Texas Department of Information Resources

Board Member Guide

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Introduction

Welcome to the Texas Department of Information Resources (DIR) Governing Board and thank you for your service. This guide will introduce you to your new position as a Board member and provide necessary training, helpful information, and ongoing support for common questions and issues that may arise during your tenure.

As a Board member, you play a critical role in DIR's efforts to ensure that government entities—including state agencies, county and municipal organizations, public colleges and universities, and K-12 education entities—can find and implement the most secure, reliable, and cost-effective technology available.

DIR strives to help organizations use technology to serve Texans more effectively. To that end, DIR's Board of Directors and DIR staff endeavor to connect those public employees with innovative technology that is scalable, secure, and capable of delivering the best value to taxpayers and the best service to the people of Texas.

Mission

The mission of the Texas Department of Information Resources is to serve Texas government by leading the state's technology strategy, protecting state technology infrastructure, and offering innovative and cost-effective solutions for all levels of government.

Vision

Transforming how Texas government serves Texans.

In this guide and throughout your tenure on the DIR Board, you will receive updates from our program areas about the services and solutions that DIR provides to inform your decisions. .

This guide is divided into two sections:

- Section 1 – Law, Rules, and Policies provides an overview of the various laws that concern the Board and its activity when performing its official function.
- Section 2 – DIR: An Overview provides an overview of DIR, including the agency's organization, management, operations, roles, and service offerings.

DIR's enabling legislation, Texas Government Code Chapter 2054, and other statutory authority outlines additional training required of DIR Board members. This training covers:

Texas Open Meetings Act
Texas Public Information Act
Texas Administrative Procedure Act
Conflicts of Interest and Other Laws Relating to Public Officials
Ethics Established by DIR-Agency Internal Policies, Statutes, and Texas Ethics Commission Opinions
Responsibilities Relating to Financial Management of DIR
DIR Enabling Legislation
DIR Operated Programs

DIR's Role and Function
DIR Rules
Contract Management
DIR's Current Financials
DIR's Most Recent Formal Audit Results

Required Trainings

Every new Board member must complete specific trainings within certain statutory timeframes. The first two required trainings are published by the Office of the Attorney General and can be found here. They provide detailed information regarding Open Government, including the Public Information Act and the Open Meetings Act, and must be completed within **90 days** after the date that you assume your responsibilities as a member of the DIR Board. Tex. Gov't. Code § 551.005; Tex. Gov't. Code § 552.012. When you have completed these courses, ***please provide the DIR General Counsel's Office with a copy of your course completion certificate*** for DIR's records.

The third training requirement is published by the Comptroller of Public Accounts (CPA) and can be found here. Tex. Gov't. Code §§ 656.052, 656.053. This training details the ethical and professional responsibilities associated with state contracting. It must be completed promptly**. DIR strongly recommends that you complete this training no later than 90 days after beginning your term of service.** To complete this training, please create an account on the Statewide Procurement Education System and register for and complete the Governing Bodies Webinar. Should you have any questions regarding this training, please contact the DIR General Counsel's administrative law attorney. When you have completed the course, ***please provide the DIR General Counsel's Office with a copy of your certificate of completion*** for its records.

The fourth training requirement is unique to DIR's Board members. Tex. Gov't. Code § 2054.021(f)-(g). This document that you are currently reviewing contains all information required to meet this obligation. It provides an overview of DIR programs, finances, operations, as well as contract management training. Review of this document must be completed within **180 days** after the date that you assume your responsibilities as a member of the DIR Board. If you prefer, detailed information can be presented to you in person or by videoconference at your convenience. ***Please notify the DIR General Counsel's Office by email when you have completed your review of the DIR Board Member Guide.*** An email simply stating that you have reviewed this document will suffice as evidence that you have done so.

All DIR Board members must also complete a state-certified cybersecurity training selected by DIR. Tex. Gov't Code §§ 2054.519, .5191. This constitutes the fifth and final training required of DIR Board members. Through the selected program, DIR Board members will learn to form information security habits and procedures that protect information resources as well as understand best practices for detecting, assessing, reporting, and addressing information security threats. Unlike the other trainings required of DIR's Board members, DIR itself selects which cybersecurity program its Board members shall complete and will provide a customized link via email by which the Board member can complete the training. This is also dissimilar from other training requirements in that Board members must complete it annually to comply with statute. DIR will provide the necessary link to the Board member each time this training must be completed. Board members may outreach to DIR's Information Security Officer or administrative law attorney with any questions they may have on this training.

The table below lists all required training, including a brief description, the location, how to verify completion, and the deadlines for completion. It is also your responsibility to ensure that you complete all required financial and conflict of interest disclosures as described in this guide.

Required Training	Description	Location	Verification to DIR General Counsel	Due Date
1A. Texas Open Meetings Act	Covers the basics of the Open Meetings Act	Texas Office of the Attorney General Website	Send Course Certificate to DIR General Counsel's Office upon completion	90 days after first day of service
1B. Texas Public Information Act	Covers the basics of the Public Information Act	Texas Office of the Attorney General Website	Send Course Certificate to DIR General Counsel's Office upon completion	90 days after first day of service
2. Texas Comptroller of Public Accounts (CPA)	Provides training on the procurement and contracting processes of a state agency	Texas Comptroller of Public Accounts (CPA) Statewide Procurement Education System	Send Certificate of Completion to DIR General Counsel's Office upon completion.	Promptly after first day of service (recommended within 90 days after first day of service)
3. DIR Board Member Training Guide	Provides statutorily required information on a number of topics unique to DIR's Board	DIR Website	Email DIR General Counsel's Office upon completion	180 days after first day of service
4. HB 3834 Cybersecurity Training	Provides information security practices and understanding to protect the state's security	Link will be provided	DIR will receive notification from the training program upon member completion	Within one year of first day of service; annually thereafter

Section 1 – Law, Rules, and Internal Agency Policies

This section provides the requisite information to train new Board members on the following topics:

- DIR Mission, Vision, and Values;
- Enabling legislation;
- Texas Open Meetings Act;
- Texas Public Information Act;
- Texas Administrative Procedure Act;
- Other laws affecting public officials;
- Financial responsibilities relating to financial management of DIR;
- Financial audits;
- Legislative hearings; and
- Additional responsibilities and training.

1.1 DIR Mission and Values

DIR's mission is to serve Texas government by leading the state's technology strategy, protecting state technology infrastructure, and offering innovative and cost-effective solutions for all levels of government.

DIR offers seven key functions to support its mission:

- Information Security;
- Cooperative Contracts;
- Shared Technology Services;
- Texas.gov;
- Communications Technology Services
- Technology Planning, Policy, and Governance; and
- Statewide Data Coordination.

DIR leadership is committed to the agency's core values. These values, known as ILEAD (Innovative, Leadership, Ethical, Accountable, Delivery), are communicated throughout the agency and demonstrated regularly by DIR employees.

The ILEAD values can be demonstrated by DIR employees in the following ways:

- Innovative
  - Agile – Evolve with the changing needs of our customers.
  - Bold – Challenge conventional notions of how things have been done before.
  - Creative – Contribute new ideas to improve processes, systems, and concepts.
- Leadership
  - Inspire – Help ourselves and others reach their full potential.
  - Courage – Tackle difficult issues and challenging assignments.
  - Collaborative – Work cooperatively with others across the agency to achieve shared goals.
- Ethical
  - Respect – Acceptance and appreciation of other's ideas, contributions, and differences.
  - Trustworthy – Able to be relied on as honest and truthful.

    - Integrity – Strive to do the right thing in working with each other, our customers, and stakeholders.
- Accountable
    - Reliable – Deliver on commitments.
    - Emotional Intelligence – Have a clear perception of our strengths and weaknesses.
    - Ownership – Accept responsibility for mistakes, learn what we can, and commit to do better.
- Delivery
    - Excellence – Strive to be the best in all that we do.
    - Results – Achieve positive outcomes.
    - Initiative – Take charge before others do.

1.2 Enabling Legislation

1.2.1 Texas Government Code 2054: Information Resources Management Act

Subchapter A: General Provisions

Subchapter B: Administration of Department

Subchapter C: General Powers and Duties of Department

Subchapter D: Information Resources Managers

Subchapter E: Strategic and Operating Plans; Information Resources Deployment Review

Subchapter F: Other Powers and Duties of State Agencies

Subchapter G: Project Management Practices

Subchapter H: Telecommunications Planning

Subchapter I: State Electronic Internet Portal Project

Subchapter J: Texas Project Delivery Framework

Subchapter K: Electronic System for Occupational Licensing Transactions

Subchapter L: Statewide Technology Centers

Subchapter M: Access to Electronic and Information Resources by Individuals with Disabilities

Subchapter N-1: State Cybersecurity

Subchapter O: Major Outsourced Contracts

Subchapter P: Additional Provisions on Contracting

Subchapter Q: Legacy System Moderation Strategy

Subchapter R: Information Resources of Governmental Entities

1.2.2 Other Relevant Statutes

- Tex. Gov't. Code § 2055: Electronic Grant System – Statutory language providing for and directing DIR to manage an electronic portal through Texas.gov that coordinates state grant assistance programs offered by and throughout the state.
- Tex. Gov't. Code § 2059: Texas Computer Network Security – Statutory language directing DIR to provide computer network security services to state agencies and other entities by agreement.
- Tex. Gov't. Code § 2157: Purchasing of Automated Information Systems – Statutory language guiding the purchase of automated information systems, including all hardware and software

related to the automation of an information system. This includes telecommunication apparatuses and devices that are a component of a communication network relating to telecommunications.

- Tex. Gov't. Code § 2170: Telecommunications Services – Statutory language relation to and guiding the deployment and administration of the centralized Capitol Complex Telephone System (CCTS).
- Tex. Gov'. Code § 2262: Statewide Contract Management – Statutory language directing DIR, in consultation with the Comptroller of Public Accounts, to develop a contract management guide (and appropriate training) and Contract Advisory Team to provide assistance to state agencies in improving contract management practices.

1.3 Texas Open Meetings Act

The Texas Open Meetings Act (Open Meetings Act) governs the conduct of governmental bodies to ensure that governmental actions taken on public business and policy are transparent and accessible to the public, unless expressly authorized otherwise by statute. Violation of the Open Meetings Act can carry criminal penalties and civil remedies.

The Open Meetings Act prohibits the board of a governmental body from meeting or communicating privately on agency business. This includes individual board member interactions if such a meeting or communication—including emails—would result in a quorum, either directly or through any such chain of communications. To avoid such an occurrence, board members must be mindful of "reply all" responses to email messages that include or may include other board members as addressees.

By statute, the DIR Board must meet a minimum of once each quarter and at any other time as called by the DIR Board Chair or department rule. When meeting, the Board must adhere to all requirements of the Open Meetings Act. A DIR Board meeting and all DIR Board members must comply with all following requirements:

- A timely notice of the matters to be considered must be published in the Texas Register in advance of the Board meeting.
- A quorum of six Board members, including ex-officio members, must be present, either in-person or via videoconference, for action or deliberation by the Board.[1]
- Only appointed members may vote on an action item as ex-officio members are prohibited from voting on action items.
- Members of the Board must abstain from discussing official business during breaks or recesses.
- Minutes of all Board meetings shall be maintained by DIR . This includes certified agendas of any matters considered in closed or executive session.

The General Counsel or a designated DIR attorney shall be present for all Board meetings to ensure full compliance with the Open Meetings Act.

Statute expressly provides for certain circumstances when a Board may discuss matters in a closed meeting or executive session because discussion of such matters in an open meeting would not be

[1] Although ex-officio members count towards a quorum, they are not permitted to vote on matters requiring action from the DIR Board. Therefore, when a vote is before the Board, a majority is determined only by those non-ex-officio members present who are not required to or otherwise choose to abstain from a vote.

appropriate or could risk state security. Instances when this is allowed include:

- Consultations with an attorney to receive legal advice on certain matters;
- Deliberations about real property;
- Deliberations regarding gifts and donations;
- Certain personnel matters;
- Deliberations about a security audit or the deployment or implementation of security personnel or devices; and
- Security issues relating to information resources technology, including network security and deployment of security personnel, critical infrastructure, or security devices.

Whenever a closed meeting or executive session is held, the following requirements must be met:

- A quorum of the governmental body must first convene in an open meeting and the Board Chair must announce in the open meeting that a closed meeting to discuss one of the above matters will be held;
- Only issues pertaining to the above-referenced exceptions shall be discussed;
- Decisions, votes, polling, or "straw" votes on matters shall not occur in the closed meeting; and
- A certified agenda must be created and retained for a minimum of two years **unless** the closed session is called to allow the DIR Board to consult with its attorney.

Open Meetings Act: Subcommittees

Generally, subcommittees are not subject to the Open Meetings Act if:

- The subcommittee is not attended by a Board quorum;
- The subcommittee does not have the authority to vote or otherwise take final action on a matter of agency business; and
- The Board does not routinely "rubber stamp" the recommendation of its subcommittees.

1.4 Texas Public Information Act

The Texas Public Information Act (Public Information Act) creates transparency in governmental action with the foundational belief that most government records, including those held by DIR Board members, should be open to the public upon written request. As with the Open Meetings Act, failure to provide documents or take appropriate measures to protect them may result in criminal or civil penalties.

If a Board member receives a written request for public information, the Board member must immediately notify DIR's Executive Director, General Counsel, or Public Information Officer. DIR is required to respond on behalf of the Board member by specific statutory deadlines. By providing immediate notification of a written request, the Board member allows DIR staff to aid with the request and remain in full compliance with the Public Information Act and DIR's policy.

Although the Public Information Act provides numerous exceptions by which requested information may be withheld, DIR must request an opinion as to whether such an exception applies from the Office of the Attorney General (OAG) prior to withholding such information. DIR is subject to and must comply with specific statutory deadlines to request an opinion from the OAG. If DIR fails to comply with these statutory deadlines, the ability to withhold requested information based on a specific exception may be lost. Therefore, it is imperative for a Board member to provide timely notification of the receipt of a public information request to DIR's Executive Director, General Counsel,

or Public Information Officer.

