

## **25.07.99.R1 – Contract Administration**

Revised: 3/12/03

Approved:

Supplements System Policy 25.07

### **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. These rules and limits of delegation of authority shall establish the process for University personnel to approve, sign, and execute contracts binding A&M-Commerce.

- 1.1 Delegations of authority pursuant to these rules shall be valid upon approval by the CEO and the 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 \$500 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, permits and restrictions on acceptance of gifts and bequests. 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 of Business 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 of Business Administration to the Chancellor for execution.

### **4. PRESIDENT'S DELEGATION OF AUTHORITY TO VICE PRESIDENTS**

- 4.1 In accordance with System Policy, the President may delegate authority to approve and sign specific contracts to Vice Presidents. 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 of Business Administration per the ["Texas A&M University-Commerce President's Delegation of Authority for Contract Administration", 25.07.99.R2](#). Delegation of authority under this provision may be sub-delegated. Any sub-delegations must be in writing and filed with the Director of Purchasing & Contract Administration, and are limited to a stated or implied consideration of \$50,000 or less.
- 4.3 The President has delegated authority to approve and sign contracts that provide for the acquisition of a consultant with an initial consideration of no more than \$10,000, and all modifications to that contract, to the University Deans per the "Texas A&M University-Commerce President's Delegation of Authority for Contract Administration", 25.07.99.R2. The President has delegated authority to approve and sign contracts that provide for the acquisition of a consultant with an initial consideration of \$100,000 or less and all modifications thereto to the Vice President of Business Administration per the "Texas A&M University-Commerce President's Delegation of Authority for Contract Administration", 25.07.99.R2. Delegation of authority under this provision may be sub-delegated. Any sub-delegations must be in writing and filed with the Director of Purchasing & Contract Administration, and are limited to a consideration of \$50,000 or less.
- 4.4 The President has delegated authority to approve and sign Material Transfer Agreements, research contracts, grants and proposals which can become contracts without further authorization with an initial award of less than \$200,000 to the the Vice President of Business Administration per the "Texas A&M University-Commerce President's Delegation of Authority for Contract Administration", 25.07.99.R2. To meet an agency deadline, research proposals may be submitted prior to concurrence, however, if such concurrence is not received within 30 days, the proposal will be withdrawn. Delegation of authority under this provision may be sub-delegated. Any sub-delegations must be in writing and filed with the University Contracts Officer, and is limited to less than \$50,000.
- 4.5 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 of Business Administration. Delegation of authority under this provision may be sub-delegated.

Any sub-delegations must be in writing and filed with the Director of Purchasing & Contract Administration.

## **5. PRESIDENT'S DELEGATION OF AUTHORITY TO SENIOR ADMINISTRATORS AND DEPARTMENT HEADS**

- 5.1 The President has delegated authority per the "Texas A&M University President's Delegation of Authority for Contract Administration", 25.07.99.R2, to approve and sign specific types of contracts involving a consideration (cash and non-cash) of \$100,000 or less to selected senior administrative officers as appropriate but retains overall responsibility for their actions. Delegations of authority to Department or Unit Heads under this provision may be sub-delegated. Any sub-delegation must be in writing and filed with the Director of Purchasing & Contract Administration, and are limited to a consideration of \$50,000 or less.
- 5.2 The President has delegated authority to approve and sign Material Transfer Agreements, research contracts, grants, and proposals which can become contracts without further authorization that involve an initial award of \$200,000 or less to the Vice President of Business Administration. Delegation of authority under this provision may be sub-delegated. Any sub-delegation must be in writing and filed with the Director of Purchasing & Contract Administration
- 5.3 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. Delegation of authority under this provision may be sub-delegated. Any sub-delegation must be in writing and filed with the Director of Purchasing & Contract Administration.
- 5.4 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 \$500 or less have been delegated to the Athletic Director. Delegation of authority over \$500 under this provision may not be sub-delegated.
- 5.5 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 of Business Administration. Administrative officer's delegated authority to approve and sign contract workforce service agreements by the Vice President of Business 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. Delegation of authority under this provision may be sub-delegated. Any sub-delegation must be in writing and filed with the Director of Purchasing & Contract Administration, and may not exceed \$50,000.
- 5.6 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 Purchasing & Contract Administration.

**6. LEGISLATIVE BUDGET BOARD (LBB) CONTRACT REPORTING REQUIREMENT**

6.1 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.

**7. 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.