



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN, TEXAS 78711

**JOHN L. HILL
ATTORNEY GENERAL**

September 2, 1975

The Honorable C. A. Dickerson
County Attorney
Fort Bend County
Richmond, Texas 77469

Opinion No. H- 680

Re: Authority of a county
to contract with a
non-profit corporation
without seeking competi-
tive bids.

Dear Mr. Dickerson:

You have requested our opinion concerning whether a commissioners court may enter a contract for law enforcement consultant services without competitive bids.

Subject to certain exceptions, section 2 of article 2368a, V. T. C. S., provides that no county or city may make a contract involving an expenditure of \$3000 or more without submitting the proposed contract to competitive bids. Among the exceptions to this requirement are contracts for "personal and professional services."

You have informed us that the County wishes to contract with a non-profit corporation whose purpose is set out in its charter as:

To aid in the co-ordination and participation
in the activities in the detection, apprehension
and prosecution of the perpetrators of major
crimes committed in Fort Bend County . . .

Under the proposed contract the corporation would coordinate investigations of major crimes and would develop a modus operandi for burglary investigations.

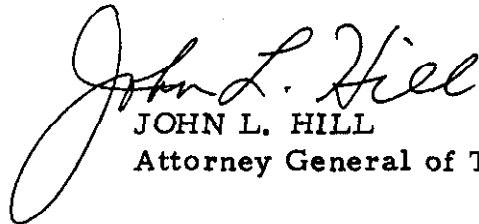
In our opinion this would constitute a contract for personal or professional services within the exception contained in article 2368a, section 2. This exception appears to be a codification of a case law exception concerning contracts for services requiring special skills. Stephens County v. McCammon, 52 S. W. 2d 53 (Tex. Sup. 1932). That case upheld the

execution of a contract for the services of an architect without competitive bids. We believe that the coordination of criminal investigations similarly involves the exercise of skill or expertise. Accordingly, a contract may be entered into by the Commissioners Court without competitive bids. We express no opinion concerning whether article 2368a excepts contracts for personal or professional services which do not involve the exercise of skill or expertise.

S U M M A R Y

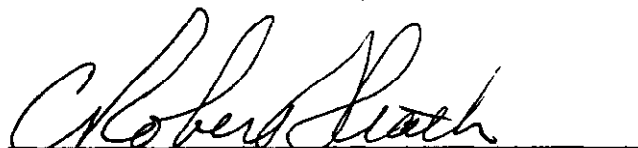
A commissioners court may enter a contract for personal or professional services involving the coordination of the investigation of crime without receiving competitive bids.

Very truly yours,


JOHN L. HILL
Attorney General of Texas

APPROVED:


DAVID M. KENDALL, First Assistant


C. ROBERT HEATH, Chairman
Opinion Committee