

25.07.99.K1 Contract Administration

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Rule Summary

The following Texas A&M University-Kingsville (TAMUK) contract administration rule is promulgated pursuant to The Texas A&M University System (System) Contract Administration Policy and constitutes the provisions that govern administration of TAMUK contracting authority. This rule is required by System Policy 25.07, *Contract Administration*.

Definitions

Click to view [Definitions](#).

Rule

1. PROCEDURES AND RESPONSIBILITIES

These procedures and limits of delegation of authority establish the process for university personnel to originate, recommend, approve, sign, execute, administer, close out, and report contracts committing TAMUK to perform or refrain from performing any act. The Procurement Services Office is responsible for creating and maintaining a well-defined administrative control environment that assures management exercises its fiduciary responsibilities when executing contracts on behalf of TAMUK. The Director of Procurement Services, designated by the Vice President for Finance and Chief Financial Officer (CFO), must serve as the University Chief Contracting Officer.

- 1.1 Delegations of authority pursuant to this rule must be valid only if in writing.
- 1.2 Written contracts must be executed whenever TAMUK enters into a binding agreement with another party that involves any stated or implied consideration. The Vice President for Finance and CFO or a designee may waive the requirement for a written contract if the stated or implied consideration is \$5,000 or less.
- 1.3 A contract articulates the terms, conditions, rights, and obligations agreed upon by authorized representatives of all involved parties. It typically includes provisions for

mutual consent, consideration, and lawful object, ensuring clarity and enforceability of the agreement.

- 1.4 For purposes of this rule, contracts made by TAMUK departments with vendors to provide services internationally must be routed through the Procurement Services Office. This applies to U.S 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 the Office of General Counsel (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 Vice President for Finance and CFO for those contracts up to the authority delegated to the president. Any contracts with import/export implications will be reviewed by the appropriate office.
- 1.5 Approval of and signature on a contract constitutes approval to establish an operating budget, which does not exceed the consideration of the contract, without further approval.
- 1.6 As consistent with the requirements of System Policy 25.07, *Contract Administration*, The Procurement Services Department will be responsible for the administrative management of large-scale contracts with university-wide implications. This oversight will include monitoring all financial and operational elements with regular reporting to senior administration, contract closeout, and fulfilling all contract reporting required under system policy and regulation, applicable law, and the terms of the contract. For all other contracts, including those large-scale contracts specific to a university operational or academic unit, the respective operational or academic unit to which a contract pertains will be responsible for all financial and operational elements, and provide regular reporting to senior administration, contract closeout, and fulfilling all contract reporting required under system policy and regulation, applicable law, and the terms of the contract. Contract management must be in accordance with the System Contract Management Handbook.
- 1.7 The Office of Research & Innovation will be responsible for the origination, recommendation, approval, execution, administration, and close-out of certain sponsored research contracts and other research related contracts. The Vice President for Research & Innovation or designee may approve such contracts in accordance with the President's Delegation of Authority for Contract Administration.

2. CONTRACTS REQUIRING BOARD OF REGENTS APPROVAL

- 2.1 Contracts requiring Board of Regents approval must be forwarded through Contract Administration who will prepare the agenda item and appropriate supporting documentation, if requested by the office responsible for submission of agenda items, and will then route them through the administrative chain to the Office of the Vice President for Finance and CFO for submission to the system.
- 2.2 Contracts to perform educational and/or service activities consistent with TAMUK's mission and involving a total stated or implied consideration of \$500,000 or more

require board approval. Review System Policy 25.07, *Contract Administration*, for contracts not requiring board approval.

- 2.3 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 chancellor approval, unless delegated to the president under System Policy 25.07, Section 6, must be forwarded through the University Contracting Officer, CFO and president to the chancellor for execution.

4. PRESIDENT'S DELEGATION OF AUTHORITY

In accordance with System Policy 25.07, the president may delegate authority to approve and sign specific contracts to designees but retains overall responsibility for their actions. All delegations given herein are per the Texas A&M University-Kingsville President's Delegation of Authority for Contract Administration. Delegation of authority may only be re-delegated, in writing, with a copy provided to the Vice President for Finance and CFO.

5. OFFICE OF GENERAL COUNSEL REVIEW OF TEXAS A&M UNIVERSITY-KINGSVILLE 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 Contract Administration and OGC as required. Request for OGC contract review must be routed through, and administered by, Contract Administration or by their designee per the President's Delegation of Authority for Contract Administration.
- 5.2. All contracts or agreements that have a stated or implied consideration of \$200,000 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](#)

Contact Office

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