**TEXAS A&M FOREST SERVICE**

**THE TEXAS A&M UNIVERSITY SYSTEM**

**Director’s Delegation of Authority for Contract Administration**

**Fiscal Year 2024**

**General Delegations:**

The Chancellor is delegated the authority to sign and approve contracts of less than $750,000 not specifically reserved by the Board of Regents in System Policy *25.07,* *Contract Administration.* In accordance with System Policy *25.07,* *§*6, the Chancellor may delegate authority to deputy chancellors, vice chancellors, CEOs or others to sign and approve these contracts. Furthermore, in accordance with System Policy 25.07, §6, CEOs have the authority to sign and approve contracts described in System Policy 25.07, §3, regardless of dollar value, with the exception of contracts described in System Policy 25.07, §3(b), and may delegate such authority to designees.

In accordance with System Policy *25.07*, the Delegation of Authority for Contract Administration for (1) all contracts less than $750,000, and (2) all contracts described in System Policy *25.07,* *§*3,is shown on the following pages. In case of unavailability of the person who has the delegated authority, either the Director or the Associate Director for Finance and Administration is delegated the authority to execute the contract.

Certain contracts that involve or exceed an annual consideration of $500,000 or more or are longer than 5 years must be approved by the Board of Regents in accordance with System Policy *25.07, §2*.

**Legend:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| ADFA | Associate Director for Finance and Administration |  | S-CFO | System Chief Financial Officer |
|  |  |  | SLMO | System Land Management Office |
| BOR | Board of Regents |  | SOBA | System Office of Budgets & Accounting |
| CEO | Chief Executive Officer |  | SR | System Regulation |
| CIO | Chief Information Officer |  | SREO | System Real Estate Office |
| DCIO | Deputy Chief Investment Officer |  | SP | System Policy |
| ECO | Export Control Officer |  | System | The Texas A&M University System |
| ED-BA | Executive Director, Business Affairs |  | TI | Texas A& M Innovation |
| FPC | Facilities, Planning & Construction |  | PI | Principal Investigator/Research |
| HUB | Historically Underutilized Businesses |  | VCR | Vice Chancellor for Research |
| OGC | Office of General Counsel |  | VCBA | Vice Chancellor for Business Affairs |
| PD | Executive Director, Procurement |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

**Notes:**

1. REQUIRED GENERAL COUNSEL REVIEW (System Policy *25.07, §4*): Unless otherwise stated in System Policies or System Regulations, all contracts 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. Proposed contracts and agreements meeting one or more of the following requirements do not need to be reviewed and approved by OGC, provided that such contracts and agreements are reviewed by the member in accordance with System Policy *25.07*, System Regulation *25.07.01* and the System Contract Review Checklist:
	1. contracts and agreements entered into pursuant to a materially unaltered contract form or template approved by OGC within the preceding three years, or as otherwise approved pursuant to *TAMUS Contract Review Guidelines and Checklist, Section D, OGC Contract Review and Approval Procedures and Guidelines*;
	2. interagency and intra-system agreements entered into pursuant to System Regulation *25.07.06*;
	3. sponsored research contracts, cooperative agreements, and grants entered into with an agency of the United States government that contain standard clauses common to such contracts, cooperative agreements and grants
3. All contracts for goods or services must comply with System Regulation *25.07.03, Acquisition of Goods and/or Services*. All purchases shall comply with state statutes relating to contracting with historically underutilized businesses and procurement of goods and services from persons with disabilities.
4. It is the responsibility of the person noted in the “Typical Routing for Departmental Review” section 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 Execute Contracts” sections to so note the complete routing and review certifications before signing the contract.
5. Government Code 2261.253 requires state agencies to post contracts for the purchase of goods or services from a private vendor that are valued at $15,000 or greater if using institutional funds and all contracts using appropriated funds. Please forward copies of all agreements to the Texas A&M Forest Service Purchasing Department to ensure proper reporting is completed.
6. Questions regarding contract administration should be directed to the Texas A&M Forest Service Purchasing Department Head (979) 458-7381.
7. TFS does not recognize contracts signed by its employees or agents as binding on the agency unless the employee who signed the contract has duly delegated signature authority.
8. Employees who sign contracts purporting to bind the TFS without authority may be personally liable to the contractor and the agency, and may be subject to disciplinary action, up to and including dismissal or discharge for cause.
9. Contracts, including electronic agreements, signed without proper authority shall not be binding on the agency.
10. All previous delegations of authority are superseded and rendered void as of the effective date of this regulation.

