



Dear Procurement Officer,

The Legislative Budget Board's (LBB) Contracts Oversight Team (COT) sends out periodic emails to keep Contracts Database users apprised of new developments. For this newsletter, the COT has identified several issues and included their statutory requirements with user guidance.

On-Site Training:

LBB continues to work with agencies and institutions of higher education on interpreting the reporting requirements and using the Contracts Database. While we strive to provide robust support through documentation and customer service, the COT understands that a site visit can often make a big difference in supporting contract reporting compliance. At your request, the COT is happy to perform on-site training for procurement and contracting staff. This service is available to all database users, and can vary from general overviews of database use to specific issues with reporting. In order to arrange an on-site training session with COT staff, please email Contract.Manager@lbb.state.tx.us.

Spot Bid Fair:

The COT has received some questions regarding the upcoming **Contract Spot Bid Fair** which is being held in May at the Irving, Texas Convention Center. This is a good opportunity for agencies to obtain qualified service from Historically Underutilized Businesses. While the Texas Comptroller of Public Accounts may grant certain exemptions for these awards, these exemptions do not extend to LBB reporting requirements. **COT wants to remind procurement staff that the contracts awarded as a part of the Spot Bid Fair should be reported to the LBB.** The COT encourages you to keep track of whether contracts were competitively procured or not, since a contract awarded without competition will be considered a non emergency sole-source procurement for purposes of LBB reporting. If you or your staff has any questions, please feel free to contact us at Contract.Manager@lbb.state.tx.us.

Common Issues:

Adding New Vendors: The LBB receives a nightly download of new vendors from the Texas Comptroller of Public Accounts, but we understand that this may not capture all the vendors agencies are using. The COT is happy to assist agencies in adding new vendors when they are unable to find them on their own in the LBB Contracts Database. A new vendor can be requested through the Contract.Manager@lbb.state.tx.us email account. In order to facilitate the addition of a new vendor, please provide the following information when you email us:

- **Vendor Name**
- **Vendor Mailing Address (including Postal Code, City and State)**
- **Vendor Telephone Number (including area code)**

Attestation Letters: The Eighty-fourth Legislature, General Appropriations Act (GAA), 2016–17 Biennium, Article IX, Section 7.12, requires agency and institution executive directors (or their designees) to attest to the procurement practices used for contracts valued at more than \$10.0 million, and emergency or noncompetitive contracts valued at more than \$1.0 million. Up to this date, COT has received and processed attestation letters directly from agencies as a courtesy. Moving forward, **COT recommends that agencies upload attestation letters to the database as part of the contract entry submission process.**

Agencies are able to upload attestation letters to their own contracts which have already been submitted. In order to do so, you will need to be logged into the LBB contracts database with your credentials. Perform a search, and find the contract that needs a letter added. Next, select the “Edit” button as seen below:

	Code	Agency	Contract	History	Award Date	Current Contract Value (Excludes Options not Exercised)	Bids	Vendor	Attachments	BeingEdited
Edit	1234	Sample Agency	Sample	Contract	08/20/2015	\$50,000	1	Sample Vendor	Sample	<input type="checkbox"/>
Edit	1234	Sample Agency	Sample	Contract	08/20/2015	\$50,000	1	Sample Vendor	Sample	<input type="checkbox"/>
Edit	1234	Sample Agency	Sample	Contract	08/25/2015	\$50,000	1	Sample Vendor	Sample	<input type="checkbox"/>
Edit	1234	Sample Agency	Sample	Contract	08/20/2015	\$50,000	1	Sample Vendor	Sample	<input type="checkbox"/>
Edit	1234	Sample Agency	Sample	Contract	08/21/2015	\$50,000	1	Sample Vendor	Sample	<input type="checkbox"/>

This will take you to your contract page. Scroll to the bottom, and select the “Add Attachments” button. You can add attachments, even if the contract has been submitted:

Attachments	
<input type="checkbox"/> Existing Contract	
Delete Attachment	

Number of Attachments to Add :

The rest is just like adding an attachment to a new contract entry. Find the attestation letter on your computer, and select the “Attach Documents and Return” button:

Each attachment may not exceed 52,400 KB

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After returning to the main screen, select “save” and your contract entry will be updated with the new attestation letter. As a reminder regarding Attestation Letters:

1. Agencies and institutions of higher education must provide these letters for all contracts that meet the reporting threshold, and for which payments are made on or after September 1, 2015, including contracts that were executed before that date. The date of payment (not the date performance is to be commenced in accordance with the contract) should be used in calculating deadlines.
2. If your agency or institution cannot make the required certifications in good faith, the director may strike through any portions of the attestation form they cannot certify, and attach to the certification a detailed explanation identifying the areas of attestation that are amended.
3. The information requested in the letter applies to the original contract procurement methods. If you are amending a contract so that the maximum contract value goes over the attestation value threshold of \$10/\$1 million, agencies will need to certify that the original contract was procured in accordance with the attestation letter requirements.
4. If the amendment does not raise the maximum contract value above the threshold for the attestation letter, then agencies do not need an attestation letter.
5. **Please note that failure to provide the LBB with an attestation letter pursuant to Section 7.12 constitutes a violation of state contract reporting law.**

Submitting contracts that were migrated to the new Contracts Database: During the process of deploying the new Contracts Database on 9/1/2015, the LBB transferred from the old database to the new all previously reported contracts that were effective beyond 8/31/2015. The transferred

contracts have been in a “saved” state since they were imported to the new database. This means that the contract will neither be available to the public, nor considered “submitted” under statutory requirements. **Agencies need to go through their transferred contracts and update the following fields before submission:**

- Vendor Name
- Commodity Code
- Purchase Category Code
- Reporting Code
- Date of Agency Approval
- Budget by Fiscal Year
- Date of Purchase Requisition
- Date of Solicitation
- Number of Bids Received
- Competitive/Non-Competitive
- PDFs of Contracts, Solicitations, and Attestation (if applicable)
- Revenue-Generating

After agencies verify the accuracy of their transferred contracts, the contracts can then be officially submitted to the LBB. If an agency or institution requires time beyond 3/15/2016 to update transferred records, it should contact LBB staff to develop an agreed upon schedule for completing data entry. Similarly, please let us know if any of the migrated contracts are not reportable and need to be removed from the system.

The COT appreciates your efforts to keep the Contracts Database up-to-date, and welcomes your continued input. We understand that this is a new process, and want to make sure that it communicates changes in a clear and understandable way. Please feel free to contact the COT by e-mail (Contract.Manager@lbb.state.tx.us) with any questions you may have.

Sincerely,

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