

Sam Houston State University
A Member of The Texas State University System

President's Office Policy PRE-05

DELEGATION OF AUTHORITY

Texas State University System's Rules and Regulations, Chapter III, Section 10 Contracts, Purchases and Agreements, states that The President of each Component shall be delegated the responsibility and authority to enter into contracts, purchases, and agreements for sums less than \$500,000 whether said amount is income or expenditure, including but not limited to, interlocal contracts with Texas local government entities, and interagency cooperation agreements between a Component and another state agency, and to enter into all grants and agreements funded by private individuals, governmental agencies, and foundations without regard to the amount, unless otherwise limited by the Board. At the request of the Component President, the Vice Chancellor and General Counsel will provide advice and assistance with regard to such contracts, purchases, grants, and agreements. Upon a specific request by a member of the Board, the Chancellor, or the Vice Chancellor and General Counsel, the Component President shall submit designated contracts and agreements to the Chancellor for review by the Vice Chancellor and General Counsel.

The President may delegate power to contract, purchase, or enter into agreements of less than \$500,000, including but not limited to, interlocal contracts with Texas local government entities, and interagency cooperation agreements between a Component and another state agency, to other employees of the Component. Such delegation must be specific and in writing to be effective. The President will remain responsible for all contracts, purchases, and agreements for sums under \$500,000, and for the proper administration of all grants and agreements funded by private individuals, governmental agencies, and foundations, regardless of delegation of power to contract, purchase, or enter into agreements.

The Chancellor has delegated to the President the authority to plan, design and construct projects listed on the approved Capital Improvement Program for projects with a Total Project Cost of less than \$1,000,000, without further approvals from the Chancellor or the System.

Presidential delegation to campus personnel must be specific and in writing to be effective.

The President will remain responsible for all contracts, purchases, and agreements and for the proper administration of all grants and agreements funded by private individuals, governmental agencies, and foundations, regardless of delegation.

The President delegates authority to enter into contracts, purchases and agreements in the attached Delegation of Authority matrix. This document outlines recommended routing and review as well as specific identification of positions authorized to execute contracts, purchases, and agreements. No other campus personnel are authorized to execute contracts, purchases, and agreements regardless of dollar amount. This policy does not affect institutional authority to initiate purchase requisitions, RFP's, requests for bids, Procurement card purchases and/or limits established elsewhere within policy or enabled within the ERP or eProcurement system.

Approved by: President's Cabinet
Policy Updated: February 21, 2023
Chart Updated: February 29, 2024