| **TYPE OF CONTRACT** | **TYPICAL ROUTING FOR DEPARTMENTAL REVIEW** | **AUTHORIZATION TO EXECUTE CONTRACTS** **(Less than $100,000)** | **AUTHORIZATION TO EXECUTE CONTRACTS** **($100,000 to $749,999)** |
| --- | --- | --- | --- |
| **1. ADVERTISING AGREEMENTS** |
| 1.1 Advertising Agreements | * Budget Head or Designee
 | * Purchasing Department Head (PO)
* ADFA (Contract)
 | * Purchasing Department Head (PO)
* ADFA (Contract)
 |
| **2. AFFILIATION AGREEMENTS/AFFILIATION SERVICE AGREEMENTS** |
| 2.2 Private Companies & Foundations | * ADFA
 | * CEO
 | * CEO
 |
| **3. ARTICULATION AGREEMENTS** |
| **4. ATHLETIC AGREEMENTS** \* Per System Policy 25.07, §6, monetary categories above do not apply to certain athletic agreements in this section as described in System Policy 25.07, §3(d) |
| **5. COLLECTION AGENCY AGREEMENTS** |
| 5.1 Collection of Accounts (*See 5.1.1 below*). *All collection agency contracts, extensions and renewals are subject to and conditioned upon express written approval of the State Attorney General.*  |
| **6. CONSTRUCTION CONTRACTS** (SP 51.02, 51.04, SR 51.04.01) \* Monetary Categories Above Do Not Apply to this Section. |
| 6.1 Minor Projects (Less than $4,000,000) | * Ag Facilities & Construction
* HUB Coordinator
* Purchasing Department Head
 | * Purchasing Department Head (PO)
* ADFA (Contract)
 |
| 6.2 Major Projects ($4,000,000 or more, but less than $10,000,000) | * FP&C
* Treasury Services
* System HUB and Procurement Manager
* DC/CFO
* OGC
* Chancellor
* CEO
* BOR
 | * DC/CFO
* BOR
 |
| 6.3 Architect/Engineer *Employment of Architect/Engineer for Consultant/Engineering Professional Services.* | **FP&C Administered Projects:*** FP&C
* Treasury Services
* System HUB & Procurement Manager
* DC/CFO
* OGC
* Chancellor

**A Facilities & Construction Administered Projects:*** Ag Facilities & Construction
* Purchasing Department Head
* ADFA
 | * DC/CFO (FP&C Administered Projects)
* CEO (Texas A&M Forest Service Administered Projects)
 |
| **7. CONSULTING AGREEMENTS**  |
| 7.1 Statutory Consulting Agreements*Acquisition of consulting services as defined by Texas Government Code § 2254.021.*  | See Section 27.7 herein. | See Section 27.7 herein. | See Section 27.7 herein. |
| 7.2 Statutory Consulting Agreements  *Providing consulting services to 3rd parties* | See Section 26.1 herein. | See Section 26.1 herein. | See Section 26.1 herein. |
| **8. DONOR AGREEMENTS** (SP 21.05, SR 21.05.01) |
| 8.1 Personal Property with Restrictions (*including indemnification*) on Acceptance (*including cash or cash equivalents*) See SP 21.05. | * Purchasing Department Head
* ADFA
* SOBA (Non-cash gifts >250K)
* OGC (Non-cash gifts >250K)
 | * CEO
 | * CEO (Cash Gifts <1 Million, Non-cash gifts)
 |
| 8.2 Real Property *(including all bequests)**All decisions involving accepting donations of real property should be coordinated through the SREO pursuant to SP 41.01.* | See Section 23.3 herein. | See Section 23.3 herein. | See Section 23.3 herein. |
| 8.3 Intellectual Property Gifts | See Section 16.7 herein | See Section 16.7 herein. | See Section 16.7 herein. |
| **9. EMPLOYMENT APPOINTMENTS** |
| **10. EMPLOYEE BENEFITS CONTRACTS – Benefits Administration** |
