

UR 25.07.99.H1 Contract Administration



Approved: November 9, 2016
Next Scheduled Review: November 9, 2021

Rule Statement

The Texas A&M University-Texarkana (A&M-Texarkana) contract administration rule is promulgated pursuant to The Texas A&M University System contract administration policy and regulation and constitutes the provisions that govern administration of A&M-Texarkana contracting authority.

Reason for Rule

This rule complies with requirements outlined in [System Policy 25.07, Contract Administration](#) and [System Regulation 25.07.01, Contract Administration Procedures and Delegations](#).

Procedures and Responsibilities

1. GENERAL

- 1.1 The Vice President for Finance and Administration (VPFA) serves as the University Contracting Officer and establishes a process to develop and review the delegation of authority annually at the beginning of each fiscal year as required by [System Regulation 25.07.01, Contract Administration Procedures and Delegations](#).
- 1.2 A contract or request for a contract (which may consist of a contract provided by another party) may originate from an academic department or non-academic unit and carry their respective recommendations for approval.
- 1.3 As required by [System Regulation 25.07.01, Contract Administration Procedures and Delegations](#), the System Contract Management Handbook shall be used by the Office of the Vice President for Finance & Administration in managing A&M-Texarkana contracts and the Contract Management Handbook shall be posted on the A&M-Texarkana website.
- 1.4 Only an individual with written delegation of authority from the President may execute and deliver contracts on behalf of A&M-Texarkana. A contract without an authorized signature is invalid and unenforceable and may create individual liability for the unauthorized signer.
- 1.5 The authority to enter into contracts on behalf of the University must also comply with [System Policy 25.07, Contract Administration](#) and [System Regulation 25.07.01, Contract Administration Procedures and Delegations](#).

- 1.6 Written contracts shall be executed whenever A&M-Texarkana enters into a binding agreement with another party that involves any stated or implied consideration.
 - 1.6.1 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.
 - 1.6.2 Other parties include, but are not limited to: federal, state and local agencies, non-profit organizations, private businesses, collaborations and individuals.
- 1.7 A fully executed/signed contract constitutes approval to establish an operating budget, which does not exceed the consideration of the contract, without further approval.
- 1.8 The A&M-Texarkana department in which a contract originates will be responsible for verifying that all contractual obligations have been fulfilled and closing out the contract.
- 1.9 The Office of the Vice President for Finance and Administration is responsible for creating and maintaining well-defined administrative controls that ensure management exercises its fiduciary responsibilities when executing contracts on behalf of A&M-Texarkana.
- 1.10 All contracts for (a) the purchase or sale of real property; (b) the lease, license or use of system real property; (c) the lease, license or use of real property from third parties; (d) the granting or acceptance of easements or rights-of-way; and (e) any other acquisition or disposition of real property or real property interests shall be governed by the policies and regulations Chapter 41. Real Estate Management. The delegation of authority for all construction contracts shall be governed by [System Policy 51.04, Delegations of Authority on Construction Projects](#) and the regulations promulgated under that policy.

2. CONTRACTS REQUIRING BOARD OR CHANCELLOR APPROVAL

- 2.1 Contracts requiring Board or Chancellor approval, as defined by [System Regulation 25.07.01, Contract Administration, Delegations, and Reporting](#), shall be routed through the Vice President for Finance and Administration, the President, and the appropriate System offices.

3. PRESIDENT'S DELEGATION OF AUTHORITY

- 3.1 As outlined in [System Regulation 25.07.01, Contract Administration, Delegations, and Reporting](#), the President is delegated the authority to approve and sign contracts of less than \$500,000 that are not otherwise reserved for approval by the board, as described in [System Policy 25.07, Contract Administration](#) and to subdelegate such authority.
- 3.2 When the President is unavailable, the Provost/Vice President for Academic and Student Affairs or the Vice President for Finance and Administration/Chief Financial Officer is delegated the authority to execute the contract.

- 3.3 The Delegation of Authority shall be prepared and reviewed annually in accordance with [System Regulation 25.07.01, Contract Administration, Delegations, and Reporting](#) by the Office of the Vice President for Finance and Administration.
- 3.4 The delegation of authority shall be those stated in the official [Delegation of Authority](#) as approved by the President and submitted to the System. The Delegation of Authority shall be posted to the university website.

4. REQUIRED GENERAL COUNSEL REVIEW

- 4.1 The Office of General Counsel (OGC) establishes contract review guidelines to be followed for all contracts or agreements entered into by A&M-Texarkana.
- 4.2 OGC contract review shall be coordinated and administered by the Office of the Vice President for Finance and Administration.

5. REPORTING REQUIREMENTS

- 5.1 A&M-Texarkana must comply with all applicable reporting requirements established by statute, Legislative Budget Board (LBB) rules, the System Office of Budgets and Accounting (SOBA) and other state authority as outlined in [System Regulation 25.07.01, Contract Administration, Delegations, and Reporting](#).

Related Statutes, Policies, or Requirements


[System Policy 25.07, Contract Administration](#)
[System Regulation 25.07.01, Contract Administration Procedures and Delegations](#)
[System Policy 41.01, Real Property](#)
[System Regulation 41.01.01, Real Property](#)
[System Regulation 51.04, Delegation of Authority on Construction Projects](#)
[System Regulation 51.04.01, Chancellor's Delegation of Authority on Construction Projects](#)
[State of Texas Contract Management Guide](#)
[President's Delegation of Authority](#)
[System Contract Management Handbook](#)

Contact Office

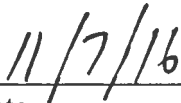
Vice President for Finance and Administration
(903) 223-3005

System Approvals*

Approved for Legal Sufficiency:

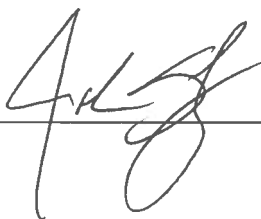


Ray Bonilla
General Counsel



Date

Approved:



John Sharp
Chancellor



Date

***System approvals are contingent upon incorporation of any and all System-required changes in the rule's final posting.**