Lastly, all or a portion of a Board member's business calendar is subject to disclosure under the Public Information Act if DIR Board business is maintained on the calendar. Board members are strongly encouraged to maintain separate calendars for Board business and a Board member's own personal or professional business. Calendars recording DIR-related business shall be retained for one year. The Board member shall outreach to DIR's General Counsel prior to the deletion of past calendar appointments featuring DIR-related business.

For information regarding a public information request, please contact DIR's General Counsel or Public Information Officer.

1.5 Texas Administrative Procedure Act

The Texas Administrative Procedures Act (Tex. Gov't Code § 2001) and DIR's enabling statute (Tex. Gov't Code Chapter 2054) grant the DIR Board the authority to adopt rules. Once properly adopted, the agency's rules have the full force of law.

DIR staff draft or revise rules upon board request, as needed, or as required by statute. Once drafted, the rulemaking process begins, in which consensus is sought from various affected agencies and other stakeholders, including the Information Technology Council for Higher Education (ITCHE).[2] After this stakeholder input is received and accounted for, if necessary, in the draft language of a new or revised rule, the rule is brought to the Board for consideration during an open Board meeting.

Upon approval of a new or amended rule, the Board authorizes publication of the proposed rule in the Texas Register for 30 days to provide the public with the opportunity to comment and provide feedback. Following this 30-day period, any public feedback is considered and the new or amended rule is again brought before the Board for final approval and adoption. Rules may be adopted with nonsubstantive changes to the proposed rule without republishing the rule in the Texas Register. However, changes that substantively alter the content of the rule such that application of the changes would exceed the scope of the rule initially published in the Texas Register or would apply to a larger group of customers or stakeholders than that to which the initially proposed rule would have applied must be reproposed to the DIR Board and submitted in the Texas Register for public comment once more. Upon final approval, the new or amended rule is submitted for publication in the Texas Register. Once published, the rule becomes law.

All DIR rules must be reviewed every four years for relevancy and to avoid redundancy. During a rule review, the same process is followed regardless of whether the review necessitates amendments to the existing rule or the existing rule may be continued as it appears at the time: the Board must approve both a publication of the proposed rule for public comment and, in a later meeting, vote to adopt or repeal the rule.

1.6 Other Laws Affecting Public Officials

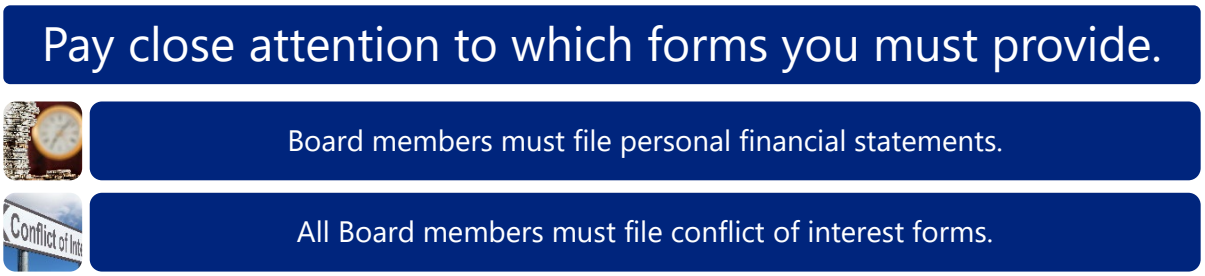
DIR Board members are considered public officials, regardless of their outside employment. As such,

[2] Due to the potential impact and the unique needs of institutions of higher education, DIR is statutorily required to coordinate rules regarding information technology that impact institutions of higher education with the Information Technology Council for Higher Education. See Tex. Gov't Code § 2054.121.

certain Texas statutes guide members' affairs, including the following:

- Financial disclosure; and
- Conflict of interest.

To remain compliant with these laws, DIR Board members are required to complete and submit certain forms promulgated by other state agencies and submit these forms to the promulgating entity within specific periods of time. If a DIR Board member has questions regarding the forms that they are required to complete, they may reach out to DIR's General Counsel or the agency responsible for the dissemination and collection of the form.



1.6.1 Financial Disclosure

DIR Board members and the DIR Executive Director must file personal financial statements. The Board member must file their completed statement with the Texas Ethics Commission within 30 days of appointment or qualification, whichever is earlier, and by April 30 of each following year of the member's tenure. A $500 penalty is automatically assessed for late filing of a financial statement; however, a 60-day extension may be requested for all but the initial report.

The filing must include the following:

- Personal financial activity for the previous year;
- In some cases, the financial activity of your spouse and dependent children if you had authority to exercise control over that activity; and
- Certain received gifts worth more than $250, excluding those from relatives or political contributions; gifts otherwise reported under the Texas Election Code; or a gift from a lobbyist reported on the lobbyist's activity report.

The Texas Ethics Commission sends the appropriate forms by physical mail to officials subject to financial disclosure requirements. Board members may also fill out this form online.

All personal financial statements are available to the public under the **Public Information Act**. These documents are maintained and retained by the Texas Ethics Commission. DIR does not retain any Board member or the DIR Executive Director's personal financial statements.

1.6.2 Conflict of Interest

In order to keep DIR procurement decisions free of real or perceived influence, Texas state law guides the activities of DIR Board members and DIR's Executive Director. DIR Board members are prohibited by Texas Government Code Chapter 2054 from:

- Being required to register as a lobbyist because of compensated activities for business entities

or trade associations of business entities that have a substantial interest in the information resources technologies industry;
- Acting as an officer, employee, or paid consultant of a business entity or trade association of business entities that have a substantial interest in the information resources technologies industries and that may contract with state government;
- Owning, controlling, or having more than a 10% interest in a business entity that has substantial interest in the information resources technologies industry and that may contract with state government;
- Receiving more than 25% of their income from a business entity that has substantial interest in the information resources technologies industry and that may contract with state government;
- Being interested in or connected with a contract or bid for providing information resources technology to a state agency;
- Being employed by a state agency as a consultant on information resources technologies at the same time as their term of service on DIR's Board; and
- Accepting or receiving money or another thing of value from an individual, firm, or corporation to whom a DIR contract may be awarded. This does not preclude a DIR Board member from being paid for services rendered to an agency. See Tex. Att'y Gen. Op. No GA – 679 (2008).[3]

There are, however, additional, general statutory provisions that apply to any state agency that enters a contract. For example, DIR may not enter into a contract for goods or services from a private vendor with whom a DIR Board member has a financial interest.[4] Tex. Gov't Code § 2261.252(b)(1). If a Board member has an interest that does not rise to a statutorily defined financial interest in a Board-approved DIR contract, then the Board member should be prepared to abstain from a vote on that action item.

DIR Board members must ensure that they do not have a conflict of interest for all contracts that are taken to the DIR Board for award. DIR cooperative contracts, which are zero-dollar contracts that are generally not taken to the Board for approval, however, do not implicate these conflict of interest provisions to the extent that a cooperative contract is not approved by the DIR Board. If there is an occurrence where a cooperative contract is taken to the DIR Board for approval, then the DIR Board member would need to ensure that they do not have a financial interest in that cooperative contract.

Board members are also prohibited under general statutory authority from:

- Accepting other employment or compensation that could reasonably be expected to impair their independence of judgment in the performance of a member's official duties;
- Making personal investments that could reasonably be expected to create a substantial conflict between a Board member's private interest and the public interest;
- Intentionally or knowingly soliciting, accepting, or agreeing to accept any benefit for having exercised the Board member's official powers or performed the member's official duties in favor

[3] The statute implies a lack of quid pro quo.

[4] A financial interest is direct or indirect ownership or control of at least 1% interest, including the right to share in profits, proceeds, or capital gains, or when it could be reasonably foreseen that a contract with the vendor could result in a financial benefit to the Board member. This does not, however, include a retirement plan, a blind trust, insurance coverage, or an ownership interest of less than one percent in a corporation.

of another;
- Accepting or soliciting any gift, favor, or service that might reasonably tend to influence the Board member's duties or that the member knows or should know is being offered with the intent to influence the member's official conduct; or
- Accepting other employment or engaging in a business or professional activity that the Board member might reasonably expect would require or induce the member to disclose confidential information acquired by reason of their position on the DIR Board.

A Board member who has a personal or private interest in a measure, proposal, or decision pending before the Board shall publicly disclose the interest in an open meeting and shall recuse him/herself from deliberations or decisions on the matter. Tex. Gov't Code § 572.058.

A former Board member also may not communicate to or appear before a DIR officer or employee for two years after leaving the Board if the communication or appearance is made to influence on behalf of any person in connection with any matter on which the person seeks official action. Tex. Gov't Code § 572.054.

If a DIR Board member believes that they may be in violation of or have been offered an opportunity that may violate one of the above conflict of interest provisions, they shall immediately notify DIR's Executive Director, Deputy Executive Director, or General Counsel.

1.6.3. Conflict of Interest Violations

There are several defined instances in which a Board member violates state conflict of interest laws, including:

- Texas Penal Code § 36.02 makes it illegal to accept anything in exchange for a Board member's vote, decision, or recommendation.
- Texas Penal Code § 36.07 makes it illegal to accept an honorarium in exchange for services the Board member is asked to provide because of their status as an appointed Board member.

Texas Penal Code § 36.09 makes it illegal for someone to offer a Board member a benefit they know is illegal for the Board member to accept.

Certain exceptions to these prohibitions are established by the Texas Penal Code at Section 36.10 These permissible activities include acceptance of certain transportation and lodging costs and certain meals and entertainment if reported in a lobbyist report to the Texas Ethics Commission. If a DIR Board member believe that they may have received the offer of a gift or benefit permitted under the Texas Penal Code, then they may outreach to DIR's Executive Director or General Counsel and administrative law attorney to ensure that they are compliant with law.

DIR's policy on the acceptance of gifts is ***more strict*** than state law. DIR policy prohibits employees from accepting any gift or benefit if it does not meet one of the exceptions listed in Texas Penal Code § 36.10.

1.7 Financial Responsibilities Relating to Financial Management of DIR

The DIR Board is tasked with various responsibilities related to DIR's financial management as assigned by statute and DIR's own rules. Among those responsibilities are the following:

As Needed: Review and Approval of Large-Value Contracts

Pursuant to Texas Government Code § 2054.064, § 2054.522, and 1 Texas Administrative Code (TAC) § 201.6, the DIR Board shall approve all contracts and contract amendments with a value exceeding $1 million dollars or that pertain to a major outsourced contract. After a vendor is selected and before execution of a contract with the vendor, DIR's Executive Director or their designee shall propose an action item at a Board meeting seeking approval of a majority of the board to execute a contract with the recommended vendor. The form below is provided to the Board to provide all information necessary to reach a decision:

Board Approval of Contracts Over $1 Million	
Form Terms	**Form Term Descriptions**
RFO Name and No.	Name and RFO number of contract posted
RFO Posting Date	Date posted on the ESBD
RFO Response Due Date	Date response/offers were submitted
Name of Offerors	List all vendors responding to the RFO.
Evaluation Process	Describe the process used for evaluation. What were the key evaluation factors? Were agency and DIR staff involved in the evaluation? Was a procurement quality assurance team used? Was there a downselect of vendors? If so, how was the downselect determined?
Governance Oversight	Was a governance committee involved in overseeing the procurement? If so, what was its role? Was a Board subcommittee part of the oversight process for the procurement. If so, name the Board subcommittee and its membership.
Vendors Invited to Negotiate	List the vendors invited to negotiate.
Vendor Recommended for Award	Enter name of vendor recommended for contract award.
Total Contract Amount	Enter the total contract amount.
Contract Term	Enter the start and end dates of the contract.
Summary of Contract Purpose	Provide an executive level summary of the purpose of the contract. Discuss the statutory authority for the procurement. Include if this contract will replace a current contract that has expired or otherwise been terminated.
Financial Summary	Describe the fiscal impact of the contract. Will agencies pay for the services? Is it within DIR's budget?
Key Terms	Describe the key terms of the contract. These likely will be items that were negotiated or have significant business/solution impact. Examples include intellectual property, termination, special financial requirements, etc.

Quarterly: Review of Operating Budget Status and Approval of Budget Amendments

Each quarter, DIR staff prepares a report to the Board of the previous quarter's financial statements

for comparison against the Board-approved DIR Annual Operating Budget. The report is reviewed with no action taken by the Board's Audit and Finance Subcommittee before being taken to the full Board for approval. The report includes an explanation of variances exceeding 5%.

In addition to the quarterly financial statements, DIR staff also presents budget amendments for Board approval as required by the Board's Budget Amendment Policy.

Annually: Approve DIR Annual Operating Budget, Including DIR Administrative (Cost-Recovery) Fees

DIR staff prepares and presents an Annual Operating Budget to the Board each August for the upcoming fiscal year (September 1 – August 31). Before its presentation to the Board for approval, the proposed Annual Operating Budget is reviewed with no action taken by the Board's Audit and Finance Subcommittee.

The proposed budget must be:

- In line with the fiscal year appropriations approved by the Legislature;
- Based on results of DIR's business planning activities; and
- Reflect allocation of resources to the highest priority activities.

Biennially: Approve DIR Legislative Appropriations Request

Each even-numbered year, DIR staff prepares and presents a Legislative Appropriations Request (LAR) to the Board for approval before submitting the request to the Legislature in August of that year. The LAR must:

- Represent DIR's request for funding for the next two fiscal years; and
- Be of a process based on instructions issued by the Legislative Budget Board (LBB) and the Governor's Budget and Policy Offices.