| **11. EQUIPMENT LEASE AGREEMENTS**  |
| ***TFS as Lessor*** |
| 11.2.2 Equipment | * Purchasing Department Head
 | * ADFA
 | * ADFA
 |
| ***TFS as Lessee*** |
| 11.4 Equipment Lease (Rental)*Rental of equipment for TFS use for a specified period (five years or less).* | * Budget Head/Designee
* Purchasing Department Head
 | * ADFA
 | * ADFA
 |
| **12. FEDERAL & STATE REGULATORY AGREEMENTS** |
| 12.1 Permits, Licenses, Declarations, Applications Filed with Regulatory Agencies | * Purchasing Department Head
 | * ADFA
 | * ADFA
 |
| **13. FINANCIAL CONTRACTS – Treasury Services** |
| 13.1 System Depositories (SP 22.02) | * Treasury Services
* PD > $10,000
* OGC > $100,000
 | * Treasurer
* DCIO
 | * Treasurer
* DCIO
 |
| 13.2 Investment Management (SP 22.02) |
| 13.2.1 Investment Consultants and Advisors (subject to provisions of Section 27 Consultant Agreements) | * Treasury Services
* PD > $10,000
* OGC > $100,000
 | * Treasurer
* DCIO
 | * Treasurer
* DCIO
 |
| 13.2.2 Investment Management (SP 22.02) | * Treasury Services
* PD > $10,000
* OGC > $100,000
 | * Treasurer
* DCIO
 | * Treasurer
* DCIO
 |
| 13.3 Debt Management (SP 23.02, RFS, HEF and PUF) |
| 13.3.1 Financial Advisors (subject to provisions of Section 27 Consultant Agreements) | * Treasury Services
* PD > $10,000
* OGC > $100,000
 | * Treasurer
* DCIO
 | * Treasurer
* DCIO
 |
| 13.3.2 Bond Counsel (See Section 19.2 Legal) | * Treasury Services
* PD > $10,000
* OGC > $100,000
 | * Treasurer
* DCIO
* General Counsel
 | * Treasurer
* DCIO
* General Counsel
 |
| 13.4 Other Banking Functions (Custodial agreements, securities lending agreements) | * Treasurer Services
* PD > $10,000
* OGC > $100,000
 | * Treasurer
* DCIO
 | * Treasurer
* DCIO
 |
| **14. GRANT PARTICIPATION AGREEMENTS (FEDERAL/STATE/LOCAL/PRIVATE) (NON-RESEARCH RELATED)** |
| 14.1 Grants (for sponsored research project related grants see Section 24.1) | * Grants Administrator
* ADFA
 | * CEO
* ADFA
 | * CEO
* ADFA
* BOR (Non-Research Grants ≥$500,000)
 |
| 14.4 Funding Agreements(*Non-Academic; Non-Sponsored Research*) | * Department Head/Designee
* Purchasing Department Head
* Grants Administrator (Incoming Sponsored Agreements)
 | * CEO
* ADFA
 | * CEO
* ADFA
 |
| **15. INSURANCE-PARTIAL RISK TRANSFER CONTRACTS – Risk Management and Safety**(Retention of Predetermined Limited Risk with Contractual Transfer of Excess Risk Exposure |
| 15.1 Fleet Automobile and Motor Driven Liability Contract (Motorized autos and machinery driven by System employees.) Contract reviewed by the State Board of Insurance, Attorney General’s Office and the Texas Building and Procurement Commission. | * Risk Management
* PD > $1,000,000
* OGC > $100,000
 | * Director, Risk Management
 | * Director, Risk Management (after OGC review)
* S-CFO
 |
| 15.2 Directors and Officers Liability Contract (Covers BOR, System Administrators, Faculty and Staff) | * Risk Management
* PD > $1,000,000
* OGC > $100,000
 | * Director, Risk Management
 | * Director, Risk Management (after OGC review)
* S-CFO
 |
| 15.3 Healthcare Purchasers Professional Liability Contract (Professional /Fiduciary coverage for System Self-Insured Group Benefit Programs) | * Risk Management
* PD > $1,000,000
* OGC > $100,000

