

**SYSTEM OFFICES
THE TEXAS A&M UNIVERSITY SYSTEM
FY 08 DELEGATION OF AUTHORITY
FOR CONTRACT ADMINISTRATION^{1,3}**

Type of Contract	Routing for Departmental Review ²	Authorization to Execute Contracts \$100,000 or Less ²	Authorization to Execute Contracts >\$100,000 to \$200,000 ²
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General Delegations:

The Chancellor is delegated the authority to sign and approve contracts above \$200,000 not specifically reserved by the Board of Regents in System Policy 25.07, *Contract Administration*. In case of unavailability, the Chancellor delegates authority to the Associate Vice Chancellor for Budgets and Accounting (AVCBA) and the Associate Vice Chancellor and Treasurer (AVCT) to sign and approve those contracts.

In accordance with System Policy 25.07, the Delegation of Authority for Contract Administration for all contracts \$200,000 or less is shown on the following pages. In case of unavailability of the person who has the delegated authority, the AVCBA is delegated the authority to execute the contract.

Legend:

APO	Accountable Property Officer	MD-FPC	Managing Director, Facilities Planning & Construction
AVCBA	Associate Vice Chancellor for Budgets and Accounting	OGC	Office of General Counsel
AVCT	Associate Vice Chancellor and Treasurer	OTC	Office of Technology Commercialization
FPC	Facilities Planning & Construction	REO	Real Estate Office
HPM	HUB and Procurement Manager	VCTC	Vice Chancellor for Technology Commercialization
HPP	HUB and Procurement Programs		

Footnotes:

¹ Contracts which involve a stated or implied consideration within stated limits and primary terms of five years or less. All contracts must be reviewed by the Office of General Counsel, unless in previously approved format or less than \$50,000 with contract review short form attached to contract.

² When an office or department is listed in the **Routing for Departmental Review** or the **Authorization to Execute Contracts** sections, it is the responsibility of the director of the department, or designee, to review or sign the contract.

³ All contracts for goods or services must be in compliance with System Regulation 25.99.02, *Component Purchasing Authority*, and the System Procurement Code. All purchases shall comply with state statutes relating to historically underutilized businesses and procurement of goods and services from persons with disabilities.

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<p>1. <u>Construction</u></p> <p>1.1 Minor Construction Projects Delegated to Members Under System Policy 51.04.</p> <p>1.1.1 Rehabilitation Projects – Two million or less (Administered by FPC for the System Offices)</p> <p>1.1.2 New Construction Projects – One million or less (Administered by FPC for the System Offices)</p> <p>1.1.3 Employment of Architect/Engineer/ Professional Services (In accordance with Section 2.7 of this document)</p>	<p>Member HPP FPC, if requested OGC</p> <p>Member HPP FPC, if requested OGC</p> <p>Member HPP FPC, if requested OGC</p>	<p>AVCBA MD-FPC HPM</p> <p>AVCBA MD-FPC HPM</p> <p>AVCBA MD-FPC HPM</p>	<p>AVCBA <u>≤ \$2,000,000</u></p> <p>AVCBA <u>≤ \$1,000,000</u></p> <p>Chancellor</p>
<p>2. <u>Budgets and Accounting</u></p> <p>2.1 Federal/State Grant Program Participation Agreements</p> <p>2.1.1 Grants (Sponsored Projects)</p>	<p>Department Head Budgets and Accounting</p>	<p>Budgets and Accounting</p>	<p>AVCBA</p>

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<p>2.2 Federal & State Regulatory Agreements</p> <p>2.2.1 Permits, Licenses, Declarations, Applications Filed with Regulatory Agencies</p>	<p>Department Head Budgets and Accounting</p>	<p>Budgets and Accounting</p>	<p>AVCBA</p>
<p>2.3 Memoranda of Agreement <i>Pledge of Programmatic Commitments</i></p> <p>2.3.1 Cooperative Agreements</p>	<p>Department Head Budgets and Accounting</p>	<p>Budgets and Accounting</p>	<p>AVCBA</p>
<p>2.4 Texas Inter-Agency Agreements</p> <p>2.4.1 Non-Research Commitment for the use/acquisition (provision) of resources from (to) another state agency</p> <p>2.4.2 Inter-Local Commitment for the use/acquisition (provision) of resources from (to) a Texas home rule city</p>	<p>Department Head HPP Budgets and Accounting</p> <p>Department Head HPP Budgets and Accounting</p>	<p>HPM Budgets and Accounting</p> <p>HPM Budgets and Accounting</p>	<p>AVCBA</p> <p>AVCBA</p>
<p>2.5 Intra-System Agreements <i>Commitments for the use/acquisition (provision) of resources from (to) other System Members</i></p>	<p>Department Head HPP Budgets and Accounting CEO</p>	<p>HPM Budgets and Accounting</p>	<p>AVCBA</p>

