

RELATIONS WITH GOVERNMENTAL AGENCIES AND AUTHORITIES
INTERLOCAL COOPERATION CONTRACTS

GGB
(LEGAL)

INTERLOCAL
COOPERATION
CONTRACTS

A local government, including a college district, may contract or agree with another local government, or a federally recognized Indian tribe, as listed by the U. S. secretary of the interior under 25 U.S.C. 479a-1, whose reservation is located within the boundaries of this state to perform governmental functions and services in accordance with Government Code Chapter 791. A party to an interlocal contract may contract with a state agency, as defined by Government Code 771.002, or similar agency of another state.

An interlocal contract may be to:

1. Study the feasibility of the performance of a governmental function or service by an interlocal contract; or
2. Provide a governmental function or service that each party to the contract is authorized to perform individually.

An interlocal contract must:

1. Be authorized by the governing body of each party to the contract unless a party to the contract is a municipally owned electric utility, in which event the governing body may establish procedures for entering into interlocal contracts that do not exceed \$100,000 without requiring the approval of the governing body;
2. State the purpose, terms, rights, and duties of the contracting parties; and
3. Specify that each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party.

A local government and an institution of higher education or a university system may contract with one another to perform any governmental function and service. If the terms of the contract provide for payment based on cost recovery, any law otherwise requiring competitive procurement does not apply to the functions and services covered by the contract.

An interlocal contract shall comply with the requirements at Government Code Chapter 791.

[See CF for interlocal purchasing contracts]

Gov't Code 791.011, .035(a)

HEALTH CARE AND
HOSPITAL SERVICES

A local government, including a college district, may contract with another local government authorized to provide health care and hospital services to provide those services for the local government's officers and employees and their dependents. *Gov't Code 791.030*