  | * Director, Risk Management
 | * Director, Risk Management (after OGC review)
* S-CFO
 |
| 15.4 Various Insurance – Partial Risk Transfer Contracts (Funding from Member/User) NOTE: ***The Office of Risk Management is responsible for all System-based Partial Risk Transfer Contracts. Risk Management must be contacted before any insurance is purchased.*** | * Risk Management
* PD > $1,000,000
* OGC > $100,000
 | * Director, Risk Management
 | * Director, Risk Management (after OGC review)
* S-CFO
 |
| 15.5 Workers’ Compensation Insurance Claims processing or settlement | * Risk Management
* PD > $1,000,000
* OGC > $100,000
 | * Director, Risk Management
 | * Director, Risk Management (after OGC review)
* S-CFO
* General Counsel
 |
| 15.6 Administrative Contracts | * Risk Management
* PD > $1,000,000
* OGC > $100,000
 | * Director, Risk Management
 | * Director, Risk Management (after OGC review)
* S-CFO
 |
| **16. INTELLECTUAL PROPERTY (SP 17.01)** \* Monetary categories above do not apply to this section per System Policy 25.07, §6 |
| 16.1 Technology Transfer |
| 16.1.1 Patent License Agreement  (*Technology Transfer*) | * TI
* OGC
* VCR
 | * VCR approves and executes
 |
| 16.1.2.1 Non-Patent License Agreement (*Technology Transfer*) (System controlled or owned) trade secrets; non-patentable inventions/know-how; Plant Variety Protection Act; copyrights; etc. | * TI
* OGC
* VCR
 | * VCR approves and executes
 |
| 16.1.2.2 Non-Patent License Agreement (*Technology Transfer*) (Member controlled or owned) copyrights that are not assigned to System for commercialization | * ADFA
* OGC
 | * CEO executes
 |
| 16.1.3.1 Trademark and Service Mark License (System controlled or owned) | * TI
* OGC
* VCR
 | * VCR approves and executes
 |
| 16.1.3.2 Trademark and Service Mark License (Member owned trademark licensed along with System IP) | * ADFA
* TI
* OGC
* VCR
 | * CEO approves for member and VCR approves and executes
 |
| 16.1.3.3 Trademark and Service Mark License (Member owned and licensed) | * ADFA
* OGC
 | * CEO executes
 |
| 16.1.4.1 Software License (In-Bound) | See Section 22.3 herein. | See Section 22.3 herein. |
| 16.1.4.2 Software License (Out-Bound) System Owned | * TI
* OGC
* VCR
 | * VCR approves and executes
 |
| 16.1.4.3 Software License (Out-Bound) Member Owned | * ADFA
* OGC
 | * CEO executes
 |
| 16.1.5 Option Agreement for future License of Intellectual Property | * TI
* OGC
* VCR
 | * VCR approves and executes
 |
| 16.1.6 Inter-Institutional Agreement (*educational institutions*) | * TI
* OGC
* VCR
 | * VCR approves and executes
 |
| 16.1.7.1 Assignment of Intellectual Property to Third Party (*IP does not exist at time of Sponsored Research Agreement*) | * TI
* OGC
* VCR
 | * VCR approves waiver of ownership of IP created under Sponsored Research Agreement
* Upon creation of IP, assignment executed by VCR
 |
| 16.1.7.2 Assignment of Intellectual Property to Third Party (*Existing IP*) | * TI
* OGC
* VCR
 | * Approval of Chancellor via OGC process
* Assignment executed by VCR
 |
| 16.1.8 Intellectual Property Release to IP Creator | * TI
* OGC
* VCR
 | * VCR approves and executes
 |
| 16.1.9.1 Material Transfer Agreement covering System Intellectual Property (*Commercial and Non-Commercial*) | * CEO
* TI
* OGC
* VCR
 | * VCR approves and executes
 |
| 16.1.9.2 Other Material Transfer or Evaluation Agreements | * See Section 24.6
 | * See Section 24.6
 |
| 16.2 Disclosure and Protection of Intellectual Property |
| 16.2.1 Invention/Software Copyright Disclosure | * IP Creator
* TI
* ECO
 | * N/A
 |
| 16.2.2.1 IP Creators Sharing Agreement (usually included in IP Disclosure) | * IP Creators
* TI
 | * If IP Creators cannot agree within 3 months of disclosure, then member CEO decides sharing for IP Creators
 |
| 16.2.2.2 IP Creators Multiple IP Relative Weight Agreement | * IP Creators
* TI
* OGC
 | * If IP Creators still employed at System cannot agree within 3 months of execution of a license, then VCR decides relative weighting of IP in license agreement
 |
| 16.2.3 Intellectual Property Application and Prosecution (patents; copyright registrations; trademark applications; plant variety protection act certificates) | * IP Creator
* TI
* OGC for trademarks
* VCR
 | * TI controls prosecution and registrations
 |
| 16.2.4 Intellectual Property Application and Prosecution for Member Owned Copyrights and Trademarks (copyright registrations and trademark applications) | * IP Creator
* CEO
* TI (copyright only)
* OGC for trademarks
 | * TI controls prosecution and registrations (copyright only)
* CEO approves expenses for member
 |
| 16.3 Collegiate Licensing | * ADFA
 | * CEO
* ADFA
 |
| 16.4 Nondisclosure/Confidentiality Agreements |
| 16.4.1 Nondisclosure/Confidentiality Agreements Relating to Commercialization of System Intellectual Property\* \* IP that is covered by IP disclosure or is a declared variety | * TI
