

BILL ANALYSIS

S.B. 1113
By: Wentworth
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Observers express concerns that a food service provider under contract with a public school district is not currently required to competitively bid its purchase of food items. S.B. 1113 seeks to ensure a school district receives the greatest savings while complying with defined quality specifications and to address the concerns with regard to certain contracts entered into by a school district for another entity to provide food services at one or more district schools.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1113 amends the Education Code to require a school district contract to which certain purchasing contract requirements apply and under which the district contracts with another entity for that entity to manage or otherwise provide food services at one or more district schools to require that any other contract the entity makes in performance of its duties under the district contract, and to which those district purchasing requirements would apply if the district were making the contract, be made as follows:

- using a certain purchasing method that provides the best value to the entity and the district;
- in determining to whom to award the contract, with consideration of certain relevant purchasing factors specified in law for a district, and, as applicable, factors relating to a bidder's principal place of business for a district that has its central administrative office located in a municipality with a population of less than 250,000; and
- in accordance with notice publication requirements for the time by when and place where bids or proposals, or the responses to a request for qualifications, will be received and opened.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.