



Amendments to the Operations Policies Manual

***Presented by
Riley Woods
Senior Staff Counsel***



Proposed Revisions

1. Section 2.4 Director's Fees: Changed the fees received by directors from \$150 per day to allowing the Board of Directors to set the rate by board resolution, provided the rate does not exceed the per diem rate set by the Texas Ethics Commission for members of the legislature. Further, the total amount of fees received by a director in a fiscal year shall not exceed the amount a director would receive for 60 days of service a year at the maximum daily rate authorized by the board resolution.
2. Section 2.14 Removal of Directors: Added new language for the automatic removal of a director following a plea of guilty, nolo contendere, receipt of deferred adjudication, or conviction of certain criminal offenses.
3. Section 2.17 Use of Certain Social Media Applications and Services: Added new section that prohibits certain applications or software, determined by the Legislature to be a security risk, from being installed on a BRA device.



Proposed Revisions Continued

4. Section 3.1 Procurement, Generally: Added new language regarding mandatory disclosure of interested parties by the entities contracting with the BRA when a contract requires Board approval, exceeds \$1 million, or is for services that would require a person to register as a lobbyist.
5. Section 3.2 Procurement of Professional Services: Added limitation on indemnification of the BRA by an appraiser of real property.
6. Section 3.3 Procurement of Construction Contracts: Changed the monetary threshold for when the BRA must advertise the letting of a contract from \$50,000 to \$100,000.
Changed the monetary range for when the BRA must solicit written competitive bids from \$25,000-\$50,000 to \$25,000-\$100,000.



Proposed Revisions Continued

7. Section 3.3 Change Orders: Changed the monetary maximum for when the Board of Directors may grant authority to an official or employee responsible for purchasing or for administering a contract to approve a change order that involves an increase or decrease from \$50,000 to \$150,000.
8. Section 3.8 Additional Miscellaneous Methods of Procurement: Replaced the language in this section with general authority to utilize the Department of Information Resources Purchasing Program to the extent applicable to local governmental entities, provided the BRA complies with any rules adopted by the Department.
9. Section 5.6 Security Incidents: Added new section regarding reporting requirements to state officials following a security incident.

Proposed Revisions Continued

10. Section 6.3 Property Rights: Added additional contractual requirements for leases between the BRA and another person regarding public property.



“BE IT RESOLVED by the Board of Directors of the Brazos River Authority that the revisions to the Operations Policies Manual of the Brazos River Authority be accepted as presented at its September 25, 2023 meeting, to be effective September 25, 2023.”



Brazos River Authority



Brazos
— ★ —
RIVER AUTHORITY