



**The Right
Resources.
Right Now.**



MEET THE CP STAFF





MEMBER WORKSHOP AGENDA

November 30, 2022

10:00 to 10:15 a.m.

*Welcome and Introduction
HCDE & Choice Partners Cooperative
New Developments, Choice Ca\$h*

10:15 to 10:45 a.m.

*Legal and Contracts
Food/Cafeteria Contracts*

10:45 to 11:15 a.m.

Navigating the Website

11:15 a.m. to 12:00 p.m.

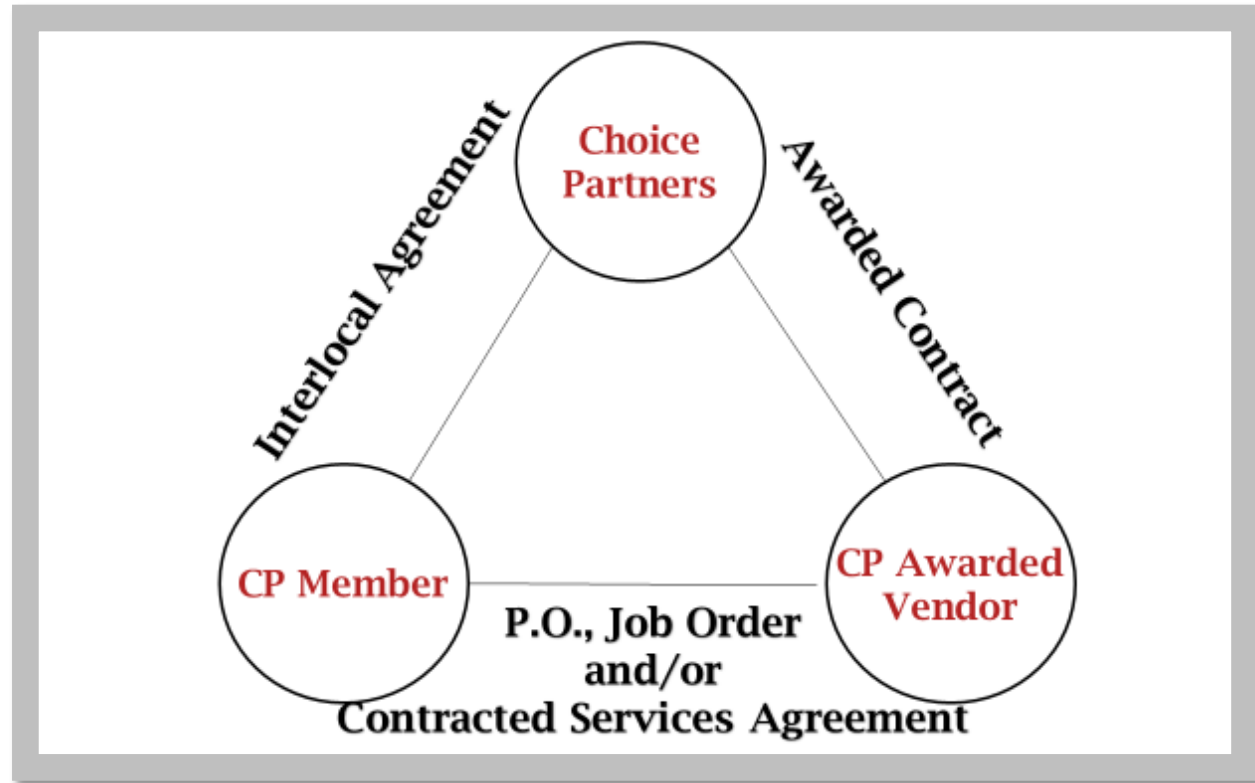
Job Order Contracting

12:00 -12:30 p.m.

Lunch and Closing



WIN, WIN, WIN





HCDE, A GOVERNMENTAL ENTITY

Harris County Department of Education

HCDE is located in Harris County, Texas; it is not a County agency.

HCDE is a governmental agency serving Harris County schools since 1889.

Taxing Authority



THE 5 PILLARS WE SUPPORT

STUDENTS AND EDUCATORS SERVED

GRADUATE
DEDICATED
PURPOSEFUL
CATALYST
PERSISTENT

ADULT EDUCATION
9,121

IMPACT
ENGAGE
DISCOVER
ACHIEVE

CASE FOR KIDS
17,411

SUCCESS
EDUCATION
PREPARE
NUTRITION
HEALTH

HEAD START
3,409

STUDENT
ACADEMIC
ACHIEVER
SCHOLAR
OPPORTUNIST
LEARNER

SPECIAL SCHOOLS
729

TREATMENT
HELPFUL
BENEFIT
UNDERSTANDING
PATIENCE
INSPIRE
ANALYSIS

THERAPY SERVICES
13,898



 CENTER FOR SAFE AND SECURE SCHOOLS
51,655 Students and Educators

 CHOICE PARTNERS
\$28 Million in Support for Districts

 EDUCATOR CERTIFICATION
1,489 Educators Served

 RECORDS MANAGEMENT
42 Government Agencies

 TEACHING AND LEARNING CENTER
9,200 Educators Served



LEGAL REQUIREMENTS





Legal Foundation for Cooperative Contracts

TEXAS	<p>Sec. 791.011. CONTRACTING AUTHORITY; TERMS. (a) A local government may contract or agree with another local government...to perform governmental functions and services in accordance with this chapter.</p> <p>(c) An interlocal contract may be to:</p> <p>(2) provide a governmental function or service that each party to the contract is authorized to perform individually</p> <p>(j) ... the term "purchasing cooperative" means a group purchasing organization that governmental entities join as members and the managing entity of which receives fees from members or vendors.</p> <p>https://statutes.capitol.texas.gov/Docs/GV/htm/GV.791.htm</p>
FEDERAL	<p>§ 200.318 General procurement standards.</p> <p>(e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements.</p> <p>https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d/section-200.318</p>



Procurement Methods used by Choice Partners

Request for Proposals (RFP)	For Goods and (non-construction) Services
Competitive Sealed Proposals (CSP)	For Construction Services (Excluding architectural and engineering) Job Order Contracts (JOC) Maintenance Contracts



Key Procurement steps

Independent Estimate (prior to advertising)
Advertisement (Local and National)
Evaluation Criteria Defined in RFP
Public Opening of Sealed proposals
Competitive Evaluation
Cost Price Analysis performed
Recommendation of Award
Board Approval at Public Meeting



LEGAL REQUIREMENTS - TEXAS

Choice Partners provides legally-procured contracts

Local Government Code 271 - Purchasing & Contracting Authority of Municipalities, Counties, other Government

Education Code Ch. 44 -Procurement (All construction, with the exception of Performance Contracts, is in Code 2269)

Government Code 791 – Interlocal Cooperative Contracts

Government Code 2269
Construction Procurement
for all government
(except Higher Ed.)

