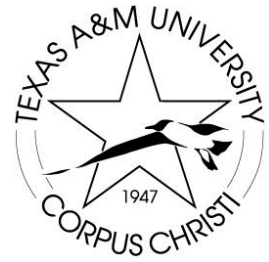


25.07.99.C1 Contract Administration

Approved: January 15, 2016
Revised: January 15, 2016
Revised: January 20, 2017
Next Scheduled Review: January 20, 2022



Rule Statement

The Texas A&M University-Corpus Christi 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 Texas A&M University-Corpus Christi contracting authority.

Reason for Rule

The purpose of the rule is to assist Texas A&M University-Corpus Christi employees with compliance in regard to the rules that govern administration of Texas A&M University-Corpus Christi contracting authority.

Procedures and Responsibilities

1. GENERAL

These procedures and limits of delegation of authority establish the process for A&M Corpus Christi personnel to approve, sign, and execute contracts committing A&M-Corpus Christi to the performance of any act. The Department of Contract Administration is responsible for creating and maintaining a well-defined administrative controlled environment that assures management exercises its fiduciary responsibilities when executing contracts on behalf of A&M-Corpus Christi.

Delegations of authority pursuant to this rule shall be valid only if in writing.

- 1.1. The Executive Vice President for Finance and Administration will establish a process to determine delegated authority, complete the delegation of authority required by the System, get presidential approval, and submit the approved document to the President and the appropriate System Office.
- 1.2. Written contracts shall be executed whenever A&M-Corpus Christi enters into a binding agreement with another party that involves any stated or implied consideration. The Executive Vice President for Finance and Administration or a

designee may waive the requirement for a written contract if the stated or implied consideration is \$5,000 or less. Such waiver shall be valid only if in writing.

- 1.3. Contracts are construed to include, but are not limited to, the following: contract for services, purchase orders, service agreements, cooperative agreements, memorandums of understanding (foreign or domestic), interagency contracts, grants, loans, easements, licenses, leases, and permits. Other parties include, but are not limited to: Federal, State and local agencies, nonprofit organizations, private businesses, partnerships and individuals.
- 1.4. For purposes of this rule, agreements made by A&M-Corpus Christi departments for the reservation of hotel and/or conference facilities should not be routed through the Department of Contract Administration nor be reviewed by the Office of General Counsel (OGC), so long as the A&M-Corpus Christi department and the facility sign the standard Facility Use Addendum, as provided by the Department of Contract Administration, in conjunction with the facility's standard agreement. In the event the facility objects to the use of the Facility Use Addendum, the facility's agreement should then be sent to the Department of Contract Administration for review. The Facility Use Addendum is intended to assist departments in exercising care when a hotel or conference facility's agreement contains clauses that constitute a commitment by the University, which could lead to monetary or legal liabilities. Such clauses generally mention liability on the part of the department for damages, or require a guarantee of payment for unoccupied rooms or facilities. While the standard Facility Use Addendum attempts to mitigate these risks, departments should determine the availability of a funding source should circumstance dictate cancellations resulting in a penalty. Department heads may wish to establish specific departmental guidelines to avoid needless penalty payments. This rule authorizes respective department heads authority to execute such agreements so long as the stated or implied consideration does not exceed the authority delegated to the President.
- 1.5. For purposes of this rule, agreements made by A&M-Corpus Christi departments with vendors to provide services internationally must be routed through the Department of Contract Administration. This applies to U.S.A. based and international vendors providing services that include, but are not limited to, programs for the benefit of students, faculty, or staff on university related business or academic/research purposes. Contract Administration has coordinated with OGC on the development of a standard agreement with vendors for these services and will work with the vendor to coordinate an acceptable agreement. These agreements require the approval of the Provost and Executive Vice President of Finance and Administration or President for those agreements that do not exceed the authority delegated to the President.
- 1.6. Vendor agreements providing lodging (hotel agreements) and/or travel (airfare, car rental, temporary bus transportation) do not need to route through the Department of Contract Administration. These itinerary-based confirmations for travel and lodging agreements may be signed by the respective department head.

