

## Section 2.11

### **Purchase of Automated Information Systems/Telecommunication Commodities and Services PCC D and I**

Automated information system (AIS)/telecommunication commodities and services include:

1. computers and computer devices on which an information system is automated, including computers and computer devices that TPASS identifies in guidelines developed by TPASS in consultation with DIR and in accordance with Texas Government Code Chapter 2054 and rules adopted under that chapter;
2. a service related to the automation of an information system, including computer software or computers;
3. a telecommunications apparatus or device that serves as a component of a voice, data, or video communications network for transmitting, switching, routing, multiplexing, modulating, amplifying, or receiving signals on the network, and all other telecommunications services.

Texas Government Code §2157.001 and §2155.068

Save time and money on technology purchasing. DIR has more than [750 contracts in place](#) - all competitively bid per Texas state requirements. Search the contracts at:

#### ***Request for Offers (RFO)***

As authorized under House Bill 2918 and House Bill 3560, 80<sup>th</sup> Legislature, 2007, the RFO method is established by the Comptroller's office by rule effective September 1, 2007 (34 Tex Admin Code §20.391). By definition under this rule, RFOs are open and competitive.

The Request for Offers (RFO) purchasing method is intended as the designated, primary purchasing method for procuring automated information systems/telecommunications commodities and services other than those under the Department of Information Resources' (DIR) IT commodity purchasing program. However, state agencies, institutions of higher education, or local governments may choose to use the RFO purchasing method described below or any other purchasing method authorized by Texas Government Code, Title 10, Subtitle D, which will obtain best value.

The RFO method may be used in three instances under applicable law if:

1. The IT commodity or service is unavailable under DIR's IT commodity purchasing program;
2. The agency has obtained an exemption from DIR or approval from the Legislative Budget Board under Texas Government Code §2157.063(i); or
3. The agency is otherwise exempt from Texas Government Code §2157.068.

#### ***RFO Procedures***

RFO purchasing procedures follow the procedures listed in Section 2.24 (*Centralized Master Bidders List*) for solicitation and award.

RFO solicitations with a value exceeding \$1,000,000 or more must be submitted to TPASS CATRAD for a CAT delegation review.

## **IT Commodity Purchasing Process and Exemption Guidelines through DIR ICT Cooperative Contracts:**

- 1. Search by IT commodity code:** To search for IT commodity items, use the IT commodity code search tool available on the [Products and Services Search](#) page. If an IT commodity code is on the DIR IT Commodity List, a state agency must purchase the item through a DIR contract or must request and be granted an exemption before procuring the item through an avenue other than a DIR contract.
- 2. Review Blanket Exemptions:** Under certain circumstances, DIR may determine that it is reasonable to grant a blanket exemption to all state agencies. Before requesting an exemption, a state agency should review the list of current blanket exemptions to determine if there is a blanket exemption that applies to the IT commodity to be procured.  
If a state agency decides to proceed with its IT commodity procurement under a blanket exemption, the procurement must be made in accordance with the exact scope, terms, and requirements specified in the [IT Commodity Blanket Exemptions](#).
- 3. Submit a One-Time Exemption Request form:** If a blanket exemption does not exist, or if the scope, terms, and requirements of an existing blanket exemption do not meet the state agency's needs, then the state agency must request a one-time exemption by completing and submitting an Exemption Request form. To download form and review evaluation procedures, click [here](#).

### ***Proprietary Purchases of IT Commodities and Services***

See section 2.15 for the proprietary purchasing procedure. In addition to following the proprietary purchasing procedure in Section 2.15, entities must follow the guidelines listed below.

If the procuring entity believes that the good or service may be proprietary to one vendor, then that entity shall include the following statement in bold and prominent type at the beginning of the RFO:

***“The issuing office believes that the requested items in this request for offers may be proprietary to one vendor under Texas Government Code § 2155.067; however the issuing office strongly encourages offers from all qualified respondents that may be able to provide the requested items.”***