Local Gov't Code 252/262
Purchasing & Contracting
Authority of Municipalities,
Counties, other Government

24 CFR 85.36
Housing and Urban
Development



EDGAR/Uniform
Guidance (2 CFR 200)

HB 1295

TEC 51.9335
Higher Education



DUE DILIGENCE

United Rentals

Print Info.

Contract Category: Industrial Equipment Rent, Lease or Purchase

Contract Number: 22/052SG-03

Contract Terms:

Initial Award Date: September 21, 2022

Current Expiration Date: September 20, 2023

Renewal Options Remaining: 4

CP Contract Manager:

Steve Gibson

steve@choicepartners.org

713-681-6052

Contract Partner: United Rentals



Contract Partner Web Site:

<http://www.unitedrentals.com>

Approved Market Area: National

<https://www.choicepartners.org/vendors/united-rentals-4>

APPROVED PRODUCT OR SERVICE:

Industrial Equipment

TO PLACE AN ORDER:

Contact the vendor for all your pricing needs, stating you are using CP contract. Request a quote from the vendor referencing Choice Partners and the above contract number. Send PO directly to Vendor, then Log in to Choice Partners and report the Purchase Order details at Add Purchase Order | Choice Partners Cooperative

PRICING: Is according to the contract on file with CP.

Freight Terms: -

HUB Status: No

MWBE Status: No

SBE Status: No

DUE DILIGENCE: [Download](#)



ABOUT THIS PARTNER:

United Rentals offers general, aerial, and specialty rentals to a customer base that includes construction and industrial companies; utilities; municipalities;



WHAT IS IN THE DUE DILIGENCE ZIP FILE?

Independent Estimate Determination (IED)

Newspaper advertisement(s)

RFP Document

RFP Addenda (if applicable)

Proposal Evaluation Summary

Participation Listing

Cost Price Analysis (CPA)

TEC Form 1295

SAM.gov report(s) (Debarment by GSA)

Board Approval Document

Contract Award Letter

Contract

Contract Assignment (if applicable)

Current and Past Renewal Letters



Question 1

What is the legal basis for using a cooperative?

Government Code § 791.011 (TX)

and

2 CFR §200.318 (Federal)



Question 2

What are the two procurement methods used by Choice Partners?

Request for Proposals (RFP)
and
Competitive Sealed proposals (CSP)



Questions on Compliance or Review of a Quotation

Mary Causey, RTSBA
Contract Compliance Specialist
(713) 696-8270
Mary@choicepartners.org

Michael Robles, RTSBA
Contract Manager
(713) 316-4254
Michael@choicepartners.org

Kristi Nichols, RTSBA
Contract Manager
(713) 696-1337
Kristi@choicepartners.org

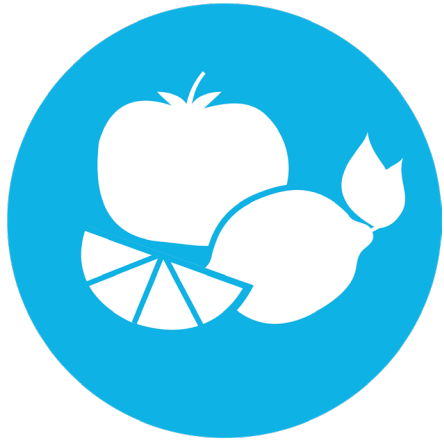
Monique Joseph-Francis, CTSBO
Contract Manager
(713) 316-4259
Monique@choicepartners.org

Laura Sprehe, RD, LD MPH, RTSBA, SNS
Contract Manager (Food Contracts)
(713) 696-1337
Laura@choicepartners.org

Steve Gibson, CPSM
Contract Manager
(713) 681-6052
Steve@choicepartners.org



CONTRACTS



FOOD/CAFETERIA

TECHNOLOGY

COMMODITIES

SERVICES

FACILITIES



FOOD / CAFETERIA CONTRACTS

- Bottled Drinking Water, and Coolers
- Chemical Products and Services
- Commercial Food Distributor
- Commodity Processing of USDA Foods
- Dairy Products
- Food Equipment, Parts, Repair, Installation, Maintenance, Small Wares, and Related Items
- Fresh Bread Products
- Fresh Produce
- Frozen and Chilled Beverages
- Ice Cream
- Pizza Delivery
- Snacks and Beverages
- Technical Services & Products for Food Service





FOOD MEMBER LOGIN

Member Login

If you are already a member, select **"Set Up a New Account"** below and get your login so you have access to all the details of our contracts.

USERNAME

PASSWORD

LOGIN TO FOOD AREA ONLY

LOGIN

Helpful Links

[Set Up a New Account](#)

[Available Contracts](#)

[Forgot your password?](#)



FOOD MEMBER DASHBOARD

Food Members Dashboard

Welcome

As a Choice Partners member, you can access information that saves you valuable time and money. Click on the areas below to make your selection.

You can:

- **Get quick pricing quotes for your equipment/small wares purchase**
- **View available Contracts and Vendors**
- **Download current school year pricing**
- **Download required Annual Review documents**
- **Find commodity processing information [**NEW -All Vendors SEPDS for SY 21-22**](#)**
- **Download required Procurement Review documents**

For more information, contact our Assistant Director, Trisha Prestigiaco, at 713-696-0742. Our goal is to support you in finding the right resources for your child nutrition or cafeteria program.