1.8 Financial Audits

DIR is required to undergo periodic internal audits. Such audits include an audit of major systems and controls including, but not limited to, accounting, administrative, and electronic data processing. The periodic internal audit will be undertaken by DIR's internal auditor, who reports to the board, with support from reporting staff.

Prior to commencement of an internal audit, the board must approve the proposed audit plan, which shall be prepared using risk assessment techniques, and identify individual audits to be conducted throughout the year. Upon completion, the internal auditor shall report results of audit to the Board. Final copies must be filed with the Sunset Advisory Committee, the Office of the Governor's Budget and Policy Offices, the State Auditor's Office, and the Legislative Budget Board.

In addition to those audits completed by DIR's Internal Audit division, the State Auditor's Office performs periodic audits of DIR programs. DIR will provide updates to the Board and its subcommittees regarding any audits that must occur.

1.9 Legislative Hearings

As a DIR Board member, you may be called to testify before a Legislative committee or subcommittee. Should this occur, please contact DIR's Executive Director or General Counsel as soon as possible for

further direction.

In addition to any guidance provided by DIR staff during your preparation to testify, the following are excellent points of consideration as you go into your testimony:

- Prepare as much as possible.
- Practice, practice, practice.
- Simply and briefly present the facts.
- Try to keep the presentation to three minutes or less.
- If asked a question, answer the question asked. If asked a question to which you don't know the answer, answer as such and indicate that you will get back with the requested information.
- Be respectful and answer, "Yes, sir/No, sir; Yes, ma'am/No, ma'am."

You were asked to testify to help the legislators better understand a subject matter or issue of relevance to DIR and its mission. Your goal is to provide the appropriate level of assistance to the legislators and their staff.

If you do not know the answer to a legislative question and defer your answer until such a time as you are able to collect the appropriate answer, please reach out immediately to the DIR Executive Director. This ensures that DIR is able to provide any necessary assistance to facilitate your response to the legislator.

1.10 Additional Responsibilities

1 Texas Administrative Code Chapter 201 establishes the additional duties and responsibilities of the DIR Board required by statute. These stated duties include setting the strategic direction for the agency, providing regulatory authority to direct certain duties to DIR's Executive Director, regularly evaluating agency operations, establishing Board advisory committees, and establishing donation and other policies.

Section 2 – DIR: An Overview

Board members are also statutorily required to receive additional training on certain aspects of DIR to better understand the operations and functions of DIR. The following items will be discussed in this section:

- DIR operated programs;
- DIR roles and functions;
- DIR rules;
- Current agency financials; and
- DIR's most recent formal audit results.

2.1 History

The Texas Legislature determined that state information resources are strategic assets that must be managed as valuable state resources, which required coordinated management to ensure that these resources were deployed in the most cost-effective manner. Accordingly, the Legislature stated that it was good state policy to coordinate and direct the use of state agency information resources technologies and provide a cost-effective means to retrieve and/or exchange information by and between state governmental entities.

The Texas Legislature created DIR in 1989 through Texas Government Code § 2054, the Information Resources Management Act, to oversee the task of providing statewide leadership and oversight for the management of government information and communications technology. Initially, DIR's role in state government was isolated to the development of policy regarding these issues. Since then, however, DIR's responsibilities and authority have evolved significantly.

Over the next two decades, the Texas Legislature expanded DIR's roles and responsibilities to include the oversight and provision of telecommunication services, the management of the statewide security service program and provision of these same services to state agencies, and the consolidation of state data center services across state agencies and management of what would ultimately become the Statewide Technology Services.

Furthermore, the Texas Legislature required state agencies to purchase IT commodities through DIR; this mandate resulted in DIR's cooperative contracts program.

Since its inception, DIR has served in a leadership role to facilitate the state's economic competitiveness through its ability to deliver quality information resources commodities and services at the lowest prices and best values for its customers.

2.2 DIR Management

The Board meets at least once each quarter of the state fiscal year and may meet at other times at the call of the presiding offer or as provided by department rule. The governor shall designate a member of the Board as presiding officer or Board chair. When a quorum of all Board members—both voting and nonvoting—is present, an affirmative vote of a majority of the voting members of the Board present is necessary for an action to be effective.

The Board is composed of seven voting members appointed by the Governor with the advice and consent of the Senate. One of the members must be employed by an institution of higher education. These members serve for staggered six-year terms. Upon the end of their term, however, a Board member may be required to stay on the DIR Board, also called a holdover Board member, until such a time as the governor is able to appoint their replacement if a replacement has not yet been appointed. The Texas Constitution requires the continued service of a Board member for a period of time following the end of their designated term when their replacement has not yet been appointed by the governor.

In addition, two groups, each composed of three ex-officio members, serve on the Board on a biennial rotating basis. These ex-officio members serve as nonvoting members of the Board; however, these nonvoting members count towards a quorum and are essential to the constitution of DIR's Board of Directors. Only one group serves at a time. The first group is composed of the commissioner of insurance, the executive commissioner of the Health and Human Services Commission, and the executive director of the Texas Department of Transportation. Members of the first group serve for two-year terms that begin February 1 of every other odd-numbered year and that expire on February 1 of the next odd-numbered year. The second group is composed of the commissioner of education, the executive director of the Texas Department of Criminal Justice, and the executive director of the Texas Parks and Wildlife Department. Members of the second group serve for two-year terms that begin February 1 of the odd-numbered years in which the terms of members of the first group expire and that expire on February 1 of the next odd-numbered year. It is possible that an ex officio who has previously served a term will serve multiple terms if they are still employed by that agency at such a

time that the rotation requires their service pursuant to statutory once more.

The Board employs an executive director to manage the daily operations of DIR. The Executive Director is also the Chief Information Officer for the State of Texas and has authority for all aspects of information technology for state agencies, including:

- The use of technology to support state goals;
- Functional support of state agencies;
- Technology purchases;
- Deployment of new technologies;
- Delivery of technology services; and
- Provision of leadership on technology issues.

The Executive Director may appoint a Deputy Chief Information Officer for the State of Texas, who will assist in the execution of these duties at the discretion of the Executive Director.

2.2.1. Governing Board

Appointed Board Members

Ben Gatzke, DIR Presiding Officer (Presiding Officer Term: Beginning 01/05/2018)
President and CEO of BorrowWorks, LLC, Fort Worth

- Member of the Jewel Charity
- Board member of the Baylor University School of Music Board

Jeffrey W. Allison (Term: 4/22/2022 to 02/01/2027)
CEO of Monument Energy, LLC, Houston

- Previously served on the State Bar of Texas Board of Directors and the American Legion Post 560.
- Served as a volunteer for the Houston Live Stock Show and Rodeo.
- Received his Bachelor of Science in Criminal Justice from the University of Houston.

Mike Bell (Term: 04/26/2023 to 02/01/2029)
Chief Technology Officer at Houston Police Department, Spring

- Former president of the Correction Technology Association
- Former committee chair for the American Corrections Association
- Past chief information officer for the Texas Department of Criminal Justice
- Member of the Information Systems Audit and Control Association, International Information System Security Certification Consortium, College of Healthcare Information Management Executive, and Project Management Institution

Christopher "Stephen" Franke (Term: 4/22/2022 to 02/01/2027)
Owner and Vice President of C1 Insurance Group, Partner at Change My Utilities, Dallas

- Previously served on various insurance carrier advisory boards.
- Recognized for professional achievements in numerous publications, including D Magazine and Texas Monthly.
- Member of Stewards of the Wild, a Texas Parks & Wildlife Foundation program promoting conservation.
- Received his Bachelor of Arts in University Studies from Texas A&M University.

Stacey Napier (Term: 06/24/2019 to 02/01/2025)
Vice Chancellor for Government Relations, The University of Texas System, Austin

- Member of the Texas Bar Association
- Volunteers with Generation Serve
- A Woman of Courage member with the Children's Advocacy Centers of Texas

Jeffrey Tayon (Term: 01/09/2023 to 02/01/2027)
Independent Investor, Houston

- Independent investor focusing on commercial real estate
- Member of the State Bar of Texas, District of Columbia Bar, U.S. Patent and Trademark Office Bar, and Texas Bar Foundation

Ex-Officio Board Members

TEXAS HEALTH AND HUMAND SERVICES COMMISSION (Term: 02/01/2023 to 02/01/2025)
Maurice McCreary (Term initiated: 02/01/2023)
Chief Operating Officer

- As the Chief Operating Officer, oversees the Procurement and Contracting Services, Information Technology, and System Support Services divisions.
- Previously served as the interim Chief Executive Officer for Hamad General Hospital, Associate Project Director for Sidra Medicine, and Director of Operations for the University of Maryland Medical System.
- Received his Bachelor of Science in Business Administration and a Master of Business Administration from the University of Maryland in College Park; earned a certification in Data Science and Analytics from the University of California, Berkeley Haas School of Business, and completed the Advanced Management and Leadership Program at the University of Oxford Saïd Business School.

TEXAS DEPARTMENT OF INSURANCE (Term: 02/01/2023 to 02/01/2025)
Cassie Brown (Term initiated: 02/01/2021)
Commissioner

- Appointed to serve as the Texas Department of Insurance Commissioner by Governor Greg Abbott in September 2021, where she is responsible for overseeing the regulation of the second largest insurance market in the United States and the seventh largest in the world.
- Previously appointed as the Commissioner of Workers' Compensation for three years; prior to this appointment, served a number of other roles in Texas government, including as the Texas Department of Insurance's Deputy Commissioner for Regulatory Policy and as a key advisor to Governor Rick Perry on policy and budget issues.
- Serves on the Executive Women in Texas Government President's Advisory Committee.
- Received her Bachelor of Arts in Political Science from St. Edward's University and attended the Governor's Executive Development Program at The University of Texas LBJ School of Public Affairs.

TEXAS DEPARTMENT OF TRANSPORTATION (Term: 02/01/2023 to 02/01/2025)
Anh Selissen (Term initiated: 02/01/2023)
Chief Information Officer

- Serves as the Chief Information Officer and Director of the Information Technology Division for TxDOT, where she oversees customer relationship management, issues related to information security and information technology, and the strategic direction and personnel and vendor activities of the Information Technology Division.
- Previously served as the Deputy Chief Information Officer at the Texas Comptroller of Public Accounts, the Chief Information Officer at NuStats Inc., and the Director of Enterprise Systems at the University of Texas at Austin.
- Elected as President of the Texas Association of State Systems for Computing and Communications and sits as the Information Technology Chair of the State Agency Coordinating Council.

2.2.2 Board Subcommittees

Audit, Finance, and Legal Subcommittee
Size/Composition/Appointment: Two Board members appointed by the Board chair
Purpose/Duties: To oversee DIR's Internal Auditor and evaluate whether they have sufficient resources to perform their duties; to provide frequent updates on DIR's budget, finances, and legal matters impacting the agency.
Legal Basis: Tex. Gov't Code § 2054.040

Information Security Subcommittee
Size/Composition/Appointment: Three Board members appointed by the Board chair
Purpose/Duties: To provide frequent updates on agency information security initiatives and information security matters impacting the State of Texas.
Legal Basis: Discretionary

Procurement and Contracting Subcommittee
Size/Composition/Appointment: Three Board members appointed by the Board chair
Purpose/Duties: To provide frequent updates on procurement initiatives, cooperative contracts, and HUB compliance matters.
Legal Basis: Tex. Gov't Code § 2054.522

Shared Technology Services and Communications Technology Services Subcommittee
Size/Composition/Appointment: Three Board members appointed by the Board chair
Purpose/Duties: To provide frequent updates on the Shared Technology Services program, including Data Center Services and Texas.gov, and telecommunications services.
Legal Basis: Tex. Gov't Code § 2054.522 **;** Tex. Gov't Code § 2054.522

Strategic Initiatives Subcommittee
Size/Composition/Appointment: Three to four Board members appointed by the Board chair
Purpose/Duties: To provide frequent updates regarding agency strategic initiatives.
Legal Basis: Tex. Gov't Code § 2054.041

2.2.3 Executive Leadership

Amanda Crawford
Executive Director
State of Texas Chief Information Officer
amanda.crawford@dir.texas.gov
512-475-4775

Amanda Crawford is the Executive Director of DIR and serves as the Chief Information Officer for the State of Texas. Under Mandy's leadership, DIR led the state's successful response to the 2019 ransomware attack that affected over 20 local government entities in Texas and secured the transition to the next-generation suite of managed IT services offered through DIR's Shared Technology Services program.

Prior to leading the team at DIR, Mandy served at the Office of the Attorney General of Texas (OAG) for more than 17 years. She held various positions at the OAG, including ultimately serving for two and a half years as the Deputy Attorney General for Administration and General Counsel. Mandy also served as a faculty member for the National Attorneys General Training Research Institute's Center for Leadership Development, teaching managerial leadership across the country.

Mandy earned her B.A. from The University of Texas at Austin and her law degree from the University of Houston Law Center. She is a graduate of the Governor's Center for Executive Development through the LBJ School of Public Affairs at The University of Texas at Austin.

Steve Pier
Chief of Staff
steve.pier@dir.texas.gov
512-475-4799

Steve Pier is the Chief of Staff at DIR. He has served the State of Texas as a House of Representatives staffer and with three agencies before coming to DIR. He has over 20 years of experience working with governments and international organizations at the state and national level in areas such as: governmental relations; communications; management and leadership; and strategic initiatives. He has a bachelor's degree from Miami University with a double major in Philosophy and Political Science.

John Ellis
Chief Risk Officer
john.ellis@dir.texas.gov
512-463-4659

John Ellis serves as the Chief Risk Officer for DIR. In that role, he helps DIR staff to develop and execute policies, standard operating procedures, and business strategies that prioritize excellence in compliance with legal and ethical standards. He is also responsible for analyzing DIR's risk portfolio, risk tolerance, and risk culture and developing insights that empower DIR to make better business decisions.

John's state service began as an assistant general counsel with the Office of the Attorney General, where he also served as Division Chief for the General Counsel Division, Special Counsel to the First Assistant Attorney General, and Associate Deputy Attorney General for Policy and Communications.

