

## Texas Procurement and Contract Management Guide, Version 2.0 Crosswalk Document

Revised Content in Version 2.0	Topic	Nature of Revision	TxPCMG 2.0 Page Location	Impacting Legislation	Statute/Rule	TxPCMG 1.3 Content/Language	TxPCMG 1.3 Page Location
<p><b>Addition:</b> Communication Model.</p> <p><b>Revision:</b> Drafting the Solicitation After the Solicitation is Posted.</p>	Vendor Communication	Substantive revisions	8	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2262.051(i)(4)	<p><b>Change:</b> Drafting the Solicitation. (content)</p> <p>During the Solicitation. (title and content)</p>	7
<p><b>Addition:</b> Title header addition of SAO</p>	SPD, DIR, SAO, Oversight Teams, and Planning Documents	Substantive revisions	10	N/A	N/A	<p><b>Change:</b> SPD, DIR, Oversight Teams, and Planning Documents</p>	8
<p><b>Revision:</b> DIR leverages the buying power of the State and utilizes strategic sourcing methods to select vendors offering the best value on IT commodity items to the State.</p>	DIR	Substantive revisions	10	SB 65 (86 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2157.068(b)	<p><b>Change:</b> By leveraging the buying power of the State for technology purchases, DIR provides a range of IT and telecommunications products and services to agencies and eligible voluntary customers, including local governments and universities.</p>	8
<p><b>Addition:</b> Integration of SAO section</p>	SAO	Substantive revisions	11	SB 65 (86 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2261.258; 34 TEX. ADMIN CODE § 20.166	N/A	N/A
<p><b>Addition:</b> If TCI denies an agency's waiver request, the agency may send an appeal letter to SPD by emailing <a href="mailto:spd.policy@cpa.texas.gov">spd.policy@cpa.texas.gov</a>.</p>	TCI Waiver Process	Non-substantive clarification	19	N/A	N/A	<p><b>Change:</b> If TCI denies an agency's waiver request, the agency may send an appeal letter to SPD.</p>	17
<p><b>Addition:</b> SPD monitors travel reservations and other travel arrangements required for business travel by state employees and Texas SmartBuy members and provides travel-related services.</p> <p><b>Addition:</b> ...SPD obtains cost effective lodging for state employees and Texas SmartBuy members traveling on official business.</p>	Travel Services Contracts	Substantive revisions	21	SB 1122 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE §§ 2171.051; 2171.055	<p><b>Change:</b> SPD monitors travel reservations and other travel arrangements required for business travel by state employees and provides travel-related services.</p> <p><b>Change:</b> ...SPD obtains cost-effective lodging for state employees traveling on official government business</p>	19

