**Attestation letter required by the Eighty-eighth Legislature, General Appropriations Act, 2024–25 Biennium, Article IX, Section 7.11, for contracts valued at $10.0 million or more, or $1.0 million or more if not competitively awarded. Please use this template with agency or institution letterhead and provide contract documents, including all appendices and attachments; the solicitation; and, if applicable, a finding of fact for major consulting contracts from the Office of the Governor in accordance with the Texas Government Code, Section 2254.028(a)(3).**

Jerry McGinty

Director, Legislative Budget Board

Robert E. Johnson Bldg., Fifth Floor

1501 N. Congress Ave.

Austin, Texas 78701-1200

Dear Mr. McGinty:

Pursuant to the General Appropriations Act, 2024–25 biennium, Article IX, Section 7.11, the [Agency or Institution] notifies the Legislative Budget Board (LBB) that [Agency or Institution] intends to or has entered into the following contract.

**A. Contract Information.**

Attached is a summary of the purpose of and major deliverables for the following contract:

1. vendor’s name, address, and phone number;
2. contract identification number;
3. maximum amount of the contract;
4. scheduled payment date(s); and
5. term(s) of the contract.

**B. Executive Director Certification**

1. I certify that the process used to award this contract complies with or is consistent with the following:
   1. *State of Texas Procurement and Contract Management Guide*; and
   2. all applicable statutes, rules, policies, and procedures related to procurement and contracting of goods and services, including compliance with conflict-of-interest disclosure requirements.
2. I certify that the agency or institution has an effective process and adequate management controls to:
3. verify vendor performance and deliverables for this contract;
4. pay only for goods and services that are within the scope of the contract or procurement;
5. calculate and collect any liquidated damages associated with vendor performance; and
6. determine when, why, or how to apply corrective action plans for continuing poor vendor performance.
7. I certify that the agency or institution will comply with the requirement to provide information to the Vendor Performance Tracking System in accordance with the Texas Government Code, Section 2155.089, as amended by Senate Bill 65, Eighty-sixth Legislature, 2019.

**C. Risk Statement**

I believe that the goods or services being procured via this contract are/are not necessary to provide mission critical functions of this agency or institution[[1]](#footnote-1). The attached describes the importance of the goods and services and risk to the agency or institution if the parameters of the contract are not met within the specified time frames.

**D. Continuing Duty to Report**

I acknowledge a continuing duty to provide any information or documentation regarding this contract upon request by the LBB and to report any changes to the information provided as well as any later discovered errors or inconsistencies to the LBB.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signature**

**---------------------------------------------------**

**Printed Name of Executive Director Date**

**(Institution Administrator)**

**ATTACHMENT**

**A. Contract Information:** Description of the purpose of the contract and summary of major deliverables.

**B. Executive Director Certification:** If the process to award the contract, contract extension, or procurement did not comply with the requirements of B Subsection 1a and b, provide an explanation for the alternative process utilized and a legal justification for the alternative process.

**C. Risk Statement:** Statement of the importance of the contract to the agency or institution of higher education, and risk to the agency or institution if the parameters of the solicitation or contract are not met within the specified time frames.

1. Goods and services that the agency relies on to execute basic functions essential to the mission of the agency should be considered mission critical. This category may include direct services to constituents or indirect support services for critical agency systems. [↑](#footnote-ref-1)