Navarro County - Electricity Procurement & Competitive Bidding

Quick purchasing guidance based on Texas Local Government Code Chapter 262

Why Electricity Can Be Exempt

Texas Local Government Code Section 262.023 contains the general competitive procurement requirements for counties. However, Section 262.024 provides exemptions from those requirements. Section 262.024(a)(7)(C) specifically includes **electric power, gas, water, and other utility services** among the items that may be exempted.

Important: Commissioners Court Action

The exemption should not simply be assumed. Section 262.024 provides that the exemption applies when the **Commissioners Court grants the exemption by order.** For county purchasing purposes, the cleaner approach is to have the exemption formally approved in Commissioners Court before proceeding with the electricity contract.

Recommended Process for Navarro County

1. Determine the electric provider or electricity contract the County intends to use.
2. Place an item on the Commissioners Court agenda requesting an exemption from competitive bidding under Texas Local Government Code Section 262.024(a)(7)(C) for electric power/utility services.
3. Have Commissioners Court approve the exemption by order.
4. After approval, proceed with the electricity contract without a formal sealed-bid process, subject to any other applicable County contracting requirements.

Reference: Texas Local Government Code, Sections 262.023 and 262.024. This summary is intended as purchasing guidance and is not a substitute for advice from the County Attorney or other legal counsel.