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<p><b>Revision:</b> A Proprietary Purchase Justification is not required for procurements valued at \$10,000 or less.</p> <p><b>Revision:</b> For proprietary purchases exceeding \$10,000, the solicitation must include the following statement:</p>	Proprietary Purchases under SPD Delegation by Rule	Substantive revisions	23	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2155.132(e); 34 TEX. ADMIN. CODE § 20.82(b)(1)	<p><b>Change:</b> A Proprietary Purchase Justification is not required for procurements valued at \$5,000 or less.</p> <p><b>Change:</b> For proprietary purchases exceeding \$5,000, the solicitation must include the following statement:</p>	21
<p><b>Revision:</b> In addition, for proprietary purchases exceeding \$10,000, the RFO must include the following statement...</p>	Proprietary Purchases using the RFO Procurement Method	Substantive revisions	24	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2155.132(e); 34 TEX. ADMIN. CODE § 20.82(b)(1).	<p><b>Change:</b> In addition, for proprietary purchases exceeding \$5,000, the RFO must include the following statement...</p>	22
<p><b>Revision:</b> Trade-ins are not allowed through orders placed against Term Contracts unless specifically allowed within the contract terms.</p>	Trade-In of Used Equipment	Non-substantive clarification	26	N/A	N/A	<p><b>Change:</b> Trade-ins are not allowed through orders placed against Term Contracts.</p>	24
<p><b>Addition:</b> In contracts when a state agency does not make direct payments to the contractor from its allocated funds, it is recommended to include all payments the contractor may receive as the contract value.</p>	Determining Contract Value	Non-substantive clarification	28	N/A	N/A	N/A	26
<p><b>Revision to Graphic:</b> Contract Value Column dollar amounts</p>	Minimum Requirements for SPD Delegated Purchases (graphic)	Substantive revisions	28	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2155.132(e); 34 TEX. ADMIN. CODE § 20.82(b)(1).	<p><b>Change to Graphic:</b> Update dollar thresholds</p>	26
<p><b>Revision:</b> With the exception of printing services, competitive bidding is not required if the total value of the contract is \$10,000 or less.</p>	Purchases of \$10,000 or less ("Spot" purchases)	Substantive revisions	29	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2155.132(e); 34 TEX. ADMIN. CODE § 20.82(b)(1).	<p><b>Change:</b> With the exception of printing services, competitive bidding is not required if the total value of the contract is \$5,000 or less</p>	27
<p><b>Revision:</b> Solicitations for emergency purchases greater than \$25,000 must be posted to the ESBD; however, the minimum time for posting the solicitation does not apply to the extent necessary to address the emergency.</p>	Emergency Purchases	Non-substantive clarification	31	N/A	TEX. GOV'T CODE § 2155.083(i).	<p><b>Change:</b> Emergency purchases greater than \$25,000 must be posted to the ESBD; however, the minimum time for posting of the solicitation does not apply to the extent necessary to address the emergency.</p>	29

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<b>Addition:</b> Procurement Outside of SPD Delegation Authority subheader and content.	Procurement Outside of SPD Delegation Authority	Substantive revisions	32	N/A	TEX. LABOR CODE § 412.011(c)(2); TEX. GOV'T CODE § 2254.003; TEX. GOV'T CODE §§ 402.021, 402.0212(a); TEX. GOV'T CODE § 2254.023; TEX. GOV'T CODE § 2165.004; TEX. GOV'T CODE § 2157.006	N/A	30
<b>Revision:</b> If the total value of a contract is over \$10,000 but not more than \$25,000, a Contract Developer must provide bid opportunities to vendors active on the CMBL within the NIGP Class and/or Class/Item designated for the solicitation. <b>Addition:</b> The Contract Developer must solicit bids from a minimum of three active vendors on the CMBL, two of which must be current Texas-certified HUBs; the last vendor who was awarded a contract for the same goods or services may be provided the request for bid, if applicable.	Informal Bidding (Purchases of \$25,000 or less)	Substantive revisions	33	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2155.132(e); 34 TEX. ADMIN. CODE § 20.82(b)(1).	<b>Change:</b> If the total value of a contract is over \$5,000 but not more than \$25,000, a Contract Developer must provide bid opportunities to vendors active on the CMBL within the NIGP Class and/or Class/Item designated for the solicitation. <b>Change:</b> The Contract Developer must solicit bids from a minimum of three active vendors on the CMBL, two of which must be current Texas-certified HUBs.	30

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<p><b>Revision:</b> For a purchase made through competitive bidding, the agency must specify in the solicitation the factors other than price that will be considered in determining which bid offers the best value for the State and the proposal criteria the agency will use when considering the factors. In determining the best value for the state, the purchase price and whether the goods or services meet specifications are principal considerations that must be balanced with other relevant factors.</p> <p><b>Addition:</b> 9. The impact of a purchase on the agency's administrative resources; and</p>	Best Value Standard	Substantive revisions	33	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2155.074(b).	<p><b>Change:</b> For a purchase made through competitive bidding, the agency must specify in the solicitation the factors other than price that will be considered in determining which bid offers the best value for the State. In determining the best value for the state, the purchase price and whether the goods or services meet specifications are the most important considerations.</p>	31
<p><b>Revision:</b> DIR TXMAS contracts</p>	Procurement Method - SPD TXMAS Contracts	Substantive revisions	34	N/A	N/A	<p><b>Removal:</b> DIR has developed TXMAS contracts for IT procurements. For AIS procurements designated with an asterisk (*) on the NIGP Commodity Book maintained on the CPA website, Contract Developers must follow the procurement procedures associated with DIR TXMAS Contracts.</p>	21

