

**Texas A&M University-Commerce
Rules**

25.07.01.R1 – Contract Administration

Approved: August 7, 2002

Supplements System Policy 25.07 and System Regulations 25.07.01

1. GENERAL

The following Texas A&M University-Commerce (A&M-Commerce) contract administration rules are promulgated pursuant to The Texas A&M University System (TAMUS) Contract Administration Policy and constitute the provisions that govern administration of A&M-Commerce contracting authority.

- 1.1 Vice President for Business and Administration will establish a process to determine delegated authority, complete the delegation of authority required by the system, get CEO approval, and submit the approved the approved document to CEO and the System Office of Policy Implementation and Compliance.
- 1.2 Written contracts shall be executed whenever A&M-Commerce enters into a binding agreement with another party that involves any stated or implied consideration. The Vice President of Business Administration or a designee may waive the requirement for a written contract if the stated or implied consideration is \$2,000 or less. Such waiver shall be valid only if in writing.
- 1.3 Contracts are construed to include, but not be limited to, the following: purchase orders, service agreements, cooperative agreements, memorandums of understanding, interagency contracts, grants, loans, easements, licenses, leases, and permits. Other parties include, but are not limited to: federal, state and local agencies, non-profit organizations, private businesses, partnerships and individuals.
- 1.4 For purposes of this rule, agreements made by A&M-Commerce departments for the reservation of hotel and/or conference facilities should be routed through Contract Administration.
- 1.5 Approval of, and signature on, a contract constitutes approval to establish an operating budget, which does not exceed the consideration of the contract, without further approval. Contract Administration is responsible for creating and maintaining well-defined administrative controls that ensures management exercises its fiduciary responsibilities when executing contracts on behalf of A&M-Commerce. The Director of Purchasing and Contract Administration shall serve as the University Contracts Officer for Contract Administration.

2. CONTRACTS REQUIRING BOARD OF REGENTS APPROVAL

- 2.1 Contracts requiring Board of Regents approval shall be forwarded through the Vice President for Business and Administration who will prepare the agenda item and appropriate documentation in support of the agenda item.
- 2.2 Contracts shall be signed by the Chancellor or the President, as specified in the Board minute order in which they are approved.

3. CONTRACTS REQUIRING CHANCELLOR APPROVAL

- 3.1 Contracts that involve a stated or implied consideration of more than \$200,000 but less than \$300,000 shall be forwarded through the Vice President for Business and Administration to the Chancellor for execution.

4. PRESIDENT'S DELEGATION OF AUTHORITY TO VICE PRESIDENTS

- 4.1 The President retains overall authority to approve and sign any and all contractual documents.
- 4.2 The President has delegated authority to approve and sign contracts that involve a stated or implied consideration (both cash and non-cash) of \$200,000 or less to the Vice President for Business and Administration.
- 4.3 The Delegation of Authority shall be those stated in the official Delegation of Authority as approved by the CEO and submitted to the System consistent with section 1.1.
- 4.4 The President has delegated authority to approve and sign contracts and grants to perform educational and service activities consistent with the University's mission without regard to the stated or implied consideration to the Vice President for Business and Administration.

5. OTHER DELEGATION OF AUTHORITY

- 5.1 The President has delegated authority to approve and sign contracts (\$100,000 or less) which are processed through State catalogue, or the appropriate bid process in accordance with the TAMUS Procurement Code requirements to the Director of Purchasing. The purchase of goods from outside vendors via the State Contracts will be processed in accordance with guidelines established by the Texas Building and Procurement Commission.
- 5.2 The President has delegated authority to approve and sign contracts (\$100,000 or less) for athletic events and all athletic contest contracts to the Director of Contract

Administration. Contracts of \$2,000 or less have been delegated to the Athletic Director. Delegation of authority over \$2,000 under this provision may not be sub-delegated.

5.3 The President has delegated authority to approved and sign contract workforce service agreements with an initial award of \$200,000 or less to the Vice President for Business and Administration. Administrative officer's delegated authority to approve and sign contract workforce service agreements by the Vice President for Business and Administration must insure that such documents have received prior review under the guidelines in A&M-Commerce Standard Administrative Rule 33.99.16.R0.01, Contract Workforce.

6. GENERAL COUNSEL REVIEW OF TAMU-COMMERCE

6.1 Administrative officers delegated authority to approve and sign contracts must insure that such documents have received prior review as to form and legal sufficiency by Contract Administration and the TAMUS Office of General Counsel. Requests for contract review by the Office of General Counsel shall be routed through and administered by the Director of Contract Administration.

7. LEGISLATIVE BUDGET BOARD (LBB) CONTRACT REPORTING REQUIREMENT

7.1 All contracts that equal or exceed \$14,000 must be reported to the LBB within 10 days of execution (including an amendment, notification, renewal, or extension). This reporting requirement applies to only state funding sources.

CONTACT PERSON: For additional information contact [Bert A. White](#) at 903-886-5059.

OFFICE OF RESPONSIBILITY: Purchasing and Contract Administration

This is a new University Rule.