

# 2020–21 BIENNIUM CONTRACT MANAGEMENT AND OVERSIGHT SUMMARY REPORT

Submitted by Legislative Budget Board Staff as required by the Eighty-sixth Legislature, General Appropriations Act, 2020–21 Biennium, Article IX, Section 17.10(f)  
October 2021

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## REPORT REQUIREMENTS AND METHODOLOGY

The Eighty-sixth Legislature, General Appropriations Act (GAA), 2020–21 Biennium, Article IX, Section 17.10(f), requires agencies and institutions of higher education that receive appropriations to provide an annual report to the Legislative Budget Board (LBB) and the Office of the Governor that details the actions conducted to ensure compliance with state procurement requirements. The LBB’s Contract Oversight Team surveyed state leaders and finance directors each fiscal year to facilitate compliance with this requirement. The questionnaires asked state entities to indicate the compliance actions that they conducted from the following common practices:

- conducted internal trainings;
- attended external trainings;
- obtained certifications for procurement personnel;
- increased the number of or reorganized procurement personnel;
- dedicated more funding to contract compliance;
- hired consultants;
- increased management involvement;
- communicated with oversight entities;
- studied best practices from other organizations; and
- revised contracting manual and procedures.

This report is a summary of the biennium as a whole, so the data represents whether a state entity reported utilizing a given compliance method at least once during either fiscal year. Appendix A shows all state entities’ responses regarding these 10 actions. In addition, the questionnaire enabled state entities to include additional comments regarding compliance actions and to indicate the most effective compliance measures in optional fields. During the 2020–21 biennium, LBB staff received responses from 160 individual state entities.

## KEY FINDINGS

- ◆ The most utilized compliance action, reported by 88.8 percent of respondents, was attending external trainings. This action was followed closely by obtaining certifications for procurement personnel at 86.9 percent.
- ◆ The least used compliance action, reported by 17.5 percent of respondents, was hiring consultants.
- ◆ The 25 largest state entities, based on the combined value of contracts awarded, were more likely than smaller state entities to conduct each compliance action. This group of entities awarded a combined total contract value of more than \$55.7 billion during fiscal years 2020 and 2021, which represents nearly 91.9 percent of the total amount contracted by state entities during that period.
- ◆ The questionnaire responses indicate that most state entities are considering procurement requirements seriously and conducting actions proactively to ensure compliance.

## ANALYSIS OF ALL RESPONDENTS

The average respondent reported conducting 6.9 of the 10 listed compliance actions during the biennium. Attending external trainings, obtaining certifications for procurement personnel, and increasing management involvement were the most commonly reported compliance actions. At least 50.0 percent of respondents utilized eight of the 10

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compliance actions. The least reported actions conducted were dedicating more funding to contract compliance and hiring consultants, which fewer than 50.0 percent of respondents reported utilizing. Figure 1 shows how many state entities reported the completion of each compliance action.

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**FIGURE 1**  
**TOTAL AFFIRMATIVE RESPONSES BY COMPLIANCE ACTION AS REPORTED BY STATE ENTITIES PURSUANT TO THE EIGHTY-SIXTH LEGISLATURE, GENERAL APPROPRIATIONS ACT, 2020–21 BIENNIUM, ARTICLE IX, SECTION 17.10(F)**

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ACTION	AFFIRMATIVE RESPONSES (160 RESPONDING ENTITIES)	PERCENTAGE
External Trainings	142	88.8%
Certifications	139	86.9%
Increased Management Involvement	135	84.4%
Studied Best Practices	125	78.1%
Internal Trainings	120	75.0%
Revised Contracting Manual or Procedures	119	74.4%
Communicated with Oversight Entities	119	74.4%
Increased or Reorganized Personnel	101	63.1%
Dedicated More Funding	73	45.6%
Hired Consultants	28	17.5%

SOURCE: Legislative Budget Board.

