



Purchasing Policies and Procedures

Updated – May 21, 2020

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Chapter 1 Purchasing Authority and Protocols

Section 1.1 Purchasing Introduction
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Effective Date April 1, 2012

Policy	Under the authority of the Texas Water Development Board (TWDB), the Support Services and Contract Administration Division is charged with defining and implementing policies and procedures that relate to contracting and purchasing matters.
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Purpose	The purpose of this document is to describe the policies, procedures and processes used by the Contract Administration Division to assist in the management of TWDB contracting and purchasing projects. This document also outlines contracting roles, responsibilities and guiding principles.
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Rules/ Procedures	<p>1. The Contracting and Purchasing Team Role The Contracting and Purchasing Team exist for the purpose of assisting and serving the TWDB and its contractors, customers and stakeholders with procurement related business.</p> <p>The Division mission is to provide timely and quality assistance and support to internal and external agency customers, ensuring effective, efficient, and compliant contract administration.</p> <p>2. Adherence to Policies and Procedures The policies and procedures set forth in this manual are based on statute, regulation, policy and common business practices. As appropriate, TWDB staff is expected to adhere to these procedures for any procurement related needs.</p>
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Responsibility	Contracting and Purchasing Team
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Chapter 1 Purchasing Authority and Protocols

Section 1.2 State of Texas Purchasing Overview and Authorities

Effective Date April 1, 2012 (*revised October 1, 2017*)

Policy The statutory purchasing authority is delegated to the TWDB, Purchasing Team by the Texas Comptroller of Public Accounts (CPA), Texas Procurement and Support Services (TPASS) Division under Texas Government Code (TGC), Title 10. Chapter 2155 through 2162 and the Texas Administrative Code (TAC), Title 34, Part 1, Chapter 20.

Purpose To ensure that purchasing services are properly rendered in accordance with the laws of the State of Texas; and to ensure that the TWDB and the State receive full value for all purchasing expenditures.

**Rules/
Procedures** Under (TAC), Title 34, Part 1, Chapter 20, Subchapter A, TPASS is established within the CPA as a separate division and shall carry out the powers and duties transferred to the CPA from the Texas Building and Procurement Commission (TPBC) and otherwise provided to the CPA under House Bill 3560, 80th Legislature, 2007. These powers and duties include without limitation, statewide procurement, the Historically Underutilized Business program (HUB), administrative support and offices for the State Council on Competitive Government (CCG), mail operations, printing and vehicle fleet management as provided in that legislation.

Under Rule 20.41 (Delegated Purchases), TPASS has established the following protocols:

NOTE: – any references in the following section to Commission (as written in the TAC) refers to the CPA, in accordance with Government Code, Title 10, Section 2151.003.

All procurement conducted by the TWDB (whether using State or Federal funds), follows the purchasing principals established and delegated by the CPA.

The Texas Water Development Board shall comply with any requests for information from the chief procurement officer of the CPA as required under Government Code, Title 10, Section 2155.091.

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Rules/
Procedures
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- (a) General delegation. The following purchasing functions are delegated to *[the TWDB]*:
 - 1. commodity purchases of goods, including goods for resale that do not exceed \$25,000
 - 2. emergency purchases
 - 3. purchases of perishable item
 - 4. purchases of services, including services for resale, the estimated cost of which does not exceed \$100,000
 - 5. purchases of publications directly from the publisher
 - 6. fuel, oil, and grease purchases
 - 7. distributor purchases
- (b) Adherence to ethical standards. Employees of *[the TWDB]* who perform purchasing functions under delegated authority shall adhere to the same ethical standards required of Commission employees, and shall avoid all conflict of interest in their purchasing activities.
- (c) Provisions generally applicable to delegated purchases:
 - 1. Competitive bidding is not required for purchases of \$5,000 or less.
 - 2. All bids must be obtained from sources which normally offer for sale the merchandise being purchased.
 - 3. Items purchased under delegated authority may not include scheduled items, items available under a term contract (unless purchased in quantities less than minimum ordering quantities shown in contract), or any item required by law to be purchased from a particular source.
 - 4. The Commission must solicit formal bids from all eligible vendors on the Centralized Master Bidders List (CMBL) when making purchases in excess of \$25,000. The Commission waives the requirement for *[the TWDB]* to solicit bids from all eligible vendors on the list when making purchases under subsection (e) of this section. *[The TWDB]* must solicit from all eligible vendors on the CMBL when making service purchases in excess of \$100,000 that the Commission has delegated to an agency.

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Rules/
Procedures
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- (d) Withdrawal of delegated purchase authority. The Commission will verify compliance with established procedures for delegated purchases and may withdraw delegated purchase authority in whole or part from an agency for continued violations after giving adequate warning. The Commission will report to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and Legislative Budget Board the findings that [*the TWDB*] has not followed the Commission's rules or the laws related to the delegated purchases.
- (e) Provisions applicable to particular delegated purchases:
 - 1. Commodity purchases. Commodity purchases may be made in accordance with the following provisions:
 - (A) [*The TWDB*] must attempt to obtain at least three informal bids, including a minimum of two bids from HUBS, on all commodity purchases in excess of \$5,000 and not over \$25,000. [*The TWDB*] must meet competitive bidding requirements and may supplement the list of bidders obtained from the CMBL with potential bidders contained in the HUBs Directory, which is maintained and accessible electronically on the Commission's website. If an agency is unable to locate two HUBs from the Commission's CMBL and HUB Directory or other available sources, [*the TWDB*] must make a written notation in the purchase file of all reference sources used.
 - (B) [*The TWDB*] must attempt to provide a copy of the bid to the last vendor who held the contract in addition to the informal bid requirement.
 - 2. Emergency purchases. [*TPASS has delegated to the TWDB authority for*] emergency purchases in accordance with the following provisions:
 - (A) At least three informal bids should be obtained whenever possible.
 - (B) For an emergency purchase of goods or service exceeding \$25,000, [*the TWDB*] must send a full written explanation of the emergency along with other documentation required by the Commission for prepayment approval.

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Rules/
Procedures
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- (C) [*The TWDB*] may contact the Commission for advice and assistance in the handling of emergency purchases. The Commission may not approve an invoice for an emergency purchase unless the agency has complied with the foregoing requirements. This rule does not apply to purchases made in accordance with the TGC, Chapter 418 (Texas Disaster Act of 1975).
- 3. Perishable items. Purchases made under this authority must be obtained through competitive bids, and appropriate documentation must be forwarded to the Commission for approval.
- 4. Services. Purchases of services estimated to cost no more than \$100,000 per year per contract are delegated and must be obtained through a competitive selection process, and appropriate documentation must be forwarded to the Commission for prepayment approval.
 - (A) An agency is required to submit documentation to the Commission for proprietary purchases of services over \$25,000 and for purchases expected to cost more than \$25,000 per year.
 - (B) Agencies must attempt to obtain at least three informal bids, including a minimum of two bids from HUBs, on all service purchases in excess of \$5,000 and not over \$25,000. As a supplement to the CMBL, agencies may refer to the Commission's HUB Directory, which is maintained and accessible electronically, to locate HUBs in the agencies' geographic region. If an agency is unable to locate two HUBs from the Commission's HUB Directory or other available sources, the agency must make a written notation in the purchase file of all reference sources used.
 - (C) For purchases of services estimated more than \$25,000 and less than \$100,000, state agencies shall, as a minimum, solicit formal bids from all CMBL and HUB Directory vendors located in the agency's' geographic region

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Rules/
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- (D) For purchases of services estimated to cost more than \$100,000 per year, the Commission must review any proposed specifications or statements of work and determine whether the Commission or the agency should make the advertisement and award. The Commission may determine that the service should be advertised to the entire CMBL rather than to only those vendors in the agency's geographical area. If no competitive advantage would be obtained by having the Commission make the advertisement and award, the Commission may permit the agency to do so as a delegated purchase.
5. Publications. An agency may purchase publications directly from the publisher when such publications are not available through statewide contract or through competitive bidding. Direct publication orders shall be made by following guidelines established by the Commission. Examples of direct publications include, but are not limited to:
- (A) foreign publications
 - (B) out-of-print or rare publications
 - (C) back issues of magazines, journals, and newspapers
 - (D) publications of professional societies
 - (E) prepared films, tapes, and discs (audio, visual, or both)
 - (F) computer software
 - (G) collections of any of the foregoing items, and microfilm or microfiche copies of any of the foregoing items
 - (H) Library of Congress cards
6. Fuel, oil, and grease. An agency may make fuel, oil, and grease purchases at service stations or in bulk. Fuel, oil, and grease purchases shall be made by following guidelines suggested by the Commission. Non-competitive and emergency purchase procedures apply to purchases at service stations.
7. Distributor purchases. An agency may make distributor purchases by following guidelines established by the Commission. An agency may not purchase any of the following on a distributor purchase basis: consumable items; labor of any kind (see "service"); "will fit" parts (non-OEM); parts for stock; contract items; electrical parts for electric motors; electrical switch panel boards; or electrical accessories.