* OGC
* VCR
 | * VCR approves and executes
 |
| 16.4.2 Nondisclosure/Confidentiality Agreements Not Relating to Commercialization of System Intellectual Property | See Section 24.5 | See Section 24.5 |
| 16.5 Memorandum of Agreement Non-academic (letter style) agreements which document programmatic commitments between TI and Non-System entities (*includes promotion of collaboration for: commercializing System IP; obtaining investors for companies licensing System IP; research investment by entities in a foreign country; and promoting history of System students and foreign country*) | * TI
* OGC
* VCR
 | * VCR approves and executes
 |
| 16.6 Business Entity to Commercialize System Intellectual Property |
| 16.6.1 Creation of System Business Entity to Commercialize System Intellectual Property | * CEO, ADFA (If Member sponsored creation of Entity)
* TI
* OGC
* VCR
 | * Approval of Chancellor via OGC process
* VCR executes
 |
| 16.6.2 Investing in a Business Entity Having a License to System Intellectual Property | * CEO, ADFA (if Member sponsored investment)
* TI
* OGC
* VCR
 | * Approval of Chancellor via OGC process
* VCR executes
 |
| 16.7 Intellectual Property Gifts |
| 16.7.1 IP Offer to System in Exchange for Royalty Sharing | * TI
* OGC
* VCR
* Chancellor
 | * Approval of Chancellor via OGC process
* VCR executes
 |
| 16.7.2 IP Offer to Member in Exchange for Royalty Sharing | * OGC
* TI (if patent)
* VCR (if patent)
 | * Member CEO via OGC process
* VCR (if patent)
 |
| 16.7.3 IP Offer to System of Charitable Gift | * ADFA
* CEO
* TI
* OGC
* SOBA
* VCR
* Chancellor
 | * Chancellor or VCR
 |
| 16.7.4 IP Offer to Member of Charitable Gift | * ADFA
* OGC
* TI (if patent)
* VCR (if patent)
 | * Member CEO
* VCR (if patent)
 |
| 16.8 Misc. Intellectual Property Agreements and agreements ancillary to intellectual property agreements  | * OGC
* TI
* VCR
 | * VCR
 |
| **17. INTER-AGENCY and INTER-LOCAL AGREEMENTS** \* Per System Policy 25.07, §6, monetary categories above do not apply to inter-agency agreements in this section as described in System Policy 25.07, §3(f) |
| 17.1 Inter-Agency Agreements*Commitment for the use/acquisition (provision) of resources from (to) another STATE AGENCY governed by Texas Government Code Chapter 771* | * Budget Head/Designee
* Purchasing Department Head
 | * ADFA
 | * ADFA
 |
| 17.2 Inter-Local Agreements*Commitment for the use/acquisition (provision) of resources from (to) a LOCAL GOVERNMENT governed by Texas Government Code Chapter 791* | * Budget Head/Designee
* Purchasing Department Head
 | * ADFA
 | * ADFA
 |
| **18. INTRA-SYSTEM AGREEMENT** \* Per System Policy 25.07, §6, monetary categories above do not apply to intra-system agreements in this section as described in System Policy 25.07, §3(f) |
| 18.1 Intra-System Agreement*Commitment for the use/acquisition (provision) of resources from (to) other System members.* | * Budget Head/Designee
* Purchasing Department Head
 | * ADFA
 | * ADFA
 |
| **19. LEGAL** (SP 09.04, SR 09.04.01) |
| 19.1 Litigation (*See 19.1.1 below*) *All settlements shall have concurrence of the TAMUS CEO and General Counsel and where required, the approval of the State Attorney General*.  |
| 19.1.1 Approval to Settle:**$100,000 or less General Counsel****$100,000 to $300,000 Chancellor** **More than $300,000 BOR** | * ADFA
* Chancellor
* OGC
 | * General Counsel
* Chancellor
 | * General Counsel
* Chancellor (more than $300K BOR)
 |
| 19.2 Outside Legal Counsel *General Counsel acts as liaison to the Attorney General and shall retain, manage and approve all outside counsel for the System and its members.* | * ADFA
* OGC
* Chancellor
 | * General Counsel
* Chancellor
 | * General Counsel
* Chancellor
 |
| **20. MEMORANDA OF AGREEMENT/UNDERSTANDING – ACADEMIC** |
| 20.1 General Memorandum of Agreement or Understanding (Letter Agreement)*Documents programmatic commitments between TFS and non-TFS entities; contracts to perform educational and service activities consistent with the TFS mission.* | * Department Head
* ADFA
 | * CEO
 | * CEO
 |
| 20.5 Training Affiliation (*internships*)*Documents mutual obligations to establish training [internship opportunities] for college students*. | * Department Head
* ADFA
 | * CEO
 | * CEO
 |
| **21. MEMORANDA OF AGREEMENT/UNDERSTANDING – NON-ACADEMIC** |
| 21.1 General Memorandum of Agreement or Understanding (Letter Agreement)*Documents commitments between TFS and non-TFS entities that are non-academic in nature.* | * Applicable Associate Director/Designee
* Purchasing Department Head
* ADFA
 | * ADFA
 | * CEO
 |
| **22. PURCHASE AGREEMENTS** (*TFS acquiring goods and services not addressed in Section 27* ) |
| 22.1 *TFS* Purchase Orders*Purchase of goods or services from outside vendor using standard forms promulgated by TFS, which are processed through the appropriate bid process in accordance with TFS policies and State requirements.* | * Budget Head/Designee
