



Advertising the Solicitation

When marketing a solicitation, consideration must be given to the type of procurement method used. For example, the advertising requirements of goods and services are different from those of building construction or client service contracts. Agencies should refer to the appropriate statute to ensure the proper advertising procedures are followed. Below is a table to assist in determining the appropriate advertising procedure.

Advertising Methods

Type of Procurement	Applicable Statute*	Advertising Method(s)
Common Goods and Services, including Catalog Information Systems.	Texas Government Code, Sections 2155 & 2166.	Centralized Master Bidder's List. Electronic State Business Daily.
Professional and Consulting Services.	Texas Government Code, Section 2254.	Texas Register. Electronic State Business Daily.
Building Construction.	Texas Government Code, Section 2166.	Texas Register. Newspaper. Electronic State Business Daily.

*If not covered by one of these statutes, some agencies may have their own enabling legislation regarding procurement authority. Agencies should review their enabling legislation in addition to the statutes referenced above.

The Centralized Master Bidders List (CMBL) (<http://www.window.state.tx.us/procurement/pub/manual/2-33.pdf>) is an electronic mail list administered by CPA which is a database of vendors registered by commodity codes

who have provided contact information, commodity codes, and goods/services they offer. Texas Government Code, Title 10, Subtitle D, Subchapter E, Section 2155.263 requires the Comptroller of Public Accounts (CPA) to maintain the CMBL. Agencies shall solicit bids or proposals exceeding \$25,000 from all eligible vendors on the CMBL. Unless exempted by law, the CMBL must be used for all procurements subject to CPA's procurement authority. See the website for specific requirements on when to use the CMBL.

The Electronic State Business Daily (ESBD) (<http://www.window.state.tx.us/procurement/pub/manual/2-33.pdf>) is an internet based website for posting state bid opportunities. It is also administered by CPA. In accordance with Texas Government Code, Title D, Subtitle D, Section 2155.083 and the Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter C, 20.212, the requirement to advertise solicitations using the ESBD applies to all purchases exceeding \$25,000 regardless of source of funds used for the procurement, (including delegated purchases), emergency, construction projects, professional or consulting services, proprietary or purchases exempt from CPA's purchasing authority. Verification of the ESBD advertisement is required in the purchase file. The ESBD is available on the internet at <http://esbd.cpa.state.tx.us/> Agencies must be familiar with the requirements of the ESBD as failure to properly post a bid opportunity will void any resulting contract.

The Texas Register is used to advertise various types of procurements, such as some professional and consulting contracts and some building construction contracts. Refer to each agency's enabling legislation or the Procurement Manual to determine if Texas Register publication is required. The *Texas Register* is administered by the Secretary of State's Office. (<http://www.sos.state.tx.us/texreg/index.shtml>)

Advertising bid opportunities in local newspapers is required for some types of procurements, such as certain types of building construction projects. Refer to the applicable statutes to see if newspaper advertisement is required for a particular procurement.