Current Vendors Search vendors by name, category, contract number or state	Commodity Processing View/download product information and nutrition facts	Pricing View/download pricing sheets by categories and contract
In-Active Contracts Due Diligence Download required documents needed for auditing	Resources Find commonly used information needed by nutrition directors	Child Nutrition Labels View/download labels by vendor
Procurement/Annual Review View/download procurement documents	Buy American Provision View/download American Provision	

CONTACT INFO



Trisha Prestigiaco,
RTSBA:
Choice Partners Assistant
Director
Food Contracts
Phone: 713-696-0742
trisha@ChoicePartners.org



Laura Sprehe - RD LD MPH:
Contract Manager
Phone: 713-696-8213
Laura@ChoicePartners.org



Navigating the Website



MEMBER LOGIN

Member Login

If you are already a member, select "**Set Up a New Account**" below and get your login so you have access to all the details of our contracts.

USERNAME

PASSWORD

LOGIN TO FOOD AREA ONLY

LOGIN

Helpful Links

[Set Up a New Account](#)

[Available Contracts](#)

[Forgot your password?](#)



MEMBER DASHBOARD

[Home](#) > [Members](#) > [Members Dashboard](#)

Members Dashboard

Welcome

As a Choice Partners member, you can access information that saves you valuable time and money. Click on the areas below to make your selection.

You can:

- **Get quick pricing quotes for your projects, usually within 48 hours**
- **View available Contracts and Vendors with their complete documentation to help make purchase legal**
- **Access our Supply Catalog and other pricing catalogs**
- **Download nutrition labels/commodity processing info.**

For more information, contact our Assistant Director, Joann Nichols, or call 877-696-2122 for immediate assistance. Our goal is to support you in finding the right resources, right now!

Get A Quote

Quickly select a category, vendors, and submit for quotes

Current Vendors

Search vendors by name, category, contract number or state

Contract List

Download pdf or excel of current contracts

Food

Supply Catalog

View our online supply catalog for cooperative contracts by Category and for Vendor

Order Portal

Add your Purchase Orders Here

RECENT ACTIVITY

[2022 October Press Release](#)

October 21, 2022

[2022 September Press Release](#)

September 28, 2022

EVENTS

[TxPPA Annual Conference](#)

November 15, 2022

[Vendor Orientation and Rebate Rollout](#)

November 29, 2022

[Member Workshop](#)

November 30, 2022



DUE DILIGENCE/PARTNERSHIP

Atlas Universal

Print Info.

Contract Category:

Waterproofing/Masonry

Contract Number: 22/022MJ-02

Contract Terms:

Initial Award Date: April 20, 2022

Current Expiration Date: April 19, 2023

Renewal Options Remaining: 3

CP Contract Manager:

Monique Francis

monique@choicepartners.org

713-316-4259

Contract Partner: Atlas Universal



Contract Partner Web Site:

<http://www.atlasuniversal.com>

Approved Market Area: TX

Texas Regional Centers: Region 4
Primary

APPROVED PRODUCT OR SERVICE: Waterproofing, Roofing, & Masonry

TO PLACE AN ORDER: Contact the vendor for all your pricing needs, stating you are using CP contract and send us the confirmation only Purchase Order copy. All contracts are EDGAR compliant!

PRICING: Is according to the contract on file with CP. Send all PO copies to ecatalog@choicepartners.org

Freight Terms: -

HUB Status: No

MWBE Status: No

SBE Status: No

DUE DILIGENCE: [Download](#)

ABOUT THIS PARTNER:

Rooted in Texas for over 130 years! We work with a diversity of clientele ranging from commercial real estate, industrial, retail, government, school districts to medical facilities. We are experts in all roofing systems and are approved by top manufacturers such as Tremco, Garland, Johns Mansville, Firestone, Soprema, GAF, Tamko – just to name a few. At Atlas Universal Roofing we pride ourselves on workmanship and personalized attention to every roofing detail throughout the duration of each project.

CONTACT INFO

For SALES

Miranda Zenteno

735 W. Tidwell Rd.

Houston, Texas 77091

Phone : 713-695-1626

Fax : 713-695-1654

[Miranda@atlasuniversal.co](mailto:Miranda@atlasuniversal.com)

[m](#)



ORDER PORTAL

Add Purchase Order

MANAGE PURCHASE ORDER

Please add your purchase order to our system to qualify for your **Choice Ca\$h** Rebate. Use the button named "Bulk Upload" if you have multiple PO's or multiple vendors; otherwise you can enter them one at a time using the button named "Manual Upload".

NOTE: [Download Template Here](#)

Name of Person Submitting: Andrey Cuellar

Email: andrey.cuellar@hcde-texas.org

Date: October 20, 2022

Member Name: Harris County Department of Education

CP Member City: Houston

If you have a new PO, use one of the 2 buttons below;
to manage previously submitted P.O.s, [click here](#).

BULK UPLOAD? (CSV OR XLSX)

OR

ADD MANUALLY?



ADD PURCHASE ORDER

Add Purchase Order

MANAGE PURCHASE ORDER

Please add your purchase order to our system to qualify for your **Choice Ca\$h** Rebate. Use the button named "Bulk Upload" if you have multiple PO's or multiple vendors; otherwise you can enter them one at a time using the button named "Manual Upload".