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<p><b>Addition:</b> Under DIR’s statewide procurement authority, DIR establishes and manages the following types of master contracts for use by eligible customers: (1) Cooperative Contracts for IT commodity items, (2) the Texas.gov contract, (3) Data Center Services contracts, and (4) Telecommunication Services contracts. DIR may consider strategic sourcing and other methodologies to select the vendor offering the best value on IT commodity items.</p> <p><b>Addition:</b> IT commodity items refer to 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 from two or more state agencies or customers that purchase items through DIR.</p>	<p>Procurement Method - Automated Information Systems</p>	<p>Substantive revisions</p>	<p>35</p>	<p>SB 1232 (87<sup>th</sup> Legislature, R.S.)</p>	<p>TEX. GOV'T CODE § 2157.068(j).</p>	<p><b>Change:</b> Under DIR’s statewide procurement authority, DIR establishes and manages the following types of master contracts for use by eligible customers:(1) Cooperative Contracts for IT commodity items, (2) Texas Multiple Award Schedule contracts for IT commodity items, (3) the Texas gov contract, (4) Data Center Services contracts, and (5) Telecommunication Services contracts.</p> <p><b>Change:</b> IT commodity items refer to 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 agencies.</p>	<p>33</p>

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<p><b>Addition:</b> 4. For a contract with a value of more than \$5 million but not more than \$10 million, if an agency utilizes DIR Cooperative Contracts, the agency must submit a request for pricing to at least six vendors included in the category to which the contract relates or all vendors in the category if the category has fewer than six vendors.</p> <p><b>Addition:</b> For a contract with a value of more than \$5 million but not more than \$10 million, an agency may opt to utilize DIR cooperative contractor may make the purchase using the RFO purchasing method, as designated by the Comptroller under Section 2157.006(a)(2) of the Texas Government Code. An agency may not enter into a contract to purchase a commodity item through the DIR Cooperative Contracts Program if the value of the contract exceeds \$10 million unless it is a DIR coordinated bulk purchase.</p>	Monetary Thresholds for Competitive Actions	Substantive revisions	36	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2157.068	<p><b>Change:</b> 3. For a contract with a value of more than \$1 million but not more than \$5 million, the agency must submit a request for pricing to at least six vendors included in the category to which the contract relates or all vendors in the category if the category has fewer than six vendors.</p> <p><b>Change:</b> An agency may not enter into a contract to purchase a commodity item through the DIR Cooperative Contracts Program if the value of the contract exceeds \$5 million unless it is a DIR coordinated bulk purchase.</p>	34
<b>Removal:</b> DIR TEXAS MULTIPLE SCHEDULE (TXMAS) CONTRACTS	DIR TXMAS Contracts	Substantive revisions	N/A	N/A		<b>Removal:</b> DIR TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) CONTRACTS)	36
<b>Revision:</b> Agencies may only choose alternative procurement methods authorized by Title 10, Subtitle D of the Texas Government Code when an RFO procurement method is not practicable or will not obtain the best value for the state.	RFO Procurement Method	Substantive revisions	39	N/A	N/A	<b>Change:</b> However, agencies may choose to use the RFO procurement method or any other procurement method authorized by Title 10, Subtitle D of the Texas Government Code that will obtain the best value.	37

