**SYSTEM OFFICES**

**THE TEXAS A&M UNIVERSITY SYSTEM**

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

**Fiscal Year 2017**

**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.

In accordance with System Policy *25.07*, the Delegation of Authority for Contract Administration for all contracts less than $750,000 is shown on the following pages. In case of unavailability of the person who has the delegated authority, either the Vice Chancellor for Business Affairs or Executive Director, Budgets and Accounting is delegated the authority to execute the contract. Other exceptions to this delegation are stated in System Policy *25.07, §3*.

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:**

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| Asst. | Assistant | SOBA | System Office of Budgets & Accounting |
| AVC | Associate Vice Chancellor | SR | System Regulation |
| BOR | Board of Regents | SREO | System Real Estate Office, a function of OGC |
| CAO | Chief Academic Officer | SP | System Policy |
| CEO | Chief Executive Officer | SRS | Texas A&M Sponsored Research Services -  |
| CFO | Chief Financial Officer |  | Director, Assoc. Executive Director, & Executive |
| CIO | Chief Information Officer |  | Director |
| ED-FPC | Executive Director, Facilities, Planning & | SYCO | System Marketing & Communications |
|  | Construction | System | The Texas A&M University System |
| FPC | Facilities, Planning & Construction | TTC | AVC, Texas A&M System Technology |
| HUB | Historically Underutilized Businesses |  | Commercialization |
| OGC | Office of General Counsel | PI | Principal Investigator/Research |
| PD | Director, Procurement | VCR | Vice Chancellor for Research |

**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 an unaltered contract form or template approved by OGC within the preceding three years;
	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 be in compliance 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. Questions regarding contract administration should be directed to the Office of Budgets and Accounting as outlined in System Rule 25.07.99.S1, Contract Administration.

