



Approved: November 9, 2016

Revised: October 25, 2019

Reviewed: March 2, 2020

Next Scheduled Review: March 2025

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, memoranda 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.
 - 1.9.1 All contracts will be routed through the Office of the Vice President for Finance & Administration for review and compliance assurance prior to execution of the contract. Those requesting a contract shall review and attach a completed [TAMUS Contract Review Guidelines and Checklist](#) prior to submission.
 - 1.9.2 Contracts with particular potential risks (such as excessive value, extended terms of agreement, intellectual property, or not specific deliverables) shall be identified for enhanced monitoring. Details of these requirements and actions are documented on the [Enhanced Contract Monitoring Procedure](#). A completed Risk Assessment Matrix identifying whether the contract is identified as needing enhanced monitoring shall be attached to the Contract when routing for approval.
- 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 \$750,000 that are not otherwise reserved for approval by the board, as described in [System Policy 25.07, Contract Administration](#) and to sub-delegate 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 All contracts or agreements that have a stated or implied consideration of \$100,000 or more must be submitted to OGC for review and approval as to form and legal sufficiency when required by OGC guidelines.
- 4.3 OGC contract review shall be coordinated and administered by the Office of the Vice President for Finance and Administration.

5. REQUIRED SYSTEM CHIEF INFORMATION OFFICER REVIEW

- 5.1 All Information Resources procurements of \$250,000 or greater must be approved by the System Chief Information Officer.

6. REPORTING REQUIREMENTS

- 6.1 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](#).

7. REQUIRED TRAINING

- 7.1 All A&M-Texarkana employees authorized to execute contracts or exercise discretion in awarding contracts must receive training on the selection of appropriate procurement methods and information resources purchasing technologies. This training is further defined in the Contract Management Handbook and includes Ethics and Historically Underutilized Business training available on TrainTraq.
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Related Statutes, Policies, or Requirements

[System Contract Management Handbook](#)

[System Contract Reporting Requirements](#)

[Texas Education Code §51.9335](#)

[Texas Education Code §51.9337](#)

[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](#)

[TAMUT Enhanced Contract Monitoring Procedure](#)

Contact Office

Vice President for Finance and Administration
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System Approvals*

Approved for Legal Sufficiency:

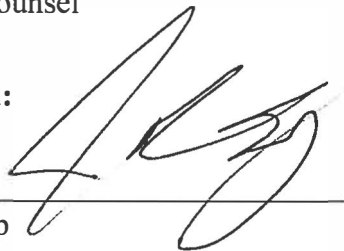


Ray Bonilla
General Counsel

10/24/19

Date

Approved:



John Sharp
Chancellor

10/25/19

Date

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