PRESIDENT'S DELEGATION OF AUTHORITY FOR CONTRACT ADMINISTRATION:		
<i>All agreements between \$500K and \$1MM require VCGC review and Chancellor approval. Agreements over \$1MM require VCGC review and BOR approval. See also Texas State University System (TSUS) Rules & Regulations, Chapter III.</i>		
<i>Purchase Orders with or without a contract follow the routing review, and execution as outlined below. All approvals are obtained through the requisitions process in BearKatBuy or Projectmates for construction.</i>		
<i>Purchase Orders that have an agreement, contract, or quote to be signed must have the document attached to the purchase requisition for review and approval.</i>		
<i>Only individuals with a title listed in the Authorized to Execute column of this policy may independently obligate or sign any documents binding the University into any agreement (multiple signatories are not required).</i>		
Type of Contract/Agreement/PO	Typical Routing for Dept Review	Authorized to Execute/Authorized Signer
Purchase Orders -delegation of authority to execute and deliver purchase orders for routine purchases of equipment, supplies, goods and services in accordance with state contract, state catalog, cooperative or other approved procurement methods. Certain purchases with a cost of more than \$500,000 require Chancellor or Board of Regents approval.	Dept Head/Chair/Director/Dean/Assoc-Asst VP/Division or Sr VP (not all hierarchical approvals are required. Internal control environment design automatically routes requisitions for appropriate approvals.) The Routing/Review is electronic through BearKatBuy.	Director of Procurement /AD of Procurement/Contract Analyst/Purchaser II/Purchaser I
<i>A copy of the contract must be attached to the BearKatBuy requisition for proper approval.</i>		
Purchase Orders with Agreements/Contracts - delegation of authority to execute and deliver contracts and purchase orders of any kind or nature of less than \$500,000 whether on a SHSU standard form or a vendor provided agreement, which could include software or online license agreements. Any contacts where SHSU is piggybacking off of another agency or institution of higher education are included here as well. A copy of the contract/agreement must be attached to the BearKatBuy requisition for proper review and approval.	Dept Head/Chair/Director/Dean/Assoc-Asst VP/Division or Sr VP The Routing/Review is electronic through BearKatBuy. OGC reviews contracts that exceed \$50,000 over the life of the agreement, and/or contracts with questions or concerns as requested by Procurement or a Division VP.	Contract Analyst/AD of Procurement/Director of Procurement/ AVP for People and Procurement Operations/CFO & Sr VP of Operations VP for Information Technology (for IT related license or IT consulting agreements under DIR).
Technology Acquisition Oversight -Sam Houston State University in compliance with TSUS Rules and Regulations (III-19.4), mandates review and oversight of all information technology resource related acquisitions. All information technology resource related acquisitions and gifts must be reviewed by the SHSU Information Technology Services Department and receive approval, prior to a formal submission of request for acquisition or acceptance of gift. Ref: SHSU-IT-S03 Policy.	Dept. Head/Chair/Director/Dean/Asst-Assoc VP/Division or Sr VP If using BearKatBuy routing will take place to the authorized approvers electronically based on dollar threshold. IT is in the approval queue workflow based on the account code for all IT-related purchases which require VP for Information Technology or his/her designee review.	Procurement personnel as stated under Purchase Orders or Purchase Orders with Agreement/Contracts and VP for Information Technology if related to license or IT consulting agreements under DIR.
Electronic and Information Resource Accessibility Exceptions - Delegation of authority to approve justified exceptions to compliance with Texas Administrative Code, Title 1, Part 10, Chapters 206 and 213. Ref: SHSU-IT-32 Policy.	All employees may submit an EIR ticket through Cherwell. EIR Accessibility Coordinator and VP for Information Technology reviews the exception request.	VP for Information Technology/Sr VP Strategic Enrollment Initiatives
Type of Contract/Agreement/PO	Typical Routing for Dept Review	Authorized to Execute/Authorized Signer
<i>The following matrix outlines the typical routing and authorizes the individuals that may sign the agreement/contract.</i>		
Advertising Agreements/Contracts - delegation of authority to execute and deliver agreements and contracts for advertising (print publications, radio, TV, billboard, internet).	Dept Chair/Director/Dean/Asst-Assoc VP/Division or Sr VP OGC if the applicable dollar amount <i>All academic program and student enrollment and retention-related materials and contracts, regardless of payment method, for advertising must have VP for Enrollment Management review</i>	Chief Marketing Officer/CFO and Sr. VP for Operations
Athletic Event/Contest Agreements -delegation of authority to execute and deliver athletic contest agreements of \$50,000 or less. Including those agreements for Athletics involving athletic events or contests, also applicable to Recreational Sports events and contests.	OGC for facility rental agreements only.	Assoc. Athletic Director-Operations/Athletic Director E.D. for Student Health and Wellbeing/E.D. Residence Life and Student Venues Affairs
Banking Services - delegation of authority to execute and deliver contracts for banking services with Institutions approved by the Vice Chancellor for Finance and the BOR	N/A	AVP for People and Procurement Operations/CFO and Sr VP of Operations
Construction Projects - delegation of authority relating to BOR approved construction projects and for repair and rehabilitation projects greater than \$1,000,000	Director Facilities Planning and Construction/VP for Facilities Management and VCCA as appropriate <i>Approvals are handled in Projectmates.</i>	AD Procurement/Director of Procurement/VP for Facilities Management/CFO and Sr VP of Operations
Construction Projects - delegation of authority relating to new minor construction projects and minor repair and rehabilitation construction projects with an anticipated value <u>under</u> \$1,000,000. See also TSUS Rules and Regulations, Chapter 3, Section 1.8.	Director Facilities Services/Director Facilities Planning and Construction/VP Facilities Management	AD Procurement/Director of Procurement VP of Facilities Management/CFO and Sr VP of Operations