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- (f) Specific delegations. The authority to grant specific delegations resides with the Director. The application method, review process, delegation finding, and appeal process will be set forth by policy statement of the Director. At a minimum, state agencies granted specific delegations shall meet the following criteria:
1. procurement audit standards set forth in §113.18 of this title (relating to Auditing of Purchase Documents and Payment Vouchers)
 2. minimum training and certification standards established in the State Procurement Manual
 3. approved processes and procedures for the specific type of delegation being requested. All processes and procedures are subject to the prior review, revision and approval of the Director
- (g) Protest Procedures. [The agency] shall adopt protest procedures and submit a copy to the Commission during the post-payment audit of the agency's purchasing documents or upon request by the Commission.
Note: The TWDB has adopted protest procedures. Reference Section 4.3 of this document
- (h) Procurement Plan. [The agency] shall formulate an agency procurement plan that identifies an agency's management controls and purchasing oversight authority in accordance with the policy guidance contained in the Commission's Procurement Manual. An agency must submit a copy of the procurement plan during the Commission's audit of the agency's purchasing documents or upon request by the Commission.
- (i) Debarred Vendors. [The agency] shall ensure that debarred vendors do not participate in state contracting and will establish procedures to ensure awards are not made to debarred vendors.

Note: The TWDB complies with these requirements. Reference Section 1.4 of this document

Responsibility

Contracting and Purchasing Team

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Chapter 1 Purchasing Authority and Protocols
Section 1.3 TWDB, Purchaser and Employee Authorities
Effective Date April 1, 2012 (<i>revised February 29, 2016</i>)

Policy	The TWDB shall establish authorities, roles and responsibilities that define acceptable purchasing practices by TWDB employees.
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Purpose	To ensure all staff understand acceptable and unacceptable actions by employees related to procurement.
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Rules/ Procedures	<p>TWDB Authority</p> <p>The statutory purchasing authority is delegated to the TWDB by the CPA, (TPASS) division under TGC, Title 10, and Chapter 2155 through 2162 and TAC Title 34, Part 1, Chapter 20.</p> <p>TWDB Purchasers are responsible for the procurement of goods and services are required to uphold the procurement laws of this state and to serve the best interest of the TWDB.</p>
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Purchaser Authority

The 75th Legislature mandated that all state agency personnel involved in purchasing be trained and certified. There are three levels of training and two levels of certification. The TWDB currently has two Certified Texas Procurement Managers (the highest level of certification). Each purchaser is authorized to obligate the TWDB to procurements.

The TWDB purchasers determine how procurements shall be processed.

Employee Authority

TWDB employees do not have the authority to procure goods or services. However, employees are authorized to initiate a request for purchase by completing an Expenditure Requisition (ER) form. The ER is an internal TWDB document that is used to request the procurement of a product, service, training, membership, professional license, etc.

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When a TWDB employee seeks to make an agency related purchase, the following guidelines should be considered:

- TWDB employees are encouraged to perform research on the product they are requesting, by searching the internet or contacting an appropriate vendor for product and general pricing information
- TWDB employees are not authorized to obligate agency funds, to procure or negotiate a purchase or to request formal bids
- Employees can only gather information regarding the product or service they wish to have purchased, and attach the information to the ER
- Plan ahead to allow other departments time to process your request
- Provide as much information as possible regarding your request by attaching information, specifications and/or part numbers to the ER
- Review your department's every day supply needs and order only once per month or quarter (when possible)
- Keep a history of your department's past purchases to combine requests for similar items wherever possible
- Review the estimated cost of your purchase with your manager
- For training classes and conferences, attach a completed registration form to the ER

NOTE: It is recommended that you set up an appointment in your calendar so that you don't forget your training

- **Contact Purchasing immediately if you need to cancel a training class, a conference/seminar registration and/or provide a substitute for a training/conference/seminar registration**
- Keep a running balance of your blanket expenditure requisitions and notify your Budget Officer and Purchasing if you expect to exceed the pre-approved ER amount
- **If received, forward any invoices to Finance - but packing slips, receipts and other related documents should go to Purchasing upon receipt**

NOTE: Under no circumstances can State of Texas funds be utilized for entertainment expenses (which may include items such as food, beverages, tickets or social events). No exceptions are permitted.

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Rules/
Procedures
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Approvals

All ERs require approval and signature of the following TWDB staff:

- Supervisor, Manager and/or Director
- Division Budget Officer
- Deputy Executive Administrator (if over \$1,000)
- Information Technology, if applicable
- General Counsel, if applicable
- Executive Administrator (if over \$25,000)
- Budget Director
- Request over \$250,000 require approval by Members of the Water Development Board through an open meeting.

NOTE:

- Any exceptions or additions to these standard signature requirements are notated in the individual policies and procedures throughout this document
- All RUSH ERs should be walked through the ER approval process by the requestor to ensure timely delivery of products or services
- If an item is needed within 10 days or less from the date the ER is generated, the ER should be marked RUSH and a date should be placed in the Time Sensitive Date box.

Responsibility

Support Services and Contract Administration

Chapter 1 Purchasing Authority and Protocols
Section 1.4 TWDB Purchasing Team Roles and Responsibilities
Effective Date April 1, 2012

Policy	The TWDB will establish and maintain a Purchasing Team whose function shall be to coordinate all procurement processing and support for the TWDB.
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Purpose	To ensure proper procurement and to designate and authorize appropriate staff to procure goods and services for the TWDB.
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Rules/ Procedures	The procurement of all goods and services (which include office supplies, computer equipment, furniture, books, field equipment, vehicles, etc.) are coordinated and performed by the Purchasing Team of the Support Services and Contract Administration Division.
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The Purchasing Team is responsible, but not limited to, the following duties:

- Researching products, prices and sources
- Obtaining bids from vendors listed on the CMBL
- Ensuring HUB vendors are being fully utilized
- Writing bid specifications
- Issuing purchase orders
- Obtaining telephone bids from vendors listed on the CMBL
- Returning and/or exchanging items received in error, do not work properly or fit the need
- Assisting staff with procurement issues
- Verifying Franchise Tax status
- Verifying Debarred Vendor status
- Verifying Excluded Parties status
- Expediting orders
- Processing invoices
- Tracking order status

The Purchasing Team is responsible for providing procurement assistance to any TWDB staff upon request

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Procedures
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It is the sole responsibility of the assigned TWDB purchaser to determine in which manner the items and/or services are to be purchased. The purchasing method must adhere to both State and Federal guidelines. **All approved ERs are processed on a first-in-first-out basis with exception of those marked RUSH and/or those that include a Time Sensitive Date.**

The TWDB purchaser is the only individual that is authorized to purchase goods and/or services for the TWDB through guidelines, regulations, and laws pertaining to the procurement of goods and/or services. Employees are strongly discouraged from securing goods or services on the TWDB's behalf, and from purchasing items with personal funds and seeking reimbursement. Both of these practices are considered non-compliant with State and Federal purchasing guidelines.

Responsibility

Operations and Administration,
Support Services and Contract Administration

Chapter 1 Purchasing Authority and Protocols
Section 1.5 Purchasing Training and Certification
Effective Date April 1, 2012 (<i>updated October 1, 2017</i>)

Policy	The TWDB requires all Purchasing Team members to be properly trained and to obtain necessary professional certifications to perform their duties.
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Purpose	In accordance with TGC, Title 10, Subtitle D, Section 2155.078, the CPA administers a system of training, continuing education, and certification for state agency personnel. This policy ensures compliance with those requirements.
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Rules/ Procedures	All TWDB purchasers shall participate in and adhere to the following training and certification requirements:
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Training

- Level One (Texas Basic Public Purchasing) - This is an entry level survey course of the principles of public purchasing used in Texas
- Level Two (Texas Advanced Public Purchasing) - This is a more in-depth look at the purchasing techniques and concepts
- Level Three (CNC) - This consists of three individual one-day courses discussing Cost Price Analysis, Negotiations and Contract Administration

Certification

- Level One Certification - The first level is the Certified Texas Purchaser (CTP). This certification requires one year of purchasing experience and successful completion of a written exam
- Level Two Certification - The second level is the Certified Texas Procurement Manager (CTPM). This certification requires three years of purchasing experience and successful completion of a written exam

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Procedures
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Training and Certification Implementation Plan

All state agency purchasing employees must be trained and certified.

Each TWDB purchaser will attend CPA sponsored training courses and will achieve appropriate certifications in a timely manner as designated by the Director of Support Services and Contract Administration. Each TWDB purchaser shall also attend required contract negotiations training provided by the Department of Information Resources as required by Texas Government Code 656.050

All purchasers are required to participate in continuing education in accordance with rules established by the CPA's office.

Responsibility

Support Services and Contract Administration

Chapter 2 General Purchasing Policies and Procedures
Section 2.1 Standard Purchases/Expenditure Requisitions
Effective Date April 1, 2012 (<i>revised May 21, 2020 – hyperlinks only</i>)

Policy All TWDB staff shall be required to follow a standard set of rules for the purchase of goods and services to conduct agency business.

Purpose Standard purchasing protocols are necessary to reduce procurement risks to the agency and to ensure the TWDB gets the best value possible for products and services.

Rules/
Procedures Below are steps that must be followed in order to acquire goods and services: (NOTE: all requests for printing services must be coordinated through TWDB's Support Services Team).

1. The end user (TWDB employee) should research and determine what item and/or service is needed.
2. The end user may contact the TWDB Purchasing Team to discuss the item and/or service being requested. Purchasing will assist the end user in obtaining the information that is needed to accurately complete the ER form.
3. The end user will complete the ER form and route it according to the approvals required. A completed approved ER form will initiate the procurement process.

NOTE: It is critical that the end user provide as much detailed information as possible, including quantities, costs and descriptions on the ER. This will assist in the procurement process and allow you to receive your items in a timely manner.