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<b>Revision:</b> An agency shall provide written notice, on a prescribed form, to the LBB within 30 days of the date the agency enters into a contract for professional services, other than a contract for physician or optometric services, if the amount of the contract, including an amendment, modification, renewal, or extension of the contract, exceeds \$50,000.	Procurement Method - Professional Services	Substantive revisions	40	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2254.006	<b>Change:</b> An agency shall provide written notice, on a prescribed form, to the LBB not later than the 10th day after the date the agency enters into a contract for professional services, other than a contract for physician or optometric services, if the amount of the contract, including an amendment, modification, renewal, or extension of the contract, exceeds \$14,000.	39
<b>Revision:</b> An agency must provide written notice in a prescribed format to the LBB within 30 days of the date the entity enters into a contract for consulting services if the amount of the contract, including an amendment, modification, renewal, or extension of the contract, exceeds \$50,000.	Procurement Method - Consulting Services	Substantive revisions	42	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2254.0301(a)	<b>Change:</b> An agency must provide written notice in a prescribed format to the LBB not later than the 10th day after the date the entity enters into a contract for consulting services if the amount of the contract, including an amendment, modification, renewal, or extension of the contract, exceeds \$14,000.	40
<b>Addition:</b> Procurement-related guidance for Governor-declared disasters can be found in Appendix 12	Procurement Method - Texas Disaster Act of 1975	Substantive revisions	46	SB 986 (86 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2262.057.	N/A	44
<b>Revision:</b> Updated graphic with the following wording: In determining best value, price and whether the goods or services meet specifications are the principal considerations.	Comparison of Competitive Procurement Methods (graphic)	Substantive revisions	47	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2155.074(b), (b-1)	<b>Change:</b> In determining best value, price and whether the goods or services meet specifications are the most important considerations.	45
<b>Revision:</b> Updated to reflect Texas Grant Management Standards (and link)	Request for Applications	Non-substantive clarification	47	N/A	N/A	<b>Removal:</b> Reference to Uniform Grant Management Standards (UGMS)	45
<b>Addition:</b> For solicitations exceeding \$20 million, a Notice of Intent to Procure must be posted to the ESBD at least 2 months prior to advertising the solicitation. The notice will include a description of the goods or services to be procured and applicable NIGP class and item codes.	Procurement Lead Time	Substantive revisions	48	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2262.051(j).	N/A	46

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<b>Addition to Graphic:</b> Post Notice of Intent to Procure > \$20M QAT Review for MIRP contract ≥ \$10M	Procurement Lead Time and Template (graphic)	Substantive revisions	49	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2262.051(j).	N/A	47
<b>Addition to Graphic:</b> Post Notice of Intent to Procure > \$20M QAT Review for MIRP contract ≥ \$10M	Internal Calendar of Events (graphic)	Substantive revisions	50	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2262.051(j).	N/A	47
<b>Revision:</b> The scope of work is a section of a solicitation that provides a description of the products and services to be provided by the vendor.	Scope of Work	Non-substantive clarification	53	N/A	N/A	<b>Change:</b> The scope of work is a description of the products and services to be provided by the vendor who is awarded the contract.	51
<b>Revision:</b> Specifications are the “line item” descriptors within a solicitation that define the good or service that the vendor must offer to be considered for award.	Specifications	Non-substantive clarification	53	N/A	N/A	<b>Change:</b> A specification is a description of a product or service the agency seeks to procure and is also what the vendor must offer to be considered for contract award.	51
<b>Addition:</b> Agencies may choose to accept electronic signatures in lieu of handwritten signatures. “Electronic signature” means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.	Electronic Submission and Signatures	Substantive revisions	64	HB 2278 (80 <sup>th</sup> Legislative Session, R.S)	TEX BUS. & COM. CODE §§ 322.002, 322.007	N/A	62
<b>Revision:</b> Purchase price and evidence that the goods or services meet specifications are the principal considerations when goods and services are procured through competitive bidding.	Evaluation Criteria for Award	Substantive revisions	65	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2155.074(b)	<b>Change:</b> Purchase price and evidence that the goods or services meet specifications are the most important considerations when goods and services are procured through competitive bidding.	63



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<p><b>Addition:</b> Requests for expedited CAT reviews can be made in the POD portal during the CAT submission process. Agencies may designate a solicitation as low-risk and select one of three options for the request to expedite: 1.) Template Solicitation 2.) Risk Analysis or 3.) Reduced Monitoring (if an agency is reported by the SAO as requiring reduced monitoring).</p> <p><b>Addition:</b> If requesting an expedited CAT review, the agency must attach supporting documents such as a previously reviewed template solicitation or the risk analysis and conclusions document.</p> <p><b>Addition:</b> Agencies identified by the SAO as requiring additional monitoring may not designate a solicitation as low-risk and request an expedited review even if the solicitation would otherwise qualify. Agencies requiring additional monitoring must also attach the needs assessment, acquisition plan, and risk assessment in addition to the full solicitation package.</p>	CAT - Review of Solicitations with a Value of \$5M or more	Substantive revisions	66	SB 65 (86 <sup>th</sup> Legislature, R.S)	34 TEX. ADMIN. CODE § 20.163; 34 TEX. ADMIN. CODE § 20.164	N/A	64-65

