

Chapter 30. Administration

Subchapter BB. Commissioner of Education: Purchasing and Contracts

§30.2001. Historically Underutilized Business (HUB) Program.

In accordance with the Texas Government Code, §2161.003, the Texas Education Agency (TEA) adopts by reference the rules of the Texas Building and Procurement Commission (TBPC), found at Title 1 Texas Administrative Code, §§111.11-111.28, concerning the Historically Underutilized Business (HUB) Program. For purposes of implementing the TBPC rules at the TEA, references to the state agency or agency shall be considered to be a reference to the TEA.

Statutory Authority: The provisions of this §30.2001 issued under the Texas Government Code, §2161.003.

Source: The provisions of this §30.2001 adopted to be effective January 6, 2005, 29 TexReg 12186.

§30.2002. Procedures for Protests, Dispute Resolution, and Appeals Relating to Purchasing and Contract Issues.

- (a) Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation, evaluation, or award of a contract under the jurisdiction of the Texas Education Agency (TEA) may formally protest to the director of the TEA division responsible for purchasing and contracts. Such protests must be in writing and received in the purchasing and contracts director's office within ten working days after such aggrieved person knows, or reasonably should have known, of the occurrence of the action which is protested, unless the director finds that good cause for delay is shown or determines that a protest or appeal raises issues significant to the TEA's procurement practices or procedures.
- (b) Formal protests must conform to the requirements of this subsection and subsection (d) of this section, and shall be resolved in accordance with the procedure set forth in subsections (e) and (f) of this section. Copies of the protest must be mailed or delivered by the protesting party to the TEA and to the other interested parties. For the purposes of this section, "interested parties" means all respondents who have submitted bids, proposals, or offers for the contract involved. Names and addresses of all interested parties may be obtained by sending a written request for this information to the purchasing and contracts director.
- (c) In the event of a timely protest or appeal under this section, the TEA shall not proceed further with the solicitation or with the award of the contract unless the commissioner of education or the commissioner's designee, in consultation with the purchasing and contracts director, makes a written determination that the ~~expeditious award of the contract is necessary to protect substantial interests of the state.~~ 004(a)(2)(B)(15-1786) [dia] 8/2/17
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