| **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 |  |  |  |
| **2. AFFILIATION AGREEMENTS/AFFILIATION SERVICE AGREEMENTS** |
| 2.1 Agreement with Foreign Governmental Bodies |  |  |  |
| 2.2 Private Companies & Foundations |  |  |  |
| **3. ARTICULATION AGREEMENTS** |
| 3.1 Agreements with other institutions of higher education regarding transfer of courses |  |  |  |
| **4. ATHLETIC AGREEMENTS** |
| 4.1 Athletic Events *Scheduled NCAA sanctioned sporting events.* |  |  |  |
| 4.1.1 Athletic Game Guarantees |  |  |  |
| 4.2 Athletic Event Sponsorship |  |  |  |
| 4.3 Transportation Purchase Order Contracts |  |  |  |
| 4.4 Hotel Purchase Order Contracts |  |  |  |
| 4.5 Athletic Facility Rental Agreements *Limited use of System property by outside entities.*  | See Section 22.8.1 herein. | See Section 22.8.1 herein. | See Section 22.8.1 herein. |
| 4.6 Recreational Sports Event Sponsorship |  |  |  |
| **5. CONSTRUCTION CONTRACTS** (SP 51.02, 51.04, SR 51.04.01) \* Monetary Categories Above Do Not Apply to this Section. |
| 5.1 Minor Projects (Less than $4,000,000) |  |  |
| 5.2 Major Projects ($4,000,000 or more, but less than $10,000,000) |  |  |
| 5.3 Architect/Engineer *Employment of Architect/Engineer for Consultant/Engineering Professional Services.* |  |  |
| **6. CONSULTING AGREEMENTS**  |
| 6.1 Statutory Consulting Agreements*Acquisition of consulting services as defined by Texas Government Code § 2254.021.*  | See Section 25.7 herein. | See Section 25.7 herein. | See Section 25.7 herein. |
| 6.2 Statutory Consulting Agreements  *Providing consulting services to 3rd parties* | See Section 24.1 herein. | See Section 24.1 herein. | See Section 24.1 herein. |
| **7. DONOR AGREEMENTS** (SP 21.05, SR 21.05.01) |
| 7.1 Personal Property with Restrictions (*including indemnification*) on Acceptance (*including cash or cash equivalents*) See SP 21.05. |  |  |  |
| 7.2 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 22.3 herein. | See Section 22.3 herein. | See Section 22.3 herein. |
| **8. EMPLOYMENT APPOINTMENTS** |
| 8.1 Faculty Offer Letters (*Conditional letters of appointment to faculty*) |
| 8.1.1 Approval of Appointment Offers – Tenure with Appointment (*Rank of Professor, Associate Professor*) |  |  |  |
| 8.1.2 Approval of Appointment Offers – Tenure-Track Faculty Appointments (*Rank of Associate Professor, Assistant Professor, Instructor*) |  |  |  |
| 8.1.3 Approval of Appointment Offers – Non-Tenure Track Appointments (*e.g. Visiting Faculty Titles & Lecturer Titles*) |  |  |  |
| 8.1.4 Approval of Appointment Offers – Appointment and accompanying salary changes as *Dean, Interim Dean, Acting Dean* |  |  |  |
| 8.1.5 Approval of Appointment Offers – Appointment and accompanying salary changes as *Academic Department Head, Interim Head, Acting Head* |  |  |  |
| 8.1.6 Approval of Appointment Offers – Appointment and accompanying salary changes for faculty members appointed as *Director of an Academic Administrative Services Center or Institute* |  |  |  |
| 8.1.7 Approval of Appointment Offers – Appointment and accompanying salary changes as *Associate or Assistant Dean* |  |  |  |
| 8.1.8 Approval of Appointment Offers – Appointment and accompanying salary changes as *Associate or Assistant Department Head, Departmental Division Head* |  |  |  |
| 8.1.9 Approval of Appointment Offers – Faculty Appointments in Excess of Budgeted 100% Assignment |  |  |  |
| 8.1.10 Continuing and Extension Education  |  |  |  |
| 8.1.11 Other Instructional Agreements – Temporary Hires (*part-time faculty, adjunct faculty*) |  |  |  |
| 8.1.12 Off-Campus Instruction |  |  |  |
| 8.1.13 Graduate Assistants (*initial employment agreement for graduate student assistants*) |  |  |  |
| 8.2 Non-Faculty Employment Appointments |
| 8.2.1 Approval of Appointment Offers *– Non-Classified Administrative Staff* |  |  |  |
| 8.2.2 Approval of Appointment Offers – *Classified Support Staff* |  |  |  |
| 8.2.3 Approval of Appointment Offers – *Staff in Excess of Budgeted 100% Assignment* |  |  |  |
| **9. EMPLOYEE BENEFITS CONTRACTS – Risk Management** |
| 9.1 Group Insurance Contracts/Policies and Administrative Agreements |  |  |  |
| **10. EQUIPMENT LEASE AGREEMENTS**  |
| ***TAMUS as Lessor*** |
| 10.1 Equipment Lease with Purchase Option*Non-employee (former faculty, research sponsor, etc.) rental for a specific period with fixed purchase option of TAMUS-owned equipment.* |  |  |  |
| 10.2 Equipment Lease for *TAMUS -*Related Activities*Non-employee (student, conference, etc.) rental for a specified period of TAMUS -owned vehicle or other equipment.* |  |  |  |
| 10.2.1 Rental Vehicles*(Non- TAMUS Lessee)* |  |  |  |
| 10.2.2 Equipment |  |  |  |
| ***TAMUS as Lessee*** |
| 10.3 Equipment Lease with Purchase Option*Rental of equipment for TAMUS use with fixed option to purchase within a specified period (five years or less).* |  |  |  |
| 10.4 Equipment Lease (Rental)*Rental of equipment for TAMUS use for a specified period (five years or less).* |  |  |  |
| **11. FEDERAL & STATE REGULATORY AGREEMENTS** |
| 11.1 Permits, Licenses, Declarations, Applications Filed with Regulatory Agencies |  |  |  |
| **12. FINANCIAL CONTRACTS – Treasury Services** |
| 12.1 System Depositories (SP 22.02) | *
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| 12.2 Investment Management (SP 22.02) |
| 12.2.1 Investment Consultants and Advisors (subject to provisions of Section 6 Consultant Agreements) | *
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| 12.2.2 Investment Management (SP 22.02) | *
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| 12.3 Debt Management (SP 23.02, RFS, HEF and PUF) |
| 12.3.1 Financial Advisors (subject to provisions of Section 6 Consultant Agreements) | *
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| 12.3.2 Bond Counsel (See Section 18.2 Legal) | *