- 1.7. All contracts in excess of \$5,000 must be routed through the Department of Contract Administration to ensure appropriate review and assessment of risk to the University.
- 1.8. Approval and signatures on a contract constitute 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 ensure management exercises its fiduciary responsibilities when executing contracts on behalf of A&M-Corpus Christi. The Director of Contracts and Property shall serve as the University Contracts Officer for Contract Administration.
- 1.9. As consistent with the requirements of System Policy 25.07, §1(a), the Department of Contract Administration will be responsible for the administrative management of large scale agreements with university-wide implications. This oversight will include monitoring financial and operational elements with regular reporting to senior administration. For all other agreements, including those large-scale agreements specific to a university operational or academic unit, the respective operational or academic unit to which an agreement pertains will be responsible for all financial and operational elements and provide regular reporting to senior administration.

2. CONTRACTS REQUIRING BOARD OF REGENTS APPROVAL

- 2.1. Contracts requiring Board of Regents approval shall be forwarded through the Executive Vice President for Finance 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

Contracts requiring Chancellor approval, unless delegated to the President under System Policy 25.07, § 6, shall be forwarded through the University Contracts Officer, CFO, and President to the Chancellor for execution.

4. PRESIDENT DELEGATION OF AUTHORITY TO VICE PRESIDENTS

- 4.1. The President retains overall authority to approve and sign any and all contractual documents. In accordance with System Policy 25.07, the President may delegate authority to a designee to approve and sign specific contracts, but retains overall responsibility for their actions. All delegations given herein are per the President's Delegation of Authority. Delegation of authority may only be re-delegated, in writing, with a copy provided to the Department of Contract Administration.

- 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 \$350,000 or less to the Executive Vice President for Finance and Administration.

The delegation of authority shall be those stated in the official Delegation of Authority as approved by the President and submitted to the System.

- 4.3. The President has delegated authority to approve and sign contracts and grants to perform educational, research, and service activities consistent with the University's mission, without regard to the stated or implied consideration, to the Executive Vice President for Finance and Administration.

- 4.4. The Division of Research currently administers certain sponsored contracts and other research related contracts and agreements. The Vice President for Research, Commercialization & Outreach (or his or her designee) may approve such agreements/contracts.

5. OTHER DELEGATION OF AUTHORITY

- 5.1. The President has delegated authority to approve and sign contracts (\$100,000 or less) to the Director of Contracts and Property, which may be processed through State catalog, appropriate bid process, or vendor contract in accordance with System Procurement Code requirements. The purchase of goods from outside vendors via State contracts will be processed in accordance with guidelines established by the Texas Comptroller of Public Accounts.

- 5.2. The President has delegated authority to approve and sign contracts for athletic events and athletic contest contracts to the Athletics Director.

6. GENERAL COUNSEL REVIEW OF A&M-CORPUS CHRISTI

Administrative officers' delegated authority to approve and sign contracts must ensure that such documents have received prior review as to form and legal sufficiency by Contract Administration and the OGC. Requests for OGC contract review shall be routed through, and administered by, the Director of Contract and Property or his/her designee.

All contracts or agreements that have a stated or implied consideration of \$100,000.00 or more must be submitted to the Office of General Counsel for review and approval as to form and legal sufficiency when required by OGC guidelines that have been approved by the Chancellor.

Related Statutes, Policies or Requirements

[Texas A&M University Corpus Christi President's Delegation of Authority for Contract Administration](#)

Texas A&M System Policy [25.07 Contract Administration](#)

Texas A&M System Regulation [25.07.01 Contract Administration, Delegations, and Reporting](#)

Texas A&M System Policy [51.04 Delegation of Authority on Construction Projects](#)

Texas A&M System Regulation [51.04.01 Chancellor's Delegation of Authority on Construction Projects](#)

Contact Office

Contact for interpretation or clarification: Director of Contracts and Property
(361) 825-2422