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### ANALYSIS OF THE 25 LARGEST STATE ENTITIES

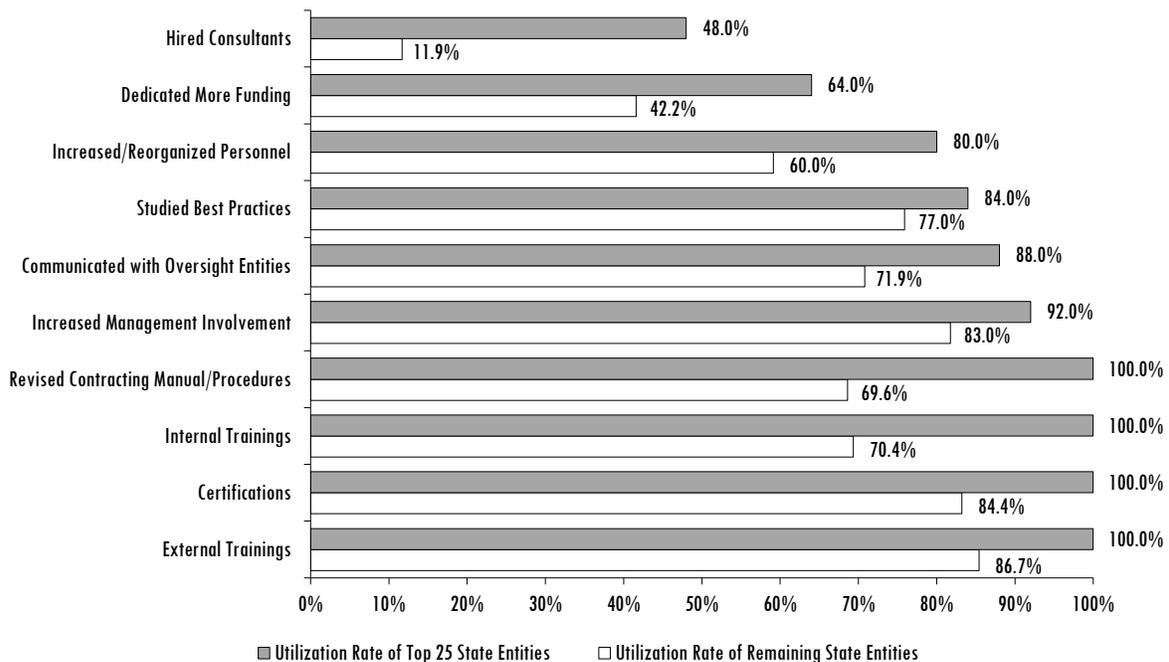
The top 25 state entities, based on total contracted amounts, awarded nearly 91.9 percent of all state contracts during fiscal years 2020 and 2021. These 25 entities were more likely to report conducting each compliance action than were the remaining 135 respondents. Nine of the top 25 entities reported conducting all 10 compliance actions, and 22 reported conducting at least seven actions. The average number of compliance actions conducted by a top-25 entity was 8.6, compared to 6.6 for all other respondents.

Figure 2 shows the utilization rate of each compliance action by the top 25 entities compared to the remaining respondents. Appendix B shows the top 25 entities and their responses.

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**FIGURE 2**  
**UTILIZATION RATE OF EACH COMPLIANCE ACTION BY TOP 25 ENTITIES COMPARED TO REMAINING RESPONDENTS**  
**2020–21 BIENNIUM**



SOURCE: Legislative Budget Board.

## ANALYSIS OF OPTIONAL RESPONSES

Respondents had the option to include other compliance actions conducted in addition to the 10 actions shown in the questionnaire. The respondents could indicate which actions had been most effective in ensuring compliance with state procurement requirements. Of the 160 respondents, 144 provided input on at least one of these questions. Many respondents used these fields to provide more context about their responses (e.g., describing how they increased management involvement or reorganized procurement personnel). The LBB’s Contracts Oversight Team will use this information internally to better understand state entities’ procurement practices, and the responses can be provided upon request.