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<p><b>Addition:</b> “Major information resources project” means:</p> <ul style="list-style-type: none"> <li>• any information resources technology project identified in a state agency’s biennial operating plan whose development costs exceed \$5 million and that:                             <ul style="list-style-type: none"> <li>» requires one year or longer to reach operations status;</li> <li>» involves more than one state agency; or</li> <li>» substantially alters work methods of state agency personnel or the delivery of services to clients;</li> </ul> </li> <li>• any information resources technology project designated by the legislature in the General Appropriations Act as a major information resources project; and</li> <li>• 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.</li> </ul>	QAT - Review of Major Information Resources Projects	Substantive revisions	67	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV’T CODE § 2054.003(10).	<p><b>Change:</b> A “major information resources project” is any information resources technology project which is:</p> <ul style="list-style-type: none"> <li>• specifically designated as such by the Legislature in the General Appropriations Act; or -</li> <li>• identified in an agency’s biennial operating plan whose development costs exceed \$5 million and that -                             <ul style="list-style-type: none"> <li>» requires one or more years to reach operation status;</li> <li>» involves more than one state agency; or</li> <li>» substantially alters the work methods of state agency personnel or the delivery of services to clients.</li> </ul> </li> </ul>	65
<p><b>Addition:</b> Agencies are required to post procurements with a contract value of more than \$25,000 to the ESBD, regardless of the source of funds to be used for the contract, to include grant funds.</p>	Electronic State Business Daily	Non-substantive clarification	68	N/A	N/A	<p><b>Change:</b> Agencies are required to post procurements with a contract value of more than \$25,000 to the ESBD, regardless of the source of funds to be used for the contract.</p>	66
<p><b>Revision:</b> For purchases between \$10,000 and \$25,000, the agency must solicit from a minimum of three active vendors on the CMBL including two current Texas-certified HUBs.</p>	Centralized Master Bidders List	Substantive revisions	69	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV’T CODE § 2155.132.	<p><b>Change:</b> For purchases between \$5,000 and \$25,000, the agency must solicit from a minimum of three active vendors on the CMBL including two current Texas-certified HUBs.</p>	67

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<p><b>Addition:</b> The solicitation should provide the agency’s primary and secondary designated points of contact and identify the acceptable forms of communication with the agency such as telephone or email. Solicitations must provide vendors with instructions on when or how vendors can communicate with the secondary point of contact.</p> <p><b>Addition:</b> Alternatively, an agency may choose to create a shared email account that is accessible to designated procurement staff who can assist vendors with additional concerns, while following the protocols established in the solicitation. Agency personnel who have access to the shared email account should be familiar with the Vendor Communications policy.</p>	Communication with Agency Personnel	Substantive revisions	71	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV’T CODE § 2262.051(i).	<b>Change:</b> The solicitation should provide the agency’s designated point of contact and identify the acceptable forms of communication to the agency such as telephone, or email.	69
<p><b>Addition:</b> For procurements exceeding \$20 million, the Contract Developer must include the reasons an evaluation committee member was selected and their relevant qualifications, as determined by the agency, in the procurement file.</p>	Evaluation Committee	Substantive revisions	75	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV’T CODE § 2262.051(i).	N/A	73
<p><b>Addition:</b> Prior to evaluating the responses, the Contract Developer will schedule a meeting with the evaluation committee and any authorized technical advisors to provide initial procurement training and guidance on the evaluation process and the scoring matrix.</p>	Evaluation of Responses - Overview	Substantive revisions	76	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV’T CODE § 2262.051(i)(3)	N/A	73