NOTE: [Download Template Here](#)

Name of Person Submitting: Andrey Cuellar

Email: andrey.cuellar@hcde-texas.org

Date: October 20, 2022

Member Name: Harris County Department of Education

CP Member City: Houston

Vendor:

Contract:

Bill Date	PO Number	PO File	PO Order Total
<input type="text" value="(MM/DD/YYYY)"/>	<input type="text"/>	<input type="button" value="Choose File"/> No file chosen	<input type="text"/>
<input type="text" value="(MM/DD/YYYY)"/>	<input type="text"/>	<input type="button" value="Choose File"/> No file chosen	<input type="text"/>
<input type="text" value="(MM/DD/YYYY)"/>	<input type="text"/>	<input type="button" value="Choose File"/> No file chosen	<input type="text"/>
<input type="text" value="(MM/DD/YYYY)"/>	<input type="text"/>	<input type="button" value="Choose File"/> No file chosen	<input type="text"/>
<input type="text" value="(MM/DD/YYYY)"/>	<input type="text"/>	<input type="button" value="Choose File"/> No file chosen	<input type="text"/>

ADD MORE

SAVE NOW

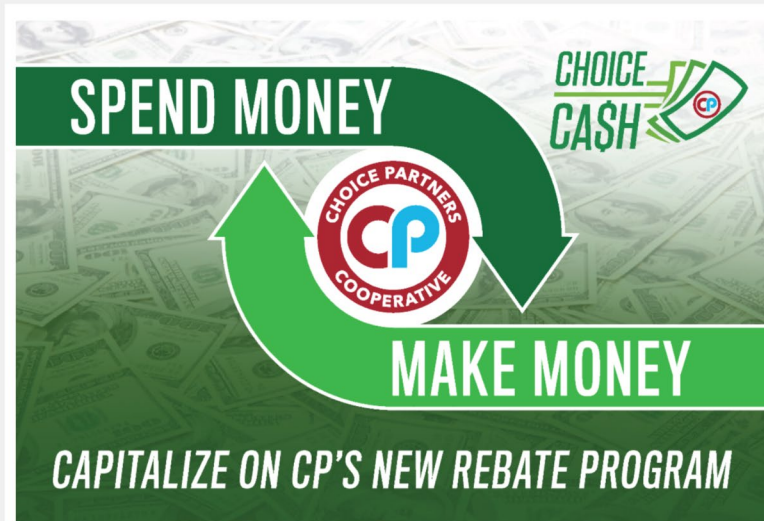
Send PO To Vendor on my behalf? : Yes No

NOTE: Your PO **will not** automatically go to the vendor unless you check YES.



REBATE PROGRAM

Rebate Program



Choice Partners now offers a new avenue for members to earn money back from what they spend on Choice contracts. Beginning Sept. 1, 2022, CP's Rebate Program will be available to all members across all awarded CP contracts. The opportunity to benefit from using CP contracts is a great way to counter budget reductions and rising costs of doing business. Having a full complement of contracts to meet most needs of governmental entities, Choice Partners is excited to provide this opportunity to reward its members for their loyal partnership. For more information about the rebate program, contact 1-877-696-2122 or info@choicepartners.org.

- Make money for your entity by using the BEST contracts in the industry.
- CP contracts are: EDGAR, 2 CFR 200, TDA/USDA (for food contracts) compliant.
- Reporting your usage of our contracts helps us record your activity and keep you compliant in case of an audit.
- Spend money to make money.
- Payments begin on HCDE FY 22-23 school year (Sept. 1) and paid out December 2023.

Report Your CP Contract Activity

Have any technical issues? Let us know.

[Submit Technical Issues](#)

If you would like step-by-step instructions on how to submit a purchase order, view below:

[How to Submit a Purchase Order](#)

If you would like to view a how-to video, we have provided it here:

[Instructions on How To Get Started](#)



AMAZON BUSINESS



amazon business

Contract #22/045KN-01 www.choicepartners.org/vendors/amazoncom-services-llc-2

Simplify buying for public sector procurement.

Customers enjoy business-only pricing with quantity price breaks reserved for Amazon Business accounts. Online Marketplace for products includes, but is not limited to, the following 11 categories:

- Agriculture
- Apparel
- Art, Classroom
- Athletic
- Books
- CTE/Vocational Teaching Materials
- Food Service
- Health/Medical
- Musical Instruments
- Office
- Technology

Amazon.com Services LLC (Amazon Business) Print Info.

Contract Category: Online Marketplace
Contract Number: 22/045KN-01
Contract Terms:
 Initial Award Date: August 17, 2022
 Current Expiration Date: August 16, 2023
 Renewal Options Remaining: 4
CP Contract Manager:
 Kristi Nichols
kristi@choicepartners.org
 713-696-1337

Contract Partner: Amazon.com Services LLC (Amazon Business)
[amazon business](https://amazonbusiness.com)

Contract Partner Web Site:
<http://business.amazon.com>
Approved Market Area: National

APPROVED PRODUCT OR SERVICE:
 Millions of products across multiple product categories.
 If you know who your Amazon Advisor is, you can contact them directly.
 If you don't know who it is, you can email choicepartners-publicsector@amazon.com
 No need to report activity in the Order Portal!

TO PLACE AN ORDER:
 Attention: Zachary Penny
 Phone: 737-402-8791
 Email: zpenny@amazon.com
 HTTP://business.amazon.com

Dashboard

Get A Quote

Current Vendors

Contract List

Food

Supply Catalog

Order Portal

Logout

CONTACT INFO

For SALES
Zachary Penny
 410 Terry Avenue North
 Seattle, Washington 98109
Phone : 737-402-8791
zpenny@amazon.com

For AMAZON BUSINESS ACCOUNT HELPLINE
Customer Advisor
choicepartners-publicsector@amazon.com

For all amazon inquiries, email choicepartners-publicsector@amazon.com.



GET A QUOTE

- Members select a category of contract.
- Then select desired vendor(s).
- Member describes product/service to be quoted.
- Member enters date product/service is needed.
- Options available to upload photos/specifications.
- NOTE: Vendors must respond to quote request within 48 hours.

