

PURCHASING AUTHORITY

Texas Government Code, Subtitle D, Title 10, rules established by the Texas Building and Procurement Commission (TBPC), and department policy govern the purchasing practices of the Texas Department of Transportation (TxDOT).

Legislation establishes the competitive nature of the procurement process and establishes TBPC as the procurement agency for the state. Legislation also requires the purchase of information and telecommunication systems hardware, software and associated services to be procured through the Department of Information Resources (DIR) contracts. If not available on a DIR contract, then through catalog purchase procedures. TBPC rules delegate to agencies purchases under \$25,000 and all services, following rules established by TBPC. All purchases of supplies and equipment over \$25,000 must go through TBPC.

BIDDERS' LIST

Texas has established one Centralized Master Bidders' List (CMBL) for all vendors wishing to do business with the state. Purchasers at all state agencies are required to use this list whenever they are selecting vendors for bidding purposes.

Your business can apply for inclusion on the CMBL by completing an online application at <http://www.tbpc.state.tx.us/cmbli/index.html>. There is a \$70 annual registration fee. Once your business is registered, you have the responsibility of keeping your profile updated by accessing this same Web site. If you need assistance in filling out the application or updating your file, you can contact TBPC at 512/463-3459.

Inclusion on this list is one way to bring the name of your company before our purchasers. However, it does not guarantee that you will receive an award. You still must market your business to our purchasers to let them know what commodities and/or services you provide.

TxDOT District Offices

TxDOT has divided the state into 25 districts. Most districts are authorized to make routine procurements of commodities up to \$25,000 and to advertise for all services.

Divisions

TxDOT has supporting divisions and offices located in Austin. The TxDOT General Services Division purchases supplies and equipment up to \$25,000 and all services for divisions. This purchasing

office is located at 38th and Jackson, Building 5, in Austin.

PURCHASE OF SUPPLIES AND EQUIPMENT

TxDOT uses several methods of vendor selection. The method used is determined by the estimated total cost of all items listed on the request.

Under \$5,000 – Competitive bidding is not required. A quote may be requested from a single vendor, and a purchase order issued on the basis of this quote.

\$5,000 to \$25,000 – A minimum of three bids is solicited from vendors on the CMBL. The purchaser may also solicit bids from local vendors. As a minimum, two-thirds of the bids should be solicited from historically underutilized businesses (HUBs). The bids are evaluated and a purchase order issued to the lowest bidder meeting specifications.

Over \$25,000 – Purchases are made on the open market through TBPC. All vendors on the CMBL listed under the class and item for the requested commodity or service will receive a solicitation. Solicitations are formal, sealed bids with a specified opening date and time.

All purchases with an estimated cost of \$25,000 or more are advertised on the Electronic State Business Daily (ESBD) at www.esbd.tbpc.state.tx.us. A prospective bidder may request, via the ESBD or in writing, a copy of a solicitation any time prior to the bid opening date and time. Information on open market solicitations is at www.tbpc.state.tx.us/bid_opps.html.

After the bid opening, solicitations are evaluated for compliance with specifications and other terms and conditions listed on the solicitation. Awards are posted on the ESBD, or are available for public viewing in the purchasing office that issued them.

PURCHASE OF INFORMATION SYSTEMS

Information and telecommunication systems hardware, software and associated services must be procured from established Department of Information Resources (DIR) contracts. Information regarding DIR contracts may be obtained at www.dir.state.tx.us and clicking on "Contracts Search" in the left hand column. Items and services not available on a DIR contract must be purchased from the Catalog Information Systems Vendor "CISV" program. Information about participating in this program can be found at www.tbpc.state.tx.us/stpurch/cisv.html.

PURCHASE OF SERVICES

TBPC delegated the purchase of services to TxDOT. Districts solicit bids for all services, regardless of the amount. TxDOT General Services Division in Austin purchases all services for divisions.

Contact Information
Web site: www.dot.state.tx.us
Fax: 512/374-5482
Phone: 512/374-5419

FILLING OUT SOLICITATIONS

All exceptions or deviations from specifications must be noted on the solicitation. If no exceptions are taken on the solicitation, it is assumed that the product or service bid meets all advertised specifications. If exceptions are taken and indicate that the product or service does not meet the minimum requirements of the specification, the bid will be disqualified from consideration for an award.

All items must have a unit price and this price will prevail should there be an extension error.

Delivery should be quoted F.O.B. destination unless otherwise specified.

Quoted delivery should be realistic; it is not normally a factor in an award unless so indicated on the solicitation. If no delivery time is specified, delivery is expected within 14 calendar days.

All solicitations must be signed by a person authorized by the bidder. Unsigned solicitations are automatically disqualified.

AWARD OF PURCHASE ORDER

Unless clearly stated on the solicitation, purchase orders are awarded on the basis of lowest bid meeting all specifications, and all terms and conditions listed on the solicitation, including those on the back of the form.

DELIVERY OF GOODS

Deliveries are to be made F.O.B. the address shown on the purchase order in the box marked "Destination of Goods" unless otherwise specified.

PAYMENT FOR GOODS AND SERVICES

The State of Texas is required by law to make payment within 30 days after receipt and acceptance of merchandise and receipt of a correct invoice, whichever is later. The invoice should include the purchase order number and a valid vendor or taxpayer identification number to expedite payment. Direct deposit of payment is available upon request. If interested in this service, you will need to contact the Finance Division at 512/486-5614.

HISTORICALLY UNDERUTILIZED BUSINESSES (HUBs)

Qualifying businesses should apply to be certified as a HUB by completing the HUB application which can be accessed at www.tbpc.state.tx.us/hub/forms/hubcert.html. When completed, send the application and all required documentation to TBPC.

The State Purchasing Act requires all state agencies to make a good faith effort to contract a percentage of their agency's purchases with HUBs. In pursuit of this goal, TxDOT purchasers contact HUBs for quotes whenever possible. TxDOT actively recruits HUBs at forums, seminars, etc.,

and can provide training on the procurement process, if desired. Being listed on the CMBL is an effective way of ensuring your visibility to state purchasers.

Title VI Assurances

TxDOT, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to TxDOT procurements, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.

Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination, including employment practices.

Solicitations for Subcontractors, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under its contract relative to nondiscrimination on the grounds of race, color or national origin.

HOW TO

SELL

TO