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### APPENDIX A – ALL RESPONSES

AGENCIES BY NUMBER	ATTENDED EXTERNAL TRAININGS	CERTIFICATIONS FOR PROCUREMENT PERSONNEL	COMMUNICATED WITH OVERSIGHT ENTITIES	CONDUCTED INTERNAL TRAININGS	DEDICATED MORE MONEY TO CONTRACT COMPLIANCE	HIRED CONSULTANTS	INCREASED MANAGEMENT INVOLVEMENT	INCREASED OR REORGANIZED PROCUREMENT PERSONNEL	REVISED CONTRACTING MANUAL AND PROCEDURES	STUDIED BEST PRACTICES FROM OTHER ORGANIZATIONS
105 – Legislative Reference Library	X									
116 – Sunset Advisory Commission			X				X			X
201 – Supreme Court of Texas	X	X	X				X			
211 – Court of Criminal Appeals	X	X								
212 – Office of Court Administration	X	X	X		X	X	X			X
221 – First Court of Appeals District, Houston	X			X			X	X		
222 – Second Court of Appeals District, Fort Worth	X	X	X	X			X			X
223 – Third Court of Appeals District, Austin				X						X
224 – Fourth Court of Appeals District, San Antonio			X				X			X
225 – Fifth Court of Appeals District, Dallas	X	X								
226 – Sixth Court of Appeals District, Texarkana										
227 – Seventh Court of Appeals District, Amarillo	X						X	X		
228 – Eighth Court of Appeals District, El Paso							X			X
229 – Ninth Court of Appeals District, Beaumont		X								
230 – Tenth Court of Appeals District, Waco	X	X	X				X			
231 – Eleventh Court of Appeals District, Eastland	X	X		X			X	X		X
232 – Twelfth Court of Appeals District, Tyler										
233 – Thirteenth Court of Appeals District, Corpus Christi	X						X			X
234 – Fourteenth Court of Appeals District, Houston	X			X			X	X		

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242 – State Commission on Judicial Conduct	X			X			X			
243 – State Law Library							X			
300 – Trusteed Programs within the Office of the Governor	X	X	X	X	X		X			X
301 – Office of the Governor	X	X	X	X	X		X			X
302 – Office of the Attorney General	X	X	X	X			X	X	X	X
303 – Texas Facilities Commission	X	X	X	X	X	X	X	X	X	X
304 – Comptroller of Public Accounts	X	X	X	X			X	X	X	X
305 – General Land Office	X	X	X	X	X		X	X	X	X
306 – Texas State Library and Archives Commission	X	X	X	X	X	X	X	X	X	X
307 – Secretary of State	X	X	X	X	X	X	X	X	X	X
312 – State Securities Board	X	X		X	X	X	X		X	X
313 – Department of Information Resources	X	X	X	X	X	X	X	X	X	X
320 – Texas Workforce Commission	X	X	X	X		X	X	X	X	X
323 – Teacher Retirement System of Texas	X	X	X	X	X	X	X	X	X	X
326 – Texas Emergency Services Retirement System	X	X	X			X		X		X
327 – Employees Retirement System of Texas	X	X	X	X	X	X	X	X	X	X
332 – Texas Department of Housing and Community Affairs	X	X	X	X			X	X	X	X
338 – State Pension Review Board	X	X					X	X	X	X
347 – Texas Public Finance Authority	X	X	X	X			X			
352 – Bond Review Board	X	X						X	X	

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356 – Texas Ethics Commission	X	X	X	X			X		X	X
359 – Office of Public Insurance Counsel			X	X			X		X	
360 – State Office of Administrative Hearings	X	X	X	X			X	X	X	X
362 – Texas Lottery Commission	X	X	X	X	X		X		X	
401 – Texas Military Department	X	X	X	X			X	X	X	X
403 – Texas Veterans Commission		X		X	X		X	X	X	
405 – Department of Public Safety	X	X	X	X			X	X	X	X
407 – Texas Commission on Law Enforcement	X	X	X	X			X	X	X	X
409 – Commission on Jail Standards	X	X	X		X		X	X	X	X
411 – Texas Commission on Fire Protection				X						
448 – Office of Injured Employee Counsel	X	X	X	X			X	X	X	X
452 – Texas Department of Licensing and Regulation	X	X		X	X		X	X	X	X
454 – Texas Department of Insurance	X	X	X	X			X	X	X	X
455 – Railroad Commission of Texas	X	X	X	X	X		X	X	X	X
456 – Texas State Board of Plumbing Examiners	X	X	X	X			X	X	X	X
458 – Texas Alcoholic Beverage Commission	X	X	X	X	X		X	X	X	X
459 – Texas Board of Architectural Examiners			X				X		X	X
460 – Texas Board of Professional Engineers and Land Surveyors	X	X	X	X					X	X
473 – Public Utility Commission of Texas	X	X	X	X						X
475 – Office of Public Utility Counsel	X	X	X					X	X	X

