

PROCUREMENT REQUIREMENTS - VALUE THRESHOLDS		CONTRACT CATEGORIES Look for all categories in which the contract may fall		ALL CONTRACT TYPES		IT COMMODITY ITEMS		NON-IT COMMODITY ITEMS		CONSULTING SERVICES		TXMAS PURCHASES		SOLE SOURCE AND EMERGENCY PROCUREMENTS		MIRP PURCHASES		HHSC CONTRACTS FOR ATTORNEY GENERAL REVIEW	
	Advertising Requirements		Delegation Requirements		Competitive Bidding Requirements		Ethics & Oversight Review/Approval						Posting Requirements (Post-Execution of Contract)						
\$0			<div><div>■ <b>NON-IT COMMODITY ITEMS</b>   <i>GO TO - SPD</i> For a purchase subject to SPD's purchasing authority, a delegation is required to procure goods or services outside of SPD statewide contracts.<sup>1</sup></div><div>■ <b>IT COMMODITY ITEMS</b>   <i>GO TO - DIR</i> For a purchase subject to DIR's purchasing authority, an exemption is required to procure an IT commodity item valued \$10M or less outside of DIR contracts.<sup>2</sup></div></div>			<div><div>■ <b>NON-IT COMMODITY ITEMS</b>   <i>GO TO - SPD Spot Purchase</i> Competitive bidding is not required for the purchase of non-IT goods or services valued at \$10,000 or less.<sup>3</sup></div><div>■ <b>IT COMMODITY ITEMS</b>   <i>GO TO - Spot Purchase</i> Competitive bidding or purchasing through a DIR contract is not required for the purchase of IT goods and services valued at \$5,000 or less.<sup>4</sup></div></div>												<div><div>■ <b>ALL CONTRACT TYPES</b>   <i>GO TO - Agency Website</i> No later than 30 days after entering into any contract with a private vendor for the purchase of goods and services, the contract and solicitation must be posted to the agency's website if it is not already posted to the LBB website under another requirement.<sup>5</sup></div></div>	
\$2,500						<div><div>■ <b>NON-IT COMMODITY ITEMS</b>   <i>GO TO - SPD</i> Agencies must utilize the SPD State Print Shop Portal to competitively procure printing services estimated at \$2,500 or more.<sup>6</sup></div></div>													
\$5,000																			
\$10,000																			
\$15,000	<div><div>■ <b>CONSULTING SERVICES</b>   <i>GO TO - ESBD (SPD)</i> A consulting services solicitation valued at more than \$15,000 (\$25,000+ for higher ed.), must comply with ESBD posting requirements (minimum 30 days).<sup>8</sup></div></div>					<div><div>■ <b>NON-IT COMMODITY ITEMS</b>   <i>GO TO - CMBL/HUB (SPD)</i> At least three informal bids from vendors on the CMBL must be solicited, two of which must be HUBs, for a good or service with a value of more than \$10,000 but not more than \$25,000 procured under SPD's purchasing authority.<sup>7</sup></div></div>													
\$25,000	<div><div>■ <b>ALL CONTRACT TYPES</b>   <i>GO TO - ESBD (SPD)</i> A solicitation with a value of more than \$25,000 must be posted to the ESBD.<sup>8</sup> For questions about minimum posting requirements, please contact the SPD.</div></div>						<div><div>■ <b>TXMAS PURCHASES</b>   <i>GO TO - TXMAS (SPD)</i> For a TXMAS non-IT commodity item purchase with a value of more than \$50,000, a request for pricing should be submitted to at least three vendors from a relevant category on the TXMAS Contract Schedule.<sup>13</sup></div></div>											<div><div>■ <b>ALL CONTRACT TYPES</b>   <i>GO TO - ESBD (SPD)</i> Notice of award for a contract with a value of more than \$25,000 must be posted to the ESBD.<sup>10</sup> For questions about minimum posting requirements, please contact the SPD.</div><div>■ <b>ALL CONTRACT TYPES</b>   <i>GO TO - VPTS (SPD)</i> A contractor's performance must be reported to the VPTS no later than 30 days after completion or termination of a contract with a value of more than \$25,000.<sup>11</sup></div></div>	