Consulting - delegation of authority to execute and deliver agreements involving SHSU use of consultants governed by Texas Govt Code 2254.029. Any Major Consulting agreement where total payment (including renewals, amendments, and extensions) will exceed \$25,000 must be published in State Business Daily (ESBD) at least 30 days prior to award.	Dept Head/Chair/Director/Dean/Assoc-Asst VP/Division or Sr VP/OGC For Major Consulting Services, notification must be provided to the Legislative Budget Board and Governor's Office (See Tex. Gov. Code § 2254.028)	Purchaser/Contract Analyst/AD of Procurement/Director of Procurement
CJ Center and Institute Agreements (CMIT/LEMIT/IHS and CICA) - delegation of authority to execute and deliver speaker, venue, food service and other contracts necessary to coordinate and deliver training services on campus and in remote locations as is consistent with their mission.	CMIT, LEMIT, IHS or CICA Director/Sr. Director/CJ Dean OGC if above the applicable dollar amount or when OGC's Speaker's Agreement or addendum is rejected by speaker.	CJ Dean/Provost and Sr VP for Academic Affairs *Approval by CJ Dean/Provost or Sr VP for Academic Affairs is always required if a requisition is processed in BearKatBuy
Courtesy Car Agreements -delegation of authority to execute and deliver courtesy car agreements for use by the Athletic Dept. staff		Sr. Assoc Athletic Director-Operations/Athletic Director
Design Development(Construction) -delegation of authority to execute design development approvals and authorize expenditure of funds for institutionally managed major repairs and rehabilitation projects.	Director Facilities Planning and Construction/Vice President Facilities Management <i>Approvals are handled in Projectmates.</i>	AD Procurement/Director of Procurement/VP for Facilities Management/CFO and Sr VP of Operations
Direct Pay	Dept Head/Chair/Director/Dean/Assoc-Asst VP/Division or Sr VP	AD of Procurement/Director of Procurement/AVP for People and Procurement Operations
Educational Affiliation Agreements -delegation of authority to execute and deliver educational affiliation agreements such as, but not limited to, academic, scientific activities, or other cooperative/collaborative efforts for the purpose of the University academic or service mission. Examples could be: internship agreements, clinical/practicum agreements, collaborative agreements, study abroad, tuition/fee reimbursement agreements (federal govt), etc.	Dept Head/Chair/Director/Dean/OGC	Vice Provost/Provost and Sr. VP for Academic Affairs* *Approval by Provost or Vice Provost is always required even if a requisition is processed in BearKatBuy.
Employment Contracts (Special) - delegation of authority to execute and deliver special contracts. See also TSUS Rules and Regulations, Chapter 5, Section 1.13.	Athletic Director/ Division or Sr VP/OGC	AVP for People and Procurement Operations/Athletic Director/Provost and Sr VP for Academic Affairs/CFO and Sr VP for Operations
Employment and Employment-Related Contracts (Other) - delegation of authority to execute and deliver employment or employment-related agreements/contracts.	AVP for People Operations and Procurement/OGC Provost and Sr. VP for Academic Affairs for faculty employment contracts	AVP for People Operations and Procurement/Provost and Sr. VP for Academic Affairs/CFO and Sr. VP for Operations
General Business/Service Agreements - applicable to agreements otherwise undefined in the Delegation of Authority where SHSU is providing or receiving goods and/or services. Revenue-, business and exempt purchasing expense agreements are applicable to this section.	Dept Head/Chair/Director/Dean/Assoc-Asst VP/Division or Sr VP/OGC **OGC reviews contracts that exceed \$50,000 over the life of the agreement, and/or contracts with questions or concerns as requested by Procurement or a Division VP	Contract Analyst/AD of Procurement/Director of Procurement/AVP of People and Procurement Operations/CFO and Sr VP of Operations
Gifts - delegation of authority to accept gifts (other than real property)	Dept Head/Chair/Dean/Provost/Assoc-Asst VP/Division or Sr VP AVP Development/VP of Advancement	Asst. or Assoc. VP for Development/VP of University Advancement
Gifts - IRS Forms - delegation of authority to execute necessary forms relating to gifts.	VP for University Advancement	VP for University Advancement/CFO and Sr VP for Operations
Insurance Policies and Premium Documents -any and all insurance coverage for the University	Financial Manager/Insurance Analyst/Director of Compliance and Insurance	Director of Compliance and Insurance/AVP of Public Safety & Compliance
Intellectual Property -delegation of authority to execute and deliver agreements that grant an interest in intellectual property up to \$500,000 in value	Dept Chair/Director/Dean/Assoc. Provost Research and Sponsored Programs/OGC	Provost and Sr. VP of Academic Affairs/CFO and Sr VP of Operations
Interagency Contracts/Interlocal Agreements - delegation of authority to execute and deliver contracts or agreements with TSUS, between or among TSUS component institutions, or other institutions of higher education or state agencies for goods, resources or services.	Dept Head/Chair/Director/Dean/ Assoc-Asst VP/Division or Sr VP/OGC	AVP for People Operations and Procurement/CFO and Sr VP of Operations/Vice Provost/Provost and Sr. VP for Academic Affairs
Library Agreements - applicable to agreements involving the purchase of books, subscriptions, reference materials, and memberships by the SHSU Library for the express purpose of obtaining publications.	Director of Library Public Services/Director of Library Technical Services/Executive Director of Library Services	Director of Library Public Services/Director of Library Technical Services up to \$250,000 total value of agreement/contract; Executive Director of Library Services.