Prior to his state service, he held several legal counsel positions in the United States Senate. He has an undergraduate degree from the University of North Texas and a J.D. from Cumberland School of Law at Samford University

John Hoffman
Chief Technology Officer
Deputy State Chief Information Officer
john.hoffman@dir.texas.gov
512-936-2501

John Hoffman serves as Chief Technology Officer for DIR and the Deputy Chief Information Officer for the State of Texas. He is responsible for providing comprehensive strategic planning for the agency. John oversees DIR's IT leadership in planning and policy, accessibility, and enterprise solution services.

John brings over 25 years of experience in wired and wireless telecommunication, having held positions in network operations and integration, field operations, program management, sales, and real estate. Most recently, John acted as DIR's Director of Communications Technology Services, where he had management responsibility over the statewide telecommunications network and contracts including the Capitol Complex Telephone System. During this assignment, John focused on providing thoughtful leadership, technical support, competitive environments, and enabling innovative solutions to state agencies and other DIR customers.

John earned a Bachelor of Science in Engineering Management from the University of Missouri and a Master of Business Administration from Southern Methodist University.

Lisa Jammer
Chief People and Culture Officer
lisa.jammer@dir.texas.gov
512-475-4612

Lisa Jammer is DIR's Chief People and Culture Officer. In this role, she leads the vision, strategy, development, and execution of talent and culture management programs to advance the agency's mission, vision, and core value statements. She has 17 years of human resources experience with 9 of those years in Texas state government. Prior to state service, Lisa served in a variety of human resource, treasury, and accounting roles with Indeed, Waste Management, and Continental Airlines.

Lisa has a Master of Science in Human Resource Development from the University of Houston, Bachelor of Science in Business Management, and PHR and SHRM-CP certifications.

Lisa Massock
Chief Procurement Officer
lisa.massock@dir.texas.gov
512-475-4617

Lisa Massock serves as the Chief Procurement Officer at DIR. As the Chief Procurement Officer, she oversees the procurement and contracting functions for DIR. She has over 20 years of experience in procurement and contracting for state, federal programs, and non-profit entities. Lisa has been with

the State of Texas for 18 years in various roles throughout the contract cycle.

Lisa holds a Bachelor of Science degree from the University of Utah and a Masters of Business Administration from Concordia University.

Nancy Rainosek
State Chief Information Security Officer
nancy.rainosek@dir.texas.gov
512-463-1966

Nancy Rainosek is the state Chief Information Security Officer for the State of Texas. She has over 30 years of IT experience in Texas state government and private sector consulting. Nancy has been with DIR since 2013, previously serving as the Governance Risk and Compliance Program Management. She was previously Deputy CISO and Enterprise Security Operations Manager at the Health and Human Services Commission and IT Audit Manager and Information Resource Manager for the Texas State Auditor's Office. She is certified in risk and information control. She is a graduate of Texas State University.

Dale Richardson
Chief Operations Officer
dale.richardson@dir.texas.gov
512-463-7370

Dale Richardson serves as Chief Operations Officer for DIR. He is responsible for the state's telecommunications network, technology sourcing contracts program, Data Center Services (DCS) program, and the Portfolio Project Management Office at DIR.

Dale joined the state in 2013 as the Director over the DCS program. He was instrumental in leading the DCS program to new heights in terms of meeting contract service level agreements and customer satisfaction for state agencies participating in the program. Before joining state government, Dale's career spanned over 30 years in the information technology and telecommunications industries. After serving in several leadership positions, primarily in engineering and operations, Dale brings a demonstrated ability to lead organization teams on planning, engineering, constructing, and operating advanced networks and data center operations.

Dale earned a Bachelor of Business Administration in Business Management from The University of Texas at Austin.

Endi Silva
Chief Experience Officer
endi.silva@dir.texas.gov
512-463-8827

Endi Silva is the Chief Experience Officer at DIR. She coordinates and promotes DIR program development activities and establishes DIR customer outreach and growth strategies. She started her state government career as a research specialist with the Texas Senate Research Center before joining the DIR team as a policy analyst in 2013. She was previously DIR's Director of Technology Planning,

Policy, and Governance. Endi graduated from the University of Texas at El Paso with degrees in Theater Arts and History.

Brady Vaughn
Director of Budget and Public Affairs
brady.vaughn@dir.texas.gov
512-936-9640

Brady Vaughn serves as the Director of Budget and Public Affairs for DIR. In this role, he oversees budget and legislative affairs for the state's technology agency.

Brady has more than a decade of work experience in Texas' state budget process, government, and political campaigns. Prior to joining DIR, he worked in the Office of the Attorney General's Government Relations Division and spent five sessions in the Texas Legislature, with the majority of that time in the House Appropriations and Senate Finance committees.

Brady graduated from Oklahoma State University with a Bachelor of Science in Business Administration - International Business.

Nick Villalpando
Chief Financial Officer
nick.villalpando@dir.texas.gov
512-936-2167

Nick Villalpando serves as Chief Financial Officer for DIR. A certified public accountant, he joined DIR's finance division in May 2010. In April 2011, Nick accepted the position of DIR Interim Chief Financial Officer and was then promoted to Chief Financial Officer. Nick is responsible for leading DIR's finance, budget, and accounting functions. Nick is also responsible for strengthening DIR's fee-setting processes to ensure that DIR sets fees for our various services at levels consistent with cost-recovery principles.

Nick's 19 years of auditing and financial management include his work in public accounting where he managed compliance audits for various public and private clients. In addition to his work as a public auditor, Nick served eight years as an audit manager with the Texas State Auditor's Office where he was responsible for managing the audits of various state agencies.

Nick earned his Bachelor of Business Administration in Accounting and his Master of Professional Accounting, Accounting and Financial Reporting, from The University of Texas at Austin.

The agency organizational chart is available on the DIR website.

2.3 Agency Advisory Committees

Data Management Advisory Committee

Size/Composition/Appointment: The Chief Data Officer and each data management officer desigated by a state agency pursuant to Texas Government Code § 2054.137. The DIR Board appoints the committee.

Legal Basis: Tex. Gov't Code § 2054.0332

Customer Advisory Committee

Size/Composition/Appointment: Nine to 24 members appointed by the DIR Executive Director. The membership must include: customers who receive services from each of DIR's programs; at least three executive level representatives from Texas state agencies; one representative from an institution of higher education; one representative from a local government organization; one representative from a State Agency Coordinating Committee[5] member agency; one representative from a Mid-Size Agency Coordinating Council[6] member agency; and one representative from an agency with fewer than 100 employees.

Legal Basis: Tex. Gov't Code § 2054.0331

State Strategic Plan for Information Resources Management Advisory Committee

Size/Composition/Appointment: Nine to 24 members appointed by the DIR Executive Director with Board approval. The membership must include: two IT managers from state agencies; one from an institution of higher education; one Texan not employed in state government, IT, or communications; one representative from local government; two representatives from IT or communication who do not sell to the state; one IT or communications representative who does sell to the state; and one federal agency representative.

Purpose/Duties: Review and advise on the development of the State Strategic Plan for Information Resources Management

Legal Basis: Tex. Gov't Code § 2054.033; Tex. Gov't Code § 2054.091; 1 TAC 201

2.4 Services and Solutions

DIR provides statewide leadership and oversight for management of government information and communications technology. It is well positioned to do so given the responsibilities with which the Legislature has tasked it in addition to the fact that the agency's Executive Director also serves as the Chief Information Officer for the State of Texas.

2.4.1 Cybersecurity

The Office of the Chief Information Security Officer provides information security program guidance to state agencies, institutions of higher education, and other government entities. Led by the State of Texas Chief Information Security Officer, the cybersecurity team works to set state information security policies and standards; publish guidance on best practices; improve incident response preparedness; monitor and analyze incidents; coordinate agency security assessments and penetration tests; offer cybersecurity education; and promote cybersecurity information sharing

[5] The purpose of the State Agency Coordinating Committee is to examine administrative and management practices, review problems or issues that have an impact across agency lines and encourage and foster management practices that are beneficial and cost effective for all state agencies.

[6] The purpose of the Mid-Size Agency Coordinating Council is to promote communication and education on issues affecting member agencies.

throughout the public sector cybersecurity community.

DIR also manages the state's Network Security Operations Center (NSOC). The NSOC serves as the focal point for security services on the State of Texas network. These services include network security monitoring, alert and notification, and analysis services. NSOC provides early warning for attempted intrusions or cyberattacks, proactively identifies potential threats, and blocks known threats to network security.

DIR's Cooperative Contracts and Shared Technology Services Program also partners with vendors to provide information security products and services to meet each organization's specific needs.

2.4.2 DIR Procurement and Contract Management

DIR's Chief Procurement Office (CPO) procures and manages contracts for DIR's administrative needs, DIR's Cooperative Contracts program, Communication Technology Services (CTS), and Shared Technology Services (STS) program. CPO is comprised of five groups:

- Procurement Services;
- Contract Services;
- Cooperative Contracts;
- Enterprise Contracts; and
- the Historically Underutilized Businesses (HUB) Program.

The Procurement Services group procures the items or services for DIR's internal needs, STS, and CTS contracts. By law, DIR is responsible for procuring the master contracts for cooperative contracts, the CTS services contracts, and the STS services contracts. DIR also manages the service contracts for CTS and STS. This provides an immense value-added benefit to DIR's customers because customers no longer bear the burden of performing a full procurement or managing the service contract for the superlative quality of service received through DIR's STS or CTS contracts.

The Contract Services group provides analytics, compliance, and procurement innovation services for CPO.

In 2019, DIR established the Innovative Procurement Lab (IPL) to help agencies streamline Information Technology (IT) procurements and provide best value solutions through demonstrated vendor performance. Through the IPL, DIR partners with participating customers to experiment with innovative procurement methods aimed at improving IT procurement and contracting practices while maintaining the integrity of the procurement process.

Cooperative Contracts

DIR's Cooperative Contracts program combines requirements from multiple government entities to provide efficient and cost-effective delivery of products and services. This program streamlines the acquisition process for customers by competitively procuring and negotiating Cooperative Contracts in compliance with state law and rules.

In leveraging the purchasing power of the state, DIR negotiates Indefinite Delivery/Indefinite Quantity (IDIQ) contracts, allowing customers to purchase as few or as many of a given product without paying a premium for small purchases. This program is exclusively for IT products and services.

DIR negotiates and administers contracts with IT providers for products and services, including

computers, software, security hardware and software, networking and telecommunications equipment, IT staffing services, deliverables-based services, and technology-based training. In this program, there are approximately 700 active contracts, with over 1,400 resellers. Approximately one-third of DIR providers are certified as Texas Historically Underutilized Businesses (HUBs).

Eligible customers include:

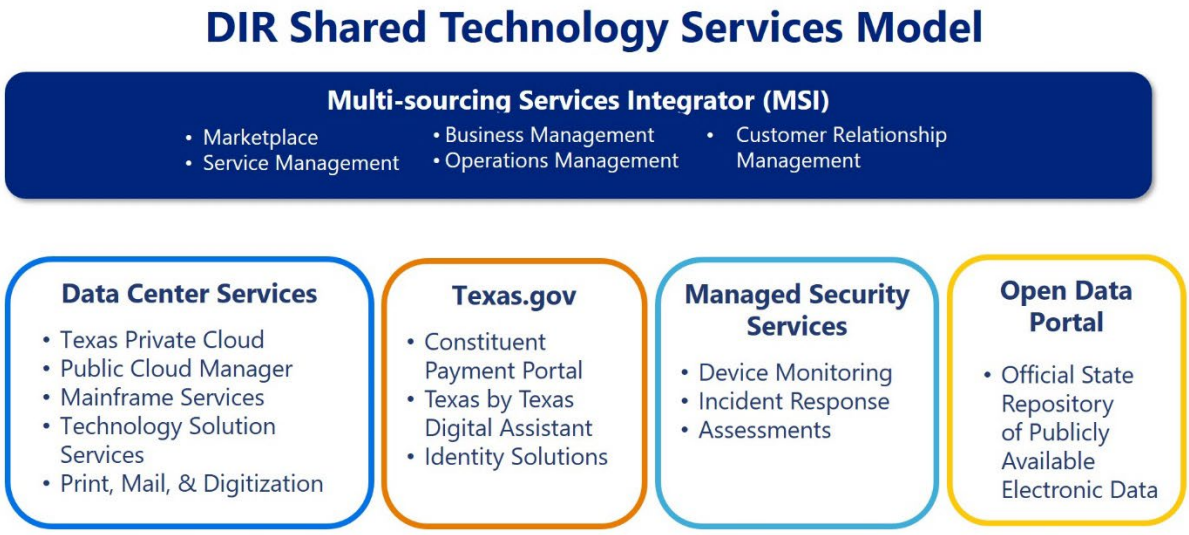
- Texas state agencies;
- Texas local governments (cities and counties);
- Texas institutions of higher education and K-12;
- Texas assistance organizations;
- Out of State governmental entities;
- Electric Reliability Council of Texas (ERCOT);
- Lower Colorado River Authority (LCRA);
- Volunteer fire departments; and
- Private schools and private or independent institutions of higher education

2.4.3 Shared Technology Services (STS)

The objective of STS is to provide organizations with access to managed IT as a service, allowing Customers to focus resources on supporting their mission and business functions rather than directly managing IT services. STS increases the level of IT maturity across the state by creating a consistent IT landscape with a robust service management framework. This framework ensures that STS solutions are continually developed and deployed based on business needs and values and providing improved customer relationships and operational efficiencies, optimized delivery of services, and integrated operations.

There are four programs offered within the STS suite of services that are managed by the Multi-sourcing Services Integrator (MSI):

- Data Center Services (DCS);
- Managed Security Services (MSS);
- Texas.gov; and
- Open Data Portal



Multi-sourcing Services Integrator

The STS program uses the Multi-sourcing Services Integrator (MSI) to oversee the individual Service Component Providers.

