

TEXAS A&M UNIVERSITY - TEXARKANA
FY15 PRESIDENT'S DELEGATION OF AUTHORITY

University Procedure (UP) 25.07.01.H1.01



General Delegations:

- The Chancellor is delegated the authority to sign and approve contracts more than \$350,000 but less than \$500,000 not specifically reserved by the Board of Regents in System Policy 25.07, Contract Administration

- In accordance with System Regulation 25.07.01, the Delegation of Authority for Contract Administration for all contracts of \$350,000 or less is shown on the following pages. In case of unavailability of the person who has the delegated authority, the Vice President for Finance & Administration is delegated the authority to execute the contract.

Notes:

- 1 REQUIRED GENERAL COUNSEL REVIEW (Texas A&M University System Policy, Section 4): The Office of General Counsel (OGC) shall establish contract review guidelines to be followed for all contracts or agreements entered into by a member. 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.

- 2 All contracts for goods or services must be in compliance with System Regulation 25.07.03 and the Texas Education Code, Section 51.9335. All purchases shall comply with state statutes relating to contracting with historically underutilized businesses and procurement of goods and services from persons with disabilities.

- 3 It is the responsibility of the person noted in the "Routing for Departmental Review" to signify in writing (via email or memorandum) that they have reviewed the contract before sending it to the next person on the list. It is the responsibility of the person noted in the "Authorization to Contract" sections to so note that complete routing and review certifications before signing the contract. The authority to enter into contracts on behalf of the system or any of its members must be by express written authority pursuant to the policies of the board and approve.

- 4 Questions regarding contract administration should be directed to the Office of the Vice President for Finance & Administration at (903) 223-3005.

Updated 08/27/2014

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Type of Contract	Routing for Department Review of Documents	Authorization to execute Contracts of \$100,000 or Less	Authorization to execute Contracts > \$100,000 to \$350,000
1. <u>Affiliation Service Agreements</u>			
1.1 <i>Private Companies & Foundations</i>	Department Head College Dean/Appropriate Administrator AVP for Institutional Advancement	VPFA	President / CEO
2. <u>Athletic Agreements</u>			
2.1 <i>Athletic Events - scheduled NCAA/NAIA sanctioned sporting events, including game guarantees</i>	Athletic Director	Athletics Director ≤ \$50,000 VPFA ≤ \$100,000	President / CEO
2.2 <i>Athletics Sponsorship Advertising</i>	Athletic Director AVP for Institutional Advancement	Athletics Director ≤ \$50,000	President / CEO
2.3 <i>Tournament Events</i>	Athletic Director	Athletics Director ≤ \$25,000 VPFA ≤ \$100,000	President / CEO
3. <u>Construction Contracts</u>			
All projects must conform to requirements of TAMU-S Policy 51.04 and Regulation 51.04.01			
3.1 <i>Minor Construction Projects delegated to Components under 51.04.01 sec 4</i>			
3.1.1 <i>Facilities Services Repair and Renovation Projects ≤ \$4 million or less</i>	Department Head Facilities Management Director Director of Purchasing/HUB Coordinator ≥ \$100,000 (TAMUS Facilities Planning & Construction If needed)	VPFA	President / CEO
3.1.2 <i>Facilities Service New Construction Projects ≤ \$4 million</i>	Department Head Facilities Management Director Director of Purchasing/HUB Coordinator ≥ \$100,000 (TAMUS Facilities Planning & Construction If needed)	VPFA	President / CEO
3.1.3 <i>Architect/Engineer/Professional Services of Facilities Services construction projects (In accordance with Section 16.2 of this Document)</i>	Department Head Facilities Management Director Director of Purchasing/HUB Coordinator ≥ \$100,000 (TAMUS Facilities Planning & Construction If needed)	VPFA	President / CEO

