

RESOLUTION NO. 2025-R-31

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN JACINTO RIVER AUTHORITY ADOPTING A PROCUREMENT POLICY.**

**WHEREAS**, the San Jacinto River Authority (the "Authority") is a conservation and reclamation district and a governmental agency and political subdivision of the State of Texas, created and operating under the provisions of Chapter 426, Acts of the 45th Texas Legislature, Regular Session, 1937, enacted pursuant to Article XVI, Section 59 of the Constitution of Texas; and

**WHEREAS**, the Board of Directors of the Authority previously passed and adopted Resolution No 2023-R-15, on October 26, 2023, adopting a revised Procurement Policy for the Authority (the "Prior Policy"); and

**WHEREAS**, the Board of Directors of the Authority wishes to further revise the Procurement Policy for the Authority.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN JACINTO RIVER AUTHORITY THAT:**

**SECTION 1:** The Authority hereby approves and adopts the Procurement Policy attached hereto as **Exhibit "A"** (the "Procurement Policy").

**SECTION 2:** The Procurement Policy shall supersede and replace the Prior Policy in all respects and, therefore, the Prior Policy is hereby repealed, revoked, and rescinded. Any other prior resolutions, orders, policies, or procedures of the Authority that are inconsistent or in conflict with this Resolution or the Procurement Policy approved and adopted hereunder are hereby repealed to the extent of such inconsistency or conflict.

**SECTION 3:** This Resolution shall be and remain in full force and effect from and after the date of its passage, approval, and adoption until repealed, revoked, rescinded, amended, or modified by appropriate action of the Board of Directors of the Authority.

**SECTION 4:** If any provision of this Resolution or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this Resolution that can be given effect without the invalid provision or application, and to this end, the provisions of this Resolution are hereby declared to be severable.

**SECTION 5:** The President of the Board of Directors of the Authority is hereby authorized to sign, and the Secretary of said Board is hereby authority to attest, this Resolution on behalf of said Board and the Authority. This Resolution shall become effective upon its passage and adoption.

**PASSED AND ADOPTED** by the Board of Directors of the San Jacinto River Authority on this 11th day of December 2025.

**ATTEST:**



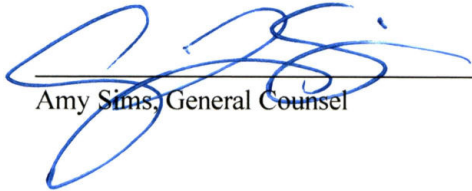
Wil Faubel, Board Secretary

**SAN JACINTO RIVER AUTHORITY**



Ronnie Anderson, Board President

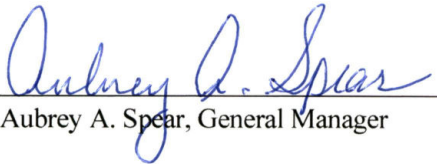
**APPROVED AS TO FORM:**



Amy Sims, General Counsel



**APPROVED AS TO CONTENT:**



Aubrey A. Spear, General Manager

## Exhibit “A”



# Procurement Policy

# **San Jacinto River Authority Procurement Policy**

The San Jacinto River Authority (Authority) shall purchase all goods and services, in compliance with all applicable regulatory and statutory requirements, at the best value for the Authority. Procurement by the Authority will be guided by statutes, policy, procedures, and best practices. The Authority will promote competition, fairness, stewardship, and transparency in the procurement of goods and services.

This policy applies to all SJRA employees involved in procurement-related activities across all divisions, facilities, and locations. It governs the processes, responsibilities, and requirements for purchasing goods and services, including solicitation, evaluation, contract award, and related documentation.

## **1. Statutory References**

All references herein to federal or state laws or regulations shall mean and refer to such laws or regulations as amended from time to time.

## **2. Policy**

### **a. Procurement of Materials, Supplies, and Equipment**

Procurement of materials, supplies, and equipment shall be conducted in accordance with Texas Water Code Chapter 49, Subsection I.

### **b. Procurement of General Services**

Procurement of general services shall be conducted in accordance with Texas Water Code Chapter 49, Subsection I.

### **c. Procurement of Technology**

Procurement of technology goods and services shall be conducted in accordance with Texas Local Government Code Chapter 252.

