



Dear Procurement Officer,

The Legislative Budget Board (LBB) Contracts Oversight Team (COT) will be sending out periodic emails to keep Contracts Database users apprised of new developments. There are a few new items going into the database to increase reporting accuracy.

Summary of Changes for the Week of November 2, 2015:

- New dropdown menu data field to identify Competitive/Non-Competitive contracts
- New check box data field to identify Revenue Generating contracts
- New Contracts Database terms of use

New Data Fields:

The COT has continued to receive feedback from state agencies and institutions on how the LBB can improve the Contracts Database. In an effort to make reporting different types of contracts easier, LBB is introducing two new data fields for new contract entries. Competitive/Non-Competitive contracts will now be explicitly identified via a dropdown menu. Furthermore, Revenue Generating contracts will be explicitly identified with a check box.

Competitive/Non-Competitive Contracts:

Several agencies utilize different types of procurement procedures for their contracting, including some that are statutorily required. In addition, some competitive procurements do not involve publically posting a solicitation. Because of this, Solicitation Posting Date may not apply to all of the contracts being entered into the LBB Contracts Database. To help address this issue, a new dropdown menu with pre-populated options will be made available to Contracts Database users.

The new Competitive/Non-Competitive contracts data field will be required for all contract entries after its implementation. This new field will allow agencies and institutions of higher education to easily identify contracts which use sole source procurements, contracts that are made as emergency procurements, and contracts that are a part of interagency agreements. In addition, an option will be available to affirm that the contract being entered underwent a competitive procurement process.

The LBB COT understands that this change will affect several contracts that have already been submitted to the Contracts Database. To help ease the introduction of this new data field, the LBB COT will go through the existing database records and populate the Competitive/Non-Competitive data field based on the information available. For records that the LBB COT is

uncertain of, we will contact procurement staff to seek clarification. LBB Contracts Database users will be required to fill this field in for all subsequent contracts.

Revenue Generating Contracts:

Many agencies and institutions of higher education enter into revenue generating agreements with private entities or other state entities. Revenue generating contracts do not need to be reported under the General Appropriations Act (GAA) Article IX Section 7.12, which means that revenue generating contracts do not need to have a letter of attestation attached.

Revenue generating contracts, however, do need to be reported under GAA Article IX Section 7.04. Thus far there has been no way for LBB Contracts Database users to identify whether their contract is revenue generating or not. To help agencies and institutions report revenue generating contracts, a new radio button feature will be added to the new contract entry screen. The Revenue Generating contract radio button will be a required field for future contract submissions. By default, the “No” option will be selected. If a contract is revenue-generating, the “Yes” option will need to be selected.

For contracts that have already been submitted to the LBB Contracts Database, agency users are welcome to contact Contract.Manager@lbb.state.tx.us to request updates to the Revenue Generating contract field.

Updated Terms of Use:

The LBB is establishing a new terms of use statement for the Contracts Database. This statement will be displayed at the bottom of the database webpage. In short, the new statement builds on the previous disclaimer and sets a policy for automated entries into the database. In addition, it spells out the LBB’s policy regarding unauthorized tampering with database entries. The new disclaimer is provided in full below.

Contract information maintained by the LBB in the Contracts Database consists of information submitted by state agencies. Every effort is made to ensure the accuracy of these records, however the LBB cannot represent that all information is complete and up-to-date at any given time. Additionally, for purposes of website security, the LBB monitors network traffic to identify unauthorized attempts to upload or change information. Agencies which seek to use automated means to enter data into the Contracts Database must first request authorization to do so by e-mailing Contract.Manager@lbb.state.tx.us. Unauthorized attempts to upload or change information in the Contracts Database are strictly prohibited and may give rise to civil and/or criminal penalties.

Updated Documents:

Several of our resource documents will be updated to reflect these new definitions, and to incorporate question posed by several agencies. These updates include:

- *Data Dictionary:* Added definitions for “Competitive/Non-Competitive Contracts” and for “Revenue Generating Contracts”
- *LBB Contracts Database Transition Guide:* Adds bullet point for Competitive/Non-Competitive Contracts under “Data fields that will need updating.”

- *Reporting Contracts in the LBB Contracts Database (Instructions for State Agencies and Institutions of Higher Education)*: Updates screenshots and includes new definitions
- *LBB Contracts Database Quick Start Guide for Users*: Updates screenshots

We appreciate your effort to keep the Contracts Database up-to-date, and welcome your continued input. The COT understands that this is a new process, and wants to make sure that we communicate changes in a transparent way. As always, if you or your staff has any questions, please direct them to Contract.Manager@lbb.state.tx.us.

Sincerely,
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