

**From:** [Sunset Advisory Commission](#)  
**To:** [Elizabeth Saenz](#)  
**Subject:** FW: DIR Sunset Review Comments  
**Date:** Thursday, July 18, 2024 1:45:13 PM

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DIR routinely does not review contracts to ensure there are no terms that state agencies cannot agree to.

More importantly, many software products are sold through third party resellers who will readily agree to the DIR contract terms, but state agencies will be left to review a license agreement from the software developer that the agency has no contract with and where the product has already been purchased. The overwhelming majority of these license agreements have terms and conditions that contradict state law and/or the Texas Procurement and Contract Management Guide. DIR routinely allows this and does not advocate on behalf of state agencies in these cases.

Thank you,  
Wes Ogilvie