Data Center Services (DCS)

The Data Center Services (DCS) program provides consolidated, standardized IT infrastructure, products, and services across agencies. The DCS program initially consolidated 28 state agencies' IT infrastructure into two highly secure, redundant, statewide data centers in Texas. The customer base has since grown to 90 entities, 65 of which are voluntary participants.

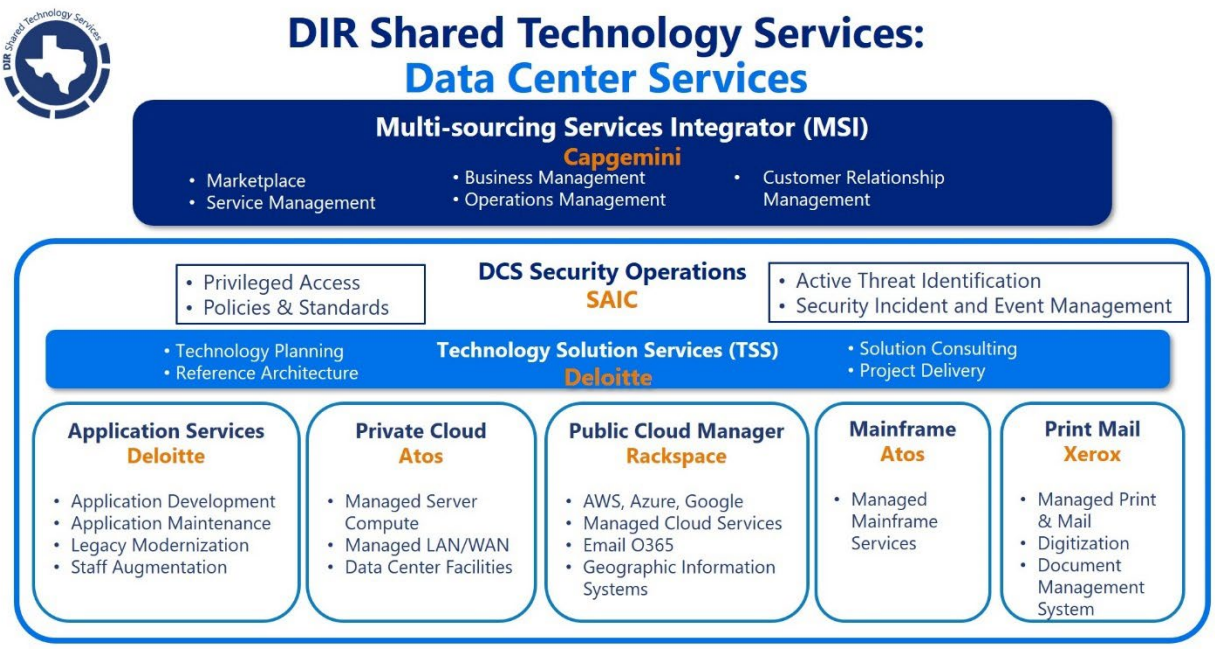
The Next Generation of DCS, implemented on September 1, 2020, provides the next generation of service delivery, including state-of-the-art security, public and private cloud infrastructures, and fully tested disaster recovery resources.

The DCS program allows state and local governmental entities to outsource management of technology infrastructure services. Customers receive the benefit of aggregated volume discounts by sharing these technology services.

The DCS program provides secure connectivity to select public and private clouds designed around government security and disaster recovery requirements and flexible service tiers to meet differing needs and budgets. Joining the program allows customers to delegate infrastructure management while increasing focus on delivering direct, mission-related value to their business users and clients.

The DCS program includes:

- Security Operations;
- Technology Solution Services;
- Application Services;
- Private Cloud;
- Public Cloud;
- Mainframe; and
- Print, Mail and Digitization Services



DCS Security Operations

DCS contracts with an independent party to oversee the security operations of all DCS services and service component providers. DCS Security Operations establishes policy and standards, monitors, and manages security threats and events, and controls service component providers' privileged access into customer systems.

DCS Technology Solution Services

Technology Solution Services (TSS) provides DCS customers access to Customer Technical Architects to help Customers take full advantage of the entire suite of offerings available from the Service Component Providers (SCPs) of DCS. These services include:

- Solution Customer's Technical Architecture – assessing current state and develop high-level assessments and designs, architectures, cost estimates and pricing, and solution proposal reviews.
- Manage Service Requests – Includes delivery of high-level rough order of magnitude estimates that can be used for legislative appropriation requests, budget preparation, and planning.
- Manage Projects – TSS provides project management to implement DCS solutions, collaborating with SCPs and stakeholders to plan, integrate, and iterate their plans into a single integrated project, consolidating and communicating a unified Project Plan to drive Customer Solution Delivery
- Technology Planning - integrates key inputs from DIR and its stakeholders, relevant market technology trends, and data from DCS and TSS operations to create and refresh the DCS Technology Plan.
- Refresh and Technical Currency - help Customers design cohesive, innovative, and cost-effective Refresh and Technical currency strategies that closely align with the Customer's strategic vision.
- Modernization Consulting - help Customers optimize their operating models for Customer-

centricity and maximize the DCS-enabled capabilities to support modern, high-impact, and secure services to Texas constituents.

DCS Application Services

In addition to solutioning DCS infrastructure, TSS also offers application development, maintenance, and staff augmentation services for DCS customers.

TSS develops, modernizes, and maintains applications that are hosted within the Data Center Services program: both DCS public and private cloud.

- Application Development / Testing - using an iterative, hybrid between agile and waterfall development and testing approach. New applications may be mainframe, server, network-based, web-based, or a combination.
- Application Maintenance - Application Maintenance includes the skills and requirements for supporting application systems, including troubleshooting, modifying, maintaining, and enhancing legacy systems and encompasses leading practices in Information Technology Infrastructure Library, IT Service Management, and Capability Maturity Model Integration for Services.
- Staff Augmentation Services – TSS provides short term, on demand application support staff.

DCS Private Cloud

The Private Cloud employs an enterprise approach to provide technology infrastructure compute and storage to DCS customers based on standard reference models and managed services options.

The Texas Private Cloud maintains two consolidated data centers, geographically separated to provide disaster recovery, and provides technology infrastructure compute and storage based on standard reference models and managed services options.

The state consolidated data centers have an Uptime Institute Tier 2 Level Rating and are fully compliant with FBI Criminal Justice Information Services and Texas State Auditor requirements, and requirements arising from annual SSAE 16 audits and biannual IRS audits. The data centers also have 24-hour on-site security protection and on-line building management systems providing 'real-time' interactive environmental monitoring.

DCS Public Cloud

Public Cloud services are hardened public cloud virtual data center solutions with a focus on aligning the DCS Operating Model with Industry Best Practices, technical and security assurances, and onboarding of public cloud services through AWS, Azure, and Google.

The DCS Cloud Service model aligns the value of Cloud Service Providers with the security of DCS. The DCS Public Cloud model delivers Infrastructure as a Service (IaaS), Platform as a Service (PaaS), and Software as a Service (SaaS) services with products and tooling built for and within the Public Cloud to leverage the full benefits of Public Cloud services with the security assurances of DCS.

DCS Public Cloud includes:

- AWS, Azure, and Google cloud services with plans to integrate Oracle Cloud;
- IaaS, PaaS, and SaaS Services;

- Microsoft O365 email & collaboration subscriptions; and
- Texas Imagery services.

DCS Mainframe Services

Mainframe Services provides uniform and consistent management of mainframe data processing and supports applications that require high availability and response time. The Mainframe Service also offers the ability to expand and contract mainframe usage as customer business requires, charging customers on a consumption basis.

Mainframe Services further assists in consolidating mainframe computing needs, meeting legislative processing requirements, mitigating security risks, and filling gaps in skillsets to provide a mainframe computing environment.

DCS Print, Mail and Digitization

Print, Mail and Digitization includes both "Print to Mail" and "Print to Delivery" services.

"Print to Mail" is a bundled service that includes print impressions; address cleansing; mail insertion per envelope (includes all folding, letters, inserts and business reply envelopes); disaster recovery; workflow design, development, testing, and implementation; and closed loop tracking from print to insert and mailing completion. Additionally, postage savings are achieved with DCS-guaranteed 3-digit rate for all first-class letter mail.

A variety of bulk printing and mailing services are provided from the state's Austin Data Center, which operates 24 hours a day, 7 days a week. Monthly average volumes include:

- 25 million printed pages
- 2 million digital images
- 4.8 million mailed pieces

"Print to Delivery" is a bundled service that includes print impressions; address cleansing; mail insertion per envelope; disaster recovery; workflow design, development, testing, and implementation; and closed loop tracking from print to delivery to the Customer.

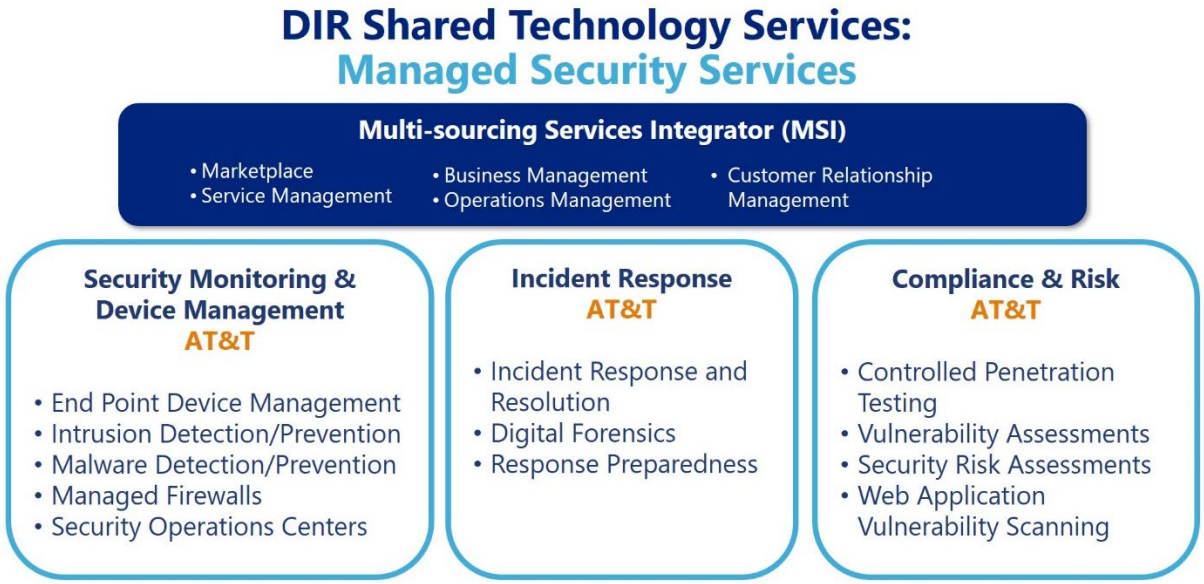
All print is also available in digital formats, delivered electronically by converting print files to images then securely delivering these images electronically. Printing digitally reduces document preparation expense and eliminates manual errors.

Managed Security Services

Managed Security Services (MSS) provides consistent, secure management of state data. It includes security monitoring, device management, incident response, and risk and compliance management for both statutorily required customers and customers who choose to receive some or all MSS services. As cybersecurity continues to be a critical priority for state and local governments, requiring heightened awareness to malicious threats and an expanded focus on the technology protecting sensitive information, MSS allows state agencies and other permitted entities to meet these needs by allowing them to access a secure computing environment for their business needs and to deliver more effective services for their constituents.

MSS consists of three main service components: Security Monitoring and Device Management, Incident Response, and Risk and Compliance. Each component contains a subset of security-

related services to choose from to help meet your security needs

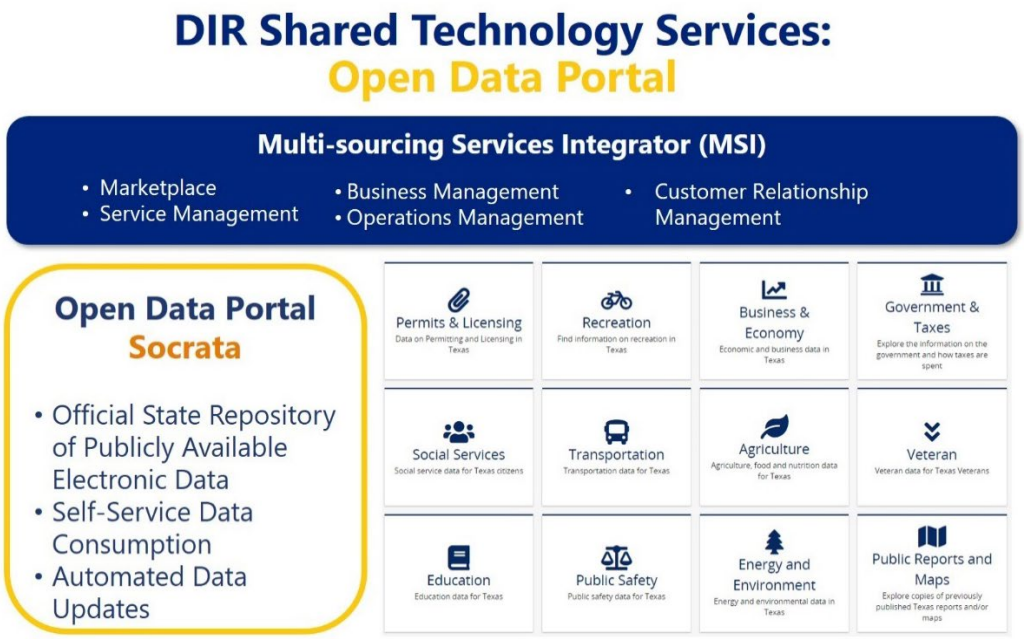


The Managed Security Services (MSS) program establishes a set of security services for state agencies, local governments, school districts, and institutions of higher education that are united through the MSI to provide cohesive delivery and value-added components. Services include:

- Digital Forensics;
- Endpoint Management System;
- Security Monitoring;
- Intrusion Detection and Prevention Systems;
- Malware Detection and Prevention Systems;
- Managed Firewall and Web Application Firewall Services;
- Penetration Testing;
- Risk and Cloud Compliance Assessments;
- Security Incident and Response Management Services; and
- Security Information and Event Management

Texas Open Data Portal

The Texas Open Data Portal (ODP) provides a centralized portal that DIR customers can use to share open data with the constituents that they serve, which permits greater government transparency. Since the passage of SB 79 in the 85th Legislative Session (Regular), governmental bodies can also use this tool as a means of answering public information requests by providing requestors with a machine readable, publicly accessible website that permits requesters to "self-serve" their data needs. This model allows for greater flexibility and availability for constituents as well as greater efficiency for DIR customers.