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<p><b>Revision: FEDERAL DATABASE CHECKS</b></p> <p>The Contract Developer (purchaser) must check the SAM (System for Award Management) database to verify that the vendor is not excluded from contract participation at the federal level. In addition, a contract cannot be awarded to a vendor named on the U S Treasury Department, Office of Foreign Assets Control's (OFAC) master list of Specially Designated Nationals &amp; Blocked Persons (with limited exceptions set forth in the Order). The SAM database is not the same as the OFAC Master List. However, the data from the OFAC master list can be found within SAM database. The SAM database is operated by the U.S. General Services Administration, while the OFAC master list is administered by the U.S. Department of Treasury.</p>	Federal Database Checks	Substantive revisions	90	N/A	N/A	<p><b>Change: SAM CHECK</b></p> <p>The Contract Developer (purchaser) must check the SAM (System for Award Management) database to verify that the vendor is not excluded from contract participation at the federal level. A contract cannot be awarded to a vendor named on the U S Treasury Department, Office of Foreign Assets Control's master list of Specially Designated Nationals &amp; Blocked Persons (with limited exceptions set forth in the Order).</p>	87

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<p><b>Addition: ENERGY COMPANY BOYCOTT CHECK</b></p> <p>If the contract is (1) between a governmental entity and a company with 10 or more full-time employees and (2) has a value of \$100,000 or more that is to be paid wholly or partly from public funds of the governmental entity, then the governmental entity may not contract with a company for goods or services unless the contract contains a written verification from the company that it does not boycott energy companies and will not boycott energy companies during the term of the contract. Prior to award, the Contract Developer (purchaser) must check the divestment lists to determine if the potential awardee is in violation of this requirement. The divestment lists are maintained by the Texas Safekeeping Trust Company and posted to the CPA website. This requirement does not apply to a governmental entity that determines the requirements are inconsistent with its duties related to debt obligations or funds.</p>	Energy Company Boycott Check	Substantive revisions	91	SB 13 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2274.001	N/A	
<p><b>Content Revision to Graphic: LBB Reporting Requirements</b></p>	LBB Reporting Requirements (graphic)	Substantive revisions	93	SB 799 (87 <sup>th</sup> Legislature, R.S.)	General Appropriations Act, Senate Bill 1, 87 <sup>th</sup> R.S. at Article IX, Section 7.04. See <i>also</i> TEX. GOV'T CODE § 2166.2551, TEX. GOV'T CODE § 2254.006, TEX. GOV'T CODE § 2254.0301.	<b>Change:</b> LBB Reporting Requirements	90

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<b>Content Addition to Graphic:</b> FOB Origin Freight Collect & Allowed FOB Origin Freight Prepaid & Allowed FOB Destination Freight Prepaid & Allowed FOB Destination Freight Prepaid & Added	Carrier Shipping Methods (graphic)	Substantive revisions	103	N/A	N/A	N/A	100
<b>Addition:</b> Despite best efforts to resolve an invoice issue, some circumstances may require that payment approval be withheld, no more than 110% of the disputed amount.  <b>Addition:</b> An agency shall notify a vendor of an error or disputed amount in an invoice within 21 days of receipt of the invoice. The agency shall include a detailed statement about the disputed amount.	Withholding Payment	Substantive revisions	104	HB 1476 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2251.042(d); TEX. GOV'T CODE § 2251.042(a).	<b>Change:</b> Despite best efforts to resolve an invoice issue, some circumstances may require that payment approval be withheld.	101
<b>Revision:</b> If the score is an “A,” “B,” or a “C,” the public-facing VPTS automatically displays the performance report without agency comments.	Scoring a Vendor	Substantive revisions	111-112	N/A	34 TEX. ADMIN. CODE § 20.509.	<b>Change:</b> If the score is an “A” or a “B,” the public-facing VPTS automatically displays the performance report without agency comments.	109
<b>Revision:</b> Letter Grade Explanations update/No scenarios provided	Vendor Scoring Guide (graphic)	Substantive revisions	112	N/A	34 TEX. ADMIN. CODE § 20.509.	<b>Change to Graphic:</b> Grades Explanations updated and Scenarios removed	109