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4. <u>Consultant Agreements</u>			
4.1 <i>Statutory Consultant Agreements</i> Use of private consultants (not an employee) Governed by Texas Gov. Code, Chapter 2254, Subchapter B. Contracts over \$25,000 must receive an approval from the President. Agreements for outside legal counsel must comply with Section 13.2	Department Head Appropriate Vice President	VPFA ≤ \$25,000 President / CEO ≥ \$25,000	President / CEO
5. <u>Donor Agreements</u>			
5.1 <i>Personal Property with Restrictions</i> (including indemnification) on Acceptance - gifts of personal property including cash or cash equivalents with donor restrictive covenants	Department Head Dean Assoc. VP of Institutional Advancement VPFA	AVP of Institutional Advancement ≤ \$50,000 VPFA ≤ \$100,000	VPFA
5.2 <i>Real Property</i> - includes all bequests	Department Head Dean Assoc. VP for Institutional Advancement VPFA President/CEO	System Real Estate Office Chancellor Board of Regents	System Real Estate Office Chancellor Board of Regents
6. <u>Faculty Employment Agreements</u>			
6.1 <i>Offer Letter</i> Conditional letters of appointment to faculty			
6.1.1 <i>Appointments with Tenure</i> (Rank of Associate Professor, Professor).	Department Head Faculty Committee Dean Provost President/CEO	Provost President/CEO (All contracts require BOR approval)	Provost President/CEO (All contracts require BOR approval)
6.1.2 <i>Probationary Tenure Track Appointments</i> (Rank of Assistant Professor, Associate Professor)	Department Head Faculty Committee Dean	Provost	President/CEO
6.1.3 <i>Non-Tenure Track Appointments</i> (e.g. Non-tenured Faculty Titles, all Lecturer Titles)	Department Head Dean	Provost	Provost
6.1.4 <i>Faculty Appointment Support Agreements</i>	Department Head College Dean HR Director Director of Budgets & Grants	Provost	Provost
6.1.5 <i>Faculty Appointments in Excess of 100% Effort</i>	Department Head College Dean Director of Budgets & Grants VPFA (Excluding class overloads)	Provost	Provost

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6.1.6 <i>Graduate Assistants</i> Initial Employment Agreement for Graduate Student Assistants	Department Head College Dean Graduate Dean Director of Budgets	Provost	Provost
6.1.7 <i>Continuing Education</i> Instruction Activity in Support of Continuing Education Resulting in Additional (Above budgeted salary) Compensation	Department Head Dean Director of HR Director of Budgets	Provost	Provost
6.1.8 <i>Selected Athletic Appointment</i>	Department Head Athletic Director Director of Budgets	VPFA Provost	Provost
6.2 <i>Other Agreements</i> Temporary Hires	Department Head	Provost	Provost
6.2.1 <i>Off-Campus Instruction</i>	Department Head College Dean Director of HR Director of Budgets	Provost	Provost
7. <u>Federal/State Grant Program Participation Agreements</u>			
7.1 <i>Proposal Routing Form</i>	Principal Investigator (PI) Department Head College Dean Dean of Research Director of Budgets	Director of Budgets	Director of Budgets Provost President
7.2 <i>Grants (Non-Academic)</i>	Principal Investigator (PI) Department Head College Dean Dean of Research Director of Budgets	VPFA	President/CEO
7.3 <i>Sponsored Programs/Administration</i>	Principal Investigator (PI) Department Head College Dean Dean of Research Director of Budgets	VPFA	President/CEO
7.4 <i>Student Financial Aid Services</i> Educational Service Agreements	Department Head Provost	VPFA President/CEO	VPFA President/CEO
7.5 <i>Funding Agreements (Non-Academic)</i>	Principal Investigator (PI) Department Head College Dean Dean of Research Director of Budgets	VPFA	President/CEO

