

Consideration of Proposed Amendments to 22 Tex. Admin. Code §211.9, relating to *General Considerations*

Background: During the 84th Legislative Session, Senate Bill (SB) 20 was enacted by the Texas Legislature and amended Chapter 2261 of the Texas Government Code. Among other things, SB 20 requires each state agency, by rule, to establish a procedure to identify each contract that requires enhanced contract or performance monitoring and submit information to the agency's governing body. The proposed amendments, attached as Attachment "A", are necessary to implement these statutory requirements.

Board Action: Move to approve the proposed amendments to 22 Texas Administrative Code §211.9, by adding new subsection (f), with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the *Texas Register*. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Texas Administrative Code §211.9, relating to *General Considerations*, as proposed.

Attachment "A"

§211.9. General Considerations.

(f) Enhanced Contract and Performance Monitoring.

(1) The following contracts require enhanced contract or performance monitoring:

(A) A contract for the purchase of goods or services that has a value exceeding \$1 million; and

(B) A contract with a value of less than \$1 million, if the Board's contract manager determines enhanced contract or performance monitoring is appropriate.

(2) For contracts identified under paragraph (1) of this subsection, the Board's contract manager or designated staff member must submit the following information to the Board:

(A) the general purpose of the contract;

(B) the name of the vendor;

(C) the legal authority under which the contract was entered;

(D) the current cost of the contract; and

(E) the total cost of the contract, including contract renewals.

(3) The Executive Director shall be immediately notified of any serious issue or risk that is identified with respect to a contract monitored under this subsection.