Revised Content in Version 2.0	Topic	Nature of Revision	TxPCMG 2.0 Page Location	Impacting Legislation	Statute/Rule	TxPCMG 1.3 Content/Language	TxPCMG 1.3 Page Location
<p><b>Addition:</b> Responses to Vendor Reports</p> <p>Reports with a letter grade of “A”, “B”, or “C” are automatically published to the VPTS and are visible to the public. Reports with a letter grade of “D” or “F” are not published for a period of 30 calendar days. During this time, vendors have an opportunity to dispute the report grade and agency remarks by providing documentation and supporting evidence. If there are no vendor responses within the 30-day period, the report and grade are published on the public facing VPTS website.</p>	Response to Vendor Reports	Substantive revisions	113	SB 20 (84th Legislative Session, R.S.)	34 TEX. ADMIN. CODE § 20.509; TEX. GOV'T CODE § 2262.055	<b>Removal:</b> How Vendor Score is Calculated	110
<p><b>Addition:</b> Vendor Performance Report Protest</p> <p>Once a vendor performance report is published, time is essential for vendors to protest a posted grade. Only report grades of “D” or “F” may be protested and the protest must be received by the Comptroller within 10 days of report publication.485 Protests of report grades submitted more than ten (10) days after the publication of the report will not be accepted. To protest a report grade, vendors must submit a Vendor Protest Form via email to the VPTS at vendor.performance@cpa.texas.gov. The vendor and/or agency may be contacted for clarification during this process. The Statewide Procurement Division will investigate the protest and make the final grade determination.</p>	Vendor Performance Report Protests	Substantive revisions	113	SB 20 (84th Legislative Session, R.S.)	34 TEX. ADMIN. CODE § 20.509; TEX. GOV'T CODE § 2262.055	N/A	110
<p><b>Addition:</b> Federal Database Check Energy Company Boycott</p>	Post-Payment Audits	Substantive revisions	115	SB 13 (87th Legislature, R.S.)	TEX. GOV'T CODE § 2274.001	<b>Change:</b> SAM Check to Federal Database Check	112

Revised Content in Version 2.0	Topic	Nature of Revision	TxPCMG 2.0 Page Location	Impacting Legislation	Statute/Rule	TxPCMG 1.3 Content/Language	TxPCMG 1.3 Page Location
<b>Revision:</b> Electronic State Business Daily (ESBD), Scope of Work, Specifications <b>Addition:</b> Texas Grant Management Standards (UGMS)	Appendix 1	Substantive revisions	APP1	N/A	N/A	<b>Removal:</b> Uniform Grant Management Standards	Appendix 1
<b>Addition:</b> TxGMS	Appendix 2	Substantive revisions	APP2	N/A	N/A	<b>Removal:</b> UGMS	Appendix 2
<b>Revision:</b> Year	Appendix 4	Non-substantive clarification	APP4	N/A	N/A	<b>Change:</b> Year	Appendix 4
<b>Revision:</b> Procurement Oversight & Delegation Portal	Appendix 5	Non-substantive clarification	APP5	N/A	N/A	<b>Change:</b> Procurement Oversight & Delegation Portal	Appendix 5
<b>Revision:</b> Section 2. Internal Calendar of Events	Appendix 6	Substantive revisions	APP6	SB 799, SB 13 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2262.051(j); TEX. GOV'T CODE § 2274.001	<b>Change:</b> Section 2. Internal Calendar of Events	Appendix 6