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8. <u>Federal & State Regulatory Agreements</u>			
8.1 <i>Permits, Licenses, Declarations Filed with Regulatory Agencies</i>	Department Head	VPFA	VPFA
<hr style="border: 1px solid black;"/>			
9. <u>Intellectual Property Agreements</u>			
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9.1 <i>Technology Transfer</i> Any copyright or patent work, regardless of the contract value must be processed through the Dean of Graduate Studies and Associate Vice President for Research who in turn will act as the liaison to the Office of Technology Commercialization (OTC).			
<hr style="border-top: 1px dashed black;"/>			
9.1.1 <i>Invention/Software Copyright Disclosure</i>	TAMUS Technology Licensing Office Inventor Department Head College Dean Appropriate Vice President VPFA	President/CEO (Copy to TAMUS Technology Licensing Office)	President/CEO
<hr style="border-top: 1px dashed black;"/>			
9.1.2 <i>License Agreement (Patent)</i> (Requires Chancellor approval)	Inventor Department Head College Dean VPFA President/CEO System Office of Technology Commercialism System Office of General Counsel	TAMUS Vice Chancellor for Federal Relations & Commercialism	TAMUS Vice Chancellor for Federal Relations & Commercialism
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9.1.3 Software License	Inventor Department Head College Dean VPFA President/CEO System Office of Technology Commercialism System Office of General Counsel	TAMUS Vice Chancellor for Federal Relations & Commercialism	TAMUS Vice Chancellor for Federal Relations & Commercialism
9.2 TAMU-T Collegiate Licensing	Department Head	VPFA	VPFA (All contracts require BOR approval)
9.3 TAMU-T Press Publishing Agreements	Department Head Appropriate College Dean	Provost	Provost
9.4 TAMU-T Press Manuscript Agreements	Department Head Appropriate College Dean	Provost	Provost
10. <u>Intra-System Agreements</u>			
Commitment for the use/acquisition (provision) of resources from (to) other System members	Department Head Dean/Appropriate Administration Appropriate Vice President	VPFA	President/CEO
11. <u>Lease Agreements</u>			
11.1 <i>Equipment Lease/Purchase, Equipment Lease for University-Related Activities, and Rental Vehicles</i>	Department Head Dean/Appropriate Administration Director of Purchasing/HUB	Director of Purchasing/HUB	VPFA
11.2 <i>Equipment Lease/Purchase</i> Rental of Equipment for university use with fixed option to purchase within a specified period-five years or less.	Department Head Dean/Appropriate Administration Director of Purchasing/HUB	Director of Purchasing/HUB	VPFA
11.3 <i>Equipment Lease (Rental)</i> Rental of Equipment for university use for a specified period-five years or less	Department Head Dean/Appropriate Administration Director of Purchasing/HUB	Director of Purchasing/HUB	VPFA

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11.4 <i>Real Property Lease</i> Rental of facilities (office, laboratory, Classroom, storage, resident, etc.) and/or land for TAMU-T use for a specified period - five years or less. (System Regulation 41.01.01 approvals: 5 years or less/\$500,000 or less - CEO 5 years or less/\$500,000 to \$1 million - Chancellor More than 5 years or greater than \$1 million - BOR (May require if over 10 years Board of Regents approval)	Department Head Dean/Appropriate Administration VPFA System Real Estate Office	President/CEO	President/CEO
11.6 <i>Student Retreat Facilities</i> (TAMU-T as Lessee) Rental of facilities (campgrounds, recreational facility, residents, etc.) and/or land for TAMU-T use for a specified student retreat.	Department Head Dean/Appropriate Administration Appropriate Vice President Director of Purchasing/HUB VPFA	VPFA	VPFA
12. <u>Legal - General Counsel</u>			
12.1 <i>Litigation</i> All litgations or judgement settlements shall have the concurrence of the component President and General Counsel and where required, the Approval of the State Attorney General. (System Regulation 09.04)	Appropriate Vice President VPFA President/CEO General Counsel	President/CEO	President/CEO
12.2 <i>Outside Legal Counsel</i> (Board of Regents' Bylaws Article III, Section 4 and System Regulation 09.04.01). The General Counsel acts as a liaison to the Attorney General and shall retain, manage and approve all outside counsel for the system and its components.	Department Head Dean/Appropriate Administration Appropriate Vice President VPFA President/CEO General Counsel	TAMUS Office of General Counsel	TAMUS Office of General Counsel

