., Local Government Code § 262.024, TX LOCAL GOVT § 262.024
Current through the end of the 2015 Regular Session of the 84th Legislature

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March 1, 2017

Honorable Rick Lewis
Montague County Judge
P O Box 475
Montague, TX 76251

Re: Bowie Emergency Ambulance Service

Dear Judge Lewis:

I wanted to inform you of action taken by the Bowie City Council at last evening's special council meeting. After discussion with our electrical consultants and their recommendation to raise electrical rates it was the council's decision to maintain the current electrical rates.

Instead the council approved a number of cost reducing actions. One of the actions was the resolution to notify Montague County Commissioners Court of the city's intention to discontinue ambulance services outside the city limits of Bowie, Texas, effective October 1, 2017. As I discussed with the commissioners last year the city is experiencing a significant net revenue loss in our ambulance operation, and this is one of the steps in an effort to improve that situation.

Respectfully, I would like to ask the court to consider a request for pricing regarding ambulance services in the southern part of Montague County, excluding the City of Bowie. Please know we will work with you to provide any historical data you might need to assist with your RFP request, including data inside the city limits as well. Mr. Tow and I will make ourselves available to discuss any RFP options you would like to discuss.

Although September 30, 2017 will be our last day to provide service outside the city, we will be available to provide mutual aid as necessary to the provider the court chose. I want to make this transition as seamless as possible. If it should be beneficial to the county to provide ambulance service at an earlier date we would be willing to work toward accomplishing that goal.

Please contact me whenever I or the city staff may assist you.

Respectfully,

A handwritten signature in black ink, appearing to read "Larry Slack".

Larry Slack
Mayor, City of Bowie

Special City Council Meeting
February 28, 2017

STATE OF TEXAS
COUNTY OF MONTAGUE
CITY OF BOWIE

On this the 28th day of February, 2017, the council convened in a special meeting open to the public as advertised with the Mayor and five Councilors present. Councilor Malone was absent.

Presiding: Mayor Slack
Councilors: Bell, Boyd, Davis, Graham, and Gunter
City Secretary Page
City Attorney Jennings

Mayor Slack called the meeting to order at 6:00 p.m.

EXECUTIVE SESSION: TEXAS GOVERNMENT CODE SECTION 551.086-Certain Public Power Utilities: Competitive Matters.

1. Wholesale cost forecast for BTU contract and forecast for 2019 power supply.

2. Update on solar purchase power agreement-pricing update.

Mayor Slack moved into executive session at 6:01 p.m.

Mayor Slack closed the executive session at 7:00 p.m.

Mayor Slack convened into Open Session at 7:01 p.m.

ACTION FOLLOWING EXECUTIVE SESSION: TEXAS GOVERNMENT CODE SECTION 551.086-Certain Public Power Utilities: Competitive Matters.

1. Wholesale cost forecast for BTU contract and forecast for 2019 power supply.

Councilor Davis moved, with a second from Councilor Graham, to not increase utility rate prices as recommended by Schneider Engineering at this time. Motion carried five with councilors Bell, Boyd, Davis, Graham, and Gunter voting Aye.

2. Update on solar purchase power agreement-pricing update.

Councilor Davis moved, with a second from Councilor Graham, to allow Schneider Engineering to negotiate with SoCore Solar regarding a solar purchase power agreement. Motion carried five with councilors Bell, Boyd, Davis, Graham, and Gunter voting Aye.

Discussion and possible action regarding budget revenue's, expenditures, projections and related council actions regarding same.

Councilor Bell moved, with a second from Councilor Graham, to notify the County of our intentions to discontinue ambulance service outside the city limits of Bowie effective October 1, 2017. Motion carried five with councilors Bell, Boyd, Davis, Graham, and Gunter voting Aye.

Councilor Davis moved, with a second from Councilor Gunter, to direct staff to review City Police Department operations and recommend cost savings in 45 days. Motion carried five with councilors Bell, Boyd, Davis, Graham, and Gunter voting Aye.

Councilor Gunter moved, with a second from Councilor Graham, to direct staff to review the Summer Recreation Program to cut cost or increase revenues to save money. Motion carried five with councilors Bell, Boyd, Davis, Graham, and Gunter voting Aye.

Councilor Davis moved, with a second from Councilor Gunter, to direct staff to review the sewer operations in effort to reduce or eliminate the net revenue loss. Motion carried five with councilors Bell, Boyd, Davis, Graham, and Gunter voting Aye.

Councilor Davis moved, with a second from Councilor Bell, to direct staff to review the employee insurance program and determine which options are available to reduce cost. Motion carried five with councilors Bell, Boyd, Davis, Graham, and Gunter voting Aye.

Councilor Bell moved, with a second from Councilor Davis, to have a hiring freeze unless an employee replacement is authorized by council. Motion carried five with councilors Bell, Boyd, Davis, Graham, and Gunter voting Aye.

Discussion and action for Customer Education Campaign. Develop customer education campaign that provides for better understanding of the value proposition for customers of the City of Bowie in having an electric system and how it provides for value for the local community.

Councilor Graham moved, with a second from Councilor Gunter, to direct Schneider Engineering to draft a proposal for the Customer Education Campaign for council to review. Motion carried five with councilors Bell, Boyd, Davis, Graham, and Gunter voting Aye.

With no further business to discuss, Mayor Slack adjourned the meeting at 8:08 p.m.

ATTEST:



Sandy Page, City Secretary



Larry Slack, Mayor

Bowie EMS

From October 2015 thru March 26, 2017

These numbers are from October 1 thru September 30th.

2015-2016

Total Reported Contacts:	1458
Total Reported Transports:	893
In-District Transports (in City):	646
Out of District Transports (out-side City):	247

These numbers are from October 1 to March 26, 2017

2016 – 2017

Total Reported Contacts:	692
Total reported Transports:	414
In-District Transports (in City):	288
Out of District Transports (out-side City):	126