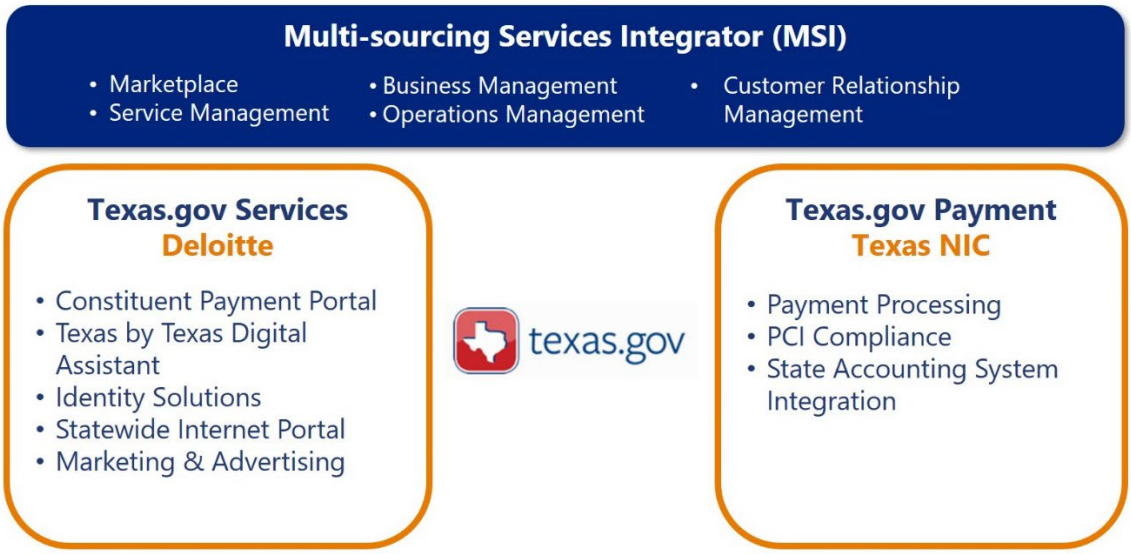
The ODP is available to DIR customers to post public data for sharing with constituents and the public, vendors, academic personnel, researchers, journalists, state agencies here in Texas, and other agencies, both national and international.

DIR provides use of the ODP to DIR customers at no charge.

Texas.gov

Texas.gov is the state's official website and a trusted resource for Texans to access government information and take care of their government business in many easy, secure, and user-friendly ways. Online services available to constituents include driver license renewal and replacement, print-on-demand driver records, vehicle registration renewal, vital records orders such as birth certificates, a wide range of professional and occupational licenses and permits, and more. The Texas.gov program enables state agencies, local government, and institutions of higher education to provide simple, accessible, and secure digital government services to their constituents.

DIR Shared Technology Services:
Texas.gov



Through the Texas.gov Application Services offering, agencies can leverage the following services for constituent-facing development, security, and technology modernization projects:

- **Application and Website Design, Development, Maintenance, and Operations** - services that follow Agile methodologies and best practices, adhere to rigorous testing, security, and accessibility standards, and deliver enterprise-level service, business, and technology management capabilities.
- **Digital Transformation** - services for agencies conducting constituent business online that accelerate IT modernization initiatives with human experience design.
- **Constituent Marketing, Analytics, and Satisfaction** - services that offer targeted advertising campaigns to drive awareness and action among Texans, web analytics to measure performance, and voice of the customer tools to assess constituent satisfaction and identify opportunities for improvement.

Texas by Texas (TxT) is a new, mobile-first digital government experience that offers an even easier, faster, and more secure way for Texans to take care of their government business. TxT offers two solutions for Texas agencies:

- Texas government agencies can integrate constituent-facing services with the **TxT Digital Assistant** so Texans can complete services quickly and securely. With the digital assistant, Texans can create a single user account and profile, access a personalized dashboard with stored payment information and their transaction history, establish notification preferences for alerts and reminders, and ultimately complete government transactions in just a few clicks anytime, anywhere, and from any device.

Texas government agencies can also use the **TxT Digital Identity** solution to enable multi-factor authentication and single sign-on capabilities for their employees to securely access agency systems with a TxT account.

Online Payments

With today's complex financial environment, rapidly changing technology, and increased security standards, Texas.gov's Payment Services solution offers complete transaction management that specifically meet the unique needs of Texas government.

Constituents can pay for government services by credit card, debit card, and eCheck (ACH) transactions online, at the point-of-sale, through a mobile device, and on a recurring basis. Additionally, the Texas.gov solution provides extensive financial reporting and integrates state government payments with the Texas Comptroller of Public Accounts' (CPA) accounting system.

All transactions processed through Texas.gov are managed by the Texas.gov Payment Services, the state's official, Payment Card Industry-Data Security Standards (PCI-DSS) Level 1 compliant payment processing solution.

2.4.5 Voice and Data Solutions

Communications Technology Services (CTS) manages the statewide communications infrastructure that provides voice, video, and data, including integrated voice response, telephone, wide area network, virtual private network, and call center solutions, to more than 600 state and local government agencies. This infrastructure is adaptable to changing customer requirements and can rapidly incorporate new and emerging technologies.

Similar to DIR's cooperative contracts program, DIR leverages the state's volume-buying power through its TEX-AN program to drive down costs while reducing the barriers often associated with seeking such services, including the lengthy competitive procurement process.

In addition, DIR is responsible for the Capitol Complex Telephone System (CCTS), a centrally managed telephone service for state and government agencies in the Austin area and within the Capitol complex. Through the CCTS, DIR provides the following services:

- Telephone installation, repair, relocation, change, or removal;
- Directory services including the Capitol Complex Telephone Director and CCTS operators;
- Voice mail services;
- Telephone coordinator listings for Austin-area state agencies;
- Dial tone extension to state agencies off complex in the Austin area;
- Call center services; and
- Auto-attendant routing.

2.4.6 Technology Planning, Policy, and Governance

DIR provides guidance, planning, and reporting on statewide IT priorities. The Chief Technology Office (CTO) coordinates several statewide programs to advance the use of industry best practices, innovative technologies, and the statewide project delivery framework. The CTO team works with state agencies to advance digital transformation and cloud adoption, promote technology efficiencies, and increase readiness for the use of advanced technologies.

Strategic Planning and Training

CTO produces Texas' State Strategic Plan for Information Resources Management as well as the Biennial Performance Report on the Use of Information Resources Technologies to set strategic direction and recommend improvement for IT in state government.

DIR also offers education, outreach, and training programs on key technology strategies through conferences, briefings, and forums.

Digital Project Services and Statewide Project Delivery

The Digital Project Services Program helps state agencies manage and implement major information resources projects, as defined in Texas Government Code Chapter 2054. The program provides guidance on project management practices and tools to support a consistent, statewide methodology to manage and control IT projects.

DIR is also a member of Texas' Quality Assurance Team, a group of agencies charged with monitoring major information resources projects.

Special Digital Projects

The Strategic Digital Services program is focused on developing tools that will assist customer agencies in how they approach thinking about digital transformation and ultimately delivering services to constituents. At its core, digital transformation is a strategic reimagining of how constituents want to consume government services. The Strategic Digital Services Program provides a digital transformation toolkit for agencies to use as their guiding principles for digital transformation; engages with agencies to facilitate workshops that are designed to assess and optimize digital transformation capabilities; identifies digital liaisons within agencies; and establishes a digital community and governance.

Electronic and Information Resources (EIR) Accessibility

The Electronic and Information Resources Accessibility Program supports state agencies and institutions of higher education to ensure that Texas government websites, information, and services are accessible to every citizen.

In addition to the EIR accessibility rules that DIR promulgates and administers, DIR shares best practices and collaborates with government agencies. EIR accessibility is also an integral part of DIR's Cooperative Contracts Program when evaluating solutions and providing guidance to vendors on improving the accessibility of their products and services.

DIR also provides accessibility training at no charge to state agency employees and state-funded institutions of higher education.

Enterprise Solution Services

The Enterprise Solution Services (ESS) division provides Texas state agencies with strategic information technology guidance built on enterprise architecture, standards, collaborative communities, and awareness of technology initiatives. The division seeks to help organizations address legacy systems and modernization through the adoption of cloud and artificial intelligence.

The ESS team leads collaboration workshops, special interest groups, and discovery sessions with state agency business program owners and enterprise architects. Agencies that partner in joint

solutions can leverage commodity or bulk purchases, shared resources, and reduced net investment of time and money.

2.4.7 Texas Data Program

The Texas Data Program, through the Office of the Chief Data Officer improves data governance and integrity statewide, establishes opportunities for data sharing across government, and works with agencies and institutions of higher education to collaboratively develop data policies, standards, and best practices. Core components of this program include:

- Administration of the Texas Open Data Portal (through the STS program)
- Data Literacy
- Data Governance and Management
- Data Sharing
- Data Analytics

2.5 Program Governance

Several DIR programs have extensive program governance, including:

- Shared Technology Services (STS) Governance;
- Communication Technology Services; and
- Security.

2.5.1 STS Governance

DIR and DIR Customers have established an owner-operator governance model for programs in the Statewide Technology Centers, which include the Data Center Services (DCS) program, Managed Security Services (MSS) program, Texas.gov program, and Open Data Portal program.

The owner-operator governance model involves DIR and DIR Customers at all levels in governance decision making, including as representatives on all governance committees. The model focuses on resolving issues at the lowest possible level and driving for consensus-based solutions involving service providers. Where consensus cannot be reached, there are escalation processes in place to resolve the issue.

Purpose and Guiding Principles

The owner-operator governance model is a set of defined interactions, expectations, decisions, roles, and processes that guide the governance of the programs. The model is designed to facilitate effective resolution of issues and enable strategic decision making. The model actively involves DIR, DIR Customers, and Service Providers as full members of solution groups and includes the following guiding principles:

- Establish DIR Customer business executives as leaders in guiding the program strategy;
- Implement a decision-making model with DIR Customer authority and accountability;
- Resolve issues at the lowest possible organizational level;
- Establish representative groups to resolve issues; and
- Formalize roles and responsibilities for strategy and issue management among DIR, DIR Customers, and Service Providers.

Central features of the owner-operator model include the following:

- DIR Customers work directly with Service Providers personnel on operational issues and local governance functions and decisions.
- Governance solution groups/committees address exceptions, enterprise matters and escalations from DIR Customers.
- Solution groups/ committees are decision-makers and serve a key communication role across the enterprise.
- DIR will assess and route issues to the correct committee.
- DIR provides contract oversight functions.

2.5.2 DIR Shared Technology Services Governance Committees

Solution Group and Committee Responsibilities

Business Executive Leadership Committee

The Executive Leadership Committee is the highest governance committee with overall responsibility for program governance and strategy. The committee's responsibilities include:

- Defining the strategic business direction of the program;
- Resolving business critical issues escalated from other committees;
- Monitoring implications of results for business performance; and
- Approving global business decisions governing the outsourcing relationships.

IT Leadership Committee

The IT Leadership Committee defines enterprise technology strategic goals and promotes their achievement. The committee resolves enterprise IT issues escalated from the solution group level and makes critical enterprise IT decisions. The responsibilities of the IT Leadership Committee include:

- Ensuring strategic IT goals are achieved;
- Approving changes to governance decision making framework;
- Approving the addition or deletion of Services;
- Approving changes to the service delivery model;
- Monitoring strategic enterprise service delivery and performance;
- Providing joint resolution for escalated enterprise issues;
- Approving critical IT-related decisions;
- Approving and prioritizing enterprise projects; and
- Resolving appeals from solution group decisions.

Solution Groups

Solution Groups are the front line for addressing most enterprise issues that are not initially resolved between DIR Customers, DIR, and Service Provider staff. The goal is to resolve enterprise issues and escalated DIR Customer-specific issues at this level through consensus-based solution building efforts. Service Provider representatives are fully participating members of the solution groups and committees, with the exception of the Contract and Finance Solution Group and the Business Executive Leadership Committee where they participate by invitation.

In addition, each group has responsibility for strategic decisions in their area of expertise. Specific

responsibilities of each group are listed in the following section.

2.5.3 Security

Statewide Information Security Advisory Council (SISAC)

Composition: SISAC is comprised of 12-14 members from various levels of government, including institutions of higher education, and led by the Chief Information Security Officer of the State of Texas.

Purpose: Provide guidance to protect and improve confidentiality, integrity, and security of Texas government information assets and technology.

Legal Basis: Discretionary.

2.6 DIR Contract Management Training

DIR follows the Texas Comptroller's State of Texas Procurement and Contract Management Guide and all applicable statues. The guide can be found on the Comptroller's website.

The procurement and contract management life cycles are intertwined and begin with identifying the business need. DIR may conduct market research to understand the capabilities in the marketplace and work with customers, governance, and solution groups to identify customer needs. This process may include customer focus groups or conducting a Request for Information (RFI) followed by Art of the Possible sessions with vendors who responded to the RFI.

