

Definitions

“Contract” means an agreement entered under Local Government Code Chapter 271, Subchapter A (the Public Property Finance Act) but does not mean a contract solely for the construction of improvements to real property.

“Personal property” includes appliances, equipment, facilities, and furnishings, or an interest in personal property, whether movable or fixed, considered by the board to be necessary, useful, or appropriate to one or more purposes of the district. The term includes all materials and labor incident to the installation of that personal property. The term includes electricity and cloud computing. The term does not include real property.

Local Gov’t Code 271.003(2), (8)

Authority

A board may execute, perform, and make payments under a contract with any person for the use or the purchase or other acquisition of any personal property, or the financing thereof as permitted by Local Government Code 271.005. *Local Gov’t Code 271.005*

Competitive Procedures

Education Code 44.031 applies to school district lease-purchase contracts entered under Local Government Code 271.004 and 271.005. *Atty. Gen. Op. GA-0494 (2006)*

In any procedure for competitive bidding under the Public Property Finance Act, the board shall provide all bidders with the opportunity to bid on the same items on equal terms and have bids judged according to the same standards as set forth in the specifications.

A district shall receive bids or proposals under the Public Property Finance Act in a fair and confidential manner.

A district may receive bids or proposals under the Public Property Finance Act in hard-copy format or through electronic transmission. A district shall accept any bids or proposals submitted in hard-copy format.

Local Gov’t Code 271.0065