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**Sent:** Thursday, June 03, 2010 5:24 PM  
**To:** 'Martha Salazar'  
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**Subject:** FW:  
**Importance:** High

In response to your request for an opinion as to the ad placement for bids on an autopsy facility we have considered the following:

The current agreement with Ceballos Funeral Home is expiring and the County would like to continue its use of this facility for the purposes of conducting autopsy related services as it is in the interests of the health, safety and welfare of the community. Autopsy related services are performed at the request of an authorized official pursuant to Chapter 49 of the Texas Code of Criminal Procedure.

Given these facts, a contract for autopsy related services may be exempt from the competitive purchasing requirements in the County Purchasing Act Chapter 262 of the Local Government Code. More specifically, services provided by the autopsy facility may be exempted by order of the Commissioner's Court under section 262.024(a)(2) of the Local Government Code from competitive purchasing requirements as a matter affecting the public health or safety. As these are services that go directly to the investigation of the cause of a death and which may be criminal in nature. This could be construed as an issue that would directly affect the safety of the community.

In support, I would refer you Attorney General Opinion JC-0136 (1999). A county contract for ambulance services was deemed to be exempt from the competitive purchasing requirements as a matter affecting the public health or safety.

As we discussed, we are continuing to review the information provided on the remaining matters.

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