**Processing, Approving, and Executing UPPS No. 03.04.04**

**Contracts, Purchases, and Agreements Issue No. 6**

**Effective Date: 03/25/2019**

**Next Review Date: 06/01/2025 (E6Y)**

**Sr. Reviewer: Director, Procurement and Strategic Sourcing**

**01. POLICY STATEMENTS**

01.01 This policy outlines the procedure for obtaining approvals of contracts where Texas State University is purchasing, obtaining, or providing goods or services and ensures the timely preparation and execution of contracts or agreements between Texas State and a private or public entity. Except as noted in this policy, a written contract or agreement shall be executed between the contracting parties prior to the performance of services.

01.02 An authorized Texas State representative may enter into certain contracts, purchases, or agreements on behalf of Texas State (see [UPPS No. 03.04.02](https://policies.txstate.edu/university-policies/03-04-02.html), Contracting Authority).

01.03 Texas State is not bound by a contract, purchase, or agreement signed by an unauthorized person on behalf of the university, which may hold the person who signed without proper authorization personally liable for any damages resulting from its repudiation.

01.04 This policy does not apply to contracts, purchases, or agreements:

1. involving the planning, design, renovation, or construction of buildings and other physical facilities (see [The Texas State University System (TSUS) Rules and Regulations, Chapter III, Section 1, Paragraphs 1.5 through 1.8](https://www.tsus.edu/about-tsus/policies.html));
2. with private or governmental agencies, entities, or foundations expending funds for grants in which the donor or agency stipulates the proposed purpose of the expended funds (see [UPPS No. 02.02.01](https://policies.txstate.edu/university-policies/02-02-01.html), Applying for Sponsored Programs); and
3. for lease of real property by Texas State (see [UPPS No. 08.04.01](https://policies.txstate.edu/university-policies/08-04-01.html), Real Property Acquisitions).

01.05 The university will use the same process to approve amendments to contracts, purchases, or agreements as used with the original, unless the proposed change, when aggregated in to the total value, requires a different level or type of approval, or unless excepted per [TSUS Rules and Regulations, Chapter III, Section 10, Contracts, Purchases, and Agreements, Subsection 10.21](https://www.tsus.edu/about-tsus/policies.html).

**02. PROCEDURES FOR REQUESTING AND PROCESSING CONTRACTS**

02.01 All contract and agreement requests shall be submitted via the contract request portal in TSUS Marketplace Total Contract Manager Module. Please refer to the [TCM Contract Request Guide](https://www.txst.edu/procurement/contracts/tcm_contract_how_to-s.html) located on the Procurement and Strategic Sourcing contracts website.

02.02 When required, the Procurement and Strategic Sourcing office shall coordinate obtaining proper legal counsel review and approvals or signatures on contracts, purchases, or agreements as outlined in the [TSUS Contract Management Handbook](https://www.tsus.edu/offices/finance/procurement.html).

**03. PROCEDURE FOR SUBMITTING CONTRACTS THAT REQUIRE TSUS BOARD OF REGENTS OR CHANCELLOR’S APPROVAL**

03.01 The Procurement and Strategic Sourcing office will follow the processes outlined in the [TSUS Contract Management Handbook](https://www.tsus.edu/offices/finance/procurement.html) when submitting items for TSUS chancellor’s approval.

 **04. REVIEWER OF THIS UPPS**

04.01 Reviewer of this UPPS includes the following:

Position Date

Director, Procurement and Strategic June 1 E6Y

Sourcing

**05. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedure from the date of this document until superseded.

Director, Procurement and Strategic Sourcing; senior reviewer of this UPPS

Associate Vice President for Financial Services

Vice President for Finance and Support Services

President