### **d. Procurement of Professional Services**

- i. Procurement of Architectural, Engineering, or Surveying Services shall be conducted in accordance with Texas Government Code Chapter 2254.
- ii. Procurement of Outside Legal Services shall comply with Texas Water Code 49.057(d). When selecting attorneys, Authority staff shall follow Subchapter A, Chapter 2254 of the Texas Government Code. The General Manager is authorized to engage outside legal counsel as necessary to support the Authority's legal

representation; however, in selecting any firm or attorney, the General Manager shall consider the expertise, cost, and potential conflicts of interest, as outlined in the Texas Disciplinary Rules of Professional Conduct.

- iii. Procurement of Other Professional Services shall be conducted in accordance with Texas Government Code 2254.003 when acquiring professional services not covered under 2254.004. The General Manager and designated staff shall select the most highly qualified provider of such services based on: (i) demonstrated competence and qualifications to perform the services, and (ii) negotiate a contract with the provider for a fair and reasonable price.
- iv. In accordance with Texas Administrative Code, Title 30, Chapter 292, Rule 292.13, the Authority shall maintain a list of at least three qualified persons or firms for each area of Professional Services it utilizes.
- v. The selection and award of a Professional Services Contract—including a Professional Services Agreement, Master Professional Services Agreement, or Engagement Letter—shall comply with all applicable requirements of the general and special laws of the State of Texas.

**e. Procurement of Construction Services**

Procurement of construction services shall be conducted in accordance with Texas Water Code Chapter 49, or in accordance with Chapter 2269 of the Texas Government Code, if an alternative procurement method is selected.

**f. Exemptions from Competitive Procurement**

- i. Emergency Procurements shall be conducted in accordance with Texas Water Code 49.274 and Texas Local Government Code 252.
- ii. Purchases of goods or services for which there is only one source—due to patents, copyrights, natural monopolies, gas, water, or other utility services; captive replacement parts or components for equipment; or any circumstance in which competition is otherwise impracticable—are exempt from competitive solicitation. Similarly, purchases for which a specific single source is required to maintain compatibility or standardization with existing equipment or systems, comply with proprietary system requirements, or are unique in nature or limited by sales territory or product availability, are also exempt from competitive solicitation. The General Manager shall develop and implement a procedure for reviewing and approving any justification for sole source or single source procurement of materials, supplies, equipment, or services.
- iii. Purchases of goods or services under an approved interlocal agreement or cooperative purchasing program shall be conducted in accordance with Texas Government Code Chapters 791 & 792 and shall satisfy the Authority's

requirement to seek competitive bids or proposals.

- iv. Purchase of security or surveillance system or components of or additions to Authority facilities relating to security or surveillance, including systems used for the prevention of terrorist acts or incidents or acts of war, is exempt from competitive solicitation, if the General Manager finds that doing so would compromise the safety and security of Authority facilities or residents.

**g. Disposal of Salvage and Surplus Property**

- i. The disposal of salvage and surplus property shall be conducted in accordance with Texas Government Code Chapter 2175.
- ii. It is the Authority's intent in selling or disposing of salvage and surplus property to seek the maximum financial return achievable within a reasonable period and with minimal staff and administrative effort. The Board of Directors hereby delegates to the General Manager the authority to declare any Authority personal property as salvage or surplus property and to dispose of such property. The General Manager shall determine the method of sale that is most advantageous to the Authority under the circumstances.
- iii. The declaration of any Authority interest in real property as surplus property, and any subsequent sale, transfer, or other disposition of that interest, shall require Board approval.

**h. Delegation of Authority**

- i. The Board of Directors authorizes the General Manager to approve and execute contracts, contract renewals, contract extensions, amendment, change orders, purchase orders, and other documents for expenditures in accordance with Texas Water Code Chapter 49.
- ii. The Board of Directors authorizes the General Manager to develop procedures governing the form and substance of administrative actions necessary for the procurement of materials, supplies, equipment, general services, professional services, construction services, exempt procurements, and any other procurements required for the day-to-day operations of the Authority. These procedures should be designed to achieve the best value for the Authority and must be consistent with this policy, the Authority's enabling legislation, and all applicable general and special laws of the State of Texas.

The Procurement Policy has been adopted by the Board of Directors of the San Jacinto River Authority on this 11<sup>th</sup> day of December, 2025.