



**COMMISSIONERS COURT
COMMUNICATION**

COURT ORDER NUMBER _____
PAGE 1 OF 2
DATE: 10/1/2024

**SUBJECT: CONSIDERATION OF EXEMPTION FROM COMPETITIVE BIDDING
REQUIREMENTS - BURIAL AND CREMATION SERVICES - HUMAN
SERVICES**

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court consider an Exemption from Competitive Bidding Requirements for Burial and Cremation Services for Human Services.

BACKGROUND

Local Government Code §262.024(a)(2) exempts a contract from the competitive bidding requirements if the contract is necessary to preserve or protect the public health or safety of the residents of the county. The Commissioners Court by order grants the exemption.

Under Texas Health & Safety Code § 694.002(a), a Commissioners Court "shall provide for the disposition of the body of a deceased pauper." Further, for any unclaimed remains, counties have the statutory duty as proscribed by Texas Health & Safety Code § 711.002(e) to inter the remains. The Commissioners Court may adopt rules to implement this duty and must consider any relevant information in disposing of remains, including the religious affiliation of the decedent.

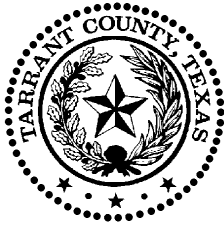
Cremation and full body burial are legally acceptable methods to carry out this duty. Full body burial will be offered as an option for pauper decedents whose next-of-kin assert a religious objection to cremation. In addition, unidentified and unclaimed remains will be buried rather than cremated.

Tarrant County will be without a provider for cremation services for pauper remains as of October 13, 2024. To prevent a public health issue from arising due to uninterred remains, the granting of an exemption from competitive bidding requirements for these services is necessary until contracts are awarded.

FISCAL IMPACT

There is no fiscal impact associated with this item.

SUBMITTED BY	Purchasing	PREPARED BY:	Melissa Lee, C.P.M., A.P.P.
		APPROVED BY:	Christopher Lax, CPSM, CPSD, CPCP



TAKINGS IMPACT ASSESSMENT CHECKLIST

Complete this form for any county action that involves the adoption of a regulation, policy, guideline, court resolution, or order.

Project/Regulation Name: Consideration of Exemption from Competitive Bidding Requirements - Burial and Cremation Services - Human Services

County Department: PURCHASING

Contact Person: Melissa Lee, C.P.M., A.P.P.

Phone Number for Contact Person: (817) 884-3245

Type of TIA Performed: SHORT TIA or FULL TIA. Circle one after answering the questions in Sections II and III below.

I. Stated Purpose

Attach to this checklist an explanation of the purpose of the regulation, policy, guideline, court resolution, or order.

Note: The remainder of this Takings Impact Assessment Checklist should be completed in consultation with the Criminal District Attorney's Office.

II. Potential Effect on Private Real Property

1. Does the county action require a physical invasion, occupation, or dedication of real property?

Yes _____ No ✓

2. Does the county action limit or restrict a real property right, even partially, or temporarily?

Yes _____ No ✓

If you answered yes to either question, go to Section III. If you answered no to both, STOP HERE and circle SHORT TIA at the top of the form.