 | * Buyer < $100000, except proprietary
* Purchasing Department Head
* ADFA
 | * Purchasing Department Head (unlimited dollar amount if purchased in accordance with state statute)
* ADFA (unlimited dollar amount if purchased in accordance with state statute.)
 |
| 22.2 Vendor Purchase Orders*Purchase of goods or services from outside vendor using vendor supplied document or negotiated agreement.* | * Budget Head/Designee
* Purchasing Department Head
 | * ADFA
 | * ADFA
 |
| 22.3 Software License Agreements*Contract for use of computer software using vendor supplied document/agreement or System standard forms.* |
| 22.3.1 Department*Contract limiting application to specific Department.* | * Info, Resources Department Head
* Purchasing Department Head
 | * ADFA
 | * ADFA
 |
| 22.3.2 System Offices*Contract providing System Office or System-wide computing application.* | * Info, Resources Department Head Info, Resources Department Head
* Purchasing Department Head
 | * ADFA
 | * ADFA
 |
| 22.3.3 Intellectual Property (non through TI)*Contract containing IP Provisions* | * Info, Resources Department Head Info, Resources Department Head
* Purchasing Department Head
 | * ADFA
 | * ADFA
 |
| 22.4 Memberships *Purchase of Organizational Affiliations for individuals, groups, or the institution.* | * Budget Head/Designee
 | * Buyer < $100000, except proprietary (PO)
* Purchasing Department Head (PO)
* ADFA (contract)
 | * Purchasing Department Head (unlimited dollar amount if purchased in accordance with state statute (PO)
* ADFA (unlimited dollar amount if purchased in accordance with state statute. (Contract)
 |
| 22.4.1 Professional/Service Associations*Purchase by TAMUS on behalf of an individual, group or the institution of a membership in a professional or service organization.* | * Budget Head/Designee
 | * Buyer < $100000, except proprietary (PO)
* Purchasing Department Head (PO)
* ADFA (contract)
 | * Purchasing Department Head (unlimited dollar amount if purchased in accordance with state statute (PO)
* ADFA (unlimited dollar amount if purchased in accordance with state statute. (Contract)
 |
| 22.8 Maintenance Agreements acquired with equipment purchase or as stand-alone purchase | * Purchasing Department Head
* ADFA
 | * ADFA
 | * ADFA
 |
| 22.9 Partial Sale, Partial Gift Purchases (See SP 22.05, *§*3) | * ADFA
* CEO
 | * See SP 21.05, *§*3
 | * See SP 21.05, *§*3
 |
| 22.11 Purchasing Agreements not classified elsewhere | * Purchasing Department Heads
* Budget Head/Designee
 | * ADFA
 | * ADFA
 |
| **23. REAL PROPERTY TRANSACTIONS** (SP 41.01, SR 41.01.01)[[1]](#footnote-2) \* Monetary Categories Above Do Not Apply to this Section |
| 23.1 Purchase of Real Property*Per SP 41.01, §2 and SR 41.01.01, §3:* * + *SREO oversees all acquisitions of real property.*
 | * ADFA
* CEO
* SREO and/or SLMO
* OGC
 | * BOR approval required if consideration is over $1,000,000
* Chancellor or S-CFO approves and executes purchases of $1,000,000 or less
 |
| 23.2 Condemnation of Real Property *Per SP 41.01, §2 and SR 41.01.01, §3:* * + *SREO oversees all acquisitions of real property.*
 | * ADFA
* CEO
* SREO
* OGC
* Chancellor or S-CFO
 | * Chancellor, S-CFO or General Counsel executes all documents **(after BOR approval)**
 |
| 23.3 Gifts/Bequests of Real Property*Per SR 41.01.01, §3:* * + *SREO oversees all acquisitions of real property.*
	+ *SOBA and OGC must approve prior to CEO accepting gift.*
 | * ADFA
* CEO
* SREO and/or SLMO
* OGC
* SOBA
 | * CEO can accept after approval of OGC and SOBA
* S-CFO can accept after approval of OGC and SOBA if property is gifted/bequested to System Offices
 |
| 23.4 Sale or Exchange of Real Property*Per SP 41.01, §3 and SR 41.01.01, §4:* * + *SREO oversees all activities required to dispose of or exchange real property.*
	+ *Member CEOs may recommend disposal or exchange of System real property.*
 | * ADFA
* CEO
* SREO and/or SLMO
* OGC
 | * Chancellor or S-CFO executes after BOR approval, if necessary
 |
| 23.5 Lease of Real Property |
| 23.5.1 TO 3rd Parties* + *Lease of SYSTEM-owned facilities and/or land for a period. SREO shall review leases as required by SR 41.01.01, §5.*
	+ *Leases to 3rd Parties with a term >5 years, including renewals, must be approved by the BOR as required by SP 41.01, §4.1*
 | * ADFA
* CEO
* SREO
* OGC
* Chancellor or S-CFO (if property assigned to System Offices)
 | * ADFA or CEO if term of 5 years or less; Chancellor or S-CFO if property assigned to System Offices or if Lease approved by BOR
 |
| 23.5.2 FROM 3rd Parties*Lease of facilities (office, laboratory, classroom, storage, residence, etc.) and/or land from a 3rd party for TFS use for a specified period.* *See SP 41.01, §4 and SR 41.01.01, §6*  | * ADFA
* CEO
* SREO
* OGC
 | * CEO, Chancellor or S-CFO depending on term, amount and property assignment.