\$50,000			<div><div>■ <b>NON-IT COMMODITY ITEMS</b>   <i>GO TO - SPD</i> An open market requisition must be submitted to SPD to obtain delegation of purchasing authority for goods with a value of \$50,000 or more procured under SPD's purchasing authority.<sup>12</sup></div></div>				<div><div>■ <b>IT COMMODITY ITEMS</b>   <i>GO TO - DIR</i> Agencies must submit a request for pricing to at least 3 vendors in a relevant category on DIR's cooperative contracts list for the purchase of IT commodity items with a value of more than \$50,000 but not more than \$1M.<sup>14</sup></div></div>			<div><div>■ <b>IT COMMODITY ITEMS</b>   <i>GO TO - DIR</i> A statement of work for IT services valued at more than \$50,000 must be submitted to DIR for approval and signature.<sup>15</sup></div></div>								<div><div>■ <b>ALL CONTRACT TYPES</b>   <i>GO TO - LBB</i> No later than 30 days of contract award, information on any contract, along with the contract itself and associated solicitation documents unless otherwise exempted, that exceeds \$50,000 must be posted to the LBB website.<sup>16</sup></div><div>■ <b>IT COMMODITY ITEMS</b>   <i>GO TO - Agency Website</i> A statement of work for IT services valued at more than \$50,000 and required to be signed by DIR must be posted to the agency's website.<sup>17</sup></div></div>	
\$100,000			<div><div>■ <b>NON-IT COMMODITY ITEMS</b>   <i>GO TO - POD (SPD)</i> A solicitation must be submitted to the SPD POD program to obtain delegation of purchasing authority for services with a value of \$100,000 or more procured under SPD's purchasing authority.<sup>18</sup></div></div>				<div><div>■ <b>ALL CONTRACT TYPES</b>   <i>GO TO - HUB (SPD)</i> For any solicitation with a value of \$100,000 or more, agencies must consider whether there are probable subcontracting opportunities and if so, require a HUB subcontracting plan for vendor responses.<sup>19</sup></div></div>			<div><div>■ <b>ALL CONTRACT TYPES</b>   <i>GO TO - SAO</i> Agency purchasing personnel associated with a contract with a value of \$1M or more must sign a SAO Nepotism Disclosure form prior to contract award.<sup>22</sup></div><div>■ <b>ALL CONTRACT TYPES</b>   <i>GO TO - Texas Ethics Commission</i> Agencies may not award a contract valued at \$1M or more to a vendor until that vendor has submitted a Texas Ethics Commission Form 1295 to the agency.<sup>23</sup></div><div>■ <b>ALL CONTRACT TYPES*</b>   <i>GO TO - CAT</i> A solicitation with an anticipated value of \$5M or more must be submitted to CAT for review and comment.<sup>26</sup>  *Very limited exceptions to this requirement exist. For questions about CAT submission requirements, please contact the SPD POD program.</div></div>								<div><div>■ <b>ALL CONTRACT TYPES</b>   <i>GO TO - Agency Website</i> For agencies (other than higher ed) that receive appropriations that exceed \$175M, a listing and description of all vendor contracts with a value more than \$100,000 must be posted on the agency's website.<sup>20</sup></div></div>	
\$1M							<div><div>■ <b>IT COMMODITY ITEMS</b>   <i>GO TO - DIR</i> Agencies must submit a request for pricing to at least 6 vendors in a relevant category on DIR's cooperative contracts list for the purchase of IT commodity items with a value of more than \$1M but not more than \$5M.<sup>21</sup></div></div>											<div><div>■ <b>NON-COMPETITIVE/SOLE SOURCE AND EMERGENCY PROCUREMENTS</b> Prior to the date on which first payment will be made but no later than 30 days of contract award or, for an emergency purchase, within 5 days of contract award, information on any emergency or non-competitive/sole source contract that exceeds \$1M must be posted to the LBB website, along with the contract itself, attestation letter and solicitation documents.<sup>24</sup></div></div>	