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Procedures
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A matrix detailing the signature authority requirements for all ERs and contracts may be found on the IWEB at https://iweb.twdb.texas.gov/offices-divisions/support-service-contract-administration/doc/forms-policies/Signature_Authority_Requirements.pdf. .

4. The fully completed and approved ER is received by Purchasing, is date stamped, assigned a purchase order number and entered into the purchasing database. Purchases for items less than \$5,000 are generally placed within 5 working days. Purchases that are greater than \$5,000 generally take longer for processing due to increased bidding requirements.
5. All ERs received in Purchasing are published on the IWEB until the service or item is received. The status report is published every Monday and is located at: <https://iweb.twdb.texas.gov/offices-divisions/support-service-contract-administration/contract%20administration.html>. .
6. Once an item is received by the Support Service Section, the item is delivered to the end user. The end user is required to sign off on the purchase order acknowledging receipt of the item. Any Information Technology (IT) items (i.e., software, computers, etc.) are delivered to the IT Section as they are responsible for handling such items and delivering and/or installing the item(s) for the end user.

Responsibility

Contracting and Purchasing Team

Chapter 2 General Purchasing Policies and Procedures
Section 2.2 Emergency Purchases
Effective Date April 1, 2012

Policy	As defined in this section emergency purchases can be made for the TWDB when critical circumstances exist, preventing the purchase from conforming to the Standard Purchases Rules and Procedures in Section 2.1.
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Purpose	An emergency purchase is defined by the Texas State CPA as a situation in which goods or services are so urgently needed that “compliance with normal procurement practice is impracticable or contrary to the public interest.” In these instances, “an emergency purchase may be warranted to prevent a hazard to life, health, safety, welfare, property or to avoid undue additional cost to the state.”
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Rules/ Procedures	<p>All emergency purchases must be coordinated through the Purchasing Team whenever possible. If a TWDB employee is required to make an emergency purchase, the employee should follow the procedures listed below:</p> <ol style="list-style-type: none">1. Immediately contact the Purchasing Team.2. The Purchasing Team will assist in finding a vendor to provide the needed goods and/or services.3. The Purchasing Team will verify all purchasing requirements and will contact the appropriate Budget Officer for budget approval.4. The Purchasing Team will either place the order or provide the employee a purchase order number or a credit card number in order to secure the goods and/or services.5. An ER must be prepared for the goods or services as soon as possible. The employee must prepare a justification letter for the emergency purchase and attach it to the ER. If an invoice was provided, a copy of it should be attached to the ER and the original should be routed to Finance. The completed ER and other pertinent paperwork should be routed for approval.
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6. Once the ER is received by the Purchasing Team, it will be prioritized accordingly.

In the event the Purchasing Team cannot be contacted and you need an item and/or service immediately (i.e. roadside emergency, field emergency, etc.) , proceed with the purchase using personal funds (cash, personal check, personal credit card).

PLEASE NOTE: Use of personal funds must only be conducted when there is an absolute emergency. The Purchasing Team will assist the employee with seeking reimbursement and with preparing all pertinent paperwork. Purchases made under these circumstances must be well documented by the end user, including details of efforts made to contact the Purchasing Team for assistance.

Responsibility

Contracting and Purchasing Team

Chapter 2 General Purchasing Policies and Procedures
Section 2.3 Blanket Purchases
Effective Date April 1, 2012

Policy	The TWDB shall establish procedures for the efficient processing of recurring annual purchases – also known as blanket purchases.
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Purpose	A Blanket ER is an ER for purchases from the same vendor during the course of a fiscal year. Blanket ERs are primarily used for recurring monthly services or products (e.g., fuel, telecom, utilities).
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Rules/ Procedures	<p>Expenditure Requisition Initiation (ER)</p> <p>An ER is prepared and should include the following:</p> <ul style="list-style-type: none">• Division name• Section name• Originator (NOTE: the originator shall be the contact person should any questions arise)• Suggested vendor name, phone number, fax number, contact name and email address (if there is no suggested vendor, you may leave this blank)• Any comments• Quantity, Unit, Item Description, Unit Cost, Total Cost• Manufacturer part or item numbers, if applicable• Attach any information relevant to the requested item
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ER Routing and Approvals

ER approvals must be obtained in conformance with requirements listed in Section 1.3.

NOTE: Purchasing will not begin processing the ER until all of the approvals have been received

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Additional Purchasing Responsibilities

- A PDF version of the blanket purchase order will be emailed to Accounting, the requestor and their budget officer once the purchase order is issued.

Employee Responsibilities

- In most cases, please allow at least 35-45 days for processing of the Blanket ER
- Notify vendor of new blanket purchase order number and, if requested provide a copy of the purchase order to the vendor
- It is the responsibility of the requestor and/or the Budget Officer to ensure that all purchases are tracked for each specific blanket purchase order to prevent negative balances.
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Responsibility

Contracting and Purchasing Team
Budget

Chapter 2 General Purchasing Policies and Procedures
Section 2.4 Rush Orders and Time Sensitive Purchases
Effective Date April 1, 2012

Policy Where needed, TWDB employees will follow rush and time sensitive purchase guidelines to ensure prompt delivery of goods and services.

Purpose **Rush purchases** are for goods and services that must be obtained within 24 hours. **Time sensitive purchases** are for goods and services that must be obtained by a specified date – as indicated by the end user.

This policy aids the Purchasing Team in its mission to deliver goods and services to end users quickly. While the Purchasing Team encourages advance planning in all procurements, it is recognized that emergencies and unexpected needs arise. The rules and procedures within this section will facilitate rapid delivery of your goods and/or services.

Rules/ Procedures **RUSH Purchases Requiring Same-Day Processing**
All ERs deemed a RUSH, which require same-day processing, must adhere to the following in order to provide the Purchasing Team sufficient opportunity to fulfill the end-user's request:

1. All standard approvals must be acquired, as well as any additional approvals dictated by TWDB's Signature Authority Requirements Matrix.
2. All ERs must contain adequate/accurate information, including any additional backup documentation needed to process the request.
3. All approved ERs must be submitted to Purchasing by 12:00 noon the day the item is being requested.

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RUSH Purchases Requiring Next-Day Processing

All ERs deemed a RUSH, which require next-day processing must adhere to the following in order to provide the Purchasing Team sufficient opportunity to fulfill the end-user's request:

All standard approvals must be acquired, as well as any additional approvals dictated by TWDB's Signature Authority Requirements Matrix.

1. All ERs must contain adequate/accurate information, including any additional backup documentation needed to process the request.
2. All approved ERs must be submitted to Purchasing by Close of Business (COB) the day prior to when the item is being requested.

TIME SENSITIVE Purchases

Time Sensitive purchases are described as those that do not require same-day or next-day processing, but may require processing by a certain date in order to:

1. Obtain special pricing.
2. Meet specific deadlines set by the vendor, which are outside TWDB's control.
3. Provide necessary products or services to TWDB staff in fulfillment of their regular job duties.
4. Provide necessary products or services to TWDB staff in addressing unexpected or unplanned situations, which are outside TWDB's control.

NOTE: All purchases will be processed in accordance with the Delegated Purchasing Authority granted to TWDB by the CPA, TPASS and described in the TWDB's Bidding Category Requirements (**Section 4.1**)

Responsibility

Contracting and Purchasing Team

Chapter 2 General Purchasing Policies and Procedures
Section 2.5 Historically Underutilized Business (HUB) Program
Effective Date April 1, 2012 (revised February 29, 2016)

Policy The TWDB is committed to providing procurement and contracting opportunities for minority and women owned businesses. The TWDB will maintain an environment that will enhance HUB vendors' participation in TWDB purchases.

Purpose To comply with provisions of the State's HUB Program as described in TAC Title 34, Part 1, Chapter 20, Subchapter B, while concurrently ensuring the State gets the best value for each TWDB procurement processed.

HUB DEFINITION

As defined by the Texas State CPA, a "Historically Underutilized Business":

- is at least 51% owned by an Asian Pacific American, Black American, Hispanic American, Native American, American woman and/or Service Disabled Veteran
 - is a for-profit entity that has not exceeded the size standards prescribed by 34 TAC §20.23, and has its principal place of business in Texas, and
 - has an owner residing in Texas with a proportionate interest that actively participates in the control, operations and management of the entity's affairs
-

**Rules/
Procedures** The Purchasing Team utilizes HUB vendors from the CMBL and complies with the State of Texas Procurement Manual on all bids for goods and services. The TWDB has adopted and employs HUB manual rules and practices. The TWDB Purchasing Team has the authority to determine the vendor for all procurements, as established by the CPA's Office.

HUB VENDOR POLICY

The TWDB will attempt to obtain bids for all goods and services from Certified HUB firms and vendors. The CMBL will be used to assist in identifying HUBs. The TWDB will comply with all bidding requirements outlined in the State of Texas Procurement Manual and will comply with all HUB Rules.

Continued on next page

Rules/
Procedures
(continued)

Program Objectives

The TWDB is dedicated to its support of the HUB program. We are committed to improving opportunities for HUB participation in our competitive procurement and contracting processes to promote full and equal opportunities for all businesses in state contracting.

