

TEXAS STATE TECHNICAL COLLEGE
STATEWIDE OPERATING STANDARD

No. GA 2.02	Page 1 of 3	Effective Date: 10/10/2019
DIVISION:	General Administration	
SUBJECT:	Consulting Services	
AUTHORITY:	Texas Government Code Title 10, Subtitle F, Chapter 2254	
PROPOSED BY:	Jonathan Hoekstra	
TITLE:	Vice Chancellor & Chief Financial Officer	Date: 10/10/2019
RECOMMENDED BY:	Jonathan Hoekstra	
TITLE:	Vice Chancellor & Chief Financial Officer	Date: 10/10/2019
APPROVED BY:	Mike Reeser	
TITLE:	Chancellor	Date: 10/10/2019

STATUS: Approved by LT 10/10/2019

HISTORICAL STATUS: Approved by VCs 7/28/15
 Reviewed/Revised 06/20/15
 Approved by MC 01/24/95
 Revised 12/15/94

I. STATEWIDE STANDARD

COMPLIANCE: Texas State Technical College (TSTC) shall comply with [Texas Government Code, Title 10, Subtitle F, Chapter 2254, Professional and Consulting Services](#).

II. PERTINENT INFORMATION

[Texas Government Code, Title 10, Subtitle F, Chapter 2254](#) prescribes the circumstances under which a state agency may contract for both professional and consulting services. Subchapter A contains provisions for Professional Services. [Subchapter B](#) contains provisions for Consulting Services.

The Statewide Operating Standard (SOS) shall apply to consulting services that TSTC purchases with funds appropriated by the Texas Legislature; funds generated by performing its statutory duties; or funds received from the federal government, unless a federal law or regulation conflicts with the Texas Government Code. In case of any conflict, federal laws or regulations shall prevail.

III. GENERAL GUIDELINES

TSTC may contract with a consultant only if (1) there is a substantial need for the consulting services; and (2) the College cannot adequately perform the services with its own personnel or obtain the consulting services through a contract with another state entity.

In selecting a consultant, the College shall base its choice on demonstrated competence, knowledge, and qualifications of the consultant and on the reasonableness of the proposed fee for the services. If other considerations are equal, TSTC shall give preference to a consultant whose principal place of business is in the state or who will manage the consulting contract wholly from an office in the state.

IV. DEFINITIONS

Consultant: A person who provides or proposes to provide a consulting service. The term can include a political subdivision but does not include the federal government, a state agency, or a state governmental entity.

Consulting Service: The service of advising a state agency under a contract that does not involve the traditional relationship of employer and employee.

V. DELEGATION OF AUTHORITY

The Board of Regents delegates to the Chancellor, or his/her designee, the authority to implement the provisions of this SOS.

VI. PERFORMANCE STANDARDS

1. All consultants are contracted in compliance with [Texas Government Code, Title 10, Subtitle F, Chapter 2254](#) and this SOS.
2. All requisitions for the employment of consultants are processed through the campus Procurement Department, and all contracts for consulting services are reviewed by the Legal Department.
3. Agreements for independent consulting services are subject to the requirement for competition if the contract exceeds \$25,000. For sole source contractors, the College's SOS [FA 1.16 Purchasing Authority](#) applies.

APPENDIX

VII. RELATED STATEWIDE STANDARDS, LEGAL CITATIONS, OR SUPPORTING DOCUMENTS

[FA 1.16 Purchasing Authority](#)

[FA 4.4 Contract Administration](#)

[Texas Government Code, Title 10, Subtitle F, Chapter 2254](#)

[Texas Government Code, Title 10, Subtitle F, Chapter 2254, Subchapter B](#)

VIII. OPERATING REQUIREMENTS

1. The Procurement Department must serve as the contact point for all departments requisitioning for consulting services.
2. All contracts for consulting services must be reviewed by TSTC General Counsel.
3. A consulting services contract, renewal, amendment, or extension shall be void if any department or agency of the College contracts for consulting services or renews, amends, or extends a consulting service contract without complying with the provisions related to consulting services contained within the [Texas Government Code, Title 10, Subtitle F, Chapter 2254](#).
4. TSTC shall not accept a previous offer or proposal to provide consulting services to the agency if: (1) “the person received compensation from the agency to participate in the preparation of the specifications or request for proposals on which the offer is based,” and (2) “the person would receive compensation from the agency for providing consulting services to the agency.”
5. This SOS shall not apply to services provided by the Professional Services Procurement Act (Subchapter A of the [Texas Government Code Title 10, Subtitle F, Chapter 2254](#)).