

Section 2.6

Term Contracts

Texas Procurement and Support Services (TPASS) division establishes term contracts by National Institute of Governmental Purchasing (NIGP) commodity/service codes as a source for state agencies, universities, and the members of the Cooperative Purchasing Program.

In accordance with the delegations established by Government Code §2155.132, 34 Texas Administrative Code §§20.40-20.41 and this Procurement Manual, state agencies are required to use the established term contracts for procurement of goods and services. All [term contracts](#) are accessible online.

Types of Contracts: TxSmartBuy, Managed, CCG, Travel and TXMAS

When utilizing term contracts, ordering entities shall review specific contracts for minimum purchase limits, delivery terms, and any special conditions. Purchase orders generated through the TxSmartBuy on-line ordering system should be reviewed by the agency for completeness and accuracy. Agencies are directly responsible for any errors and the subsequent corrections.

The applicable Purchase Category Code (PCC) is referenced by each type of contract.



TxSmartBuy Contracts –PCC A

The TxSmartBuy contracts require on-line purchase order processing through the TxSmartBuy ordering system.

Learn more about the [TxSmartBuy](#) ordering system.

The [TxSmartBuy Help](#) page provides access to System Demos; Purchaser Demos; System User Guides and other information for using the system.

E-mail txsmartbuy@cpa.texas.gov or call toll free 888-479-7602 or 512-936-2764 in Austin for purchaser access instructions.

Managed and CCG Contracts

View information on [Managed](#) & [CCG](#) contracts.

Managed Contracts: PCC C

CCG Contracts: Doc Type 9

Legal Cite for Purchase Order: Government Code 2162.105 State Council on Competitive Government

Managed contracts are identified in the term contract listing with the letter “M” as part of the Contract Number (ex: 999-M1) and the contractor specific requirements are listed in the “Details” for each contract. The pricing will be listed in the Contract Details or as a linked attachment.

CCG Contracts are identified in the term contract listing with the NIGP Class/Item applicable to the service or commodity. (ex: 645-32 Print Shop Specialty Paper and Supplies)

Managed contract(s) are usually unique to the needs of a specific agency; however, they may be utilized by all qualified entities. Each agency is required to issue one or more internal purchase order(s) referencing the contract number and forward directly to the contractor(s) to be eligible for the contract pricing.

CCG contracts are required to be used by all state agencies. Each agency is required to issue one or more internal purchase order(s) referencing the contract number and forward directly to the contractor(s) to be eligible for the contract pricing.

Travel and Corporate Charge Card

View the listing of [travel and charge card contracts](#).

Types of contracts (not limited to):

- Airlines
- Corporate Charge Card
- Hotels
- Rental Car
- Travel Agency

For an overview of state travel and charge card contracts, view the [State Travel Management Program](#) (STMP) page.

TXMAS Contracts - PCC X

As an alternative purchasing method, TPASS utilizes Texas Multiple Award Schedule (TXMAS) contracts that have been developed from contracts awarded by the federal government or any other governmental entity of any state.

View the [TXMAS Program](#), its purchasing procedures and listing of active contracts.

Contract Pricing and Price Adjustments – TPASS Term Contracts (TxSmartBuy and Managed)

Many long-term contracts allow the contractor to request price adjustments according to the terms and conditions of the contract. Contract price changes must be submitted in writing by the contractor and approved by the TPASS Contract Management Office (TCMO). Requests for price adjustments will be processed within 15 days after receipt or by a date agreed upon by TPASS and the contractor.

TPASS communicates changes to any TPASS Contract through the GovDelivery e-mail system.

[Sign up for TPASS e-mail lists](#) (for state/local government) under “Stay Connected!”

Available e-mail lists are Procurement, Travel, State Contracting and more.

TxSmartBuy

Upon approval, TPASS will update the contract(s) in TxSmartBuy to reflect adjustments.

The pricing reflected on orders placed through TxSmartBuy should always be the current price. For instances where the price was not updated due to extenuating circumstances through TPASS, the agency (ordering entity) and/or contractor should forward the information to the TPASS Contract Management Office to process a revised purchase order through the system.

Agencies (ordering entities) will not have access to process changes to pricing for TxSmartBuy orders.

Managed Contracts

Requests for price adjustments will be processed within 15 days after receipt of request from the contractor or by the date agreed upon by TPASS and the contractor. Upon approval, TPASS will update the price listing on the contract(s) on the Managed contract link.

Confirmation Orders

TxSmartBuy: Confirmation orders are not allowed through the TxSmartBuy on-line ordering system.

Delegated Procurements and TPASS Managed, CCG and TXMAS

TPASS does not recommend the use of confirmation orders (an order formally documented after the transaction has occurred) but realizes they may be necessary to facilitate expedited ordering during critical times. A contractor may choose to accept phone orders before receiving the actual written order. Because this is not a requirement in the terms of a TPASS contract, it is each contractor's decision whether or not to accept a phone order. Telephone orders are not written agreements and may cause difficulties among the parties regarding critical terms. If the contractor accepts the phone order, the ordering entity shall issue a purchase order as soon as possible and include the clause: "**Confirmation Order of (Date) - Do Not Duplicate. Order confirmed with (Name)**". Including the confirmation date is critical since it determines the price. Failure to clearly document the purchase as noted could allow the contractor to ship the order a second time when the written order is received, and the ordering entity may be liable for payment of the duplicate order or for restocking charges if a return is requested. If a price increases between the time the verbal order is placed and the date of the written order, the verbal order date will control the price.

Blanket Orders

Blanket orders are not allowed to be entered through the TxSmartBuy on-line ordering system

Blanket orders may be issued against TPASS Managed, CCG or TXMAS contracts,

Blanket orders are for stated delivery quantities on specific dates and the quantities are guaranteed. Agencies (ordering entities) placing blanket orders against these contracts are responsible for updating their orders during any term of the order with price changes.