The screenshot shows a web form for requesting a quote. At the top right is a search bar. Below it is a navigation menu with letters A-Z. The main section is titled "*Select Contract Category:" and contains a grid of checkboxes for various services such as "Data Network Cabling", "Debris Removal Service", "Digital Signage For Food Service", "Direct Delivery Of Snacks And Beverages", "Disaster Mitigation With Restoration (JOC-IDIQ)", "Disaster Recovery Consultants", "Document Management", "Doors, Windows, And Hardware (JOC-IDIQ)", and "Drug Testing Services". Below this is a section for "*SELECT VENDOR(S) : (VENDORS ARE REQUESTED TO RESPOND WITHIN 48 HOURS)" with a "Select All | Unselect All" link. A grid of vendor names is shown, all with checked boxes, including "Blackmon Mooring/BMS CAT", "ERC Environmental & Construction Services", "Enterprise Builders LLC", "Gerloff Company, Inc", "Horizon International Group", and "Texas General Contractors, Inc. LLC". The "PRODUCT SERVICE INFORMATION" section has a large text area. Below are input fields for "*NAME", "*EMAIL", "*ORGANIZATION NAME" (with "Harris County Department of Education" entered), "*ORGANIZATION TYPE" (with "School District" selected), and "*PHONE" (with three digit boxes and an "EXT#" box). There is also a date field for "*PRODUCT/SERVICE NEED BY DATE" and a file upload section for "ATTACH FILE (MAX FILE SIZE 10 MB)" with a "Choose File" button and "No file chosen" text. A red "SUBMIT NOW" button is at the bottom right.



FAQ's

About Choice Partners

All-in-One Cooperative

Procurement Process

Member Reviews

FAQs

Current News

COVID-19

Vendor Spotlight

Events

Presentations

Contact Us

Q : 1. What is Choice Partners?

A : Choice Partners was created by the merger of three Harris County Department of Education procurement cooperatives, Choice Facility Partners, Gulf Coast Food Co-op and HCDE Purchasing Cooperative. Choice Partners is a national cooperative purchasing service with legally procured contracts. Using these contracts streamlines purchasing, saving time and money for governmental organizations and nonprofits. A division of [Harris County Department of Education](#), organizations in Texas that want to use these competitively bid and legally awarded contracts, sign an interlocal, government-to-government contract. Organizations outside Texas may just sign up and follow their state procurement laws.

Q : 2. Who is eligible to use Choice Partners?

A : Schools, colleges, universities, municipalities, counties, state agencies and other governmental entities, and nonprofits may join and use Choice Partners contracts. Private schools and higher education organizations that operate as nonprofit organizations may also become members.

Q : 3. What does it cost to use Choice Partners?

A : There is **no charge to client members** to join Choice Partners and no charge to use Choice Partners national cooperative contracts; vendor partners pay a small percentage fee back to Choice Partners. This fee is clearly stated in the vendor's contract prior to being executed and this fee is included in all pricing from the vendors to Choice Partners. [Fee schedule](#) for our vendors.



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Joann Nichols, RTSBA	Assistant Director/Construction & Commodities	877-696-2122
Trisha Prestigiacomo, RTSBA	Assistant Director/Food	713-696-0742
Stephen Kendrick, RTSBA	Sr. Mgr. Facility Planning	713-696-8252
Kristi Nichols, RTSBA	Contract Manager	713-696-1337
Michael Robles, RTSBA	Contract Manager	713-316-4254
Monique Joseph-Francis, CTSBO	Contract Manager	713-316-4259
Steve Gibson, CPSM	Contract Manager	713-681-6052
vacant	Contract Coordinator	713-696-8208
Laura Sprehe, RD, LD, MPH, RTSBA	Contract Manager/Food	713-696-8213
Monica Niles	Contract Coordinator/Food	713-696-8209

Janet Wachs	MCE Asst. Director	920-251-1097
Jane Lopez	Client Services Manager	713-696-0746
Mary Causey, MS, RTSBA	Contract Compliance Specialist	713-696-8270
Arlita Kyles, CTSBO	Contract Specialist	713-696-8241
Yvonne Johnson, CTSBO	General Office Clerk II	713-696-1886
Kay Vorish, CTSBO	Contract Assistant	FMLA
Shandra Powell	Clerk - General Office	713-696-1389
Roland Salazar	Clerk - General Office	713-696-1787
Ann Marie Harbour	Field Representative	817-703-7901
Louise Hooper	Field Representative	713-305-1447
Charlie "Les" Hooper	Field Representative	281-802-5693
Jeff Drury, RTSBA	Sr. Director	713-696-0786



Job Order Contracting (JOC)



Objectives

Why JOC?

Maintenance vs. Construction

Concepts including Trade JOC & Quoting vs. Bidding

How to Legally Use a CP JOC Contract

Common Phrases

1

That's the way we have always done it.

2

It was like that when I got here

3

It's not right, but it's normal for us

4

Another department is responsible for that.

Standard
Opera
Procedu



Why Does Legal Compliance Matter?

- Different procurement rules apply
 - Contracts not properly procured can be voided or unenforceable
 - Officials and officers who violate procurement statutes can be subject to criminal penalties
- Public works contracts may trigger bonding and prevailing wage requirements
- Legal mistakes can:
 - DELAY projects
 - Jeopardize budgets and result in cost-overruns
 - Subject gov't entity to financial liability to vendors & subcontractors



JOC/IDIQ – Why Job Order Contracting (JOC)

• ~~Time & Materials~~

If providing construction services

- **Only** method allowed to select contractors for future, undefined projects **Texas Education Code 44.031**
(a)1-8





JOC/IDIQ – What is JOC/IDIQ Contracting

“A procurement method used for **maintenance, repair, alteration, renovation remediation, or minor construction” of facilities “when the **work is of a recurring nature**, but the delivery **times, types, and quantities** of work required are **indefinite.**”**

TEX. GOV'T CODE § 2269.401



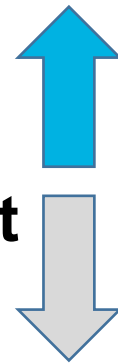
JOC/IDIQ – Maintenance VS. Construction

Factors to Consider

- *Like for like* – NOT new or upgraded
- Scale and complexity of project
- Physical size of object being worked on

JOC contract
(TGC 2269)

Maintenance Contract
(TEC 44.031)



Repair &
Maintenance

Construction
Services

OSHA Letter to Raymond Knobb (11.18.2003)



Maintenance VS. Construction

Good rule of thumb:

- Procure maintenance service contracts under Tex. Gov't Code Chapter 2269, rather than under non-2269 method (like TEC 44 for ISD's), if
 - Maintenance and routine repair contracts could include significant replacements, repairs or installation of new structures, appurtenances, features, components or fixtures;
 - Repairs will be performed by laborers, workers or mechanics who would be required to furnish performance or payment bonds or would be entitled to a minimum prevailing wage rate under public laws; or
 - There is a potential for a repair to require the services of an architect or engineer, the securing of permits, or compliance with updated building or electrical codes.



