

**STATE OF TEXAS
COUNTY OF WALLER**

ORDER SELF-CERTIFYING AN INCREASE IN THE MICRO-PURCHASE THRESHOLD

WHEREAS, from time to time, the County of Waller purchases goods and services using federal funding subject to the procurement standards in 2 C.F.R. Part 200, Subpart D; and

WHEREAS, the County of Waller is a non-Federal entity as defined by 2 C.F.R. § 200.1; and

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(ii), a non-Federal entity may award micro-purchases without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history, or other information and documents that the non-Federal entity files accordingly; and

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(iii), a non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures; and

WHEREAS, pursuant to 2 CFR 200.320(a)(1)(iv), a non-Federal entity may self-certify a micro-purchase threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with 2 CFR 200.334; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), such self-certification must include (1) a justification for the threshold, (2) a clear identification of the threshold, and (3) supporting documentation that the non-Federal entity is a low-risk auditee in accordance with the criteria in 2 CFR 200.520 for the most recent audit; and

WHEREAS, Waller County is a low-risk auditee in accordance with the criteria in 2 CFR 200.520 for the most recent audit; and

WHEREAS, Texas Local Government Code 262.023 requires counties to use competitive purchasing procedures for non-exempt items where the cost of the contract exceeds \$50,000; and

WHEREAS, the County of Waller's procurement of such goods and services is subject to the Waller County Procurement Policies and Procedures as well as Texas Local Government Code 262 and other State purchasing laws; and

WHEREAS, pursuant to 2 C.F.R. 200.320(a)(1)(iv)(A), the County of Waller now desires to adopt a higher micro-purchase threshold than the amount identified in 48 C.F.R. § 2.101.

NOW THEREFORE, IT IS HEREBY ORDERED by the Commissioner's Court of Waller County that effective January 10, 2024 for fiscal year 2024, Waller County self-certifies that its micro-purchase threshold, as defined in 2 CFR 200.320(a)(1)(ii), is hereby increased to \$50,000. Unless otherwise required by the County's internal purchasing regulations or controls, purchases up to the micro-purchase threshold may be purchased without soliciting competitive price or rate quotations if the County considers the price to be reasonable based on research, experience, purchase history, or other information and documents its files accordingly.

This self-certification is based on the following justification, as recognized and authorized by 2 CFR 200.320(a)(1)(iv): This self-certification of a higher micro-purchase threshold for purchases using Federal funding is intended to promote the effective stewardship of County time and resources. All

purchases made by Waller County are subject to the Waller County Procurement Policies and Procedures, and Texas law. The County's internal controls and documented procurement procedures are intended to promote fairness in purchasing and reduce any risk associated with purchasing. Texas law generally permits counties to make non-competitive purchases for goods or services where the contract is valued at less than \$50,000 in the aggregate, as set forth in Texas Local Government Code 262.023. Raising the micro-purchase threshold will make the federal competitive procurement threshold consistent with the Texas competitive procurement law threshold.

In any instance where Texas or other federal law imposes a requirement to competitively procure any good or service costing less than \$50,000, or where Texas or other federal law imposes more stringent purchasing standards or procedures set forth in 2 CFR Part 200, the County shall follow the more restrictive legal requirement. If Waller County receives funding from a Federal grantor agency that adopts a threshold more restrictive than those contained herein, Waller County shall comply with the more restrictive threshold when expending such funds.

The self-certification made herein shall not be applicable to Federal financial assistance awards issued prior to November 12, 2020, including financial assistance awards issued prior to that date under the Coronavirus Aid, Relief, and Economic Support (CARES) Act of 2020 (Pub. L. 116-136).

Waller County shall maintain documentation to be made available to a Federal awarding agency, any pass-through entity, and auditors in accordance with 2 C.F.R. § 200.334.

ADOPTED January 10, 2024 by the Waller County Commissioner's Court.

Carbett "Trey" J. Duhon III
County Judge

ATTEST:

Debbie Hollan
County Clerk