



**ADMINISTRATIVE
POLICIES AND PROCEDURES MANUAL**

**DATE ISSUE
3/28/00**

**REVISION
5**

**PAGE
E2-110.0**

SUBJECT

PURCHASING

SUB-TOPIC

PURCHASES THROUGH THE TEXAS BUILDING AND PROCUREMENT COMMISSION

If items requested are covered by a state contract, purchases must be made through designated state contractors. Both state contractors and state contract items are listed and defined on the Texas Building and Procurement Commission World Wide Web Page at <http://www.tbpc.state.tx.us>. (Reference the "Procurement" and "The CMBL" sections at this website.)

All contacts involving the Texas Building and Procurement Commission should be made by the UTD Purchasing Department unless the prior written approval of UTD Purchasing authorizes direct contact by a requisitioner.

Types of state contracts or procedures include:

(See <http://www.tbpc.state.tx.us/stpurch/howtxbuy.html> for details.)

1. Contract Purchase Order (Automated)
2. Contract Purchase Order (Non-Automated)
3. Open Market Purchase Requisition (Over \$25,000)
4. Emergency Purchase Order (Any Value)
5. Spot Purchase Order (Under \$25,000)
6. Purchases of information resources products and services is done using the Qualified Information Services Vendor (QISV) Catalog program.

1. Contract Purchase Order (Automated):

A requisitioner prepares and forwards a purchase requisition to the Purchasing Department.

From this requisition, UTD Purchasing transmits the order with appropriate commodity codes via computer to the Texas Building and Procurement Commission. Items normally on the automated contract are those whose prices are relatively stable for the duration of the stated contract period and are listed at the TB&PC website (<http://www.tbpc.state.tx.us/>). The TB&PC utilizes computer processing to issue a purchase order to the vendor thus reducing ordering processing time and costs (see Exhibit E1).



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PURCHASES THROUGH THE TEXAS BUILDING AND PROCUREMENT COMMISSION, Continued

2. **Contract Purchase Order (Non-Automated):**

UTD Purchasing prepares a contract purchase order from a purchase requisition submitted by a requisitioner and forwards copies to the Texas Building and Procurement Commission. Items affected are those whose prices change so frequently it would be impractical to place them into an automated. The TB&PC then applies a Board of Control Number (see Exhibit E2) and distributes copies of the order to the vendor and UTD Purchasing.

3. **Open Market Purchase Requisition (Over \$25,000):**

This requisition is used when all the following conditions are established:

- a. Total purchase price is in excess of \$25,000 per commodity class.
- b. Items requested have not been contracted by the Texas Building and Procurement Commission.
- c. State funds are the fund source (although local funds can be used for purchases of state contract items at Purchasing Department discretion).
- d. Purchase of goods (not services).

The Texas Building and Procurement Commission receives the requisition from UTD Purchasing, sends bids to all bidders listed for the particular commodity and issues a purchase order to the lowest and best bidder.

Once the award is made, the Texas Building and Procurement Commission will issue a purchase order (see Exhibit E3) to the vendor.

The requisitioner may request review of the bids prior to placement; however, a statement to that effect must be included on the original requisition. The Texas Building and Procurement Commission is not required to transmit any bid for review; therefore, do not request review unless there is sufficient merit to the case. The requisitioner may justify the selection of other than the recommended award, based upon stated technical or functional specifications. The Texas Building and Procurement Commission will consider the justification; however, it reserves the right to challenge any justification submitted.



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4. **Emergency Purchase Order (Any Value):**

An emergency is defined as the need of supplies and/or services by a requisitioner to the extent that if not procured immediately, serious financial or operational loss will occur. Emergencies can be caused by breakdown of essential equipment, weather damage, sudden illness, epidemics, etc.

Carelessness or negligence by a department or its employees can also cause emergencies. Such cases are subject to question, review, potential rejection of emergency handling, and possible refusal of payment by the Texas Building and Procurement Commission. Any invoice resulting from an emergency purchase payable from funds held by the State Treasurer must be approved by the Texas Building and Procurement Commission before the State Comptroller will issue a warrant for payment.

UTD Purchasing should be contacted immediately (see "Emergency Coverage" for contacts during other than normal hours of operation).

The following events will then take place dependent upon the monetary value of the purchase requisition which must be submitted to Purchasing by the requisitioner as soon as is feasible:

- a. Up to \$25,000 - UTD Purchasing must attempt to secure at least three (3) competitive bids whenever possible. These bids may be obtained verbally. Included in the bidding shall be a minimum of one woman-owned and one minority-owned HUB certified businesses.
- b. \$25,000 or more - UTD Purchasing must attempt to secure at least three (3) written bids on the prescribed bid form with proper signatures from the bidders and have Texas Building and Procurement Commission approval prior to an order being placed on a confirmation basis. The emergency purchase file, when forwarded to the Texas Building and Procurement Commission, must contain a full written explanation stating why the emergency exists and why requirements were not anticipated.



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Submission of an emergency purchase request must be accompanied by a written explanation by the requisitioning department detailing the nature of the emergency. Failure to do so may cause the Texas Building and Procurement Commission to refuse approval for payment of the invoice until a detailed report is presented.