JOC's procured by Purchasing Cooperatives

- Gov't Entity selects vendor without having to use its own competitive procurement process
- ONLY satisfies the **procurement** requirement, NOT the **contracting** requirement
- Statute **requires a written and signed** job order between the **vendor and the Gov't Entity** **TGC 2269.410(a)**
- Only construction method that allows for use of a cooperative in lieu of self-procurement
- Only method allowed to select contractors for future, undefined projects or tasks



JOC/IDIQ – What's an IDIQ/JOC Estimate?

- MUST contain:
 - CP Contract Number
 - Line item assessment based on Unit Price Book (UPB)
 - Localized by applying City Cost Index (CCI)
 - Legally bid coefficient

- Subcontractor pricing must be estimated using the UPB for ALL scope of work



JOC/IDIQ Estimate

HVAC Example										
Quantity	LineNumber	Description	Unit	O&P	Total	Ext. Total O&P	Labor Type	Data Release	CCI Location	Notes
Vendor Name										
Job Description										
Choice Partners Contract #18/036MC-XX										
Data Release : Year 2019 Quarter 2										
								Year 2019 Quarter 2 (Use most updated available at time quote is requested)	TEXAS / HOUSTON (770-772)	Insert any notes to describe where work is being done, what is being provided in this line item, etc
10	230505100400	Central station air handler, up thru 15 ton, selective demolition	Ea.	\$ 579.25	\$ 5,792.50		RR			
1	237433101100	Rooftop air conditioner, single zone, electric cool, gas heat, 3 ton cooling, 60 MBH heating, includes, standard controls, curb and economizer	Ea.	\$ 4,359.00	\$ 4,359.00		RR	Year 2019 Quarter 2	TEXAS / HOUSTON (770-772)	
3	237433101150	Rooftop air conditioner, single zone, electric cool, gas heat, 7.5 ton cooling, 170 MBH heating, includes, standard controls, curb and economizer	Ea.	\$ 8,213.65	\$ 24,640.95		RR	Year 2019 Quarter 2	TEXAS / HOUSTON (770-772)	
1	237433101156	Rooftop air conditioner, single zone, electric cool, gas heat, 8.5 ton cooling, 170 MBH heating, includes, standard controls, curb and economizer	Ea.	\$ 9,733.10	\$ 9,733.10		RR	Year 2019 Quarter 2	TEXAS / HOUSTON (770-772)	
2	237433101160	Rooftop air conditioner, single zone, electric cool, gas heat, 10 ton cooling, 200 MBH heating, includes, standard controls, curb and economizer	Ea.	\$ 12,186.50	\$ 24,373.00		RR	Year 2019 Quarter 2	TEXAS / HOUSTON (770-772)	
1	237433101170	Rooftop air conditioner, single zone, electric cool, gas heat, 12.5 ton cooling, 230 MBH heating, includes, standard controls, curb and economizer	Ea.	\$ 13,614.90	\$ 13,614.90		RR	Year 2019 Quarter 2	TEXAS / HOUSTON (770-772)	
2	237433101180	Rooftop air conditioner, single zone, electric cool, gas heat, 15 ton cooling, 270 MBH heating, includes, standard controls, curb and economizer	Ea.	\$ 16,839.60	\$ 33,679.20		RR	Year 2019 Quarter 2	TEXAS / HOUSTON (770-772)	
100	239110106050	Curbs/pads prefabricated, pad, condenser, fiberglass reinforced concrete with polystyrene foam core, 2" thick, 20" x 38"	Ea.	\$ 94.70	\$ 9,470.00		RR	Year 2019 Quarter 2	TEXAS / HOUSTON (770-772)	
1	015433602720	Rent crane truck mounted, hydraulic, 100 ton capacity, Incl. Hourly Oper. Cost.	Week	\$ 9,898.76	\$ 9,898.76		RR	Year 2019 Quarter 2	TEXAS / HOUSTON (770-772)	
		RS Means Unit Cost Total		\$ 75,519.46	\$ 135,561.41					
		Insert what you bid				\$ 135,561.41				
		Total with Coefficient (1.0 x RS Means Total)				\$ 135,561.41				
		Additional Discount of XX% good for current project only				\$ 122,005.27				***Optional if you need to give additional discount to be competitive.
		2% Bond (Any additional Pass-Through Costs)				\$ 2,440.11				
		Total Project Quote				\$ 124,445.37				

