



THE TEXAS STATE UNIVERSITY SYSTEM

RULES AND REGULATIONS

LAMAR UNIVERSITY

SAM HOUSTON STATE UNIVERSITY

SUL ROSS STATE UNIVERSITY

SUL ROSS STATE UNIVERSITY RIO GRANDE COLLEGE

TEXAS STATE UNIVERSITY-SAN MARCOS

LAMAR INSTITUTE OF TECHNOLOGY

LAMAR STATE COLLEGE-ORANGE

LAMAR STATE COLLEGE-PORT ARTHUR

Adopted September 1, 1980
Amended May 17, 2007

17. “BEST VALUE” PROCUREMENT.

Section 51.9335(a)-(e) of the *Texas Education Code* authorize institutions of higher education to use “best value” procurement process which provide greater autonomy and flexibility in the procurement of goods and services. The following guidelines shall govern “best value” procurement for the System and Components.

17.1 The System and Components may acquire goods and services by the method that provides the “best value” to the institution, including:

- (1) competitive bidding;
- (2) competitive sealed proposals;
- (3) catalogue purchase;
- (4) group purchasing program; or,
- (5) an open market contract.

17.2 In determining what is “best value” the System and Components shall consider:

- (1) the purchase price;
- (2) the reputation of the vendor and of the vendor’s goods and services;
- (3) the quality of the vendor’s goods and services;
- (4) the extent to which the goods or services meet the Component’s needs;
- (5) the vendor’s past relationship with the Component and/or the System;
- (6) the impact on the ability of the Component to comply with laws and rules relating to historically underutilized businesses and to the procurement of goods and services from persons with disabilities;
- (7) the total long-term cost to the Component of acquiring the vendor’s goods or services;
- (8) the use of material in construction or repair to real property that is not proprietary to a single vendor unless the Component provides written justification in the request for bids for use of the unique material; and,
- (9) any other relevant factor that a private business would consider in selecting a vendor

17.3 The System and each Component shall establish purchasing rules and guidelines based upon the procurement rules established by the Board. All procurements shall be made in accordance with all applicable federal, state and local laws, *Rules and Regulations*, and the Board’s “best procurement” *Rules and Regulations*.