

#### **B.5.4 (Policy) Contractual Authority**

Responsible Department: Office of the Chancellor, Legal Services

Board Adoption: 8-18-09

Last Board Action: 2-23-10

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Contracts and renewals or extensions of contracts valued at more than \$50,000 must be approved by the Board unless the contract itself is part of an approved cooperative purchases program. Once approved by the Board, the Chancellor or designee may sign the contract.

The Board delegates to the Chancellor or designee the contracting authority within the following policy guidelines:

1. Contracts up to \$50,000. The Chancellor or designee may contract for any lawful purpose of the College District, provided the obligation thereby incurred does not exceed \$50,000 in cash or in-kind equivalent.
2. Construction change orders. Subject to the requirements of Policy [C.2.3](#), the Chancellor or designee may approve a construction change order involving an expenditure of less than \$50,000.
3. Temporary use of facilities. The Chancellor or designee is authorized to issue procedures for the temporary use of facilities owned by a second party and for temporary use of College District-owned facilities by a second party.
4. Application for funding. The Chancellor or designee is authorized to make application on behalf of the College District to private or governmental agencies for extramural funding. Prior approval of the Board shall be required for any application in support of new facilities construction.
5. Membership in organizations and associations. The Chancellor or designee is authorized to issue procedures and guidelines for college and College District memberships in organizations and associations.
6. Emergencies. The Chancellor or designee is authorized to sign and implement contracts and agreements on an urgent basis. All emergency actions thus taken outside these guidelines shall be presented to the Board for ratification at the earliest possible time.
7. Contracts and agreements not involving College District funds. The Chancellor or designee is authorized to approve contracts and agreements pertaining to instructional programs and services when such contracts and agreements involve no exchange of monies and/or when they provide for payment to the College District for services rendered to an agency or organization.

Complete records of contracts and agreements for which College District funds are expended shall be maintained in the appropriate College District offices, as determined by the Chancellor or designee.

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#### **Legal Settlements**

The Board delegates to the Chancellor, in consultation with the College District's attorney, the authority to execute settlements of legal cases not to exceed \$15,000.

#### **Authorization to Negotiate for Property Within a College's Master Plan**

The Board authorizes the Chancellor or designee to negotiate for property within the master plan areas of the College District's colleges. All recommended acquisitions will be reviewed by the building committee of the Board. Before presentation to the Board, a complete and detailed summary shall be given to the Board prior to the Board meeting. Property appraisals shall be obtained by rotating services among qualified appraisers.

*Legal Reference - TACC Policy Reference Manual*

BBE(LEGAL) - Board Members: Authority

BAA(LEGAL) - Board Legal Status: Powers, Duties, Responsibilities