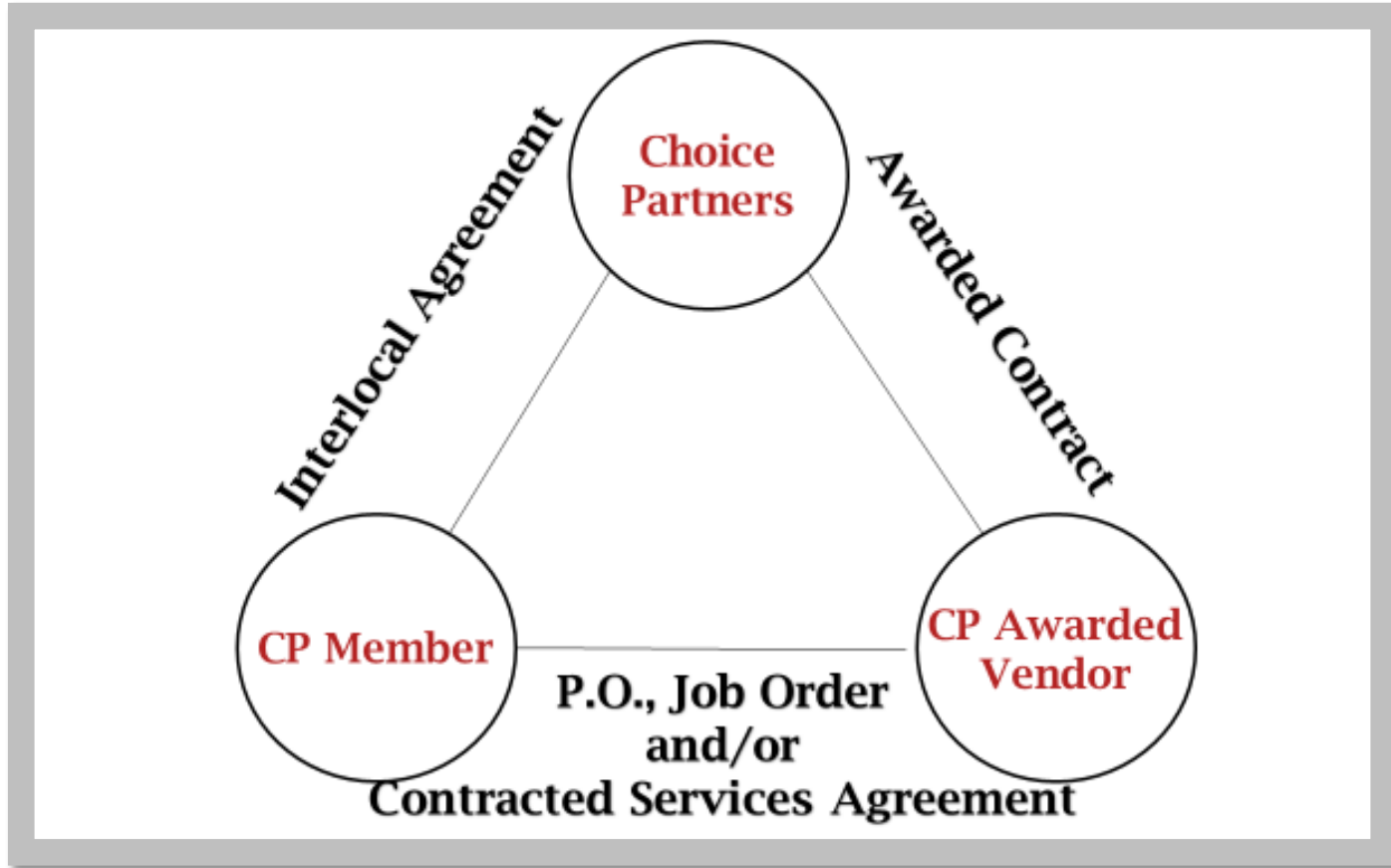


Review the JOC Quote

- CCI location
 - Coefficient
 - O & P Pricing
 - Data release
(most recent)
- Non pre-priced items
 - Attempts to pass-through co-op fee
 - Division 1
 - Adjustment Factors



WIN, WIN, WIN





Use A Master Job Order Contract

- Contains Gov't Entity's project specific Scope of Work
- Includes Job Order & Prevailing Wage Rate as Attachments
- Liquidated Damages
- Retainage
- Terms & Conditions Specific to Gov't Entity
- Signed by Gov't Entity & Vendor

“An order for a job or project under a job order contract must be signed by the government entity's representative and the contractor.”



JOC / IDIQ – The JOB Order

- Owner/Gov't Entity - issued
- Signed by both parties
- States scope of work and price of assigned tasks
- Provides Owner's Adopted Prevailing Wage Rates



Public Works Bonds

- Performance bond required if contract is in excess of \$100,000
 - Protects the Gov't Entity from financial losses arising from default, material breach, termination or abandonment
- Payment bond required if a contract is in excess of:
 - \$25,000 & the Gov't Entity is not a municipality or a joint board
 - \$50,000 and the Gov't Entity is a municipality or a joint board
 - Protects the Gov't Entity from claims for nonpayment of suppliers, subcontractors, and sub-subcontractors

TEX. GOV'T CODE § 2253.021



JOCs and Using an Architect or Engineer

- Gov't Entity must independently hire A/E if services required

TEX. GOV'T CODE § 791.011(j)

- Architect required for:

- A new building having construction costs exceeding \$100,000
- An alteration or addition having construction costs exceeding \$50,000

TEX. OCC CODE § 1051.703

- Exceptions to Engineering Services:

- An engineer is **NOT** required for a public work project if:
 - A project involving electrical or mechanical engineering will cost **\$8,000 or less**
 - A project not involving electrical or mechanical engineering will cost **\$20,000 or less** (i.e., structural or civil)

TEX. OCC CODE § 1001.053



What Must Go to the Board?

- **Determination of construction services project delivery method (if other than Competitive Sealed Bids or other method in local policy).**
- Approval of competitive procurement results, where procurement is required
- Approval of all Interlocal Contracts for cooperatives
- Approval of the contract with any vendor
- Approval of all contract amendments or change orders
- All contract renewals and contract terminations
- Governing Body may act to delegate all of the above powers (CH or CV Local for ISD's)
- **Job Orders (including cooperative purchases) in excess of \$500,000**



Trade JOC VS. JOC

- **Trade JOC**
 - Allows the use of one trade or division
 - Reduces overhead expenses when multiple trades are not needed to complete project
- **JOC**
 - Allows for the use of all divisions and is typically a general contractor

Case law has clarified that a “public work contract includes both traditional construction and contracts for repair of a building.” *LA Ash, Inc. v. Tex. A&M Univ.*, 2008 Tex. App. LEXIS 8206, 2008 WL 4742135 (Tex. App. Waco Oct. 29, 2008); see also *Acratod Co. v. Housing Auth. Of Houston*, 1999 Tex. App. LEXIS 889, 1999 WL 82450 (Tex. App. Houston 1st Dist. Feb. 11, 1999).