\$5M							<div><div>■ <b>IT COMMODITY ITEMS</b>   <i>GO TO - DIR or SPD RFO Method</i> Agencies may submit a request for pricing to at least 6 vendors in a relevant category on DIR's cooperative contracts list or may use a purchasing method designated by the comptroller for the purchase of IT commodity items with a value of more than \$5M but not more than \$10M.<sup>25</sup></div></div>					<div><div>■ <b>MIRP PURCHASES</b>   <i>GO TO - QAT</i> Appropriated funds may not be spent for a Major Information Resources Project (MIRP) unless the project has been approved by (1) the LBB in the agency's biennial operating plan and (2) the QAT.<sup>27</sup>  Prior to amending a contract related to a MIRP, the agency must notify the governor, lieutenant governor, speaker of the house of representatives, presiding officer of the standing committee of each house of the legislature with primary jurisdiction over appropriations, and QAT if (1) the total value of the amended contract exceeds or will exceed the initial contract value by 10 percent or more, or (2) the amendment requires the contractor to provide consultative services, technical expertise, or other assistance in defining project scope or deliverables.<sup>28</sup></div></div>						<div><div>■ <b>ALL CONTRACT TYPES</b>   <i>GO TO - VPTS (SPD)</i> For a contract with a value of more than \$5M, a contractor's performance must be reported to the VPTS at least once each year during the term of the contract and at each key milestone identified for the contract.<sup>29</sup></div></div>	
\$10M		<div><div>■ <b>ALL CONTRACT TYPES</b>   <i>GO TO - ESBD (SPD)</i> Agencies must post a Notice of Intent to Procure to the ESBD at least 2 months prior to anticipated posting date if the value of the solicitation exceeds \$20M.<sup>34</sup></div></div>					<div><div>■ <b>IT COMMODITY ITEMS</b>   <i>GO TO - SPD RFO Method</i> Agencies may not use DIR's cooperative contracts for the purchase of IT commodity items with a value of more than \$10M unless it is a DIR coordinated bulk purchase.<sup>30</sup></div></div>				<div><div>■ <b>MIRP PURCHASES</b>   <i>GO TO - QAT</i> Any contract for the development or implementation of a MIRP with a value of \$10M or more must be submitted to QAT for review and comment (1) before the start of negotiations and (2) prior to execution.<sup>31</sup>  An agency may not amend a contract for the development or implementation of a MIRP with a value of \$10M or more if the contract is at least 10 percent over budget or the associated project is at least 10 percent behind schedule unless the agency (1) conducts a cost-benefit analysis with respect to canceling or continuing the project and (2) submits the analysis to the QAT.<sup>32</sup></div></div>						<div><div>■ <b>ALL CONTRACT TYPES</b>   <i>GO TO - LBB</i> Within 15 days of contract award, information on any contract that exceeds \$10M must be posted to the LBB website, along with the contract itself, attestation letter and solicitation documents.<sup>33</sup></div></div>		
\$20M																			
\$250M														<div><div>■ <b>HHSC CONTRACTS FOR ATTORNEY GENERAL REVIEW</b> Any contract with a value of \$250 million or more related to the provision of medical or health care services, coverage, or benefits must be reviewed by the OAG. Notification to the OAG must occur when the agency begins the planning phase of the contract.<sup>35</sup></div></div>					
Glenn Hegar		Texas Comptroller of Public Accounts										Footnotes on reverse side						96-1809-1 (3/22)	

1. [Tex. Gov't Code § 2155.131; 34 TAC § 20.82](#). Note: A chart listing a “Summary of Minimum Requirements for SPD Delegated Purchases” is located in the Texas Procurement and Contract Management Guide.
2. [Tex. Gov't Code §§ 2157.006, 2157.068; 1 TAC Chapter 212, Subchapter C; 34 TAC § 20.391](#). Note: The term “commodity items” is defined by Section 2157.068(a) of the Texas Government Code to mean commercial software, hardware, or technology services, other than telecommunications services, that are generally available to businesses or the public and for which DIR determines that a reasonable demand exists in two or more state agencies. The term includes seat management, through which a state agency transfers its personal computer equipment and service responsibilities to a private vendor to manage the personal computing needs for each desktop in the state agency, including all necessary hardware, software, and support services. For DIR exemption information, visit [DIR's Exemption web page](#).
