

## **BILL ANALYSIS**

Senate Research Center  
82R7801 CAS-D

S.B. 1113  
By: Wentworth  
Education  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, when school districts are contracting for food services, the contractor is not required to competitively bid its purchase of food items. S.B. 1113 would require contractors to conduct public bids for the food items they are procuring so that the school districts are certain of receiving the greatest savings while complying with defined quality specifications.

As proposed, S.B. 1113 amends current law relating to certain contracts entered into by school districts for another entity to provide food services at one or more district schools.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 44.031, Education Code, by adding Subsection (n), as follows:

(n) Requires that a school district contract to which Subsection (a) (relating to methods of contracting purchases by school districts) applies, 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 contract with the district and to which Subsection (a) would apply if the district were making the contract be made:

(1) under the method listed by Subsection (a) that provides the best value to the entity and the district;

(2) with consideration of the factors specified by Subsections (b)(1) (relating to the purchase price), (2) (relating to the reputation of the vendor and of the vendor's goods or services), (3) (relating to the quality of the vendor's goods or services), and (4) (relating to the extent to which the goods or services meet the district's needs), in determining to whom to award the contract; and

(3) as provided by Subsection (g) (relating to notice of bids).

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2011.