During this time, DIR follows its vendor interaction policy, which is intended to allow for open communication with the vendor community, protect any possible future procurements, and ensure the neutrality of DIR in its relationships with vendors. Once DIR understands the business needs and the capabilities in the marketplace, procurement planning and solicitation development begins.

Procurement Process

For complex DIR procurements, a Source Evaluation Board (SEB) is formed by representatives from several divisions. Often, the SEB is comprised of staff from the Chief Procurement Office, Chief Operations Office, and the Chief Technology Office with advisors from Finance, General Counsel, and IT Security. A Source Selection Authority (SSA) group is also formed by DIR executive management as an escalation path for SEB decisions.

To increase competition and prepare the marketplace for the solicitation posting, DIR may conduct market engagement sessions. These sessions are intended as a one-way communication from DIR to the market in order to share DIR's vision and allow the vendors to begin teaming arrangements as they prepare for the release of the procurement.

A Request for Comment (RFC) may be posted on the Electronic State Business Daily (ESBD) for vendors to provide anonymous feedback. The feedback is reviewed for relevance and may or may not be integrated into the solicitation. This process allows for the market to correct any areas where DIR may not be attuned to industry best practices.

For Shared Technology Services and Cooperative Contracts, DIR uses a Request for Offer solicitation type. For DIR-A solicitations, the most appropriate method is chosen; often, it is a Request for Proposal if not using a Cooperative Contract. DIR uses the Cooperative Contracts program

whenever possible and contracts with HUB certified vendors to support the HUB goals of the agency.

During development of the solicitation, the evaluation criteria is determined by the team and, when appropriate, customer input on the criteria is considered. Master cooperative contracts and other solicitations are posted to the Electronic State Business Daily, a portal maintained by the Texas Comptroller of Public Accounts, as required by statute. DIR-A purchases made off awarded cooperative contracts are procured through the cooperative contracts program and do not require ESBD posting.

The solicitation documents designate a single point of contact for all communication by vendors during the procurement process. Pre-bid conferences are often used during the solicitation posting to clarify scope and requirements and answer vendor questions. There is a question-and-answer period listed in the schedule of events section of the solicitation. Following the posting of final answers to the formal Questions and Answers, vendors are given sufficient time to finish preparing their responses. Responses are uniformly due on a specified date and time; responses received after this date and time will not be accepted.

Once vendor responses are received, the Chief Procurement Office conducts an administrative review to ensure all responses have the required sections, signatures, and documents. A HUB review of the HUB Subcontracting Plan (HSP) is conducted along with a financial review.

Evaluators are trained, prepared, and sign a non-disclosure and conflict of interest form prior to the CPO's distribution of vendor responses to the evaluators for evaluation. Following the evaluator's completion of review and submission of their scoring, the results of the evaluation are reviewed for discrepancies and a quality control check is completed by a neutral staff member.

The negotiations phase is used to address a variety of issues, including but not limited to exceptions, Service Level Agreements (SLAs), licensing agreements, terms and conditions, pricing, contract intricacies, and deliverables. If appropriate, downselection is made and/or vendor discussions may be conducted. A Request for Revised Offer (RFRO) phase may also be entered, where DIR may make revisions to the solicitation and allow the downselected vendors to submit a Revised Response.

Given the complex nature of certain DIR procurements, a Due Diligence and/or Integration Sessions phase may be used to allow the vendors an opportunity to understand the complexities and integration points with other DIR services and solutions.

Once negotiations are complete, the SEB and SSA review the final contract documents for approval and, if legally required or appropriate based on the value threshold of the contractual terms, the contract is presented to the board for final approval and contract award. The contract is then routed for signature to the necessary parties.

Contract Management

All contracts are managed using DIR's contract management system. Contract managers monitor deliverables, SLAs, reporting, HUB compliance, insurance compliance, requirement compliance, and other contract related documentation requirements within this system.

If necessary, the contract manager will conduct scheduled vendor meetings and performance meetings. The contract manager also processes contract amendments and renewals.

Shared Technology Services

The Chief Operations Office (COO) is responsible for the day-to-day vendor management of Shared Technology Service contracts. The COO works closely with the contract manager in this effort.

Cooperative Contracts

DIR manages the master cooperative contract and also acts as an escalation point for customers when there are vendor performance issues. The customer, however, is responsible for managing their individual contract with the cooperative contract vendors.

Contract Reporting

All DIR contracts and amendments over $1 million are presented to the Board for review and approval.

For Shared Technology Services contracts, DIR is responsible for all reporting required by statute. This includes any reporting to the Legislative Budget Board and through the Comptroller's Vendor Performance Tracking System.

DIR does not report on use of cooperative contracts by customers.

HUB reporting is conducted by the HUB program group according to statute and the statewide HUB program rules developed by the Comptroller.

All current contracts are posted on the DIR website.

Annual Procurement Plan

DIR Procurement Services develops the agency procurement plan and presents it to the board for approval each year. This plan is also provided to the Texas Comptroller of Public Accounts. Updates to the procurement plan may be required as DIR identifies business needs.

2.7 Department Rules

DIR promulgates new rules or amends or repeals old rules to accomplish its mission as required or otherwise authorized by statute.

This procedure is guided by the Texas Administrative Procedures Act. The rules below can be found in the Texas Administrative Code:

Chapter 201 General Administration
Chapter 202 Information Security Standards
Chapter 203 Management of Electronic Transactions and Signed Records
Chapter 205 Geographic Information Standards
Chapter 206 State Websites
Chapter 207 Telecommunications Services
Chapter 209 Minimum Standards for Meetings Held by Videoconference
Chapter 210 State Electronic Internet Portal
Chapter 211 Information Resources Managers
Chapter 212 Purchases of Commodity Items

Chapter 213 Electronic and Information Resources
Chapter 215 Statewide Technology Centers for Data and Disaster Recovery Services
Chapter 216 Project Management Practices
Chapter 217 Procurement of Information Resources

2.8 Current Financials for DIR

To understand DIR's operations and properly execute one's duties as a Board member, all members should review DIR's current financial statements.

DIR's operating budget for the current biennium can be found in the General Appropriations Act available through the Legislative Budget Board. DIR's specific budget can be found in Article I of the General Appropriations Act.

DIR's Annual Financial Report may be accessed through DIR's website.

2.9 Internal Audit

2.9.1 DIR's Internal Audit Division

DIR's Internal Audit division's mission is to assist DIR management by examining and evaluating:

1. The adequacy and effectiveness of the agency's control processes; and
2. The quality of operations and services performed in carrying out assigned responsibilities.

Internal Audit provides independent review of the agency, including objective analysis, information, and recommendations for remediation.

The division also conducts any necessary follow-up reviews to ensure that corrective action recommended as a result of previous audits has been taken and the intended results have been achieved. It also performs an enterprise risk assessment annually, which is used to develop the Board-approved, annual internal audit plan. The Internal Audit director reports to the DIR Board through the Audit and Finance subcommittee, which meets quarterly to discuss internal audit activity.

The division also acts as the liaison between any external auditors and DIR.

DIR-related audit reports may be found on the DIR website.

2.9.2 External Annual Audits

In addition to any audits performed by the DIR Internal Audit division, external auditors may be engaged to perform additional audits.

2.10 Additional Resources

Office of the Governor

- Initiatives
- Budget and Policy Division
- Appointments
- Press Announcements

Office of the Attorney General

- Open Government
- Open Meetings Handbook
- Public Information Handbook
- Administrative Law Handbook

Texas Ethics Commission

- Reference Guides
- Personal Financial Statement

Office of the Secretary of State

- State Rules and Open Meetings
- Texas Administrative Code
- Open Meetings

Texas Comptroller of Public Accounts

State Auditor's Office

Sunset Advisory Commission

Texas House of Representatives

Texas Legislature Online

- Texas Statutes
- Texas Constitution

Texas State Senate

Complete list of Texas State Agencies and Websites

Texas.gov

State Capitol Maps and Floor Plans

3.0 Board Subcommittee Charters

Texas.gov Subcommittee Charter

The Texas.gov Subcommittee (Subcommittee) Charter is the formal document that defines the Subcommittee's purpose, authority, and responsibility. It also establishes the Subcommittee's composition, meetings, compliance, and report requirements.

Purpose

The purpose of the Texas.gov Subcommittee (Subcommittee) Charter is to assist the Board of the Department of Information Resources (DIR) in fulfilling its oversight responsibilities. The Subcommittee's oversight responsibilities include:

- Receiving quarterly updates on Texas.gov program
- Providing input on Texas.gov program strategy, fee approval requests, and business cases

Composition

The Subcommittee will consist of at least two and no more than four members of the DIR Board.

The DIR Board Chair appoints the Chair and members of the Subcommittee. Each Subcommittee member will be both independent and knowledgeable with respect to Texas.gov portal, payment services, and business operations activities.

Meetings

The Subcommittee will meet at least four times a year. The Subcommittee can add additional meetings with the approval of the Subcommittee Chair and can invite others to attend the meetings to provide pertinent information as necessary. The DIR Board, through the Subcommittee, shall hold non-public meetings with the Digital Government division and is not required to meet with the Digital Government division in an open meeting to discuss issues related to Texas.gov competitive procurements.

Authority

Legal authority for the Subcommittee is found in Texas Government Code, §2054.522 (HB 2472, 83rd Regular Texas Legislature). The Subcommittee is responsible for guidance, review and monitoring the Texas.gov functions and activities. The Subcommittee is authorized to the following:

- Provide program and fee recommendations to the DIR Board for its review, consideration, and approval
- Review all major Texas.gov activities
- Review and advise regarding resolution of any problems, issues, and statutory compliance with regard to Texas.gov activities
- Meet with agency staff and executive leadership as necessary

Duties and Responsibilities

Responsibilities

- Monitor Texas.gov transaction and revenue trends
- Monitor Texas.gov Customer Satisfaction
- Monitor Texas.gov Application Reliability Service Legal Agreement (SLA) performance
- Review and monitor new Texas.gov program highlights
- Provide input on Texas.gov program strategy, fee approval requests, and business cases

Reporting Requirements

- Report to the DIR Board about Subcommittee activities, issues, and any related recommendations regarding the statutory compliance or integrity of Texas.gov activities
- Report to the DIR Board on the performance of the Texas.gov function
- Review any other Texas.gov issues that relate to the Subcommittee responsibilities

Other Responsibilities

- Review and assess the adequacy of the Subcommittee charter periodically, requesting the Board approval for proposed changes, and ensuring appropriate disclosure as may be required by a law or regulation
- Perform other activities related to this charter, as requested by the DIR Board

Communications Technology Services (TEX-AN/CCTS) and Information Security Subcommittee Charter

The Communications Technology Services (TEX-AN/CCTS) and Information Security Subcommittee (Subcommittee) Charter is the formal document that defines the Subcommittee's purpose, authority, and responsibility. It also establishes the Subcommittee's composition, meetings, compliance, and reporting requirements.

Purpose

The purpose of the Communications Technology Services (TEX-AN/CCTS) and Information Security Subcommittee (Subcommittee) Charter is to assist the Board of the Department of Information Resources (DIR) in fulfilling its oversight responsibilities. The Subcommittee's oversight responsibilities include:

- Receiving frequent updates on Telecommunications services
- Receiving frequent updates on information security matters; and
- Monitoring adequacy of resources and personnel for the Communications Technology Services (TEX-AN/CCTS) and Information Security program

Composition

The Subcommittee will consist of at least two and no more than four members of the DIR Board. The DIR Board Chair appoints the Chair and members of the Subcommittee. Each Subcommittee member will be both independent and knowledgeable with respect to cybersecurity, telecommunications, business operations, electronic governance, risk, and compliance matters.

Meetings

The Subcommittee will meet at least four times a year. The Subcommittee can add additional meetings with the approval of the Subcommittee Chair and can invite others to attend the meetings to provide pertinent information as necessary. The DIR Board, through the Subcommittee, shall hold non-public meetings with Communications Technology Services (TEX-AN/CCTS) and Information Security division staff and is not required to meet with Communications Technology Services (TEX-AN/CCTS) and Information Security divisions in an open meeting to discuss issues related to DIR competitive procurements.

Authority

Legal authority for the Subcommittee is found in Texas Government Code § 2054.522. The Subcommittee is responsible for guidance, review, and monitoring the Communications Technology Services (TEX-AN/CCTS) and Information Security functions and activities. The Subcommittee is authorized to do the following:

- Provide program recommendations to the DIR Board for its review, consideration, and approval
- Review all major Communications Technology Services (TEX-AN/CCTS) and Information Security activities
- Review and advise DIR Staff regarding any problems, issues, and statutory compliance with regard to Communications Technology Services (TEX-AN/CCTS) and Information Security

activities
- Meet with agency staff and Executive Leadership as necessary

Duties and Responsibilities

Communications Technology Services Responsibilities

- Review TEX-AN and CCTS Network upgrades
- Review Capitol Complex VoIP Conversion progress and activities
- Monitor TEX-AN and CCTS customers and purchases

Information Security Responsibilities

- Monitor statewide information security program assessments and participation
- Review progress with respect to Security Assessments
- Monitor Infosec Academy activities
- Monitor eGRC tool implementation activities

Reporting Requirements

- Report to the DIR Board about Subcommittee activities, issues, and any related recommendations regarding the statutory compliance or integrity of Communications Technology Services (TEX-AN/CCTS) and Information Security activities
- Report to the DIR Board on the performance and adequacy of resources of the Communications Technology Services (TEX-AN/CCTS) and Information Security function
- Review any other Communications Technology Services (TEX-AN/CCTS) and Information Security issues that relate to the Subcommittee responsibilities

Other Responsibilities

- Review and assess the adequacy of the Subcommittee charter periodically, requesting the Board approval for proposed changes and ensuring appropriate disclosure as may be required by a law or regulation
- Perform other activities related to this charter as requested by the DIR Board

Finance and Audit Subcommittee Charter

The Finance and Audit Subcommittee (Subcommittee) Charter is the formal document that defines the Subcommittee's purpose, authority, and responsibility. It also establishes the Subcommittee's composition, meetings, compliance, and reporting requirements.