SP 41.01 and SR 41.01.01 approvals:* **5 yrs. or less/$500,000 or less – ADFA, CEO or S-CFO**
* **10 yrs. or less/over $500,000 to $1,000,000–Chancellor or S-CFO**
* **More than 10 yrs. or greater than $1,000,000 – Chancellor or S-CFO executes after BOR approval**
 |
| 23.5.3 Student Retreat Facility*Lease of facilities (camp grounds, recreational facility, residence, etc.) and/or land for TFS use for a specific student retreat.* | * ADFA
* CEO
* SLMO
* OGC
 | * CEO
 |
| 23.6 Easements (SP *41.01, §6)* |
| 23.6.1 System as Grantor (easement across System property) (10 year limit) | * ADFA
* CEO
* SLMO
* OGC
 | * VCBA
* Managing Counsel, Property & Construction
 |
| 23.6.2 System as Grantee (easement across 3rd party’s property)(**Requires BOR approval if over $300,000**) | * ADFA
* CEO
* SLMO
* OGC
 | * VCBA
* Managing Counsel, Property & Construction
* Chancellor or S-CFO (if BOR approval required)
 |
| 23.6.3 Conditional Roadway Easements (indefinite term)(**Requires BOR approval**) | * ADFA
* CEO
* SREO
* OGC
 | * Chancellor or S-CFO executes after BOR approval
 |
| 23.7 Housing Agreements |
|  23.7.1 International Housing *University owned or leased housing provided for visiting international faculty.* | * ADFA
* CEO
* SREO
* OGC
 | * CEO
 |
|  23.7.2 Residence Hall *On-campus student housing.* | * ADFA
* CEO
* SREO
* OGC
 | * CEO
 |
|  23.7.3 Student Apartments *Off-campus University-housing provided for students.* | * ADFA
* CEO
* SREO
* OGC
 | * CEO
 |
|  23.7.4 Mail Box *Rental of residence hall mail boxes.* |  | * CEO
 |
| 23.8 Other Grants of Rights Related to Real Property |
| 23.8.1 Permits, Licenses and Facility Use Agreements covering System property (temporary or periodic use, i.e. arenas, stadiums, classrooms, etc.). See SP 41.01.01, *§*12.1 | * ADFA
* CEO
* SREO
* OGC
 | * CEO
* VCBA or Managing Counsel, Property & Construction if property assigned to System Offices
 |
| 23.8.2 Permits and Licenses of System Land, including Water Use and Antiquities Permits | * ADFA
* CEO
* SREO
* OGC
 | * CEO
* VCBA or Managing Counsel, Property & Construction
 |
| 23.8.3 Permits, Licenses and Facility Use Agreements covering 3rd Party Property (temporary or periodic use, i.e. arenas, stadiums, classrooms, campgrounds, etc.).  See SP 41.01.01, *§*12.2 | * ADFA
* CEO
* SREO
* OGC
 | * CEO
* VCBA or Managing Counsel, Property & Construction if property assigned to System Offices
 |
|  23.8.4 Oil, Gas and Mineral Rights Leasing See SP 41.01, *§*5 | * SREO and/or SLMO
* OGC
 | * Chancellor or S-CFO
 |
| 23.8.5 Other Oil, Gas and Mineral Rights documents (i.e. Division Orders; Pooling Agreements; Production Sharing Agreements; Ratification Agreements; Assignment Consents; Affidavits; and related documents) | * SLMO
* OGC
 | * VCBA, Landman IV or ED-BA
 |
|  23.8.6 Other Documents  (i.e. Subordination, Non- disturbance & Attornment Agreements; Assignments; Estoppels; Renewals; Consents; Terminations; Non-Disclosures; Confidentiality Agreements; Ratifications; Releases; Memorandums; Affidavits; Acknowledgments; documents containing statements of fact; Correction instruments and non-substantive amendments to documents, etc.) | * SREO and/or SLMO
* OGC
 | * CEO
* VCBA or ED-BA
 |
|  23.8.7 Real Property Management and Maintenance (i.e. Surface Use Agreements; Drainage Agreements; Maintenance Agreements, etc.) | * ADFA
* CEO
* SREO
* OGC
 | * CEO
* S-CFO or VCBA
 |
|  23.8.8 Condominium Ownership, Operations and Activity Documents | * ADFA
* CEO
* SREO
* OGC
 | * S-CFO or VCBA
 |
|  23.8.9 Broker/Agency Representation and Listing Agreements; Non- binding Letters of Intent/Term Sheets | * ADFA
* CEO
* SREO
* OGC
 | * CEO
* VCBA
 |
| 23.9 Service Contracts for Real Property  Transactions (surveyors, appraisers,  property inspectors, title company  contracts, etc.) (See also Section 27.6) | * ADFA
* CEO
* SREO
* OGC
 | * CEO
* VCBA or Managing Counsel, Property & Construction
 |
| **24. RESEARCH AGREEMENTS** \* Per System Policy 25.07, §6, monetary categories above do not apply to research agreements in this section as described in System Policy 25.07, §3(a) |
| 24.1 Research agreements (where member is the prime contractor signing the agreement with the sponsor; or member is a subcontractor signing the agreement with the prime contractor or a higher-tier subcontractor). *Includes grants, contracts, cooperative agreements, and consortium agreements* | * Purchasing Department Head
* Grants Administrator
 | * CEO (Primary)
* ADFA
 |
| 24.2 Sub-agreements/Sub-recipient/Sub-grant/Sub-contract agreements for sponsored research and ancillary services (where member is the prime contractor signing the agreement with a subcontractor; or member is a subcontractor signing the agreement with a lower-tier subcontractor). | * Purchasing Department Head
* Grants Administrator
 | * CEO (Primary)
* ADFA
 |
| 24.3 Proposal Submissions | * Purchasing Department Head
* Grants Administrator
 | * CEO (Primary)
* ADFA
 |
| 24.5 Non-disclosure/Confidentiality Agreements (involving potential research collaboration) | * Purchasing Department Head
* Grants Administrator
 | * CEO (Primary)
* ADFA
 |