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| 12.4 Other Banking Functions (Custodial agreements, securities lending agreements) | *
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| **13. GRANT PARTICIPATION AGREEMENTS (FEDERAL/STATE/LOCAL/PRIVATE)** |
| 13.1 Grants (sponsored projects) (See Section 23.1) | *
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| 13.2 Student Financial Aid | *
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| 13.3 Funding Agreements (*Academic*) | *
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| 13.4 Funding Agreements(*Non-Academic*) | *
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| **14. INSURANCE-PARTIAL RISK TRANSFER CONTRACTS – Risk Management and Safety**(Retention of Predetermined Limited Risk with Contractual Transfer of Excess Risk Exposure |
| 14.1 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. | *
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| 14.2 Directors and Officers Liability Contract (Covers BOR, System Administrators, Faculty and Staff) | *
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| 14.3 Healthcare Purchasers Professional Liability Contract (Professional /Fiduciary coverage for System Self-Insured Group Benefit Programs) | *
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| 14.4 Various Insurance – Partial Risk Transfer Contracts (Funding from Member/User) NOTE: ***The Office of Risk Management and Safety is responsible for all System-based Partial Risk Transfer Contracts. Risk Management must be contacted before any insurance is purchased.*** | *
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| 14.5 Workers’ Compensation Insurance Claims processing or settlement | *
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| 14.6 Administrative Contracts | *
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| **15. INTELLECTUAL PROPERTY (SP 17.01)** **Texas A&M Technology Commercialization (TTC)** |
| 15.1 Technology Transfer |
|  15.1.1 Patent License Agreement  (*Technology Transfer*) | *
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 |
|  15.1.2 Non-Patent License Agreement (*Technology Transfer*) | *
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|  15.1.3 Trademark License | *
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|  15.1.4 Invention/Software Copyright Disclosure | *
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|  15.1.5 Software License | See Section 21.3 herein. | See Section 21.3 herein. | See Section 21.3 herein. |
|  15.1.6 Material Transfer (*Commercial*) | *
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|  15.1.7 Material Transfer (*Non- Commercial*) | *
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| 15.2 Intellectual Property Application and Prosecution | *
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| 15.3 Collegiate Licensing | *
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| 15.4 Nondisclosure/Confidentiality Agreements*Committing TAMUS or individuals other than the individual signing. (Nondisclosure/Confidentiality Agreements that SOLELY bind the individual signing are exempt.)* | *
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| 15.5 Texas Inter-Agency Agreements *Commitment for the use/acquisition (provision) from (to) another state agency or institution* | *
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| 15.6 Business Services Agreements (with outside entities) | *
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| 15.7 Affiliation Agreements with Foreign Governmental Bodies and Private Companies and Foundations | *
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| 15.8 Federal/State Program Participation Agreements | *
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| 15.9 Federal/State Regulatory Agreements (permits, licenses, declarations, applications filed with regulatory agencies) | *
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| 15.10 Intra-System Agreements Commitments for the use/acquisition (provision) from (to) other System Members | *
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| 15.11 Memorandum of Agreement Non-academic (letter style) agreements which document programmatic commitments between TTC and Non-System entities | *
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| **16. INTER-AGENCY and INTER-LOCAL AGREEMENTS** |
| 16.1 Inter-Agency Agreements*Commitment for the use/acquisition (provision) of resources from (to) another STATE AGENCY governed by Texas Government Code Chapter 771* | *
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| 16.2 Inter-Local Agreements*Commitment for the use/acquisition (provision) of resources from (to) a LOCAL GOVERNMENT governed by Texas Government Code Chapter 791* | *
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| **17. INTRA-SYSTEM AGREEMENT**  |
| 17.1 Intra-System Agreement*Commitment for the use/acquisition (provision) of resources from (to) other SYSTEM members.* | *
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| **18. LEGAL** (SP 09.04, SR 09.04.01) |
| 18.1 Litigation (*See 18.1.1 below*) *All settlements shall have concurrence of the TAMUS CEO and General Counsel and where required, the approval of the State Attorney General*.  |
| 18.1.1 Approval to Settle:**$100,000 or less General Counsel****$100,000 to $300,000 Chancellor** **More than $300,000 BOR** | *
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| 18.2 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.* | *
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| **19. MEMORANDA OF AGREEMENT/UNDERSTANDING - ACADEMIC** |
| 19.1 General Memorandum of Agreement or Understanding (Letter Agreement)*Documents programmatic commitments between TAMUS and non-TAMUS entities; contracts to perform educational and service activities consistent with the TAMUS mission.* | *