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476 – Texas Racing Commission	X	X	X		X			X	X	
477 – Commission on State Emergency Communication		X		X			X	X	X	
479 – State Office of Risk Management	X	X	X	X	X		X	X	X	X
481 – Texas Board of Professional Geoscientists			X				X			X
503 – Texas Medical Board	X	X	X	X	X	X	X		X	X
504 – Texas State Board of Dental Examiners	X	X					X		X	X
506 – University of Texas M.D. Anderson Cancer Center	X	X	X	X	X	X	X	X	X	X
507 – Board of Nursing	X	X	X	X			X	X	X	X
508 – Texas Board of Chiropractic Examiners	X	X	X				X		X	
510 – Texas Behavioral Health Executive Council	X	X	X					X		X
513 – Texas Funeral Service Commission	X		X	X			X	X		X
514 – Texas Optometry Board							X			
515 – Texas State Board of Pharmacy	X	X	X				X			
520 – Texas State Board of Examiners of Psychologists	X	X	X							X
529 – Health and Human Services Commission	X	X	X	X	X	X	X	X	X	X
530 – Department of Family and Protective Services	X	X	X	X	X	X	X	X	X	X
533 – Executive Council of Physical and Occupational Therapy Examiners	X	X	X	X			X	X	X	X
537 – Department of State Health Services	X	X	X	X	X	X	X	X	X	X
542 – Cancer Prevention and Research Institute of Texas	X	X	X	X					X	X
544 – Texas Civil Commitment Office	X	X	X						X	X

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551 – Texas Department of Agriculture	X	X					X	X	X	X
554 – Texas Animal Health Commission	X	X	X	X			X	X	X	X
555 – Texas A&M AgriLife Extension Service	X	X		X			X	X		X
556 – Texas A&M AgriLife Research	X	X		X			X	X		X
557 – Texas A&M Veterinary Medical Diagnostic Laboratory	X	X		X			X	X		X
575 – Texas Division of Emergency Management	X	X	X	X			X	X	X	X
576 – Texas A&M Forest Service	X	X	X	X			X	X	X	X
578 – State Board of Veterinary Medical Examiners	X	X					X			
580 – Texas Water Development Board	X	X	X	X	X		X	X	X	X
582 – Texas Commission on Environmental Quality	X	X	X	X	X		X	X	X	X
592 – State Soil and Water Conservation Board	X	X	X			X				X
601 – Texas Department of Transportation	X	X	X	X			X	X	X	X
608 – Texas Department of Motor Vehicles	X	X	X	X	X		X	X	X	X
644 – Texas Juvenile Justice Department	X	X	X	X	X		X	X	X	X
696 – Texas Department of Criminal Justice	X	X	X	X					X	X
701 – Texas Education Agency	X	X	X	X	X		X	X	X	X
709 – Texas A&M University Health Science Center		X	X	X	X			X	X	
710 – Texas A&M University System	X	X		X		X			X	
711 – Texas A&M University		X	X	X	X			X	X	
712 – Texas A&M Engineering Experiment Station	X	X	X	X	X			X	X	X

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713 – Tarleton State University	X	X	X	X	X		X	X	X	X
714 – University of Texas at Arlington	X	X	X	X	X		X		X	X
715 – Prairie View A&M University	X	X	X	X	X		X	X	X	X
716 – Texas A&M Engineering Extension Service			X	X			X		X	X
717 – Texas Southern University	X	X	X	X	X	X	X		X	X
718 – Texas A&M University at Galveston		X	X	X	X			X	X	
719 – Texas State Technical College System	X	X	X	X	X		X	X	X	X
720 – University of Texas System	X	X	X	X	X		X	X	X	X
721 – University of Texas at Austin	X	X	X	X	X	X	X	X	X	X
723 – University of Texas Medical Branch at Galveston	X	X	X	X	X		X	X	X	X
724 – University of Texas at El Paso	X	X	X	X	X		X	X	X	X
727 – Texas A&M Transportation Institute	X	X	X		X	X	X	X	X	
729 – University of Texas Southwestern Medical Center	X	X	X	X	X		X	X	X	X
730 – University of Houston	X	X	X	X		X	X		X	X
731 – Texas Woman's University	X	X		X			X	X	X	X
732 – Texas A&M University – Kingsville	X	X		X			X		X	X
733 – Texas Tech University	X	X	X	X	X	X	X	X	X	X
734 – Lamar University	X	X	X	X			X	X	X	X
735 – Midwestern State University	X	X	X	X	X		X	X	X	X
737 – Angelo State University	X			X			X		X	X

