

Chapter: Agency Management and Operations Subchapter: Contracts Title: Contract Authority and Responsibilities Statutes: Gov't Code: §2161.003; §2260.052(c); Chapter 2254, Subchapters A and B; and §2270.002	Effective Date: 9/1/24 Page: 1 of 2 Replaces: GAP.385.1101, 5/1/19
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RULE

(a) **Purpose.**

This rule establishes the responsibilities for approving and executing contracts required by the Texas Juvenile Justice Department (TJJD).

(b) **Applicability.**

This rule applies to all contracts entered into by TJJD.

(c) **Definitions.**

As used in this chapter, the following terms have the following meanings, unless the context clearly indicates otherwise.

- (1) **Board**--the governing board of TJJD.
- (2) **Contract**--a written contract between TJJD and another party, either public or private, for goods or services or for a project as defined by Section 2166.001, Government Code. As used in this chapter, "contract" includes the following: letters of agreement; interagency/interlocal agreements with other government entities; memorandums of understanding; and other agreements in which state funds or services are exchanged for the delivery of goods or performance of services.
- (3) **Total Value**--The estimated dollar amount that a state agency may be obligated to pay pursuant to the contract and all executed and proposed amendments, extensions, and renewals of the contract.

(d) **Authority to Approve Contracts.**

(1) **Board Approval.**

TJJD staff must present certain contracts to the board for approval, including but not limited to:

- (A) any contract with a total value exceeding \$500,000;
- (B) any construction contract with a total value exceeding \$300,000;
- (C) any change order(s) for a construction contract that exceeds \$150,000 individually or cumulatively, or a dollar amount that causes the total value of the contract to exceed \$300,000;
- (D) any contract with a total value exceeding \$15,000 for consulting services, as defined in Section 2254.021, Government Code;
- (E) any contract for architectural or engineering services;
- (F) any contract for start-up residential operations; and
- (G) any other contract appropriate for board approval as determined by the executive director.

(2) **Agency Approval.**

- (A) The board delegates authority to the executive director or designee to approve all contracts not listed in paragraph (1) of this subsection.
- (B) The board delegates authority to the executive director or designee to approve a contract listed in paragraph (1) of this subsection that is executed in response to an emergency, as defined in 34 TAC §20.210.

(e) **Authority to Execute Contracts.**

The board delegates authority to the executive director to execute all contracts for TJJJ. This authority may be delegated by the executive director.

(f) **Annual Contract Plan.**

- (1) TJJJ staff must present to the board for its review an annual plan that outlines TJJJ's anticipated contracting actions for the next fiscal year.
- (2) As deemed necessary by the executive director or designee, updates to the contract plan may be provided to the board for review periodically throughout the fiscal year.

(g) **Historically Underutilized Businesses.**

TJJJ adopts by reference 34 TAC Chapter 20, Subchapter D, Division 1, relating to historically underutilized businesses.
