

25.07.99.D1 Contract Administration



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Rule Summary

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

Rule

1. GENERAL

- 1.1 The contract administrator, with the approval of the vice president for Finance and Administration, will establish a process to determine delegated authority, complete the delegated authority required by the System, obtain presidential approval, and submit the approved document to the System Policy Office. The Delegation of Authority document will be posted to the university's website.
- 1.2 Only an individual with written delegation of authority from the president of the university may execute and deliver contracts on behalf of the university. A university contract without an authorized signature is invalid and unenforceable and may create individual liability for the unauthorized signer. The authority to enter into contracts on behalf of the university must also be pursuant to System Policy 25.07, *Contract Administration*, System Regulation 25.07.01, *Contract Administration, Delegations and Reporting*, and approved contract administration procedures.
- 1.3 Written contracts must be executed whenever A&M-Central Texas enters into a binding agreement with another party that involves any stated or implied consideration.
- 1.4 Contracts include, but are not limited to, the following: purchase orders, agreements, cooperative agreements, memoranda of understanding, interagency contracts, grants, loans, easements, licenses, leases, and permits, 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.
 - 1.4.1 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 easements or rights-of-way, and for any other acquisition or disposal of real property or real property interest must be governed by System Policy 41.01, *Real*

Property and Regulation 41.01.01, Real Property. The delegation of authority for all construction projects must be governed by System Policy 51.04, *General Requirements and Delegation of Authority on Construction Projects* and System Regulation 51.04.01, *Chancellor's Delegation of Authority on Construction Projects.*

1.5 Contracts made by A&M-Central Texas departments with vendors to provide goods and services must be routed through the contract administrator and appropriate personnel, as per the *Delegation of Authority.*

1.6 Approval of and signature on a contract constitutes approval to commit funds toward the contractual agreement (if applicable). Funding sources should be identified (as applicable) and listed on the contract transmittal form when routed for review.

1.7 The contract must be reviewed, executed, and managed in accordance with the System Contract Management Handbook.

2. CONTRACTS REQUIRING BOARD OF REGENTS APPROVAL

2.1 Contracts requiring Board of Regents (Board) approval must be routed through the appropriate routing process as per the *Delegation of Authority.* The resulting documentation will be submitted to the vice president for Finance and Administration who will coordinate submittal of the Board agenda item with appropriate personnel.

2.2 Contracts must 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 approval by the chancellor must be routed through the vice president for Finance and Administration to the chancellor for execution and/or delegation in accordance with System Policy 25.07.

4. PRESIDENT'S DELEGATION OF AUTHORITY TO VICE PRESIDENTS

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 contract administrator and any changes are approved by the executive cabinet. The *Delegation of Authority* is posted on the university website.

5. GENERAL COUNSEL REVIEW

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 must be routed through and administered by the contract administrator.

5.1 The contract administrator is responsible for the administrative management of contracts with university-wide implications. This oversight includes monitoring all financial and

operational elements with regular reporting to senior administration. For all other contracts, the department to which a contract pertains will be responsible for all financial and operational elements and provide regular reporting to senior administration. The purpose of contract administration is: (a) To identify who the responsible parties are; (b) To ensure the involvement of all parties from the beginning; (c) To confirm all objectives or steps that are to be accomplished are addressed; (d) To validate the cost, know how the cost was calculated, and how funds are to be paid; (e) To ensure provisions are clearly defined and understood to hold the contractor accountable for producing the desired results and staying within budget. (f) Employees whose functions are closely related to those of the financial aid office may be required to receive the training as deemed appropriate by the provost/vice president for Academic and Student Affairs.

Related Statutes, Policies, or Requirements

System Policy [25.07 Contract Administration](#)

System Regulation [25.07.01 Contract Administration, Delegations and Reporting](#)

System Policy [41.01 Real Property](#)

System Regulation [41.01.01 Real Property](#)

[System Policy 51.04, General Requirements and Delegation of Authority on Construction Projects](#)

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

[System Contract Management Handbook](#)

University Procedure [25.07.01.D0.02 Delegation of Authority for Contract Administration](#)

Contact Office

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