JOC / IDIQ – Bidding VS. Quoting

- **BID or PROPOSAL**

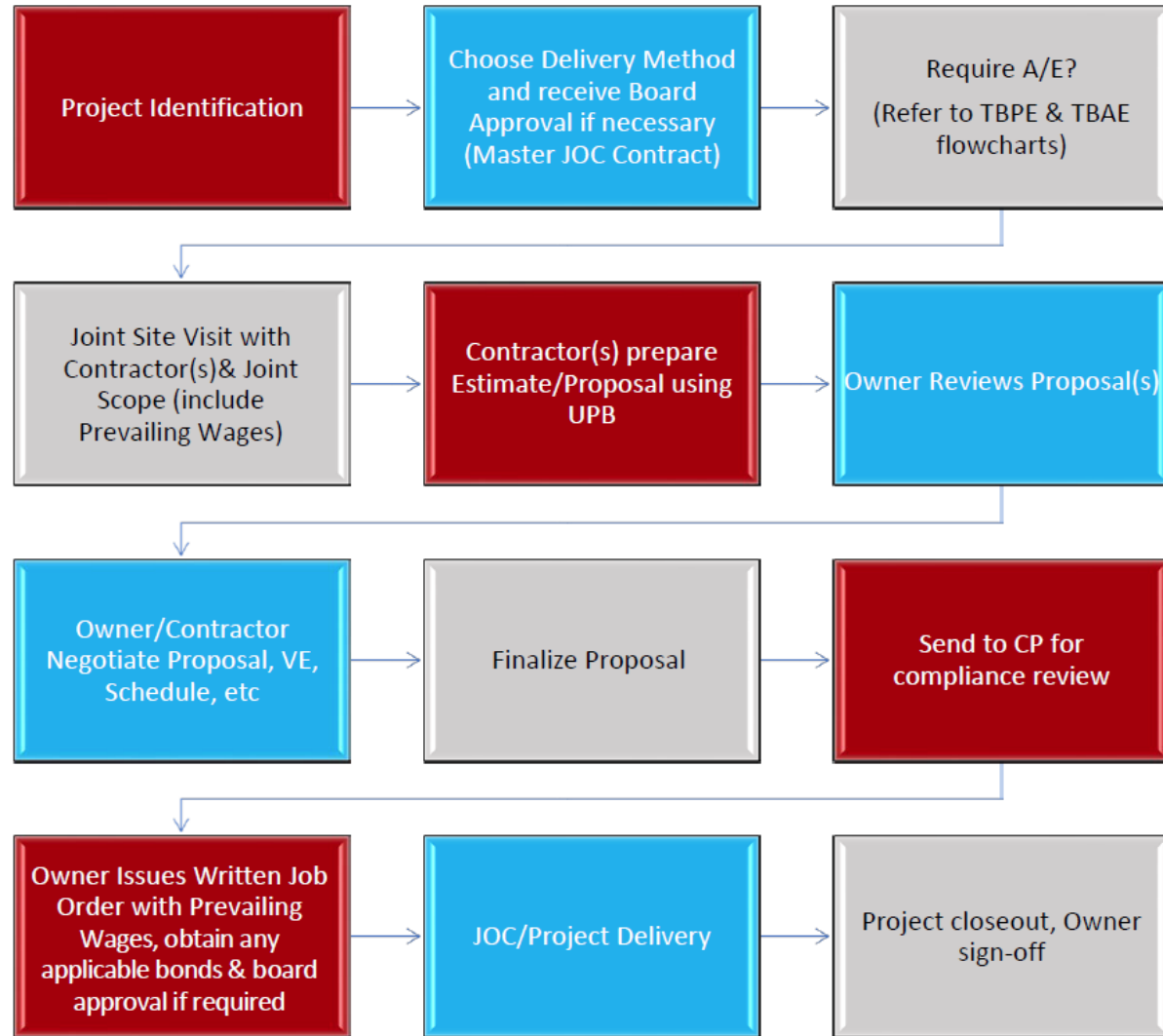
vendor's *formal, written, sealed response* that satisfies the state's procurement requirements for a governmental entity.

- **QUOTE**

vendor's *job-specific price in writing* based on their previously bid and awarded contract coefficient and contract specified UPB.



The JOC Process - Texas





JOC / IDIQ – Final Thoughts

- Establish procurement method with your vendor prior to them quoting the job
- Include contract number on quote and PO
- Verify pricing by requesting the vendor's line item estimate with legally bid coefficient.
- If utilizing a coop, send a confirming copy of each JOC PO issued to Coop
- Not all coefficients are created equal
- Not all Co-ops are created equal, are in State, or are 2 CFR Part 200 (EDGAR) compliant
- Governing Body Approval



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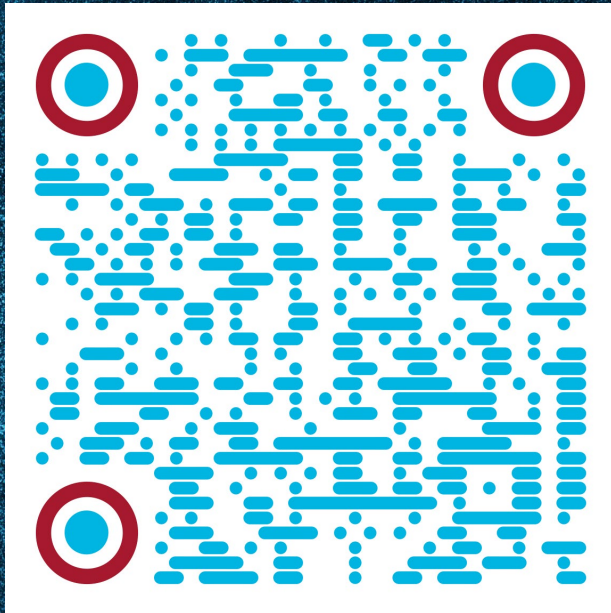
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Survey

Members:

Complete your survey at this time.
(YOUR FEEDBACK MATTERS!)



SURVEY



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