

2023-2024
TEA Approval of
Region One ESC
Request for
Noncompetitive
Procurement



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Background

- ESCs are required under TEC Section 8.002 to (1) assist school districts in improving student performance, (2) enable school districts to operate more efficiently and economically, and (3) implement initiatives assigned by the legislature or the commissioner.
- November 30, 2017 TEA issued a News Bulletin: [**TEA Policy Under Federal Regulations**](#)
- Outlined more flexible options LEA's have to procure services with federal funds from ESCs under EDGAR regulations



2. TEA Authorizing ESC Services as Noncompetitive

- [2 CFR 200.320\(c\)\(4\)](#) allows TEA, as the pass-through entity, to authorize noncompetitive proposals in response to a written request, including contracted services from ESCs to LEAs

Option 2B

- Region One ESC requested, and received, authorization from TEA for all products and services to be considered a noncompetitive procurement proposal



From: Frank Baca via Smartsheet <automation@app.smartsheet.com>

Sent: Monday, June 5, 2023 4:53 PM

To: Angela de la Cruz, MSA <angdelacruz@esc1.net>

Subject: EDGAR: Request for Other Noncompetitive Procurement (Not Sole-Source) Approved



Hi Angela de la Cruz,

Thank you for following TEA's procedures to request specific prior approval of various federal EDGAR grant requirements under 2 Code of Federal Regulations (CFR) 200.

Below you will find TEA's decision after careful review of your recent request, and additional information on next steps. Provide this information to both the program staff and the finance staff within your organization and maintain the response form locally for audit and monitoring documentation. For questions please contact GrantSupport@tea.texas.gov.

Request for Other Noncompetitive Procurement (Not Sole-Source)
REG 1 ESC 108950
Angela de la Cruz
Products and services from Region One ESC to other ESCs and LEAs for
the 2023-2024 Fiscal Year

TEA Chief Grants Officer **Approved**
Date: 06/05/23
TEA Chief Grants Officer Comment:

For all approved forms, you must adequately document for auditors the appropriate procurement process has been followed.

Maintain the response form as part of your documentation for the appropriate process.



What does this mean?

- Allows LEA's the option to efficiently utilize programs and services offered by Region One ESC while complying with EDGAR regulations
- Provides Region One ESC the ability to:
 - Efficiently meet the needs of our LEA's
 - Carryout the objectives set forth in TEC §8.002
 - Assist TEA in meeting their current strategic plan and priorities



What can I do?

- Consider Region One ESC's products and services to meet your district's needs and use the attached TEA authorization letter as part of your backup documentation to support a ***noncompetitive procurement method*** for the 2023-2024 school year, as applicable.
 - Does not require a competitive bid solicitation
 - Still requires documentation to ensure the purchase is reasonable, allowable, necessary and allocable (RANA)



Where can I find this information?

You can find the TEA's approval of Region One ESC's request for Other Noncompetitive Procurement form and this presentation on the Region One ESC website under Important Information on the [Purchasing webpage](#):



The screenshot displays the Region One Education Service Center website. The header features the organization's logo, name, and '50 Years of Excellence' tagline. Navigation links include Home, About Us, Divisions, Workshops, Programs & Services (highlighted), Schools, Students, Login Directory, and Intranet. A secondary navigation bar contains icons for Employment, Workshops, and Financial Transparency. The breadcrumb trail reads: Home » Programs & Services » Purchasing » Region One Purchasing Cooperatives Overview. The main content area is titled 'Purchasing' and includes a link to the 'Region One Purchasing Cooperatives Overview' page. Below this, a list of cooperatives is shown: Region One Purchasing Cooperative, CNP - South Texas Cooperative, Texas Energy Center, Library Services and Instructional Resources, Region One Purchasing - Internal, and Purchasing Advisory Council. A 'Links' section contains 'Conflict of Interest' and 'VENDOR OPPORTUNITIES'. The 'Our Purpose' section states the department's role in supporting purchasing for Region One ESC programs. The 'Our Services' section describes training and assistance for internal and external customers. The 'Our Cooperatives' section lists: Child Nutrition Program - South Texas Cooperative, Texas Energy Center - A Cooperative of Region One ESC, Library Services and Instructional Resources, and Region One Purchasing Cooperative. The 'Purchasing Team' section lists staff members and their roles. On the right, an 'Important Information' sidebar links to 'Region One ESC Vendor Forms', 'Purchase Order Terms and Conditions', 'PO and Payment Requirements', and 'EDGAR Certification Letter 2022-2023'. Two yellow boxes highlight '2023-2024 TEA Other Noncompetitive Procurement Approval' and '2023-2024 TEA Other Noncompetitive Procurement Approval Presentation'. A 'Bid Calendar' link is also present.

What about next school year?

- Region One ESC will request a non-competitive procurement authorization approval from TEA for the 2024-2025 school year.
- Information will be disseminated via the various advisory councils and leadership networks.





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