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738 – University of Texas at Dallas	X	X	X	X	X		X	X	X	X
739 – Texas Tech University Health Sciences Center	X	X		X			X		X	
741 – Sul Ross State University, Rio Grande College	X		X		X		X	X	X	X
742 – University of Texas of the Permian Basin	X	X	X	X	X	X	X	X	X	X
743 – University of Texas at San Antonio	X	X	X	X	X		X	X	X	X
744 – University of Texas Health Science Center at Houston	X	X	X	X	X	X	X	X	X	X
745 – University of Texas Health Science Center at San Antonio	X	X	X	X	X		X	X	X	X
746 – University of Texas Rio Grande Valley	X	X	X	X	X		X	X	X	X
749 – Texas A&M University – San Antonio	X	X	X	X	X	X	X	X	X	X
750 – University of Texas at Tyler	X	X	X	X	X		X	X	X	X
751 – Texas A&M University – Commerce	X	X	X	X	X		X	X	X	X
752 – University of North Texas	X	X		X	X		X	X	X	X
753 – Sam Houston State University	X			X	X		X		X	
754 – Texas State University	X	X	X	X			X	X	X	X
755 – Stephen F. Austin State University	X	X	X	X	X	X	X	X	X	X
756 – Sul Ross State University	X	X	X		X		X	X	X	X
757 – West Texas A&M University	X	X					X	X	X	X
758 – Texas State University System	X	X	X	X	X	X	X	X	X	X
759 – University of Houston – Clear Lake	X	X	X	X			X		X	X
760 – Texas A&M University – Corpus Christi	X	X	X	X			X		X	X

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761 – Texas A&M International University	X	X	X	X	X		X		X	X
763 – University of North Texas Health Science Center	X	X		X	X		X	X	X	X
764 – Texas A&M University – Texarkana	X	X								X
765 – University of Houston – Victoria	X	X	X	X			X	X	X	X
768 – Texas Tech University System Administration	X	X	X	X	X		X	X		X
769 – University of North Texas System	X	X		X	X		X	X	X	X
770 – Texas A&M University – Central Texas	X	X	X	X	X		X	X		X
771 – Texas School for the Blind and Visually Impaired	X	X	X				X		X	X
772 – Texas School for the Deaf	X	X	X	X	X		X	X	X	
773 – University of North Texas at Dallas	X	X		X	X		X	X	X	X
774 – Texas Tech University Health Sciences Center at El Paso	X	X	X	X	X		X		X	
781 – Texas Higher Education Coordinating Board	X	X	X	X	X		X	X	X	X
783 – University of Houston System	X	X	X	X		X	X		X	X
784 – University of Houston – Downtown	X	X		X			X		X	
785 – University of Texas Health Science Center at Tyler		X	X	X	X		X	X		X
787 – Lamar State College – Orange	X	X	X	X			X	X	X	X
788 – Lamar State College – Port Arthur	X	X	X				X		X	X
789 – Lamar Institute of Technology	X	X		X					X	
802 – Parks and Wildlife Department	X	X	X	X			X	X	X	
808 – Texas Historical Commission	X	X	X	X			X	X	X	X

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809 – State Preservation Board	X	X	X				X		X	X
813 – Texas Commission on the Arts	X	X	X		X		X			X
902 – Fiscal Programs within the Office of the Comptroller of Public Accounts	X	X	X	X	X		X	X	X	X
<b>Total</b>	<b>142</b>	<b>139</b>	<b>119</b>	<b>120</b>	<b>73</b>	<b>28</b>	<b>135</b>	<b>101</b>	<b>119</b>	<b>125</b>

SOURCE: Legislative Budget Board.

