



**A Department of Education Service Center Region 8, 4845 US Highway 271 North, Pittsburg, Texas 75686, (866) 839-8477**

---

Sept. 14, 2020

Dear TIPS Member,

As the victims of the recent disaster are in our thoughts and prayers, we here at The Interlocal Purchasing System ("TIPS"), know that that road to restoration will be difficult for all affected. We understand that the question that our Members are asking now is, "What must we do to recover?" Unfortunately, it is not as simple as just calling restoration and construction companies to come and fix the damage.

The statutory requirements of procurement in Texas are still in force, and as this may be a [FEMA](#) Disaster Declaration, federal procurement rules under 2 CFR part 200 could be in effect. Texas law and federal regulations provide for certain emergency purchases that bypass the usual procurement requirements in order to safeguard health and safety of students and staff, and to prevent further damage and conserve your assets that are left, within the confines of the law. If you need help with board action to approve an emergency, please contact your attorney to help you through that process. However, you must use caution in your use of those provisions as they are only for truly emergent situations. A potential way to achieve recovery more quickly, without resorting to emergency provisions, is to utilize existing TIPS purchasing cooperative contracts when permissible. Under many circumstances, they meet the Texas statutory requirements and many of the Federal requirements. However, it is always up to the Member to review the specific Vendor's TIPS profile to determine specific vendor's compliance with 2 CFR Part 200, commonly called EDGAR.

If your agency has questions about using federal funds to purchase from a TIPS contract, please contact our TIPS attorneys, Rick Powell or Sarah Reynolds.

Here is his contact information:

Rick Powell, General Counsel  
[Rick.powell@tips-usa.com](mailto:Rick.powell@tips-usa.com)  
(903) 575-2726

Sarah Reynolds, Deputy General Counsel  
[Sarah.Reynolds@tips-usa.com](mailto:Sarah.Reynolds@tips-usa.com)  
(903) 575-2673

TIPS has several categories appropriate for restoration and build-back. Please review our attached list of potential storm repair contracts. Some of these contracts are Job Order Contract (JOC) or two-part JOCS which can be very beneficial in meeting all of your restoration needs. We have many Job Order Contracting categories that meet requirements found in Texas Government Code 2269. Click [here](#) for a complete list of our Job Order Contracts. For a quick reference guide to TIPS contractors and the services that they offer click [here](#). As always, you, the TIPS Member, is ultimately responsible to determine when and if a TIPS contract is appropriate and compliant with your applicable statutes, regulations, rules, and policies, and we recommend you consult your legal counsel for guidance in those decisions.

Here is a [list](#) of things to keep in mind in the coming months. Please let us know how we can best help.

Thank you,  
TIPS [Hurricane Relief](#) Team  
<https://www.tips-usa.com/>