| 24.6 Material Transfer or Evaluation Agreements (Not through TI) | * Purchasing Department Head
* Grants Administrator
 | * CEO (Primary)
* ADFA
 |
| 24.7 Testing/Analytical Agreements | * Purchasing Department Head
* Grants Administrator
 | * CEO
* ADFA
 |
| 24.9 Misc. Research Agreements and agreements ancillary to research agreements (*e.g.,* *Vessel Time Charter Agreements)* | * Purchasing Department Head
* Grants Administrator
 | * CEO
* ADFA
 |
| **25. REVENUE GENERATING AGREEMENTS** |
| 25.1 Revenue Generating | * Purchasing Department Head
 | * ADFA
* CEO (Timber Sales)
 | * ADFA
* CEO (Timber Sales)
 |
| **26. SALES AGREEMENTS** (*TFS providing goods or services*) |
| 26.1 Consultant/Professional Service Agreements (non-statutory)*TFS acting as consultant or performing professional service (including testing services).* | * Purchasing Department Head
 | * ADFA
 | * ADFA
 |
|  26.1.1 Intellectual Property Agreements (Not through TI) | * Purchasing Department Head
* ADFA
 | * CEO
 | * CEO
 |
|  26.1.2 Analysis/Testing | * Purchasing Department Head
 | * ADFA
 | * ADFA
 |
| 26.2 Property Transfer Agreements (inventoried and non-inventoried items) |
|  26.2.1 Transfer or surplus property  | * Purchasing Department Head
* ADFA
 | * CEO
 | * CEO
 |
|  26.2.2 Transfer within the System | * Purchasing Department Head
* ADFA
 | * CEO
 | * CEO
 |
|  26.2.3 Transfer to another state agency | * Purchasing Department Head
* ADFA
 | * CEO
 | * CEO
 |
|  26.2.4 Transfer to an independent third party | * Purchasing Department Head
* ADFA
 | * CEO
 | * CEO
 |
| 26.3 Unclassified Services Providing services not specified elsewhere. | * Purchasing Department Head
* ADFA
 | * CEO
* ADFA
 | * CEO
* ADFA
 |
| **27. SERVICES AGREEMENTS** (*TFS acquiring services*) |
| 27.2 Entertainment Events*Artistic entertainment performance agreements.* | * Purchasing Department Head
 | * CEO
* ADFA
 | * CEO
* ADFA
 |
| 27.3 Lecture/Seminar Speaker Agreements *Use of non-faculty/staff to lecture or speak in support of institutional programs.* | * Purchasing Department Head
 | * CEO
* ADFA
 | * CEO
* ADFA
 |
| 27.4 Maintenance Agreements |
| 27.4.1 Purchase with Equipment Purchase*Purchase of maintenance services from equipment vendor as an integral part of equipment purchase.* | * See Section 22.8 Herein
 | * See Section 22.8 Herein
 | * See Section 22.8 Herein
 |
| 27.4.2 Stand Alone Purchase*Purchase of maintenance services independent from equipment purchase or vendor.* | * See Section 22.8 Herein
 | * See Section 22.8 Herein
 | * See Section 22.8 Herein
 |
| 27.6 Statutory Professional Services *Acquisition of professional services as defined by Texas Government Code §2254.002 (accounting, architecture, optometry, medicine, land surveying, real estate appraising, and professional engineering*).*Agreements for outside counsel must comply with Section 19 herein.* | * Purchasing Department Head
* ADFA
 | * ADFA (Contract)
* CEO (Architecture or Engineering)
 | * ADFA (Contract)
* CEO (Architecture or Engineering)
 |
| 27.7 Statutory Consulting Services *Acquisition of consulting services as defined by Texas Government Code §2254.021.* *Agreements for outside counsel must comply with Section 19 herein.* | * Budget Head/Designee
* ADFA
* Purchasing Department Head
 | * ADFA (Contract)
* Purchasing Department Head (PO)
 | * ADFA (Contract)
* Purchasing Department Head (PO)
 |
| 27.9 Unclassified Services *Purchase of services not specified elsewhere.* | * Purchasing Department Head
* Budget Head/Designee
 | * ADFA
 | * ADFA
 |
| **28.**  **SPECIAL EVENTS** |
| 28.1 Conference/Short-Course | * Purchasing Department Head
* Budget Head/Designee
 | * ADFA
 | * ADFA
 |
| 28.2 Exhibition Loan Agreements*Documents commitments to display, secure, admit public, etc. to view works of art of material of public interest.* | * Purchasing Department Head
* Budget Head/Designee
 | * ADFA
 | * ADFA
 |
| **29.**  **PROCURED AGREEMENTS** \* Per System Policy 25.07, §6, monetary categories above do not apply to procured agreements as described in System Policy 25.07, §3(c) |
| 29.1 Procured Agreements Agreements procured through a state contract, state catalogue, or other procurement methodologies authorized by state statute and in accordance with A&M System requirements as described in System Policy 25.07, §3(c). | * Budget Head/Designee
 | * Buyer < $100000, except proprietary
* Purchasing Department Head
* ADFA
 | * Buyer < $100000, except proprietary
* Purchasing Department Head
* ADFA
 |
| **30.**  **UNCLASSIFIED/OTHER AGREEMENTS** |
| 30.1 Nondisclosure/Confidentiality Agreements (Not Relating to Commercialization of System Intellectual Property or involving potential research collaboration) | * Purchasing Department Head
* Budget Head/Designee
 | * ADFA
* CEO
 | * ADFA
* CEO
 |
| 30.2 Miscellaneous Agreements*Contracts and agreements not specifically classified above or currently classified as “Not Applicable”.* | * Purchasing Department Head
* Budget Head/Designee
 | * ADFA
* CEO
 | * ADFA
* CEO
 |

1. Per *SP 41.01.01, §1.5,* **for each real property transaction**, legal forms and documents must be reviewed and approved for legal form and sufficiency by OGC. [↑](#footnote-ref-2)