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### APPENDIX B – RESPONSES OF TOP 25 AGENCIES BY TOTAL CONTRACT VALUE

AGENCIES IN ORDER OF TOTAL CONTRACT VALUE, HIGHEST TO LOWEST	ATTENDED EXTERNAL TRAININGS	CERTIFICATIONS FOR PROCUREMENT PERSONNEL	COMMUNICATED WITH OVERSIGHT ENTITIES	CONDUCTED INTERNAL TRAININGS	DEDICATED MORE MONEY TO CONTRACT COMPLIANCE	HIRED CONSULTANTS	INCREASED MANAGEMENT INVOLVEMENT	INCREASED OR REORGANIZED PROCUREMENT PERSONNEL	REVISED CONTRACTING MANUAL AND PROCEDURES	STUDIED BEST PRACTICES FROM OTHER ORGANIZATIONS
601 – Texas Department of Transportation	X	X	X	X			X	X	X	X
305 – General Land Office	X	X	X	X	X		X	X	X	X
529 – Health and Human Services Commission	X	X	X	X	X	X	X	X	X	X
696 – Texas Department of Criminal Justice	X	X	X	X					X	X
537 – Department of State Health Services	X	X	X	X	X	X	X	X	X	X
720 – University of Texas System Administration	X	X	X	X	X		X	X	X	X
730 – University of Houston	X	X	X	X		X	X		X	X
781 – Texas Higher Education Coordinating Board	X	X	X	X	X		X	X	X	X
530 – Department of Family and Protective Services	X	X	X	X	X	X	X	X	X	X
710 – Texas A&M University System	X	X		X		X			X	
721 – University of Texas at Austin	X	X	X	X	X	X	X	X	X	X
405 – Department of Public Safety	X	X	X	X			X	X	X	X
733 – Texas Tech University	X	X	X	X	X	X	X	X	X	X
320 – Texas Workforce Commission	X	X	X	X		X	X	X	X	X

## 2020–21 BIENNIUM CONTRACT MANAGEMENT AND OVERSIGHT SUMMARY REPORT

Submitted by Legislative Budget Board Staff as required by the Eighty-sixth Legislature, General Appropriations Act, 2020–21 Biennium, Article IX, Section 17.10(f)  
October 2021

AGENCIES IN ORDER OF TOTAL CONTRACT VALUE, HIGHEST TO LOWEST	ATTENDED EXTERNAL TRAININGS	CERTIFICATIONS FOR PROCUREMENT PERSONNEL	COMMUNICATED WITH OVERSIGHT ENTITIES	CONDUCTED INTERNAL TRAININGS	DEDICATED MORE MONEY TO CONTRACT COMPLIANCE	HIRED CONSULTANTS	INCREASED MANAGEMENT INVOLVEMENT	INCREASED OR REORGANIZED PROCUREMENT PERSONNEL	REVISED CONTRACTING MANUAL AND PROCEDURES	STUDIED BEST PRACTICES FROM OTHER ORGANIZATIONS
744 – University of Texas Health Science Center at Houston	X	X	X	X	X	X	X	X	X	X
313 – Department of Information Resources	X	X	X	X	X	X	X	X	X	X
774 – Texas Tech University Health Sciences Center at El Paso	X	X	X	X	X		X		X	
303 – Texas Facilities Commission	X	X	X	X	X	X	X	X	X	X
582 – Texas Commission on Environmental Quality	X	X	X	X	X		X	X	X	X
802 – Parks and Wildlife Department	X	X	X	X			X	X	X	
701 – Texas Education Agency	X	X	X	X	X		X	X	X	X
302 – Office of the Attorney General	X	X	X	X			X	X	X	X
752 – University of North Texas	X	X		X	X		X	X	X	X
323 – Teacher Retirement System of Texas	X	X	X	X	X	X	X	X	X	X
739 – Texas Tech University Health Sciences Center	X	X		X			X		X	
<b>Total</b>	<b>25</b>	<b>25</b>	<b>22</b>	<b>25</b>	<b>16</b>	<b>12</b>	<b>23</b>	<b>20</b>	<b>25</b>	<b>21</b>

SOURCE: Legislative Budget Board.