

TEXAS COMMISSION ON JAIL STANDARDS

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Guidelines for Sheriffs Regarding Food Service and Commissary Vendors

Government Code 511.009 (a) (16) mandates that the Texas Commission on Jail Standards provide guidelines to Texas sheriffs regarding contracts between a sheriff and another entity for the provision of food services or the operation of a commissary, including provisions regarding conflicts of interests and avoiding the appearance of impropriety. Therefore, the Commission sets forth the following guidelines in conducting business with a food service or a commissary vendor.

1. Strive to conduct all business with honesty, fairness, and integrity.
2. To avoid a conflict of interest, a sheriff should not participate in work on a contract knowing that the sheriff or a member of their immediate family has an actual or potential financial interest in the contract, including prospective employment of a contract participant or family member.
3. A sheriff should not solicit or receive personal gifts or gratuities from present or potential vendors and contractors since this can influence or appear to influence procurement decisions.
4. Not be employed by, or agree to work for, a vendor or potential vendor, while still holding the office of sheriff.
5. Grant all competitive suppliers equal consideration insofar as state statute, county, and institutional policy permit
6. Conduct business with potential and current suppliers in an atmosphere of good faith, devoid of intentional misrepresentation.
7. Know and obey the letter and spirit of laws governing purchasing contracts and remain alert to the legal ramifications of purchasing decisions.
8. Make every reasonable effort to negotiate equitable and mutually agreeable settlements of controversies with a vendor(s). Include independent mediator if necessary.
9. Treat with discretion all information obtained in confidence.
10. To foster government transparency, a sheriff should present a copy of the contract to the County Commissioners' court, not for approval, but for the purpose of making the contract accessible to the public as a public document, even though the commissary fund is the sole discretion of the sheriff of the county.
11. Agree to yearly audit of the commissary fund by the county auditor or outside audit firm hired by the county commissioners' court.
12. Foster fair, ethical and legal trade practices.

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