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## Rule Summary

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All contracts entered into by East Texas A&M University, unless specifically excluded by this or another rule or by a policy adopted by the Board of Regents (Board), are subject to this rule, including all original contracts, amendments, alterations, modifications, corrections, changes, renewals and extensions.

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## Procedures and Responsibilities

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### 1 GENERAL

- 1.1 The vice president for Finance and Administration will establish a process to determine delegated authority, complete the delegation of authority required by System Regulation 25.07.01, *Contract Administration, Delegations and Reporting*, Section 3, obtain presidential approval, and submit the approved document to the president and The Texas A&M University System (System) Policy Office. Such a document is found in 25.07.01.R0.02 *President's Delegation of Authority for Contract Administration*.
- 1.2 Contracts are construed to include but are not limited to the following: purchase orders, service agreements, cooperative agreements, memorandums of understanding (foreign or domestic), interagency contracts, grants, loans, easements, licenses, leases, and permits, and amendments, modifications, and extensions of those contracts. Other parties include, but are not limited to, federal, state, and local agencies, non-profit organizations, private businesses, partnerships, and individuals.
- 1.3 For the purposes of this rule, contracts made by university departments for the hosting of a meeting or conference venue must be routed through Procurement Services.
- 1.4 Approval of, and signatures on, a contract constitute approval to establish an operating budget that does not exceed the consideration of the contract, without further approval. Procurement Services is responsible for creating and maintaining well-defined administrative controls that ensure management exercises its fiduciary responsibilities when executing contracts on behalf of the university. The contract administrator must serve as the contracting officer for the university.

## 2 CONTRACTS REQUIRING BOARD APPROVAL

- 2.1 Contracts requiring Board approval, in accordance with System Policy 25.07, *Contract Administration*, must be reviewed by the contracting officer and then forwarded through the vice president for Finance and Administration, who will prepare the agenda item and appropriate documentation in support of it.
- 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

The contracting officer must review contracts requiring chancellor approval and then forward 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 DELEGATION OF AUTHORITY TO VICE PRESIDENTS

- 4.1 The president retains overall authority to approve and sign all contracts as permitted under System Policy.
- 4.2 The president has delegated authority to approve and sign contracts not otherwise reserved for approval by the Board and involving a stated or implied consideration (cash and non-cash) of \$5,000,000 or less to the vice president for Finance and Administration.
- 4.3 The delegations of authority must be those stated in the official Delegation of Authority as approved by the president and submitted to the System consistent with University Procedure 25.07.01.R0.02.

## 5 OTHER DELEGATION OF AUTHORITY

- 5.1 The president has delegated authority to approve and sign contracts (\$1,000,000 or less), which are processed through procurement methodologies authorized by state statute and in accordance with the system requirements, to the chief procurement officer and designees. The purchase of goods from outside vendors via the state contracts will be processed in accordance with guidelines established by the Texas Comptroller of Public Accounts.
- 5.2 The president has delegated authority to approve and sign contracts (\$100,000 or less) for athletic events and all athletic contest contracts to the chief procurement officer or contract administrator. Contracts of \$50,000 or less, in accordance with the president's Delegation of Authority, have been delegated to the athletic director. Delegation of authority over \$50,000 under this provision may not be sub-delegated.

## 6 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 Services and, when required under System policy, the System Office of General Counsel.

Requests for contract review by the System Office of General Counsel must be routed through and administered by Procurement Services.

## 7 CONTRACT ADMINISTRATION, CLOSEOUT, AND REPORTING

Contract management must be in accordance with the system Contract Management Handbook. Procurement Services is responsible for verifying that all contractual obligations have been fulfilled, closing out each contract, and fulfilling all contract reporting required under System policy and regulation, applicable law, and the terms of the contract.

## 8 WRITTEN AUTHORIZATION REQUIRED

The authority to enter into contracts on behalf of the university must be by express written authority pursuant to the policies of the Board and approved contract administration rules of the system or the university.

## 9 EXTENSION OF PRE-EXISTING CONDITIONS FOR CONTRACTS THAT PRE- DATE THIS RULE

Contracts reviewed and authorized prior to the adoption of this rule will remain in full force and effect; however, any modification or extension of such contracts must be reviewed and authorized in accordance with this rule.

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## Related Statutes, Policies, or Requirements

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[Tex. Educ. Code §51.159](#)

[Tex. Educ. Code §51.9335](#)

[State of Texas Contract Management Guide](#)

[System Policy 01.03, Appointing Power and Terms and Conditions of Employment](#)

[System Policy 41.01, Real Property](#)

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

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

[System Regulation 25.07.03, Acquisition of Goods and/or Services](#)

[University Procedure 25.07.0.R0.02 President's Delegation of Authority for Contract Administration](#)

System Regulation [41.01.01, Real Property](#)

[System Contract Management Handbook](#)

Supersedes University Procedure 25.07.01.R0.01 *Contract Administration*

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## **Revision History**

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## **Contact Office**

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Procurement Services  
903-468-3000  
[Purchasing@tamuc.edu](mailto:Purchasing@tamuc.edu)