The TWDB actively strives to meet and exceed the approved statewide goals in each of the designated procurement categories as listed below:

Category	Percentage Target
Heavy Construction	11.2%
Building Construction	21.1%
Special Trades	32.9%
Professional Services	23.7%
Other Services	24.0%
Commodity Purchases	21.1%

The TWDB will attempt to utilize HUB sub-contractors, whenever possible. The TWDB purchaser reserves the right to divide all large orders or contracts into small orders or contracts in order to encourage HUB participation.

Responsibility

Contracting and Purchasing Team

Chapter 2 General Purchasing Policies and Procedures
Section 2.6 Mentor Protégé Program
Effective Date April 1, 2012

Policy	The TWDB will implement and maintain a Mentor Protégé program that is consistent with requirements established by the CPA.
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Purpose	The State of Texas Mentor Protégé Program is designed to foster long-term relationships between prime contractors and HUBs. The objective of the Mentor Protégé Program is to provide professional guidance and support to the Protégé in order to facilitate their growth and development and increase HUB contracts with the State of Texas. All participation is voluntary and initiated by interested HUB enterprises.
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Rules/ Procedures	In accordance with instructions from the CPA, each state agency with a biennial appropriation that exceeds \$10 million, shall implement a Mentor Protégé Program. State agencies are allowed to implement a Mentor Protégé Program individually or cooperatively, and are encouraged to address the needs of protégé businesses in critical areas of state procurement.
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Participation in the program requires the protégé be State of Texas HUB certified and the Mentor Protégé Agreement be sponsored by a state agency.

The following criteria may be considered for Mentor participation by state agencies:

- Registration with the State of Texas CMBL
 - Previous mentoring experience and prior work history
 - Ability to provide developmental guidance in areas identified by the protégé
 - "Good Standing" in doing business with the State of Texas
-

Continued on next page

Rules/
Procedures
(continued)

The following criteria may be considered for Protégé participation by state agencies:

- Eligibility and willingness to obtain HUB certification under the State of Texas HUB Program (Protégé must be certified as a HUB prior to TPASS listing the Mentor Protégé Agreement on the official list)
 - Business in operation for at least one year
 - Desire to participate with a mentoring firm
 - Ability to identify the type of guidance needed for business development
 - "Good Standing" in doing business with the State of Texas
-

Responsibility

Support Services and Contract Administration

Chapter 3 Item Specific Policies and Procedures
Section 3.1 Business Machine Repairs
Effective Date April 1, 2012

Policy	Business Machine Repairs will be coordinated through Support Services and Purchasing.
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Purpose	This policy covers the repair of any TWDB business machine such as a printer, fax machine, plotter, etc., not under warranty.
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Rules/ Procedures	<p>XEROX Copiers</p> <p>For copier machine repairs, please contact the Support Services Team. The following information must be provided before a repair request can be submitted:</p> <ol style="list-style-type: none">1. Copier serial number2. Location of copier3. Problem with copier
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NOTE: **District/Field Offices** may contact Xerox directly for any service needs at 800-821-2797.

Austin Based Staff (SFA EMPLOYEES):

For business machine repairs (printers, fax machines, etc.), the TWDB contracts with a vendor to handle all maintenance and repair issues. If you have problems with your business machine please do the following:

1. Contact the Support Services Team to report the problem
2. Provide the machine type, model, inventory number and location
3. The appropriate vendor will be contacted and a repair technician will generally be out within 24 hours
4. Send copies of the work order or repair order form, from the technician to Purchasing, once the work has been completed

For any issues related to your personal computer, please contact the TWDB Help Desk for assistance.

Continued on next page

Rules/
Procedures
(continued)

DISTRICT/FIELD OFFICES:

For any business machine repairs not involving **XEROX Copiers**, please contact the Purchasing Team with the problem, type of machine and serial number (if possible). Purchasing will provide additional instructions at the time your request is received.

ERs are generally not required for Business Machine Repairs. If you have any questions please contact the Purchasing Team or the Support Services Team.

Responsibility

Contracting and Purchasing Team

Chapter 3 Item Specific Policies and Procedures
Section 3.2 Office Supplies and Other Items
Effective Date April 1, 2012 <i>(revised May 21, 2020 – hyperlinks only)</i>

Policy

Office Supply purchases will be processed utilizing the Texas Industries for the Blind and Handicapped (TIBH) Central Supply Store, whenever practical. If an item is not available from TIBH, an outside vendor will be used.

Other Items can include but are not limited to field equipment, specialized items or services. These items will be purchased on a case-by-case basis in accordance with applicable procurement rules.

Purpose

The TWDB utilizes TIBH services for office supply purchases in accordance with CPA rules and regulations. TIBH Central Supply Store offers everyday office supplies, such as pens, post-its, pencils, folders, note pads, binders, and some computer related items (i.e. toners). Office Supply items not available from the TIBH Central Supply Store should be requested through an ER.

Other Items are purchased in a manner that is similar to Office Supplies, though TIBH rules do not apply

Rules/
Procedures

TIBH Central Store Procedures

TIBH Central Supply Store is a general office supply store that TWDB uses to obtain everyday office supplies. The list of products offered by TIBH Central Supply Store can be found at <https://store.tibh.org/>.

The TIBH order form is located at <https://iweb.twdb.texas.gov/offices-divisions/support-service-contract-administration/purchasing.html>.

Continued on next page

Rules/
Procedures
(continued)

To obtain office supplies through TIBH:

1. Fill in the commodity code, description, quantity and price on the form
2. Have the form signed by your Budget Officer and send to the Support Services Team for processing
3. The Support Services Team will process orders on Tuesday and Thursday mornings
4. Support Services will deliver the requested items to the end user

If you have any questions regarding TIBH purchases, please contact the Support Services Team.

Office Supplies not available from TIBH

Office supplies such as specialized folders, pens, organizers, note pads, etc., which are not available from the TIBH Central Supply Store may be ordered from another vendor.

NOTE: Office supplies do not include IT related items such as computers, software, printers, mice, keyboards, scanners, etc. Please see **Section 3.5** referencing IT purchases for further information.

Other Items

Other items can include field equipment, specialized items, furniture and vehicles.

Office Supply and Other Item Expenditure Requisition Initiation (ER)

An ER is prepared and should include the following:

- Division name
- Section name
- Originator (NOTE: the originator shall be the contact person should any questions arise)
- Suggested vendor name, phone number, fax number, contact name and email address (if there is no suggested vendor, you may leave this blank)
- Quantity and Unit (example: 1 each, 1 box, or 12 each, etc.)
- Item Description, Unit Cost and Total Cost
- Manufacture part or item numbers
- Attach any information relevant to the requested item
- Any comments

Continued on next page

Rules/
Procedures
(continued)

ER Routing and Approvals

ER approvals must be obtained in conformance with requirements found in Section 1.3.

NOTE: Purchasing will not begin processing the ER until all of the approvals have been received.

Additional Purchasing Responsibilities

Provide office supply catalogs annually

The Purchasing Team will combine office supply ERs wherever possible to improve efficiencies.

Employee Responsibilities

Research office supply catalogs for product information

In most cases, please allow at least 30 days for processing of the ER

All RUSH ERs for products may include overnight delivery charges

Responsibility

Contracting and Purchasing Team

Chapter 3 Item Specific Policies and Procedures
Section 3.3 Rental of Conference Rooms or Meeting Space
Effective Date April 1, 2012

Policy	TWDB staff will utilize state-owned facilities for any conferences or meetings prior to pursuing non state-owned facilities.
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Purpose	The State of Texas requires the TWDB and its staff to seek state-owned facilities for any conference or meeting prior to pursuing non state-owned facilities. A state-owned facility may include rooms that are available at State of Texas public universities (e.g. The University of Texas at Austin, Texas State University, Texas A&M University, etc.).
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Rules/ Procedures	State-Owned Meeting Rooms The Texas Facilities Commission (TFC) maintains a large number of conference or meeting rooms in state-owned buildings that are available for use by the TWDB at no cost. For more information on how to reserve a room for your meeting or conference, please contact the agency Executive Assistant.
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Non State-Owned Meeting Rooms (Third Party Facilities)

If a state-owned facility is not available, you may research the meeting spaces at non-state owned facilities but expect a cost to be involved. If such facility is required, there will be additional documentation required to accompany the ER.

Meeting Room Expenditure Requisition Initiation (ER)

An ER is prepared and should include the following:

- Division name
- Section name
- Originator (NOTE: the originator shall be the contact person should any questions arise)
- Suggested vendor name, phone number, fax number, contact name and email address (if there is no suggested vendor, you may leave this blank)
- Date and purpose of meeting
- Cost
- Attach any draft contract/agreement supplied by the vendor

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Rules/
Procedures
(continued)

If requesting the use of a non-state-owned facility, you must provide a detailed memorandum justifying the use of the facility and documenting which state-owned/operated facilities were contacted, the name(s) of the person(s) contacted, their phone number(s), and the reason the facility is not suitable or available.

ER Routing and Approvals

ER approvals must be obtained in conformance with requirements found in Section 1.3.

Additional Purchasing Responsibilities

Coordinate legal approval of any contract/agreement required by the facility.

Employee Responsibilities

- Determine the best location for your conference/meeting
- For an Austin area meeting or conference please contact the agency Executive Assistant for assistance in scheduling your event in a state-owned facility
- For an out of town meeting or conference please remember to contact state-owned facilities in the area where the meeting will take place
- If a room is needed within 10 days or less from the date the ER is generated, the ER should be marked RUSH and a Time Sensitive Date should be added to the ER.

