

Rule 25.07.99.T1 Contract Administration



Approved: April 22, 2015
Revised: June 8, 2017
Next Scheduled Review: June 8, 2022

Rule Statement

The following Tarleton State University (Tarleton) contract administration rule is promulgated pursuant to Texas A&M University System (TAMUS) Policy 25.07, *Contract Administration*, and constitutes the provisions that govern administration of Tarleton contracting authority.

Reason for Rule

This rule establishes the process for the origination, recommendation, approval, execution, administration, reporting, and closeout of Tarleton contracts.

Procedures and Responsibilities

1. GENERAL

These procedures and limits of delegation of authority establish the process for Tarleton personnel to originate, recommend, approve, sign, execute, administer, close out, and report contracts committing Tarleton to perform or refrain from performing any act.

- 1.1. Delegations of authority pursuant to this rule shall be valid only if in writing.
- 1.2. Written contracts shall be executed whenever Tarleton enters into a binding agreement with another party that involves any stated or implied consideration.
- 1.3. Contracts include, but are not be limited to, purchase orders, agreements, cooperative agreements, memoranda of understanding, interagency contracts, grants, loans, easements, licenses, leases, permits and restrictions on acceptances of gifts and bequests and amendments, modifications, and extensions of those contracts. Parties to the above listed contracts include but are not limited to Federal, State and local agencies, nonprofit organizations, private businesses, partnerships and individuals.

- 1.3.1. All contracts for the purchase or sale of real property, the lease of system real property, the lease of real property from third parties, the granting or acceptance of easement or rights-of-way, and for any other acquisition or disposal of real property or real property interest shall be governed by Policy Series 41, *Real Property*, any

regulations promulgated under this policy, and Tarleton Standard Administrative Procedure (SAP) 41.01.01.T0.01, *Real Property*. The delegation of authority for all construction projects shall be governed by System Policy 51.04, *Delegations of Authority on Construction Projects*, and the regulations promulgated under the policy.

- 1.4. Contracts made by Tarleton departments with vendors to provide goods and services must be routed through Procurement and Contracts and appropriate personnel as per the Delegation of Authority.
- 1.5. A contract or request for a contract (which may consist of a contract provided by another party) may originate from and be recommended by one of the following: Procurement & Contracts, a principal investigator, department head, dean, vice president or the president.
- 1.6. Approval of and signature on a contract constitutes approval to commit funds toward the contractual arrangement (if applicable). Funding sources should be identified (as applicable) and provided to Procurement and Contracts with the contract to be reviewed.
- 1.7. The director of Procurement and Contracts shall serve as the university contracts officer. The director is also responsible for creating and maintaining a well-defined administrative control environment that assures management exercises its fiduciary responsibilities when executing contracts on behalf of Tarleton.
- 1.8. Contract must be managed in accordance with the TAMUS Contract Management Handbook.
- 1.9. The department in which a contract originates will be responsible for verifying that all contractual obligations have been fulfilled; for fulfilling all contract reporting required under TAMUS policy and regulation, applicable law, and the terms of the contract; and for closing out the contract. Procurement and Contracts shall facilitate these activities and be more directly involved with contracts identified as requiring enhanced monitoring.

2. CONTRACTS REQUIRING BOARD OF REGENTS APPROVAL

- 2.1. Contracts requiring Board of Regents (Board) approval shall be routed through the appropriate routing as per the Delegation of Authority. The resulting documentation will be submitted to the chief of staff who will coordinate the submittal of the Board agenda item with appropriate personnel.
- 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 requiring chancellor approval shall be forwarded through the university contracts officers, CFO and president to chancellor for execution and/or delegation in accordance with System Policy 25.07.

4. PRESIDENT’S DELEGATION OF AUTHORITY

In accordance with system policy, the president may delegate authority to approve and sign specific contracts. The *Delegation of Authority* is reviewed annually by the director of Procurement and Contracts and any changes are approved by the Executive Leadership Cabinet. The *Delegation of Authority* is posted to the university website.

5. GENERAL COUNSEL REVIEW

- 5.1. 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 Procurement and Contracts and, when required under System policy, the System Office of General Counsel. Requests for contract review by the Office of General Counsel shall be routed through and administered by the office of Procurement and Contracts.

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](#)

[Tarleton SAP 41.01.01.T0.01, Real Property](#)

[System Policy 51.04, Delegations of Authority on Construction Projects](#)

[System Regulation 51.04.01, Chancellor’s Delegation of Authority on Construction Projects](#)

[President’s Delegation of Authority](#)

[System Contract Management Handbook](#)

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