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<p>2.6 Consultant Agreements</p> <p>Statutory Consultant Agreements <i>Use of private consultants (not an employee) governed by Texas Gov. Code, Chapt. 2254, Subchapt. B. Contracts over \$25,000 must receive an approval from the CEO. Agreements for outside legal counsel must comply with Section 8.2.</i></p>	<p>Department Head HPP Budgets and Accounting</p>	<p>Department Head ≤ \$2,000 (all funds) HPM Budgets and Accounting ≤ \$25,000</p>	<p>Chancellor</p>
<p>2.7 Professional Services Agreements (System Offices Acquiring Professional Services—non-construction related)</p> <p>Statutory Professional Services <i>Acquisition of professional services as defined by Texas Gov. Code, Sec. 2254.002 (accounting, architecture, optometry, medicine, land surveying, and professional engineering when performed within the scope of practices)</i></p> <p>2.7.1 Total Cost of Service (including travel/lodging) Professional Services (Costs, including travel/lodging)</p>	<p>Department Head Budgets and Accounting HPP</p>	<p>Department Head ≤ \$2,000 (all funds) Budgets and Accounting HPM</p>	<p>AVCBA</p>
<p>2.8 Purchase Agreements (non-construction) (System Offices Acquires Goods or Services) <i>Purchase of outside legal counsel must comply with Section 8.2.</i></p>			

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2.8.1 System Offices Purchase Orders Purchase of goods or services from outside vendor using standard form promulgated by System Offices HUB and Procurement Programs in compliance with statutory or regulatory purchasing requirements	Department Head <u>If required:</u> HPP	Department Head ≤ \$2,000 (all funds) HPM	AVCBA
2.8.2 Maintenance agreements acquired with equipment purchase or as stand alone purchase	Department Head <u>If required:</u> HPP	Department Head ≤ \$2,000 (all funds) HPM	AVCBA
2.8.3 Vendor Purchase Orders Purchase of goods or services from outside vendor using vendor-supplied document or agreement	Department Head <u>If required:</u> HPP	Department Head ≤ \$2,000 (all funds) HPM	AVCBA
2.8.4 Partial Sale, Partial Gift Purchases <i>(See System Policy 21.05)</i> (Requires Board of Regents approval)	AVCBA OGC Chancellor	See System Policy 21.05	See System Policy 21.05
2.9 Memberships <i>(Purchase of Organizational Affiliations for Individuals, Groups or the Institution)</i>			
2.9.1 Professional/Service Associations – Group or Institution Purchase by the System Offices of a membership in a professional or service organization on behalf of a group or institution.	Department Head Budgets and Accounting	Chancellor, or designee	Chancellor, or designee

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2.9.2 Professional/Service Association – Individual Purchase by the System Offices of a membership in a professional or service organization on behalf of an individual.	Department Head Budgets and Accounting	Chancellor, or designee	Chancellor, or designee
2.9.3 Social – Individual Purchase by the System Offices of a membership in a social organization on behalf of an individual. 2.10 Property Transfer Agreement (Inventoried and Non-inventoried items) 2.10.1 Surplus Property Transfers 2.10.2 Transfer internally or to another TAMUS member 2.10.3 Transfer to another state agency 2.10.4 Transfer to an independent third party	Department Head AVCBA Department Head Property Manager Department Head (APO) Property Manager Department Head (APO) Property Manager Department Head (APO) Property Manager	Chancellor Property Manager ≤ \$10,000 Budgets and Accounting Property Manager Property Manager Property Manager ≤ \$10,000 AVCBA	Chancellor AVCBA AVCBA AVCBA AVCBA

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2.10.5 Personal Property with Restrictions (Including Indemnification) on Acceptance (<i>Including Cash or Cash Equivalents</i>)(VACS 85.21) Also see System Policy 21.05. (Requires Board of Regents approval)	Department Head Property Manager AVCBA	AVCBA	AVCBA
3. <u>Employee Benefits Contracts</u> – Risk Management 3.1 Group Insurance Contracts/Policies and Administrative Agreements	Risk Management OGC HPP	Director, Risk Management	AVCT
4. <u>Financial Contracts</u> – Treasury Services 4.1 System Depositories (SP 22.02) (Requires Board of Regents approval) 4.2 Investment Management (SP 22.02) 4.2.1 Investment Consultants and Advisors (Subject to provisions of Section 2.6 Consultant Agreements) 4.2.2 Investment Management (SP 22.02)	Treasury Services HPP Treasury Services OGC Treasury Services OGC	Treasury Services AVCT AVCT	Treasury Services AVCT AVCT