Purpose

The purpose of the Finance and Audit Subcommittee (Subcommittee) Charter is to assist the Board of the Department of Information Resources (DIR) in fulfilling its oversight responsibilities. The Subcommittee's oversight responsibilities include:

- The reliability, integrity, and security of operational and financial information
- The effectiveness of the agency's risk management and internal controls
- DIR's compliance with state laws, regulations, and contracts
- DIR's ethics objectives, programs, and activities
- The performance of the Chief Financial Office and the Internal Audit function
- The adequacy of resources and independence of the Internal Audit function

Composition

The Subcommittee will consist of at least two and not more than three members of the DIR Board. The DIR Board Chair appoints the Chair and members of the Subcommittee. Each Subcommittee member will be both independent and financially literate.

Meetings

The Subcommittee will meet at least four times a year. The Subcommittee can add additional meetings with the approval of the Subcommittee Chair and can invite others to attend the meetings to provide pertinent information as necessary. The DIR Board, through the Subcommittee, shall hold non-public meetings with Internal Audit and is not required to meet with Internal Audit in an open meeting to discuss issues related to fraudulent conduct. If necessary, the Subcommittee may meet in private with Internal Audit without the presence of any DIR Staff

Authority

The Subcommittee is responsible for implementing and monitoring the DIR Internal Audit function and for reviewing DIR's financial statements and budget. The Subcommittee can authorize investigations into any matters within its scope of responsibility. The Subcommittee is authorized for the following:

- Recommend audit policies and procedures to the DIR Board for its review, consideration, and approval
- The appointment, compensation, and oversight of the work of any external accounting or auditing firm
- The scope of audit services of the Internal Audit function
- The use of independent counsel or other advisors as deemed necessary to carry out the DIR Board's audit duties
- The resolution of any disagreements between DIR Executive Leadership and Internal Audit
- Approval of the Internal Audit charter, annual plan, annual report, and all audit or investigative reports
- Meet with agency staff, Executive Leadership, Internal Audit, external auditors, or outside counsel, as necessary

Duties and Responsibilities

Financial Statements

- Review significant accounting and reporting issues and understand their impact on the financial statements
- Review financial statements and consider whether they are complete and consistent with information known to Subcommittee members
- Review DIR's annual operating budget request and proposed fees prior to submission to the DIR Board for approval
- Review DIR's legislative appropriations request prior to submission to the DIR Board for approval
- Review proposed budget amendment prior to submission to the DIR Board for approval

Internal Control

- Consider the effectiveness of the agency's internal control system, including information technology and security
- Understand the scope of internal and external auditor's review of internal control over financial reporting and obtain reports on significant issues and recommendations, together with Executive Leadership's responses

Internal Audit

- Review with DIR Executive Leadership and approve Internal Audit resources (budget and staffing levels) to ensure that significant risks identified in the Internal Audit annual risk assessment are adequately covered within a reasonable period
- Ensure there are no unjustified restrictions or scope limitations
- Review and concur in the evaluation, appointment, compensation, or removal of the Director of Internal Audit
- Review the performance and effectiveness of the Internal Audit function, including conformance with required auditing standards, auditing law, and code of ethics
- Meet privately on a regular basis with the Director of Internal Audit to discuss any matters that the Subcommittee of the Director of Internal Audit believes should be discussed privately
- Meet in a closed setting with the Director of Internal Audit to discuss issues related to fraudulent conduct
- Review with DIR Executive Leadership and approve the Internal Audit charter, annual plan, major changes to the annual plan, annual report and other audit or investigative reports
- Ensure the independence of the Internal Audit function

External Audit

- Review the external auditors' proposed audit scope and approach, including coordination of audit effort with Internal Audit

Compliance

- Review the effectiveness of the system for monitoring compliance with laws, regulations, contracts, and the results of Executive Leadership's investigations and follow-up of any instances of non-compliance
- Review the findings of any examinations by regulatory agencies and any auditor observations
- Obtain regular updates from the DIR General Counsel regarding compliance matters

Reporting Requirements

- Report to the DIR Board about Subcommittee activities, issues, and any related recommendations regarding the quality and integrity of the agency's financial statements and compliance with regulatory requirements
- Report to the DIR Board on the performance, independence, and adequacy of resources of the Internal Audit function
- Review any other reports DIR issues that relate to the Subcommittee responsibilities

Other Responsibilities

- Request and oversee special investigations as needed
- Review and assess the adequacy of the Subcommittee charter periodically, requesting the Board approval for proposed changes, and ensuring appropriate disclosure as may be required by law or regulation
- Perform other activities related to this charter, as requested by the Board

Procurement & Contracting Subcommittee Charter

The Procurement & Contracting Subcommittee (Subcommittee) Charter is the formal document that defines the Subcommittee's purpose, authority, and responsibility. It also establishes the Subcommittee's composition, meetings, compliance, and reporting requirements.

Purpose

The purpose of the Procurement & Contracting Subcommittee (Subcommittee) Charter is to assist the Board of the Department of Information Resources (DIR) in fulfilling its oversight responsibilities. The Subcommittee's oversight responsibilities include:

- Provide guidance related to procurement and contracting matters, including but not limited to overall procurement and contracting strategy, vendor and contract management, Enterprise (Shared Services) Contracts, Cooperative Contracts program, and the Agency's HUB program
- Ensure the statutory reliability and integrity of the agency's procurement program
- Promote the effectiveness of the agency's procurement checks and balances
- Ensure DIR's compliance with state procurement laws, regulations, and contracts
- Direct DIR's procurement ethics objectives, programs, and activities
- Evaluate the adequacy of resources and personnel for the contracting function
- Assure all legislative directives and objectives regarding contracting for the agency are implemented
- Monitor all DIR major outsourced contracts

Composition

The Subcommittee will consist of at least two and not more than four members of the DIR Board. The DIR Board Chair appoints the Chair and members of the Subcommittee. Each Subcommittee member will be both independent and knowledgeable with respect to State contracting practices.

Meetings

The Subcommittee will meet at least four times a year. The Subcommittee can add additional meetings with the approval of the Subcommittee Chair and can invite others to attend the meetings to provide pertinent information as necessary. The DIR Board, through the Subcommittee, shall hold non-public meetings with the Chief Procurement Office and is not required to meet with the Chief Procurement Office in an open meeting to discuss issues related to DIR competitive procurements.

Authority

Legal authority for the Subcommittee is general authority. The Subcommittee is responsible for guidance, review and monitoring the DIR Contracting function, and for reviewing DIR's

Cooperative and Enterprise Contracting initiatives. The Subcommittee is authorized to do the following:

- Recommend Contracting policies and procedures to the DIR Board for its review, consideration, and approval
- Review of all major DIR procurement activities
- Monitor and advise regarding DIR's HUB program and goals
- Review and advise DIR staff regarding any problems, issues, or statutory compliance with regard to major DIR procurements
- Recommend action on the DIR Annual Procurement Plan
- Meet with agency staff and Executive Leadership as necessary

Duties and Responsibilities

Cooperative Contracts

- Review significant cooperative contracts issues, including prospective amendments, and understand their impact on the Annual Procurement Plan
- Review major procurements and consider whether they are complete and consistent with information known to Subcommittee members
- Review DIR Cooperative Contracts executed over the past quarter

Enterprise Contracts

- Review significant Enterprise Contracts issues, including prospective amendments, and understand their impact on the Annual Procurement Plan
- Review major procurements and consider whether they are complete and consistent with information known to Subcommittee members
- Review DIR Enterprise Contracts executed over the past quarter

HUB Program

- Review the performance and effectiveness of the DIR HUB function, including conformance with current required HUB standards

Procurement Plan

- Advise and monitor issues with respect to the DIR Annual Procurement Plan

Reporting Requirements

- Report to the DIR Board about Subcommittee activities, issues, and any related recommendations regarding the statutory compliance or integrity of the agency's procurement activities
- Report to the DIR Board on the performance and adequacy of resources of the Contracting function
- Review any other DIR procurement issues that relate to the Subcommittee responsibilities

Other Responsibilities

- Monitor agency contracting audits as needed
- Review and assess the adequacy of the Subcommittee charter periodically, requesting the Board approval for proposed changes, and ensuring appropriate disclosure as may be

required by law or regulation
- Perform other activities related to this charter, as requested by the DIR Board

Statewide Technology Services Subcommittee Charter

The Statewide Technology Services Subcommittee (Subcommittee) Charter is the formal document that defines the Subcommittee's purpose, authority, and responsibility. It also establishes the Subcommittee's composition, meetings, compliance, and reporting requirements.

Purpose

The purpose of the Statewide Technology Services Subcommittee (Subcommittee) Charter is to assist the Board of the Department of Information Resources (DIR) in fulfilling its oversight responsibilities. The Subcommittee's oversight responsibilities include:

- Receive routine updates on DIR's Statewide Technology Services including Data Center Services, Managed Application Services, and Managed Security Services programs
- Monitor adequacy of resources and personnel for DIR's Statewide Technology Services programs

Composition

The Subcommittee will consist of at least two and no more than four members of the DIR Board. The DIR Board Chair appoints the Chair and members of the Subcommittee. Each Subcommittee member will be both independent and knowledgeable with respect to shared technology services or business operations.

Meetings

The Subcommittee will meet at least four times a year. The Subcommittee can add additional meetings with the approval of the Subcommittee Chair and can invite others to attend the meetings to provide pertinent information as necessary. The DIR Board, through the Subcommittee, shall hold non-public meetings with Statewide Technology Services and is not required to meet with Statewide Technology Services in an open meeting to discuss issues related to DIR competitive procurements.

Authority

Legal authority for the Subcommittee is found in Texas Government Code § 2054.522 (HB 2472, 83rd Regular Texas Legislature). The Subcommittee is responsible for guidance, review and monitoring the DIR Statewide Technology Services functions and activities. Subcommittee is authorized to the following:

- Provide program recommendations to the DIR Board for its review, consideration, and approval
- Review and advise regarding all major DIR Statewide Technology Services activities
- Decide any problems, issues, and statutory compliance with regard to Statewide Technology Services activities
- Meet with agency staff and Executive Leadership as necessary

Duties and Responsibilities

Responsibilities

- Monitor Statewide Technology Services Performance
- Gauge Statewide Technology Services Customer Satisfaction
- Review Statewide Technology Services Consolidation Activities

Reporting Requirements

- Report to the DIR Board about Subcommittee activities, issues, and any related recommendations regarding the statutory compliance or integrity of Statewide Technology Services activities
- Report to the DIR Board on the performance and adequacy of resources of the Statewide Technology Services function
- Review any other DIR Statewide Technology Services issues that relate to the Subcommittee responsibilities

Other Responsibilities

- Review and assess the adequacy of the Subcommittee charter periodically, requesting the Board approval for proposed changes, and ensuring appropriate disclosure as may be required by law or regulation
- Perform other activities related to this charter, as requested by the DIR Board

Strategic Oversight Subcommittee Charter

The Strategic Oversight Subcommittee (Subcommittee) Charter is the formal document that defines the Subcommittee's purpose, authority, and responsibility. It also establishes the Subcommittee's composition, meetings, compliance, and reporting requirements.

Purpose

The purpose of the Strategic Oversight Subcommittee (Subcommittee) Charter is to assist the Board of the Department of Information Resources (DIR) in fulfilling its oversight responsibilities. The Subcommittee's oversight responsibilities include:

- Reviewing strategic oversight to the Agency
- Receiving frequent updates on Strategic Oversight matters
- Monitoring adequacy of resources and personnel for Strategic Oversight activities

Composition

The Subcommittee will consist of at least two and not more than four members of the DIR Board. The DIR Board Chair appoints the Chair and members of the Subcommittee. Each Subcommittee member will be both independent and knowledgeable with respect to information technology or business operations matters.

Meetings

The Subcommittee will meet at least four times a year. The Subcommittee can add additional meetings with the approval of the Subcommittee Chair and can invite others to attend the meetings to provide pertinent information as necessary. The DIR Board, through the

Subcommittee, shall hold non-public meetings with the Chief Technology Office or the Statewide Data Office and is not required to meet with the Chief Technology Office or the Statewide Data Office in an open meeting to discuss issues related to DIR competitive procurements.

Authority

Legal authority for the Subcommittee is found in Texas Government Code, § 2054.041. The Subcommittee is responsible for guidance, review and monitoring the DIR Chief Technology Office functions and activities. Subcommittee is authorized to the following:

- Provide recommendations to the DIR Board regarding its strategic direction for the department
- Review and evaluate new initiatives for, or categories of, services offered by the department
- Regularly evaluate the extent to which the department fulfills the department's information resources technology mission by providing cost-effective services and meeting customer needs
- Regularly evaluate department operations, including an evaluation of analytical data and information regarding trends in department revenue and expenses, as well as performance information
- Meet with agency staff and Executive Leadership as necessary

Duties and Responsibilities

Responsibilities

- Monitor statewide IT expenditures
- Legislative recommendations
- Monitor strategic goals progression

Reporting Requirements

- Biennial Performance Report
- Report to the DIR Board about Subcommittee activities, issues, and any related recommendations regarding Strategic Oversight activities
- Report to the DIR Board on the performance and adequacy of resources of the Chief Technology Office or the Statewide Data Office functions
- Review any other Strategic Oversight issues that relate to the Subcommittee responsibilities

Other Responsibilities

- Review and assess the adequacy of the Subcommittee charter periodically, requesting the Board approval for proposed changes, and ensuring appropriate disclosures as may be required by law or regulation
- Perform other activities related to this charter, as requested by the DIR Board