Responsibility

Contracting and Purchasing Team

Chapter 3 Item Specific Policies and Procedures
Section 3.4 Printing and Copying Services
Effective Date April 1, 2012 <i>(revised May 21, 2020 – hyperlinks only)</i>

Policy The TWDB and its employees will abide by all printing and copying service procedures established by the CPA.

Purpose State of Texas Procurement and Contract Management Guide establishes instructions and guidelines for state agency printing options, when printing and copying cannot be performed using agency equipment. The guidelines can be viewed at
<https://comptroller.texas.gov/purchasing/publications/procurement-contract.php>.

TWDB Support Services Team shall coordinate all copying and printing requests.

Rules/
Procedures

Copying and Printing Services Defined

A Copying or Print Job may include (but is not limited to) items such as reports, brochures, pamphlets or business cards for distribution to outside agency customers. Copying and Print Jobs will include items that for varying reasons cannot be copied or printed at the agency and must be produced by an external entity (other state agency or private vendor).

To request a copy or print job complete a “Printing and Plotting services request form.” This form is located on the iweb at:
<https://iweb.twdb.texas.gov/offices-divisions/governmental-relations-communications/forms-policies.html>.

If instructed by the Support Services Team, complete an ER as instructed below:

Copying/Printing Expenditure Requisition Initiation (ER)

An ER is prepared and should include the following:

- Division name
 - Section name
 - Originator (NOTE: the originator shall be the contact person should any questions arise)
-

Continued on next page

Rules/
Procedures
(continued)

- Suggested vendor name, phone number, fax number, contact name and email address (if there is no suggested vendor, you may leave this blank)
- Quantity, Unit, Item Description, Unit Cost, and Total Cost
- Attach any information relevant to the requested item that may assist the Purchasing Team with the procurement

ER Routing and Approvals

ER approvals must be obtained in conformance with requirements found in Section 1.3.

Employee Responsibilities

Contact the Support Services Team to determine specifications for the copying or print job (for example, job specifications, paper, binding, ink color, etc.). In most cases, please allow at least 30-60 days (or longer) for processing of the ER

Responsibility

Contracting and Purchasing Team
Support Services Team

Chapter 3 Item Specific Policies and Procedures
Section 3.5 Information Technology Purchases
Effective Date April 1, 2012 (<i>revised May 21, 2020 – hyperlinks only</i>)

Policy	All information technology related purchases shall conform to hardware and software standards established for the TWDB and must be approved by the Director of the TWDB IT section.
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Purpose	This policy ensures that technology purchases are consistent with TWDB IT requirements, and conform with the accessibility standards for state agencies established under TAC Title 1, Part 10, Chapter 213.
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Rules/ Procedures	Information Technology Purchases Defined IT purchases may include computer hardware, software, and accessories (i.e., computers, laptops, monitors, printers, digital cameras, hard drives, mouse devices, keyboards, label makers, etc.).
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Information Technology Expenditure Requisition Initiation

An ER is prepared and should include the following:

Division name

Section name

Originator (NOTE: the originator shall be the contact person should any questions arise)

Suggested vendor name, phone number, fax number, contact name and email address (if there is no suggested vendor, you may leave this blank)

Quantity and Unit (example: 1 each, 1 box, or 12 each, etc.), Item

Description, Unit Cost and Total Cost

Manufacturer part or item numbers

Attach any information relevant to the requested item

Any comments

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Rules/
Procedures
(continued)

Voluntary Product Accessibility Template (VPAT) Requirements

To conform with requirements established in TAC, Title 1, Part 10, Chapter 231, Subchapter B, the TWDB has established policies and procedures related to accessibility. Those policies can be found at

<https://iweb.twdb.texas.gov/services-resources/employee-information/accessibility-information.html>.

Chapter 4 of the accessibility policy establishes that “TWDB IT staff must review the software vendor’s VPAT to ensure the vendor has completed it in a manner that certifies their software application complies with state and federal accessibility standards.”

The ER form that is used for purchases contains a section for determining if a VPAT is required. The determination of the need of a VPAT will be made solely by TWDB IT Management and notated on any ER forms that are submitted for approval.

A business flow diagram of the TWDB VPAT process can be found at:

<https://iweb.twdb.texas.gov/offices-divisions/support-service-contract-administration/doc/forms-policies/VPAT%20Process.pdf>.

ER Routing and Approvals

ER approvals must be obtained in conformance with requirements found in Section 1.3 and the following:

- **Information Technology Division**

Employee Responsibilities

- May research applicable catalogs or internet for product information, such as Texas Department of Information Resources – The DIR Store at: <http://dir.texas.gov/View-Contracts-And-Services/Landing.aspx>
- Contact IT Help Desk at 463-7764 for guidance on IT request.
- In most cases, please allow at least 30-45 days for processing of the ER
- All RUSH ERs for products may include overnight delivery charges

Responsibility

Contracting and Purchasing Team
Information Technology

Chapter 3 Item Specific Policies and Procedures
Section 3.6 Training or Conference Registration
Effective Date April 1, 2012 (<i>revised May 21, 2020 – hyperlinks only</i>)

Policy Registration for training or conference events that require a participation fee will be coordinated through and completed solely by the Purchasing Team.

Purpose In accordance with Section 1.3, TWDB employees are not authorized to obligate TWDB funds. The act of registering for a conference or training event, where costs are incurred, is obligating TWDB funds. Therefore self-registration should not be done. Rules and procedures within this section were created to ensure agency and employee interests are protected.

Rules/
Procedures **Training and Conferences Defined**
Off-Site Training or Conferences may include but are not limited to training, conferences, workshops, seminars, forums, conventions, symposiums and/or any type of instruction classes that are provided at a cost and in most cases are presented away from the employee's workplace. ***NOTE: The policy and rules of this section do not apply if an employee wishes to register for an event that has NO cost to the agency.***

Training/Conference Expenditure Requisition Initiation

An ER is prepared and should include the following:

- Division name
- Section name
- Originator (NOTE: the originator shall be the contact person should any questions arise)
- Suggested vendor name, phone number, fax number, contact name and email address (if there is no suggested vendor, you may leave this blank)
- Name of employee(s) attending the Training
- Name of Training, location and dates

Continued on next page

Rules/
Procedures
(continued)

- Quantity, Unit, Item Description, Unit Cost, and Total Cost
- Completed registration form*
- Attach any information relevant to the request
- Any comments

ER Routing and Approvals

ER approvals must be obtained in conformance with requirements found in Section 1.3.

Additional Purchasing Responsibilities

Register employee for Training

Send employee email confirming registration

Employee Responsibilities

In most cases, please allow 35-45 days for processing of the ER

Mark your calendar with the date of your Training class

Retain any instructions that reference the location and/or directions and time of the training, parking instructions, telephone contacts, etc.

Upon returning from the Training, complete the HR training evaluation form on the IWEB: <https://iweb.twdb.texas.gov/offices-divisions/human-resources/forms-policies.html>.

Registration Forms

- Purchasing cannot process your registration without a completed registration form. When referencing an address, please use the TWDB's mailing address: PO Box 13231, Austin, TX 78711-3231
- If the registration requires a Hard Copy registration form, please complete the form and attach it to the ER
- If the registration requires an Electronic (On-Line) registration form, please ONLY fill in the blanks of the form and print the page(s), and attach it to the ER. UNDER NO CIRCUMSTANCES SHOULD AN EMPLOYEE CLICK THE "SUBMIT BUTTON"

Responsibility

Contracting and Purchasing Team

Chapter 3 Item Specific Policies and Procedures
Section 3.7 Membership Fees
Effective Date April 1, 2012 (<i>revised February 29, 2016</i>)

Policy Budget permitting, the TWDB may pay for membership fees for its employees, if the membership is deemed necessary to perform the work of the TWDB, consistent with the agency mission and clearly beneficial to the state.

Purpose This policy intends to ensure that membership fees are funded by the State only in instances where there is a tangible work benefit in doing so (*e.g., professional associations – Association of Professional Engineers, Institute of Internal Auditors, Project Management Institute*). The decision to pay for membership fees for staff is to be determined on a case by case basis by management.

Rules/
Procedures **Membership Fee Expenditure Requisition Initiation (ER)**
An ER is prepared and should include the following:

- Division name
- Section name
- Originator (please note the originator shall be the contract person should any questions arise)
- Name Organization and/or Association
- Name of Employee requesting Membership
- Membership period (i.e., January 1, 20xx thru December 31, 20xx)
- Completed Membership renewal form and/or new Membership Application
- Completed Statement of Membership Dues Form, signed by the appropriate employee(s)
- Any Comments
- Attach any information relevant to the requested Membership

NOTE: Membership fees greater than \$5,000 must include a Proprietary Justification Letter signed by your Deputy Executive Administrator, Assistant Executive Administrator or Executive Administrator for processing. For an example of the Proprietary Justification Letter, please see Section 3.9 and the Appendix.

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Rules/
Procedures
(continued)

ER Routing and Approvals

ER approvals must be obtained in conformance with requirements found in Section 1.3 and the following:

- **Executive Administrator or Assistant Executive Administrator**

Employee Responsibilities

- In most cases, please allow 35-45 days for processing of the ER
- ***The employee must fill out a STATEMENT OF MEMBERSHIP DUES form that can be found in the Appendix of this document and attach it to the ER***

Responsibility

Contracting and Purchasing Team

Chapter 3 Item Specific Policies and Procedures
Section 3.8 Professional License Fees
Effective Date April 1, 2012 (<i>revised February 29, 2016</i>)

Policy Budget permitting, the TWDB may pay for professional license fees for its employees, if the professional license is required as a condition of employment.