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<p>4.3 Debt Management (SP 23.02, RFS, HEF and PUF)</p> <p>4.3.1 Financial Advisors (Subject to provisions of Section 2.6 Consultant Agreements)</p> <p>4.3.2 Bond Counsel – (See Outside Legal Counsel)</p> <p>4.4 Other Banking Functions (Custodial agreements, securities lending agreement)</p>	<p>Treasury Services OGC</p> <p>Treasury Services OGC</p> <p>Treasury Services OGC Budgets and Accounting HPP</p>	<p>AVCT, or authorized representative</p> <p>OGC</p> <p>Treasury Services</p>	<p>AVCT, or authorized representative</p> <p>OGC</p> <p>AVCT</p>
<p>5. <u>Insurance-Partial Risk Transfer Contracts</u> Risk Management and Safety <i>(Retention of Predetermined Limited Risk with Contractual Transfer of Excess Risk Exposure)</i></p> <p>5.1 Fleet Automobile and Motor Driven Liability Contract <i>(Motorized autos and machinery driven by TAMUS employees.) Contract reviewed by the State Board of Insurance, Attorney General’s Office and the Texas Building and Procurement Commission.</i></p> <p>5.2 Directors and Officers Liability Contract <i>(Covers Board of Regents, System Administrators, Faculty and Staff)</i></p>	<p>Risk Management OGC</p> <p>Risk Management OGC</p>	<p>Director, Risk Management</p> <p>Director, Risk Management</p>	<p>AVCT</p> <p>AVCT</p>

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5.3 Healthcare Purchasers Professional Liability Contract <i>(Professional /Fiduciary coverage for TAMUS Self-Insured Group Benefit Programs)</i>	Risk Management OGC	Director, Risk Management	AVCT
5.4 Various Insurance – Partial Risk Transfer Contracts <i>(Funding from Member/User)</i>	Risk Management OGC	Director, Risk Management	AVCT
NOTE: <u>The Office of Risk Management and Safety is responsible for all System-based Partial Risk Transfer Contracts. Risk Management must be contacted before any insurance is purchased.</u>			
5.5 Workers’ Compensation Insurance Claims processing or settlement	Risk Management	Director, Risk Management	AVCT
5.6 Administrative Contracts	Risk Management OGC HPP	Director, Risk Management	AVCT
6. <u>Intellectual Property Agreements (SP 17.01) Office of Technology Commercialization</u>			
6.1 Intellectual Property Agreements <i>(Technology Transfer)</i>	Member OTC Budgets and Accounting OGC	VCTC	VCTC
6.2 Intellectual Property Application and Prosecution	Member OTC OGC	VCTC	VCTC
6.3 Intellectual Property Non-Disclosure Agreements	OTC OGC	VCTC	VCTC

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6.4 Material Transfer Agreements (Commercial)	Researcher/Director Member OTC OGC	VCTC	VCTC
6.5 NDA & Confidentiality Agreements between TAMUS & Outside Entity	OTC OGC	VCTC	VCTC
6.6 Texas Inter-Agency Agreements <i>Commitment for the use/acquisition (provision) from (to) another state agency or institution.</i>	Institution(s) Member (if applicable) OTC Budgets and Accounting OGC	VCTC	VCTC
6.7 Business Services Agreements (with outside entities)	OTC Budgets and Accounting OGC	VCTC	VCTC
6.8 Affiliation Agreements with Foreign Governmental Bodies and Private Companies and Foundations	OTC Budgets and Accounting OGC	VCTC	VCTC
6.9 Federal/State Program Participation Agreements	OTC OGC	VCTC	VCTC
6.10 Federal & State Regulatory Agreements (permits, licenses, declarations, applications filed with regulatory agencies)	OTC OGC	VCTC	VCTC
6.11 Intra-System Agreements <i>Commitments for the use/acquisition (provision) from (to) other System Members.</i>	Member Budgets and Accounting OGC OTC	VCTC	VCTC

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<p>6.12 Memorandum of Agreement — Non-academic (letter style) agreements which document programmatic commitments between OTC and Non-TAMUS entities</p>	<p>OTC Non-TAMUS Entity *In case involving graduate student, copy of MOA to Dean of Graduate Studies</p>	<p>VCTC</p>	<p>VCTC</p>
<p>7. <u>Real Property Transactions</u> – Real Estate Office (Applies to All Members)</p> <p>7.1 Acquisition of Real Property</p> <p>7.1.1 Purchase of Real Property (Requires Board of Regents approval)</p> <p>7.1.2 Condemnation of Real Property (Requires Board of Regents approval)</p> <p>7.1.3 Gifts and Bequests of Real Property (Requires Board of Regents approval)</p>	<p>Member CEO REO Budgets and Accounting OGC</p> <p>Member CEO REO Budgets and Accounting OGC</p> <p>Member CEO REO Budgets and Accounting OGC</p>	<p>General Counsel</p> <p>General Counsel</p> <p>General Counsel</p>	<p>General Counsel</p> <p>General Counsel</p> <p>General Counsel</p>

