

Special Purchases

Texas Council for Purchasing from People with Disabilities (currently TIBH)

This entity is not a state agency. Commodity items and services offered in the Texas Industries for the Blind & Handicapped (TIBH) catalogue are reviewed and approved by the Texas Council on Purchasing from People with Disabilities. The council's purpose is to encourage and assist disabled persons to achieve maximum personal independence by engaging in useful and productive activities. Please note the following:

- If a product is approved, it is set aside from competitive bidding and is put on a Comptroller of Public Accounts (CPA) term contract; and
- Purchases of services, approved by the Texas Council on Purchasing from People with Disabilities, from the TIBH catalogue do not require competitive bidding.

Monthly Report on Set Aside Exceptions (Due 5th working day of each month)

The Human Resources Code, Section 122.16, Subsection (b), requires the CPA to provide a monthly report to the Texas Council on Purchasing from People with Disabilities (TCPPD) listing all items/services purchased as exceptions to Subsection (a) of Section 122.16 and Texas Government Code, Title 10, Subtitle D, Section 2155.138, Subsection (a). In order for CPA to provide this information to the TCPPD, each state agency must provide to CPA all delegated purchases made as exceptions to the set-aside contracts as listed below. The report must include:

- Description of products/services purchased as exception
- Requisition Number
- Date of Requisition
- CPA Commodity Code (Class & Item)
- Quantity of product or duration of service purchased as exception
- Reason purchase was made as exception
- Dollar amount of purchase
- Unit price

The reporting format for this information should be in Microsoft Word and a form for this purpose is located in Section 4.3 of the Procurement Manual.

It is important that the form be used to assure the information required is usable. Please send this report, via e-mail to TCPPD@cpa.state.tx.us or fax to Central Procurement at (512) 463-8872 AND the TCPPD Program Administrator at (512) 463-3564. Please send a report even if you have no activity during the reporting month and put N/A on the form.

Texas Department of Criminal Justice (TDCJ) / Institutional Division (Texas Government Code, Chapter 497, Subchapter A, Section 497.023 - 497.029):

Competitive bidding is not required for items purchased from TDCJ under the Prison Made Good Acts, except for printing. Printing requires three bids and one bid must be from TCI. In order to use this procedure, the following steps are to be taken:

- A written quotation is obtained from TDCJ/Institutional Division (Texas Correctional Industries-TCI).
- If the quotation is within the agency's delegation limit (see Section 2.11 General Procedures), the agency issues a purchase order directly to TDCJ - Institutional Division. Note the following on the purchasing documentation, "**the award was made under the Prison Made Goods Act and is noncompetitive.**" Code as a document type 9 when a warrant must be issued or Interagency Transaction Voucher (ITV) to electronically transfer payment.
- If the quotation is beyond the agency's delegation, an open market requisition is sent to the CPA with the quotation attached. Note the following on the requisition: "**Please award to TDCJ per attached quotation.**" The CPA will issue an order directly to TDCJ without going to the open market for bids.

PRISON MADE GOODS ACT WAIVER (TDCJ)

The Prison Made Goods Act, requires that an agency purchase goods made by and services offered by the Texas Correctional Industries (TCI). If a product/service offered by TCI as set forth in its catalog of products and services needs to be purchased from a source other than TCI, a waiver from TCI must be obtained. The waiver request can be based on a substantial difference in specifications which could include delivery, or on substantial price differences, or both. **Note:** TCI is located on the CMBL list and bids for printing must include a bid or no bid response (in lieu of the waiver) for this commodity.

In order to request a waiver from TCI, the following form on page 3 must be completely filled out and submitted to TCI:

Address: TCI Customer Service - Waiver Request

P. O. Box 4013

Huntsville, TX 77342-4013

FAX to: TCI Customer Service - Waiver Request

(936) 437-6856

The waiver request shall include the following as a minimum:

- Name and title of the appropriate agency contact person
- Agency name and mailing address
- Agency contact phone and FAX numbers
- Description of items - Include complete specifications that address the characteristics of the item, construction method, detail of differences between the product/service desired and the item offered by TCI.

Note: This description must be complete to permit correct comparison and timely processing of the request.

- Justification - Explain why the TCI product/service does not meet the agency requirement.
- Price & Quantity - State the quantity and the estimated unit price of each item. If system furniture, be certain to specify quantity and cost of completed workstations. If the request is for component parts only, specify this and identify the parts.
- Delivery time from receipt of order - State a realistic time requirement. A delivery date inconsistent with contract terms or normal industry standards shall be justified by a written certification from the agency director of purchasing. Specify delivery in terms of month, day and year that the product/service is needed.

Waiver requests will be evaluated on a case-by-case basis. Should a request be denied, an appeal may be made to the CPA. To expedite processing an appeal, be sure to provide the waiver identification number found on your waiver denial letter.

Further clarification may be obtained by calling TCI Customer Service at (409) 294-6384.

Texas Government Code, Chapter 497 Waiver Request Form

Contact Information	
Agency Contact Name:	<hr/>
Agency/Department:	<hr/>
Address:	<hr/>
Telephone Number:	<hr/>
Fax Number:	<hr/>
PO or Internal Ref. No:	<hr/>
Required Delivery Date:	<hr/>

Item Name	Catalog Number	Qty.	Each Price
Justification			

SECTION 2.5
REVISED DATE: 04/99