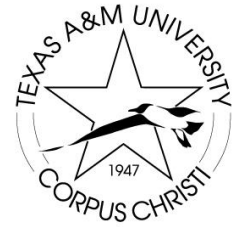


25.07.99.C1

Contract Administration



Revised: August 14, 2020

Next Scheduled Review: August 14, 2025

[Revision History](#)

Rule Summary

This rule is promulgated pursuant to Texas A&M University System (A&M System) policy 25.07, *Contract Administration* and constitutes the provisions that govern administration of Texas A&M University-Corpus Christi (TAMU-CC) contracting authority.

The purpose of the rule is to assist TAMU-CC employees with compliance in regard to the documents that govern administration of TAMU-CC's contracting authority.

Rule

1. GENERAL

- 1.1. These guidelines and limits of delegation of authority establish the process for TAMU-CC personnel to approve, sign, and execute contracts committing TAMU-CC 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 TAMU-CC.
- 1.2. Delegations of authority pursuant to this rule shall be valid only if in writing.
- 1.3. The Vice President for Finance and Administration will establish a process to determine delegated authority, complete the delegation of authority document required by A&M System, get presidential approval, and submit the approved document to the President and the appropriate A&M System office.
- 1.4. Written contracts shall be executed whenever TAMU-CC enters into a binding agreement with another party that involves any stated or implied consideration. The Vice President for Finance and Administration or authorized designee may waive the requirement for a written contract if the stated or implied consideration is \$5,000.00 or less. Such waiver shall be

valid only if in writing.

1.5. Contracts are construed to include, but are not limited to, the following:

- (a) contract for services
- (b) purchase orders
- (c) service agreements
- (d) cooperative agreements
- (e) memorandums of understanding (foreign or domestic)
- (f) interagency contracts
- (g) grants
- (h) loans
- (i) easements
- (j) licenses
- (k) leases
- (l) permits

Contracts may be entered into with federal, state, and local agencies, nonprofit organizations, private foundations, private businesses, partnerships, and individuals.

1.6. For purposes of this rule, contracts made by TAMU-CC departments for the reservation of hotel and/or conference facilities do not need to be routed through the Department of Contract Administration nor be reviewed by the A&M System Office of General Counsel (OGC), so long as the department and the vendor sign the standard Facility Use Addendum (see Appendix), as provided by the Department of Contract Administration, in conjunction with the vendor's standard agreement. In the event the vendor objects to the use of the Facility Use Addendum, the vendor's contract 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 vendor contract contains clauses that constitute a commitment by TAMU-CC 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 circumstances 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 the authority to execute such agreements so long as the stated or implied consideration does not exceed the authority delegated by the President.

- 1.7. For purposes of this rule, contracts made by TAMU-CC 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. The Department of Contract Administration has coordinated with OGC on the development of a standard contract with vendors for these services and will work with the vendor to coordinate an acceptable contract. These contracts require the approval of the Provost and Vice President for Academic Affairs and Vice President for Finance and Administration or President for those contracts that do not exceed the authority delegated by the President.
- 1.8. Vendor contracts 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 contracts may be signed by the respective department head (see section 1.6 of this rule).
- 1.9. All contracts in excess of \$5,000.00 must be routed through the Department of Contract Administration to ensure appropriate review and assessment of risk to TAMU-CC.
- 1.10. 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. The Department of 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 TAMU-CC. Contract management must be in accordance with the A&M System Contract Management Handbook. The executive director of administrative services shall serve as TAMU-CC's primary contracts officer for the Department of Contract Administration.
- 1.11. For all contracts, including those large-scale contracts specific to an operational or academic unit, the respective operational or academic unit to which a contract pertains will be responsible for all financial and operational elements, for verifying that all contractual obligations have been fulfilled, and for closing out the contract.

2. CONTRACTS REQUIRING BOARD OF REGENTS APPROVAL

- 2.1. Contracts requiring A&M System Board of Regents approval as specified in section 2 of System Policy 25.07, *Contract Administration* shall be forwarded through the 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, *Contract Administration*, shall be forwarded through TAMU-CC's delegated contracts officer, Vice President for Finance and Administration, and President to the Chancellor for execution.

4. PRESIDENT'S 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, *Contract Administration*, the President may delegate authority to a designee to approve and sign specific contracts but retains overall responsibility for their actions. All delegations given are per the President's Delegation of Authority for Contract Administration. Delegation of authority may only be re-delegated in writing with a copy provided to the Department of Contract Administration.

4.2. The delegation of authority shall be that which is stated in the official President's Delegation of Authority for Contract Administration as approved by the President and submitted to the system.

5. OFFICE OF GENERAL COUNSEL REVIEW OF TEXAS A&M UNIVERSITY-CORPUS CHRISTI CONTRACTS

5.1. Administrative officers with delegated authority to approve and sign contracts must ensure that such documents have received prior review as to form and legal sufficiency by the Department of Contract Administration and OGC as required. Requests for OGC contract review shall be routed through, and administered by, the Executive Director of Administrative Services or their designee.

5.2. 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 that have been approved by the Chancellor.

Related Statutes, Policies or Requirements

System Policy [25.07, Contract Administration](#)

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

University Procedure [25.07.03.C0.01, Purchasing Administration](#)

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

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

[System Contract Management Handbook](#)

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

Appendix

[Facility Use Addendum](#)

Contact Office

Contact for interpretation and clarification: Executive Director, Administrative Services
(361) 825-2495