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7.2 Disposition of Real Property			
7.2.1 Sale of Real Property (Requires Board of Regents approval)	Member CEO REO Budgets and Accounting OGC	General Counsel	General Counsel
7.2.2 Exchanges of Real Property (Requires Board of Regents approval)	Member CEO REO Budgets and Accounting OGC	General Counsel	General Counsel
7.3 Grants of Rights in Real Property			
7.3.1 Permits	Member CEO REO Budgets and Accounting OGC	General Counsel	General Counsel
7.3.2 Licenses	Member CEO REO Budgets and Accounting OGC	General Counsel	General Counsel
7.3.3 Easements			
<u>TAMUS as Grantor</u>			
7.3.3.1 Easements Serving TAMUS Members (10 year limit)	Member CEO REO OGC	General Counsel	General Counsel
7.3.3.2 Easements Serving TAMUS O&G Wells (10 year limit)	Member CEO REO OGC	General Counsel	General Counsel

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7.3.3.3 Easements Serving Municipalities (10 year limit)	Member CEO REO OGC	General Counsel	General Counsel
7.3.3.4 All Other Easements, including those that result in an indefinite term (Requires Board of Regents approval)	Member CEO REO OGC	General Counsel	General Counsel
<p><u>TAMUS as Grantee</u></p> <p>7.3.3.5 Easements across the property of third parties</p> <p>7.4 Oil, Gas and Mineral Rights (Requires Board of Regents approval)</p> <p>7.5 Leasing of Real Property (Agriculture and Improved Surface Leases) <i>(System Regulation 41.05.03 approvals: 5 yrs. or less/\$200,000 or less - CEO, 5 yrs. or less/\$200,001 to \$300,000 - Chancellor, More than 5 yrs. or greater than \$300,000 - BOR)</i></p> <p>7.5.1 SYSTEM OFFICES as Lessor or Lessee (May require Board of Regents approval)</p>	<p>Member CEO REO OGC</p> <p>Member CEO REO OGC</p> <p>Member CEO REO HPP OGC</p>	<p>General Counsel</p> <p>General Counsel</p> <p>General Counsel</p>	<p>General Counsel</p> <p>General Counsel</p> <p>General Counsel</p>

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7.6 Professional Services Contracts for Real Property Transactions (See Section 2.7)	Member CEO REO HPP Budgets and Accounting OGC	General Counsel	General Counsel						
<p>8. <u>Legal</u> – General Counsel</p> <p>8.1 Litigation (* See Note) – SP 09.04 <i>All settlements shall have concurrence of the member CEO and the General Counsel and, where required, the approval of the State Attorney General.</i></p> <p>8.2 Outside Legal Counsel (Board of Regents’ Bylaws, Article III, Section 4 and System Regulation 09.04.01) <i>The General Counsel acts as liaison to the Attorney General and shall retain, manage and approve all outside counsel for the System and its members.</i></p> <p><u>*Note: Approval to Settle Up to and including:</u></p> <table data-bbox="205 1365 772 1487"> <tr> <td>\$100,000</td> <td>General Counsel</td> </tr> <tr> <td>Over \$100,000 and up to and including \$300,000</td> <td>Chancellor</td> </tr> <tr> <td>Over \$300,000</td> <td>Board of Regents</td> </tr> </table>	\$100,000	General Counsel	Over \$100,000 and up to and including \$300,000	Chancellor	Over \$300,000	Board of Regents	<p>OGC Chancellor</p> <p>Department Head OGC</p>	<p>General Counsel</p> <p>General Counsel</p>	<p>Chancellor</p> <p>General Counsel</p>
\$100,000	General Counsel								
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9. <u>Information Resources</u>			
9.1 Software License Agreements <i>Contract for site use of computer software using vendor-supplied document or agreement</i>	Department Head HPP <u>If required:</u> Budgets and Accounting Business Computing Services	Department Head ≤ \$2,000 (all funds) HPM	AVCBA
9.2 Department <i>Contract limiting application to specific department</i>	Department Head HPP <u>If required:</u> Budgets and Accounting Business Computing Services	Department Head ≤ \$2,000 (all funds) HPM	AVCBA
9.3 System Offices <i>Contract providing SYSTEM OFFICES-wide applications</i>	Department Head HPP <u>If required:</u> Budgets and Accounting Business Computing Services	Department Head ≤ \$2,000 (all funds) AVCBA HPM	AVCBA