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13. Memoranda of Agreement (Academic)			
Pledge of Programmatic Commitments Typically Academic in Nature			
13.1 <i>Training Affiliation (Internships)</i> Documents mutual obligations to establish training (internship) Opportunities for TAMU-T students	Department Head Dean/Appropriate Administration Appropriate Vice President	VPFA	VPFA
13.2 <i>Cooperative Agreements</i> Student co-op affiliation agreement with sponsoring entities	Department Head Dean/Appropriate Administration Appropriate Vice President	Provost VPFA	Provost VPFA
13.3 <i>International Affairs</i> Documents mutual obligations for International joint program.	Provost	Provost VPFA	Provost VPFA
13.4 <i>International Affairs Supplement</i> Documents specific tasks, budgets and sources of funding for international joint program.	Provost	Provost VPFA	Provost VPFA
13.5 <i>International Student Abroad Program</i>	Provost	Provost VPFA	Provost VPFA
13.6 <i>Student Counseling Service Provision</i> of Supervised training for external graduate students	Department Head	Provost VPFA	VPFA
13.7 <i>Work-Study Program Agreements</i> Document agreements between hiring employers and TAMU-T	Department Head	Provost VPFA	VPFA
13.8 <i>General Memoranda of Agreement (Letter Agreement)</i> . Documents programmatic commitments between TAMU-T and Non-TAMU-T entities. Contracts to perform educational and service activities consistent with the University's mission	Department Head Dean Appropriate Vice President	VPFA	VPFA
14. Memoranda of Agreement (Non-Academic)			
Pledge of Programmatic Commitments Non-Academic in Nature			
	Department Head Dean Appropriate Vice President	VPFA	VPFA

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15. Professional Services Agreements			
TAMU-T Acquiring Professional Services			
15.1 <i>Educational Testing Services</i>	Department Head	Provost VPFA	Provost
15.1.1 <i>GED Annual Contract</i>	Department Head	Provost VPFA	President/CEO
15.1.2 <i>Provider Agreement for GED Training</i>	Department Head	Provost VPFA	President/CEO
15.2 <i>Statutory Professional Services</i> Acquisition of professional services as Defined by Gov. Code, Section 2254.002 (accounting, architecture, optometry, medicine, land surveying, and professional engineering when performed within the scope of practices.)	Department Head	VPFA	VPFA
15.3 <i>Special Events</i> Artistic Entertainment Performance Agreements	Department Head	Department Head VPFA	VPFA
15.4 <i>Lecture/Seminar/Speaker Agreements</i> Use of non-faculty/staff to lecture or speak in support of institutional programs	Department Head	VPFA	VPFA
15.5 <i>TAMU-T Agreement/Contract Form</i>	Department Head	Department Head VPFA	VPFA
15.6 <i>Texas Connection Consortium Order Form (SunGard)</i>	Department Head	Department Head VPFA	VPFA
15.7 <i>Unclassified Services</i> Purchase of service not specified elsewhere Total cost of services (including travel/lodging)	Department Head	Department Head VPFA	VPFA

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16. Purchase Agreements			
TAMU-T Acquired Goods or Services			
16.1 <i>TAMU-T Purchase Orders</i> Purchase of goods or services from outside vendor using standard form promulgated by TAMU-T Procurement & Disbursements Department in compliance with statutory or regulatory purchasing requirements	Department Head	Department Head ≤ \$3,000 Buyer ≤ \$50,000 Director of Purchasing/HUB ≤ \$100,000	Director of Purchasing/HUB
16.2 <i>Vendor Purchase Orders</i> Purchase of goods from outside vendor using vendor supplies documents or negotiated agreement	Department Head	Director of Purchasing/HUB ≤ \$50,000	VPFA
16.3 <i>TAMU-T Purchase Orders</i> Purchase of goods or services from outside vendor using standard form promulgated by TAMU-T which are processed through the appropriated Bid process in accordance with the TAMUS Procurement Code	Department Head	Director of Purchasing/HUB ≤ \$50,000	Director of Purchasing/HUB
16.4 <i>TAMU-T Purchasing Requisition for grant accounts</i> regardless of money amounts	Department Head Director of Budgets Designee	Dean Director of Budgets	VPFA
16.5 <i>Maintenance Agreements</i>			
16.5.1 <i>Purchase with equipment services</i> from equipment vendor or as an integral part of equipment	Department Head	Director of Purchasing/HUB	VPFA