3. [34 TAC § 20.82\(b\)\(1\)](#).
4. [1 TAC § 212.22](#).
5. [Tex. Gov't Code § 2261.253](#). It is recommended to post to the agency website on a regular basis, preferably at least every 30 days.
6. [34 TAC § 20.382\(d\); TEX CONST art XVI § 21](#). For print projects expected to cost \$2,500 or more, agencies must solicit bids from the State Print Shops through the SPD-maintained print shop portal to meet the competitive procurement requirement.
7. [34 TAC § 20.82](#).
8. [Tex. Gov't Code §§ 2254.029, 2254.034](#).
9. [Tex. Gov't Code § 2155.083](#).
10. [Tex. Gov't Code § 2155.083](#). Note: All multiple award schedule contract purchases with a total value exceeding \$25,000 must be posted on the ESBD after the purchase order has been placed. [Tex. Gov't Code § 2155.509](#).
11. [Tex. Gov't Code § 2155.089; 34 TAC § 20.115](#).
12. [34 TAC § 20.82\(a\)\(1\)](#).
13. For a non-IT commodity item contract with a value of more than \$50,000, SPD recommends that the agency submit a request for pricing to at least three vendors included on SPD's Multiple Award Contract Schedule in the category to which the contract relates or all vendors on SPD's Multiple Award Contract Schedule if the category has fewer than three vendors.
14. [Tex. Gov't Code § 2157.068\(e-1\)\(2\)](#).
15. [Tex. Gov't Code § 2157.0685\(c\)](#).
16. [Tex. Gov't. Code §§ 322.020\(a\)-\(b\), Tex. Gov't Code 2054.008\(b\), 2166.2551, 2254.006, 2254.0301; Texas General Appropriations Act, Article IX § 7.04\(d\). 87th Legislature \(2021\)](#).
17. [Tex. Gov't Code § 2157.0685](#).
18. [34 TAC § 20.82](#).
19. [Tex. Gov't Code § 2161.252\(a\)](#).
20. [Tex. Gov't Code § 2054.126\(d\)\(4\)](#).
21. [Tex. Gov't Code § 2157.068\(e-1\)\(3\)](#).
22. [Tex. Gov't Code §§ 2262.004\(b\)-\(c\)](#).
23. [Tex. Gov't Code §§ 2252.908\(d\)-\(e\)](#). Note: The TEC Form 1295 is also required for a contract that (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) is for services that would require a person to register as a lobbyist under Chapter 305 of the Texas Government Code
24. [Texas General Appropriations Act, Article IX § 7.12 87th Legislature \(2021\)](#).
25. [Tex. Gov't Code § 2157.068\(e-2\), 2157.006, 2157.068\(e-1\)\(3\); 34 TAC § 20.391](#).
26. [Tex. Gov't Code § 2262.101\(a\)\(1\)](#).
27. [Tex. Gov't Code § 2054.118\(a\)](#). Note: The term “Major Information Resources Project means (1) any information resources technology project identified in a state agency's biennial operating plan whose development costs exceed \$5 million and that require one year or more to reach operations status, involve more than one state agency, or substantially alter the work methods of state agency personnel or delivery of services to clients or (2) designated by the legislature in the General Appropriations Act as a major information resources project or (3) any information resources technology project of a state agency designated for additional monitoring under Section 2261.258(a)(1) of the Texas Government Code if the development costs for the project exceed \$5 million. [Tex. Gov't Code § 2054.003\(10\)](#).
28. [Tex. Gov't Code § 2054.160\(c\)-\(d\)](#).
29. [Tex. Gov't Code § 2155.089](#).
30. [Tex. Gov't. Code § 2157.068\(e-3\)](#).
31. [Tex. Gov't. Code § 2054.160\(a\)](#).
32. [Tex. Gov't Code § 2054.1181\(j\)](#).
33. [Texas General Appropriations Act, Article IX § 7.12, 87th Legislature \(2021\)](#).
34. [Tex. Gov't. Code § 2262.051\(j\)](#).
35. [Tex. Gov't Code § 531.018](#).