

1. Title

Procurement of Certain Goods and Services

2. Rule and Regulation

Sec. 1 Establishment of Procedures. Each institution and System Administration may acquire goods and services covered by Texas Constitution, [Article XVI, Section 21](#) (including but not limited to stationery, printing, and fuel) from institutional departments or purchase the goods and services from external sources. If the goods or services are purchased from external sources, the goods and services shall be purchased as follows:

1.1 using the method that provides the best value to the institution or System Administration including competitive bidding, competitive sealed proposals, a catalog purchase, a group purchase program, or an open market contract; and

1.2 in accordance with (a) the requirements of *Texas Education Code Sections 51.9335, 73.115, or 74.008*, as applicable, (b) the Regents' *Rules and Regulations*, (c) the U. T. System Administration policies, and (d) the policies and procedures of the institution or System Administration.

Sec. 2 Competitive Procurement. If an institution or System Administration wishes to purchase goods or services covered by Texas Constitution, [Article XVI, Section 21](#) from external sources, the purchase must utilize a competitive procurement method unless another procurement method is authorized by law. All procurements must comply with all applicable procurement policies including any applicable dollar limits.

3. Definitions

Fuel – for purposes of this Rule, means anything consumed to produce energy including coal, natural gas, oil, diesel fuel, gasoline, and propane.

4. Relevant Federal and State Statutes

Texas Constitution, [Article XVI, Section 21](#), Public Printing and Binding; Repairs and Furnishings; Contracts

Texas Education Code [Section 51.9335](#) – Acquisition of Goods and Services

Texas Education Code [Section 73.115](#) – Acquisition of Goods and Services

Texas Education Code [Section 74.008](#) – Acquisition of Goods and Services

5. Relevant System Policies, Procedures, and Forms

Regents' *Rules and Regulations*, [Rule 10501](#) – Delegation to Act on Behalf of the Board

[The University of Texas System Administration Policy UTS159, Purchasing](#)

[The University of Texas System Administration Policy UTS148, Protest Procedures Related to Procurements of Goods and Services](#)

[The University of Texas System Administration Policy UTS137, Historically Underutilized Business \(HUB\) Program](#)

[The University of Texas System Administration Policy UTS128, Consulting Contracts Policy and Procedures Guide](#)

[The University of Texas System Administration Policy UTS145, Processing of Contracts](#)

[The University of Texas System Administration Policy UTS156, Purchaser Training and Certification](#)

6. Who Should Know

Administrators

7. System Administration Office(s) Responsible for Rule

Office of the Board of Regents

8. Dates Approved or Amended

February 8, 2007

9. Contact Information

Questions or comments regarding this rule should be directed to:

- bor@utsystem.edu