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16.5.2 <i>Stand Alone Purchase</i> Purchase of maintenance services independent from equipment vendor or purchase	Department Head Dean/Director > \$10,000 Vice President > \$10,000 VPFA > \$25,000	Director of Purchasing/HUB	VPFA
16.6 <i>Software License Agreements</i> Contract for site use of computer software using vendor supplied document or agreement			
16.6.1 <i>University</i> Contract providing University-wide application	Department Head Assoc. VP, Information Technology or designee	Director of Purchasing/HUB	VPFA
16.6.2 <i>Department</i> Contract limiting application to specific department	Department Head	Director of Purchasing/HUB	VPFA
16.7 <i>Memberships</i> (Purchase of Organizational Affiliations for Individuals, Groups or the Institution)			
16.7.1 <i>Professional/Service Associations</i> Purchase by TAMU-T on behalf of an individual, group or the institution of a membership in a professional or service organization	Department Head President/CEO	President/CEO	President/CEO
16.7.2 <i>Social Individual Purchase</i> by TAMU-T on behalf of an individual of a membership in a social organization	Department Head President/CEO	President/CEO	President/CEO
16.8 <i>Library Acquisition</i> Books, subscriptions, reference materials, membership database services for purpose of publication	Department Head	Director of Purchasing/HUB	VPFA
16.9 <i>Commercial Licenses</i>	Department Head	Appropriate Vice President	VPFA
16.10 <i>TAMU-T Contract Agreement</i> Contract to be used when vendor or individual does not have a form and does not exceed \$50,000	Department Head	VPFA	N/A
16.11 <i>Unclassified Services</i> Purchase of Services not specified elsewhere	Department Head	VPFA	VPFA

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17. Sales Agreements			
TAMU-T provides goods or services or transfers property rights			
17.1 <i>Advertising Agreements</i> Promotional or Sponsor Agreements relating to advertising media	Department Head Director of Marketing Assist. VP for University Advancement	Director of Purchasing/HUB	VPFA
17.2 <i>Commercial Product/Promotion Availability</i> Agreements with substantial campaigns Commercial Broadcasts	Department Head	VPFA	VPFA
17.3 <i>Vending and Commercial Concession</i>	VPFA	VPFA	VPFA
17.4 <i>Site Use Agreement</i> Real Estate License			
17.4.1 <i>Limited Duration Right to Use Site</i> (Third Party)	Department Head	VPFA	VPFA
17.4.2 <i>Concession Committee Agreements</i> Student Organization sponsored Vendor space and facilities Limited Use Agreements	Department Head	VPFA	VPFA
17.5 <i>Property Transfer Agreement</i>			
17.5.1 <i>Transfer Surplus Property</i>	Department Head VPFA	VPFA	VPFA
17.5.2 <i>Transfer Internally or to another TAMUS Component</i>	Department Head VPFA	VPFA	VPFA
17.5.3 <i>Transfer to another State Agency</i>	Department Head VPFA	VPFA	VPFA
17.6 <i>Housing Agreements</i> Rental or lease of University-owned housing (Residential Lease or Licenses that do not transfer any ownership interests)			
17.6.1 <i>Residence Hall</i> On-Campus student housing	Director of Student Life	VPFA	VPFA
17.6.2 <i>Mail Box</i> Rental of residence hall mail boxes	Director of Student Life	VPFA	VPFA

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18. <u>Special Events</u>			
18.1 <i>Conference/Short Course/Summer Camps</i>	Department Head	VPFA	VPFA
18.2 <i>Exhibition Loan Agreement</i> Unclassified Sales Agreement and Special Event Agreement	Department Head	VPFA	VPFA
19. <u>Texas Inter-Agency Agreements</u>			
19.1 <i>Non-Research</i> Commitment for the use/acquisition (provision) of resources from (to) another state agency	Department Head	VPFA	VPFA
19.2 <i>Inter-Local</i> Commitment for the use/acquisition (provision) of resources from (to) a Texas home rule city	Department Head	VPFA	VPFA
20. <u>Unclassified Agreements</u>			
20.1 <i>Contracts and agreements not specifically classified above</i>	Department Head	VPFA	VPFA
20.2 <i>Private Companies & Foundations - Sponsored Programs</i>	Department Head or Designee	VPFA	President/CEO