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| 19.2 Cooperative Agreements*Student co-op affiliation agreements with sponsoring entities.* | *
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| 19.3 International Affairs*Documents mutual obligations for international joint programs*. | *
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| 19.4 International Study Abroad Program | *
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| 19.5 Training Affiliation (*internships*)*Documents mutual obligations to establish training [internship opportunities] for TAMUS’ students*. | *
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| 19.6 Work Study Program Agreements | *
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| **20. MEMORANDA OF AGREEMENT/UNDERSTANDING – NON-ACADEMIC** |
| 20.1 General Memorandum of Agreement or Understanding (Letter Agreement)*Documents commitments between TAMUS and non-TAMUS entities that are non-academic in nature.* | *
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| **21. PURCHASE AGREEMENTS** (*TAMUS acquiring goods and non-professional services*) |
| 21.1 *TAMUS* Purchase Orders*Purchase of goods from outside vendor using standard form promulgated by TAMUS which are processed through the appropriate bid process in accordance with TAMUS policies and State requirements.* | *
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| 21.2 Vendor Purchase Orders*Purchase of goods or services from outside vendor using vendor supplied document or negotiated agreement.* | *
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| 21.3 Software License Agreements*Contract for site use of computer software using vendor supplied document or agreement.* |
| 21.3.1 Department*Contract limiting application to specific Department.* | *
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| 21.3.2 System Offices*Contract providing System Office computing application.* | *
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| 21.4 Memberships *Purchase of Organizational Affiliations for individuals, groups, or the institution.* | *
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| 21.4.1 Professional/Service Associations*Purchase by TAMUS on behalf of an individual, group or the institution of a membership in a professional or service organization.* | *
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| 21.4.2 Social/Individual*Purchase by TAMUS on behalf of an individual of a membership in a social organization.* | *
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| 21.5 Library Acquisitions *Books, subscriptions, reference materials, memberships purchased for the express purpose of obtaining publications. Database services and lease agreements for electronic library materials.* | *
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| 21.6 Library Subcontracts *TAMUS library subcontracts to provide off-campus library services.* | *
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| 21.7 Commercial Licenses (*Chick-Fil-A, etc.)* | *
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| 21.8 Maintenance Agreements acquired with equipment purchase or as stand-alone purchase | *
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| 21.9 Partial Sale, Partial Gift Purchases (See SP 21.05, *§*3) | *
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| 21.10 Financing Service Agreements related to the acquisition of good or services. | *
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| **22. REAL PROPERTY TRANSACTIONS** (SP 41.01, SR 41.01.01)[[1]](#footnote-1) \* Monetary Categories Above Do Not Apply to this Section |
| 22.1 Purchase of Real Property*Per SP 41.01, §2 and SR 41.01.01, §3:* * + *SREO oversees all acquisitions of real property.*
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| 22.2 Condemnation of Real Property *Per SP 41.01, §2 and SR 41.01.01, §3:* * + *SREO oversees all acquisitions of real property.*
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| 22.3 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.*
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| 22.4 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.*
	+ *All dispositions or exchanges of real property must be approved by the BOR.*
	+ *Member CEOs may recommend disposal or exchange of System real property.*
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| 22.5 Lease of Real Property |
| 22.5.1 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*
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| 22.5.2 FROM 3rd Parties*Lease of facilities (office, laboratory, classroom, storage, residence, etc.) and/or land from a 3rd party for TAMUS use for a specified period.* *Per SR 41.01.01, §6:* * + *SREO shall review all such leases except residential property and storage space leases that do not exceed 2 years or $50,000.*
	+ *Member CEOs may execute residential property and storage space leases that do not exceed 2 years or $50,000 and all other leases that do not exceed 5 years or $500,000.*
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| 22.5.3 Student Retreat Facility*Lease of facilities (camp grounds, recreational facility, residence, etc.) and/or land for TAMUS use for a specific student retreat.* | *
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| 22.6 Easements (SP *41.01, §6)* |
| 22.6.1 System as Grantor (easement across System property) (10 year limit) | *
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| 22.6.2 System as Grantee (easement across 3rd party’s property)(**Requires BOR approval if over $300,000**) | *
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| 22.6.3 Conditional Roadway Easements (indefinite term)(**Requires BOR approval**) | *