Real Estate Contracts -including contracts involving purchase of SHSU owned facility and/or land. Rental of facility or land (office, lab, classroom, storage, residence, etc.) for a period in excess of five (5) years or total rent of \$500,000 over the entire life of the contract.	OGC or outside counsel as directed by the OGC	Upon approval of Legal Counsel as to legal form: AVP for People Operations & Procurement/CFO and Sr VP of Operations
Space Lease - rental agreements (office, lab, classroom, storage, residence, etc.) with a value of less than \$500,000 and less than a five (5) year period.	Campus Space Planner/Insurance Analyst/Director of Compliance and Insurance/OGC	AVP for People Operations & Procurement/CFO and Sr VP of Operations *With instruction from officials above, by the Director of Procurement
Speaker/Presentation/Performance Agreements -includes agreements where SHSU is acquiring services of a guest speaker, guest lecturer, artistic performances, other presentations or other exhibitions such as art.	Dept Head/Chair/Director/Dean/Assoc-Asst VP/Division or Sr VP/Insurance Analyst/Director of Compliance and Insurance <i>OGC reviews contracts where OGC's Speaker's Agreement or addendum is rejected by vendor/artist. Office of Compliance and Insurance will review any artistic performances, entertainers or other presentations or exhibitions such as art where insurance requirements need to be reviewed.</i>	E.D. for Student Health and Wellbeing/E.D. Residence Life and Student Venues/Division or Sr VP
Sponsored Research (Federal): delegation of authority to submit proposals and related documents as hard copies or in electronic format for research and other sponsored projects	Chair/Director/Dean/AVP-Research/VP-Research/Provost and Sr VP for Academic Affairs/CFO and Sr VP for Operations when exceeds \$100,000 of institutional commitment (e.g., cost share)	Provost & Sr VP for Academic Affairs/CFO and Sr VP Operations/VP Research/AVP Research and Sponsored Programs
Sponsored Research (all non-federal, to include state, local and private entities): delegation of authority to submit proposals and related documents as hard copies or in electronic format for research and other sponsored programs/projects	Chair/Director/Dean/AVP-Research/VP-Research/Provost and Sr VP for Academic Affairs/CFO and Sr VP for Operations when exceeds \$100,000 of institutional commitment (e.g., cost share)	Provost & Sr VP for Academic Affairs/CFO and Sr VP Operations/VP Research/AVP Research and Sponsored Programs
Sponsored Research (execute contracts): delegation of authority to execute contracts as hard copies or in electronic format for research and other sponsored programs	Chair/Director/Dean/AVP-Research/VP-Research/Provost and Sr VP for Academic Affairs/CFO and Sr VP for Operations when exceeds \$100,000 of institutional commitment (e.g., cost share)	Provost & Sr VP for Academic Affairs/CFO and Sr VP Operations/VP Research/AVP Research and Sponsored Programs
Data Use Agreements, Material Transfer Agreements, Research MOUs (execute agreements): delegation of authority to execute agreements as hard copies or in electronic format for research-related activities	Chair/Director/Dean/AVP-Research/VP-Research/Provost and Sr VP for Academic Affairs/CFO and Sr VP for Operations when exceeds \$100,000 of institutional commitment (e.g., cost share)	Provost & Sr VP for Academic Affairs/CFO and Sr VP Operations/VP Research/AVP Research and Sponsored Programs