Purpose In accordance with the TWDB Employee Handbook Section 3.06, some employees are required to hold and maintain a professional license or certification (*e.g., professional certifications – Human Resources Professional, Project Management Professional*) as a condition of employment and provide annual verification of the license to their direct supervisor. As deemed appropriate by management, the TWDB may pay for the costs associated with these fees.

Rules/
Procedures **License Fee Expenditure Requisition Initiation (ER)**
An ER is prepared and should include the following:

- Division name and Section name
- Originator (NOTE: the originator shall be the contact person should any questions arise)
- Suggested vendor name, phone number, fax number, contact name and email address (if there is no suggested vendor, you may leave this blank)
- Quantity, Unit, Item Description, Unit Cost, and Total Cost
- Attach any information relevant to the requested item, including renewal notice or application
- Any comments

ER Routing and Approvals

ER approvals must be obtained in conformance with requirements found in Section 1.3.and the following:

- **Executive Administrator or Assistant Executive Administrator**

Responsibility Contracting and Purchasing Team

Chapter 3 Item Specific Policies and Procedures
Section 3.9 Proprietary Purchases
Effective Date April 1, 2012

Policy	The TWDB will establish and maintain procedures and protocols for purchases that are proprietary and unique in nature.
Purpose	Proprietary purchases occur when a product or service has a distinctive characteristic that is not shared by competing products or services. When the specification limits consideration to one manufacturer, one product or one service provider, a proprietary purchase can be made. The procedures are consistent with the State of Texas Procurement Manual, Section 2.21.
Rules/ Procedures	<p>Justification Requirements</p> <p>In general, when the specification limits consideration to one manufacturer, one product or one service provider, the agency must include a written Proprietary Purchase Justification in the procurement file.</p> <p>Proprietary Purchases of \$5,000.00 or less</p> <p>Proprietary justification is not needed for purchases of \$5,000 or less.</p> <p>Proprietary Purchases of \$5,000.01 to \$25,000.00</p> <p>If the estimated purchase is between \$5,000.01 and \$25,000.00 a Proprietary Purchase Justification Memo must be produced and addressed to TWDB Purchasing, printed on agency letterhead and signed by the appropriate Deputy Executive Administrator. This memorandum must be attached to the associated ER.</p>

Continued on next page

Rules/
Procedures
(continued)

Proprietary Purchases of \$25,000.01 or more

If the estimated purchase is \$25,000.01 or more, a Formal Proprietary Purchase Justification Letter must be prepared. The letter should be addressed to:

Comptroller of Public Accounts
Attn: Texas Procurement and Support Services
P.O. Box 13186
Austin, TX 78711

The letter shall be printed on agency letterhead and signed by either the Deputy Executive Administrator for that division or the Assistant Executive Administrator or the Executive Administrator, and attached to the associated ER.

NOTE: Do not send the letter to the CPA's Office. The TWDB Purchasing Team will send with the appropriate documents once the approved ER is received.

Justification Memo and Letter Requirements

The Justification Memo or Letter shall include the following:

An explanation of the need for the proprietary specification

The reason competing products are not satisfactory

Any other information supporting the request (if determined applicable by the Purchasing Team)

Examples of a justification memo and justification letter are provided in the appendix of this document.

Responsibility

Contracting and Purchasing Team

Chapter 3 Item Specific Policies and Procedures
Section 3.10 Employee Reimbursements
Effective Date April 1, 2012 (<i>revised May 21, 2020 – hyperlinks only</i>)

Policy An employee may be reimbursed when personal funds have been expended for an agency related and necessary purchase.

Purpose It is understood and recognized that on **rare** occasions, a TWDB employee may have to purchase services or goods in emergency situations with personal funds to perform their duties. While reimbursement is acceptable in certain situations, it is the position of the TWDB that employee reimbursements be strongly discouraged. Examples of reimbursable expenses include: roadside services, test expenses, license renewals or class registrations.

Rules/
Procedures **Employee Reimbursement Expenditure Requisition Initiation**

An ER is prepared and should include the following:

- Division name
- Section name
- Originator (NOTE: the originator shall be the contact person should any questions arise)
- Vendor name shall be the employee seeking reimbursement
- Attach proof of payment, such as a paid receipt, copy of canceled check (front and back), charge receipt, etc.
- Description of what is being reimbursed and total cost excluding tax. (The agency is not allowed to reimburse sales tax)
- Name of vendor paid
- Any comments

ER Routing and Approvals

ER approvals must be obtained in conformance with requirements found in Section 1.3.and the following:

- **Deputy Executive Administrator of Operations and Administration**

Continued on next page

Rules/
Procedures
(continued)

Employee Responsibilities

In most cases, please allow 30 days for processing of the ER
Attach proof of payment, such as a paid receipt, copy of canceled check (front and back), charge receipt, etc.

NOTE:

- Before seeking tuition reimbursement, employees must follow the TWDB Employee Handbook, Chapter 11, Section 11.04.
<https://iweb.twdb.texas.gov/services-resources/employee-information/employee-handbook.html>
- If employee is seeking reimbursement for books, please be aware the books become the property of the TWDB and must be retained at the TWDB office

Responsibility

Contracting and Purchasing Team

Chapter 3 Item Specific Policies and Procedures
Section 3.11 On-Line Job Postings
Effective Date April 1, 2012 (<i>revised May 21, 2020 – hyperlinks only</i>)

Policy	TWDB employment opportunities may be advertised through on-line job websites, as long as TWDB Human Resources (HR) approval has been obtained.
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Purpose	At times it may be necessary to utilize on-line job advertisement companies (e.g., Monster, jobs.com) to publicize an employment vacancy at the TWDB. These services sometimes allow the TWDB to reach a broader audience of potential job applicants, thus improving the quality of employee candidates for interviews.
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Rules/ Procedures	Coordination with Human Resources The end user should coordinate with TWDB Human Resources staff to determine when it is appropriate to advertise a job opportunity through an employment website. All HR policies and procedures must be considered prior to initiating an On-Line Job Posting ER. For additional information, please reference Section 3.07 of the TWDB Employee Handbook.
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On-Line Job Posting Expenditure Requisition Initiation

An ER is prepared and should include the following:

- Division name
 - Section name
 - Originator (NOTE: the originator shall be the contact person should any questions arise)
 - Vendor name, phone number, fax number, contact name, email address and web address
 - Time Period of Posting
 - Attach any information relevant to the requested item including the job posting
 - Any comments
-

Continued on next page

Rules/
Procedures
(continued)

ER Routing and Approvals

ER approvals must be obtained in conformance with requirements found in Section 1.3 and the following:

- **Human Resources Division**

Employee Responsibilities

- In most cases, please allow at least 14 days for processing of the ER
- If a job posting is needed within 10 days or less from the date the ER is generated, the ER should be marked RUSH and a Time Sensitive Date should be included
- All RUSH ERs for products may include overnight delivery charges
- Certification of Services:
 - Print the first day the ad is posted on the website
 - Verify that the ad remains posted everyday throughout the requested posting period
 - Print the last day the ad is posted on the website
 - Complete the Certification of Receipt and submit all of the above-referenced documentation to Purchasing

NOTE: The Certification template can be found on the IWEB at <https://iweb.twdb.texas.gov/offices-divisions/support-service-contract-administration/purchasing.html>.

Responsibility

Contracting and Purchasing Team
Human Resources

Chapter 3 Item Specific Policies and Procedures
Section 3.12 Procurement Cards
Effective Date April 1, 2012 (rev. 2/29/16; rev. 3/24/16)

Policy	The TWDB may use TWDB issued procurement cards (credit cards) to pay for certain purchases, when the standard payment process is not practical to secure necessary goods or services or as determined by the Purchasing Team.
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Purpose	To provide the TWDB with payment flexibility on an as need basis and in compliance with rules established by the CPA.
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Rules/ Procedures	<p>State Office Rules (Austin Based Staff)</p> <p>The Purchasing Team has State of Texas procurement cards which may be used to Purchase goods and services.</p> <p>The procurement cards are kept in a secured location by the Purchasing Team. Procurement cards may be issued to TWDB employees on an as-need basis. The need for issuance is determined only by the Purchasing Team or the Director of Support Services and Contract Administration. If issued to TWDB employee, the procurement card shall be immediately returned to Purchasing staff the same day it is used, along with the charge receipt(s).</p> <p>Field Office Rules</p> <p>The TWDB has one (1) procurement card assigned to the Harlingen field office. The Administrative Assistant for that office is responsible for the card and shall follow the same procurement card rules as the Austin-based Purchasing staff.</p>
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Rules/
Procedures
(continued)

Please note: when a purchase is made using the TWDB procurement card, the user must complete the appropriate internal paperwork (please refer to Section 2.1 – Standard Purchases/Expenditure Requisitions) prior to making the purchase (except in emergency cases). In emergency cases, the user will immediately complete all paperwork following the purchase.

Procurement Card Payments

The issuer of the procurement card will provide the TWDB purchaser with a monthly invoice that identifies the agency procurement card usage.