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| 22.7 Housing Agreements |
|  22.7.1 International Housing *University owned or leased housing provided for visiting international faculty.* | *
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|  22.7.2 Residence Hall *On-campus student housing.* | *
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|  22.7.3 Student Apartments *Off-campus University-housing provided for students.* | *
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|  22.7.4 Mail Box *Rental of residence hall mail boxes.* | *
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| 22.8 Other Grants of Rights in Real Property |
| 22.8.1 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 | *
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| 22.8.2 Permits and Licenses of System Land, including Water Use and Antiquities Permits | *
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| 22.8.3 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 | *
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| 22.8.4 Oil, Gas and Mineral Rights Leasing (Requires BOR approval if less than 25% royalty, more than 3-year primary term, or no drilling requirement within primary term)See SP 41.01, *§*5 | *
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| 22.8.5 Other Oil, Gas and Mineral Rights documents (i.e. Division Orders, Pooling Agreements, Ratification Agreements, Assignment Consents, Affidavits and related documents) | *
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|  22.8.6 Other Real Property Documents  (i.e. Surface Use Agreements,  Subordination, Non-disturbance  & Attornment Agreements,  Assignments, Estoppels,  Consents, Ratifications, Releases, Memorandums, Affidavits, etc.) | *
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| 22.9 Service Contracts for Real Property  Transactions (surveyors, appraisers,  property inspectors, title company  contracts, etc.) (See Section 25.6) | *
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| **23. RESEARCH AGREEMENTS** |
| 23.1 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, and cooperative agreements* | *
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| 23.2 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). | *
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| 23.3 Proposal Submissions | *
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| 23.4 Teaming Agreements | *
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| 23.5 Non-disclosure Agreements | *
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| 23.6 Material Transfer Agreements | *
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| 23.7 Testing/Analytical Agreements | *
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| 23.8 Misc. Research Agreements. *Includes Vessel Time Charter Agreements and Video Production Agreements.* | *
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| **24. SALES AGREEMENTS** (*TAMUS providing goods or services*) |
| 24.1 Consultant/Professional Service Agreements*TAMUS acting as consultant or performing professional service (including testing services).* | *
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|  24.1.1 Analysis Testing | *
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| 24.2 Property Transfer Agreements (inventoried and non-inventoried items) |
|  24.2.1 Transfer or surplus property  | *
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|  24.2.2 Transfer within the System | *
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|  24.2.3 Transfer to another state agency | *
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|  24.2.4 Transfer to an independent third party | *
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| **25. SERVICES AGREEMENTS** (*TAMUS acquiring services*) |
| 25.1 Educational Testing Services | *
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| 25.2 Entertainment Events*Artistic entertainment performance agreements.* | *
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| 25.3 Lecture/Seminar Speaker Agreements *Use of non-faculty/staff to lecture or speak in support of institutional programs.* | *
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| 25.4 Maintenance Agreements |
| 25.4.1 Purchase with Equipment Purchase*Purchase of maintenance services from equipment vendor as an integral part of equipment purchase.* | *
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| 25.4.2 Stand Alone Purchase*Purchase of maintenance services independent from equipment purchase or vendor.* | *
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| 25.5 Non-academic Instruction  *Recreational Sports* | *
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| 25.6 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 18 herein.* | *
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| 25.7 Statutory Consulting Services *Acquisition of consulting services as defined by Texas Government Code §2254.021.* *Agreements for outside counsel must comply with Section 18 herein.* | *
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| 25.8 Student Medical Services | *
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| 25.9 Unclassified Services *Purchase of services not specified elsewhere.* | *
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| **26.**  **SPECIAL EVENTS** |
| 26.1 Conference/Short-Course | *
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| 26.2 Exhibition Loan Agreements*Documents commitments to display, secure, admit public, etc. to view works of art of material of public interest.* | *
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| **27. UNCLASSIFIED AGREEMENTS***Contracts and agreements not specifically classified above.* |  |  |  |
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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-1)