Revised Content in Version 2.0	Topic	Nature of Revision	TxPCMG 2.0 Page Location	Impacting Legislation	Statute/Rule	TxPCMG 1.3 Content/Language	TxPCMG 1.3 Page Location
<b>Revision:</b> Advertising Requirement column, Delegation Requirements column, Competitive Bidding column, Posting Requirements column	Appendix 7	Substantive revisions	APP7	SB 799, SB 13 (87 <sup>th</sup> Legislature, R.S.)	Tex. Gov't Code §§ 2157.006, 2157.068; 1 TAC Chapter 212, Subchapter C; 34 TAC § 20.391; 34 TAC § 20.82(b)(1); 34 TAC § 20.82; Tex. Gov't. Code §§ 322.020(a)-(b), 2166.2551, 2254.006, 2254.0301; Texas General Appropriations Act, Article IX § 7.04(d). 87 <sup>th</sup> Legislature (2021); Tex. Gov't Code § 2054.008(b); . Tex. Gov't Code § 2157.068(e-1) (3); . Texas General Appropriations Act, Article IX § 7.12 87 <sup>th</sup> Legislature (2021); Tex. Gov't Code § 2157.068(e-2), 2157.006, 2157.068(e-1)(3); 34 TAC § 20.391; Tex. Gov't. Code § 2157.068(e-3); Tex. Gov't. Code § 2262.051(j).	<b>Change:</b> Advertising Requirement column, Delegation Requirements column, Competitive Bidding column, Posting Requirements column	Appendix 7
<b>Addition:</b> Point of Contact, Notice of Intent to Procure >\$20M, Evaluation Committee Member Qualifications for contract > \$20M, Energy Company Boycott Check of the TTSTC Divestment Statutes Lists	Appendix 8	Substantive revisions	APP8	SB 799, SB 13 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2262.051(j); TEX. GOV'T CODE § 2274.001	N/A	Appendix 7

Revised Content in Version 2.0	Topic	Nature of Revision	TxPCMG 2.0 Page Location	Impacting Legislation	Statute/Rule	TxPCMG 1.3 Content/Language	TxPCMG 1.3 Page Location
<b>Addition:</b> Contract Management Standards for Emergency Purchases	Appendix 12	Substantive revisions	APP12	SB 986 (86 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2262.057.	N/A	New Appendix
<b>Addition:</b> The Contract Developer will provide initial procurement training (ethics, fundamental principles of procurement, best value standards, and evaluation weights and criteria) as well as guidance on the evaluation process to evaluation committee members. (See attached sample Committee Member Training Outline.) <b>Addition:</b> Committee Member Training Outline	Appendix 19	Substantive revisions	APP19	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2262.051(i)(2).	N/A	Appendix 18
<b>Addition:</b> Cloud Computing State Risk and Authorization Management Program, COVID-19 Vaccine Passport Prohibition, Critical Infrastructure Affirmation, Data Management and Security Controls, Energy Company Boycotts, Firearm Entities and Trade Associations Discrimination, National Anthem Verification Clause	Appendix 23	Substantive revisions	APP23	SB 475; SB 968; SB 2116; SB 475; SB 13; SB 19; SB 4 (87 <sup>th</sup> Legislative Session, R.S.)	TEX GOV'T CODE § 2054.0593; TEX HEALTH & SAFETY CODE § 161.0085; TEX GOV'T CODE § 2274.0102; TEX GOV'T CODE § 2054.138; TEX GOV'T CODE § 2274.002; TEX GOV'T CODE CH. 2274; TEX GOV'T CODE § 2274.002.	N/A	Appendix 22
<b>Addition:</b> Critical Infrastructure Subcontracts	Appendix 24	Substantive revisions	APP24	SB 2116 (87 <sup>th</sup> Legislative Session, R.S.)	TEX GOV'T CODE § 2274.0102	<b>Removal:</b> Waiver of Consequential Damages clause	Appendix 23
<b>Revision:</b> Dollar thresholds PCC E, PCC F, PCC Q	Appendix 30	Substantive revisions	APP30	SB 799 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2155.132(e);	<b>Change:</b> Dollar thresholds PCC E, PCC F, PCC Q	Appendix 29
<b>Revision:</b> PCC A, PCC C, PCC D, PCC E, PCC F, PCC I, PCC K, PCC L, PCC M, PCC N, PCC P, PCC Q, PCC S, PCC T, PCC X,	Appendix 31	Substantive revisions	APP31	SB 799, SB 13 (87 <sup>th</sup> Legislature, R.S.)	TEX. GOV'T CODE § 2155.132(e); TEX. GOV'T CODE § 2274.001	<b>Change:</b> PCC A, PCC C, PCC D, PCC E, PCC F, PCC I, PCC K, PCC L, PCC M, PCC N, PCC P, PCC Q, PCC S, PCC T, PCC X	Appendix 30