Upon receipt of the monthly invoice from the TWDB Finance Department, reconciliation of the billing information to the ER takes place. A purchase order is prepared by the TWDB Purchasing Team. A copy of the purchase order, all ERs and corresponding back-up (which includes proof of payment, receipts, and product delivery confirmation) are sent to the Finance for payment.

Responsibility

Contracting and Purchasing Team

Chapter 4 Bidding Requirements

Section 4.1 Bidding Category Requirements

Effective Date April 1, 2012

Policy The TWDB will maintain and follow bidding requirements that are consistent with the State of Texas Procurement Manual.

Purpose This policy ensures that TWDB practices are compliant with section 2.11 of the State of Texas Procurement Manual for Delegated Purchases.

Rules/ Procedures The Purchasing Team utilizes vendors from the CMBL for soliciting bids for all procurements. Regardless of cost, the Purchasing Team always seeks HUB participation in each procurement. Below is the cost breakdown for each bidding category requirement:

Amount: \$0.00 to \$5,000.00

Product or Service	Method Used
Commodities	Non-Competitive with good faith effort for HUB participation
Services	
Direct Publications	
Perishable Goods	
Distributor	
Fuel, Oil and Grease	
Emergencies	

Amount: \$5,000.01 to \$25,000.00

Product or Service	Method Used
Commodities	Competitive Open Market Informal Bids with good faith effort for HUB participation
Services	
Direct Publications	Direct Publication – Standard Publication must be present in Purchasing File
Perishable Goods	Competitive Open Market Informal Bids with good faith effort for HUB participation
Distributor	
Fuel, Oil and Grease	
Emergencies	

Continued on next page

Rules/
Procedures
(continued)

Amount: \$25,000.01 to \$100,000.00

Product or Service	Method Used
Commodities	Non-Delegated – TPASS responsible for conducting formal bidding for agency
Services	Competitive – Open Market formal bids with good faith effort for HUB participation
Direct Publications	Direct Publication – Standard Publication must be present in Purchasing File
Perishable Goods	Competitive – Open Market formal bids with good faith effort for HUB participation
Distributor	
Fuel, Oil and Grease	
Emergencies	

Amount: Over \$100,000.00

Product or Service	Method Used
Commodities	Non-Delegated – TPASS responsible for conducting formal bidding for agency
Services	Non-Delegated – TPASS may conduct formal bidding or delegate to agency
Direct Publications	Direct Publication – Standard Publication must be present in Purchasing File
Perishable Goods	Competitive – Open Market formal bids with good faith effort for HUB participation
Distributor	
Fuel, Oil and Grease	
Emergencies	

Approximate Timeline for Processing

Procured items and services may take up to the specified times listed below:

Procurement Method	Time Required (in business days)
Non- Competitive	Up to 7 days
Competitive – Informal	Up to 10 days
Competitive – Formal	30 to 60 days
Non-Delegated	60 to 90 days

Responsibility Contracting and Purchasing Team

Chapter 4 Bidding Requirements
Section 4.2 Bid Submissions and Awards
Effective Date April 1, 2012

Policy	The TWDB shall establish procedures for bid submissions and awards that are consistent with the State of Texas Procurement Manual.
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Purpose	To ensure standard practices are in place that secure proper bids and awards – the result of which is an award that provides best value to the TWDB and a fair competition for the vendor community.
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Rules/ Procedures	<p>Bid Submissions</p> <ol style="list-style-type: none">1. Prospective bidders may request specific bid invitations from the TWDB or CPA at any time prior to the bid opening. A copy of the bid invitation will be given or mailed to the requestor and noted on the bidder list.2. A bidder may withdraw its bid by written request at any time prior to the bid opening date and time.3. A bid received after the date and time established by the bid invitation is considered a late bid. The bid will not be considered and will be returned to the bidder, unopened.4. In many cases, bids may be submitted electronically by fax or email. Specific details on acceptable methods for bid submissions are provided with each bid invitation.5. An unsigned bid is not valid and will be disqualified.6. A bidder may request, in person at the bid opening, that bids be read aloud.
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Rules/
Procedures
(continued)

Bid Evaluation and Award

1. The TWDB or CPA may accept or reject any bid or any part of a bid if doing so would be in the state's best interest.
2. A bid price cannot be altered or amended after bids are opened except to correct mathematical errors in extension.
3. No increase in price will be considered after a bid is opened. A voluntary price reduction can be accepted from the awarded vendor after the bid award.
4. Bid prices are considered firm for acceptance for 30 days from the bid opening date and 60 days for open market, unless otherwise specified by the bidder on the Invitation for Bid.
5. All bids must be based on “free on board” destination delivery term unless otherwise specified.
6. When brand names are specified, bids on alternate brands will be considered if they meet specification requirements, unless advertised under Government Code Title 10, Section 2155.067 – Proprietary Purchases.
7. All awards shall be made to the bidder submitting the lowest best bid conforming to the advertised specifications. In determining who is the lowest and best bidder, in addition to price, the CPA or TWDB shall consider and evaluate the factor set out in TGC, Title 10, Subtitle 10, Chapters 2151-2176.
8. In the event of any tie bids, please refer to the State of Texas Procurement Manual, Section 2.39, for more information.

Responsibility

Contracting and Purchasing Team

Chapter 4 Bidding Requirements
Section 4.3 Bid Protests
Effective Date April 1, 2012

Policy	The TWDB shall establish a bid protest procedure for the vendor community that is consistent with the State of Texas Procurement Manual.
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Purpose	To ensure that the TWDB has procedures for resolving vendor protests relating to purchasing issues.
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Rules/ Procedures	<p>In the event that an actual or prospective bidder files a protest regarding the TWDB's procurement process, the aggrieved person must prepare his or her complaint in writing and send it to the Deputy Executive Administrator of Operations and Administration of the TWDB. Such protests must be submitted and received by the Deputy Executive Administrator within ten (10) working days after such aggrieved person knows, or should have known, of the occurrence of the action, which is being protested. In the event of a timely protest, the TWDB shall not proceed further with the solicitation or award of the contract unless it is determined that the award must take place without delay, to protect the best interests of the TWDB.</p>
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A formal protest must be sworn and contain:

1. a specific identification of the statutory or regulatory provision that the protesting party alleges has been violated
2. a specific description of each action by the TWDB that the protesting party alleges to be a violation of the statutory or regulatory provision
3. a precise statement of the relevant facts
4. a statement of any issues of law or fact that the protesting party contends must be resolved
5. a statement of the argument and authorities that the protesting party offers in support of the protest
6. a statement that copies of the protest have been mailed or delivered to the using agency and all other identifiable interested parties

The Deputy Executive Administrator, in consultation with the TWDB General Counsel, shall have the authority, prior to appeal to the Executive Administrator, to settle and resolve the dispute concerning the solicitation or award of a contract. The Deputy Executive Administrator may solicit written responses to the protest from other interested parties.

Continued on next page

Rules/
Procedures
(continued)

If the protest is not resolved by mutual agreement with the aggrieved party and the agency, the Deputy Executive Administrator will issue a written determination of the protest for the following:

1. If the Deputy, with assistance from the agency General Counsel, determines that no violation of rules or statutes has occurred, the protesting party and other interested parties will be informed of the decision by letter. The reasons for the determination will also be presented in the letter.
2. If the Deputy, with assistance from the agency General Counsel, determine that a violation of rules and statutes has occurred prior to the award of the contract, the protesting party and other interested parties will be informed of the determination. The agency will prepare new bid specifications and will re-advertise.
3. If the Deputy, with assistance from the agency General Counsel, determines that a violation of rules and statutes has occurred after the award of the contract, the protesting party and other interested parties will be informed of the determination. However, the awarded contract will not be canceled. As needed, corrective actions may be taken with purchasing or any other pertinent TWDB staff.

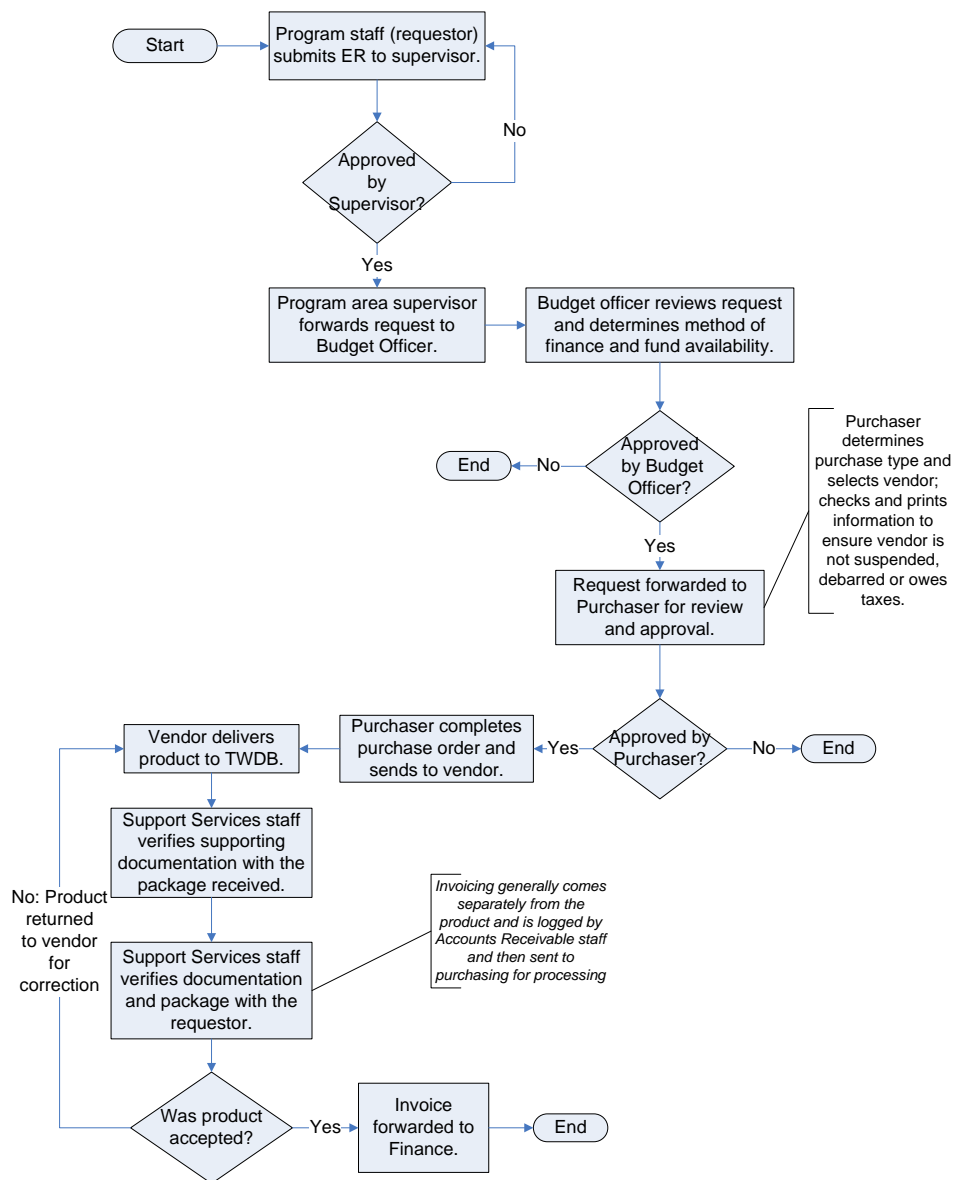
Any written decisions by the Deputy Executive Administrator shall be the final administrative action for the agency.

All documentation pertaining to a protest will be kept on file at the agency and are subject to open records requests.

Responsibility

Contracting and Purchasing Team

Appendix – Purchasing Process Map



Continued on next page

Appendix – Signature Authority Table

Signature Authority Requirements For Expenditure Requests (ERs) and Contracts

PURCHASES¹ <i>(Expenditure Request Form)</i>	Final Approval Required	Special Authorization Required
\$1,000.00 or Less	Division Director	Not applicable
\$1,000.01 to \$25,000.00	Deputy Executive Administrator or Assistant Executive Administrator	Not applicable
\$25,000.01 to \$250,000.00 ²	Executive Administrator	Not applicable
\$250,000.01 or More ²	Executive Administrator, Board Approval	Not applicable
Information Resources – HARDWARE ONLY	See above for Approval Requirements based on dollar amounts	Information Technology Director
Information Resources – Software, Database, Web Based Products and/or Development, Maintenance or Services	See above for Approval Requirements based on dollar amounts	Information Technology Director <u>and</u> Deputy Executive Administrator for Operations and Administration
Employee Reimbursements	Deputy Executive Administrator for Operations & Administration	Not applicable
In-State Training (\$1,000.00 or less)	Division Director	Not applicable
In-State Training (\$1,000.01 or more)	Deputy Executive Administrator for Operations & Administration	Not applicable
Out-of-State Training	Executive Administrator or Assistant Executive Administrator	Not applicable
Memberships and/or Licenses <i>(Include statement of membership dues with expenditure request)</i>	Executive Administrator or Assistant Executive Administrator	Not applicable
Uniform and Clothing	Deputy Executive Administrator	Not applicable
Board Member Purchases	Chief of Staff, as designated	Not applicable
CONTRACTS¹ <i>(Contract Initiation Form)</i>	Initial Approval Required	Final Execution
All Memorandums of Understanding, Research and Planning Fund Contracts, Agricultural Water Conservation Fund Contracts and Public Funds Investment Contracts	Division Director, Deputy Executive Administrator, Assistant Executive Administrator, Chief Financial Officer, Executive Administrator, Board Approval	Executive Administrator
\$25,000.00 or Less	Division Director	Deputy Executive Administrator
\$25,000.01 to \$250,000.00 ²	Division Director, Deputy Executive Administrator, Assistant Executive Administrator	Executive Administrator
\$250,000.01 or More ²	Division Director, Deputy Executive Administrator, Assistant Executive Administrator, Chief Financial Officer, Executive Administrator, Board Approval	Executive Administrator

If signature authority is delegated, please attach a copy of the email delegating signature authority to the ER.

¹*If a potential purchase or contract requires a written solicitation (RFQ, RFP, RFO, etc.), advanced authorization must be obtained in accordance with above information.*

²*If the purchase and/or contract is \$100,000 or more, a HUB Subcontracting Plan may be required.*

Rev. May 2020

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Last revised on 9-8-10

Executive Administrator or Designee _____ Date _____

Appendix – Proprietary Purchase Memo Example

Memorandum

To: Memo to Purchasing File
Purchase Order No. **580 -** (to be completed by Purchasing)

Date: (Current Date)

Subject: Proprietary Justification for:

The Texas Water Development Board (TWDB) funds a coastal ambient water quality monitoring program which includes monitoring a minimum of twelve sites in six major Texas bays. To maintain the operation of this program, the TWDB employ at least 24 *in-situ* water quality instruments.

Presently, the TWDB owns YSI 600LS-13 and YSI 600-04 OMS instruments. These instruments provide data on water level (vented, 0-9m, $\pm 0.003\text{m}$), temperature (-5 to 45°C , $\pm 0.15^{\circ}\text{C}$), conductivity (0 to 100 mS/cm, $\pm 0.5\%$), salinity (0 to 70ppt, $\pm 1\%$), and dissolved oxygen (luminescent-based sensor, 0 to 50mg/L, $\pm 1\%$ and 15%). The luminescent-based dissolved oxygen sensor uses new technology to provide more accurate readings for a longer period of time than other traditional sensors. The instruments have an internal battery pack, which permits internal logging of hourly parameter readings for up to 60 days or 150,000 readings. The raw data files generated from the YSI instruments are output in a consistent format which improves efficiency by facilitating automation of data retrieval, archiving and publishing. Moreover, these instruments interface with a data collection platform that can be used to retrieve data remotely from these water quality instruments as well as other instruments used to measure flow rates. In addition, it allows the TWDB to interchange parts and equipment when needed.

In order to maintain the continuity of our data collection program, and the ability to interchange parts and equipment within the instruments, only instruments manufactured by YSI shall be accepted.

Your Deputy Executive Administrator

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Appendix –Proprietary Purchase Letter Example

(Date)

Comptroller of Public Accounts
Attn: Texas Procurement and Support Services (TPASS)
P.O. Box 13186
Austin, TX 78711

Subject: Proprietary Justification for Open Market Purchase Requisition #580-_____
(leave blank)

The Texas Water Development Board (TWDB) funds a coastal ambient water quality monitoring program which includes monitoring a minimum of twelve sites in six major Texas bays. To maintain the operation of this program, the TWDB employ at least 24 *in-situ* water quality instruments.

Presently, the TWDB owns YSI 600LS-13 and YSI 600-04 OMS instruments. These instruments provide data on water level (vented, 0-9m, ± 0.003 m), temperature (-5 to 45°C , $\pm 0.15^{\circ}\text{C}$), conductivity (0 to 100 mS/cm, $\pm 0.5\%$), salinity (0 to 70ppt, $\pm 1\%$), and dissolved oxygen (luminescent-based sensor, 0 to 50mg/L, $\pm 1\%$ and 15%). The luminescent-based dissolved oxygen sensor uses new technology to provide more accurate readings for a longer period of time than other traditional sensors. The instruments have an internal battery pack, which permits internal logging of hourly parameter readings for up to 60 days or 150,000 readings. The raw data files generated from the YSI instruments are output in a consistent format which improves efficiency by facilitating automation of data retrieval, archiving and publishing. Moreover, these instruments interface with a data collection platform that can be used to retrieve data remotely from these water quality instruments as well as other instruments used to measure flow rates. In addition, it allows the TWDB to interchange parts and equipment when needed.

In order to maintain the continuity of our data collection program, and the ability to interchange parts and equipment within the instruments, only instruments manufactured by YSI shall be accepted.

Deputy Executive Administrator, or Assistant Executive Administrator or
Executive Administrator

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Appendix – Statement of Membership Dues

For all purchases involving Membership Dues, the following form is required. The text in the following section can be copied and placed in a new MS Word document. The statement must be printed and signed as specified herein

**STATEMENT OF MEMBERSHIP DUES
TO BE PAID BY
TEXAS WATER DEVELOPMENT BOARD**

I have consulted with _____ and have verified that they
Organization Name
☐do ☐do not use membership dues to pay all or part of the salary of a person required to
register as a lobbyist under Texas law. In regard to this matter I have spoken with

Contact Person Job Title

Employee Signature Date

Supervisor Signature Date

How the membership benefits the agency and the State of Texas:

**THIS STATEMENT MUST ACCOMPANY THE EXPENDITURE REQUEST
THAT IS SUBMITTED TO PAY ORGANIZATION MEMBERSHIP DUES.**

Rev. 10/16/08