

Business Contract Processing

Updated: 8/14/2020

Purpose

To provide direction to departments that desire to have the University enter into a business contract on behalf of their department.

Policy

In accordance with Regents' [Rules and Regulations](#) (Rule 10501 and 80402) and The University of Texas at El Paso Handbook of Operating Procedures, Chapter 3.1.3.2 f [the Vice President for Business Affairs (VPBA) is responsible for] "review, approval and administration of business contracts."

Procedures

Step One: Prior to entering discussions with a potential contractor regarding a business contract, contact the Office of the VPBA for guidance or assistance with negotiating the terms of the contract and information about specific terms that must be negotiated on behalf of the University.

Step Two: Ensure that all of the terms in the written contract are exactly what the department negotiated. The Office of the VPBA can help with this if needed. The office also can help draft contracts or provide templates of contracts.

Step Three: Submit a signed [Contract Review Request Form](#) along with three originals of the contract/agreement to the VPBA for review and approval.

Step Four:

- a) If the contract is approved as to form and content, the VPBA will sign all three original contracts and the department will be contacted to pick them up.
- b) If the contract is not approved as to form and content, the department will be contacted by the Office of the VPBA to discuss the changes needed.

Step Five:

- a) If the contract was signed in Step Three, send the originals to the contracting party for signature and request that they return two fully signed contracts to the department; or return a fully executed copy of the contract to the Contractor if they signed the contract first.
- b) If the contract was not approved in Step Three, make the appropriate revisions to the contract and reroute with a new [Contract Review Request Form](#).

Step Six: Upon receipt of the fully executed contracts, provide one original to the Office of the VPBA and keep one original in your department.

Step Seven: Monitor the services provided by the contract to ensure that the contractor complies with the terms and performance requirements of the agreement. If the contractor is not meeting the terms or performance requirements of the contract, discuss any non-compliance issues with the contractor. For assistance with the contract, contact the Office of the VPBA.

For more information, visit the VPBA website: [Business Contracts](#).

Applicability

This procedure applies to all University departments.

Definitions

Fully Executed Contract - A contract is fully executed when all parties have signed the contract.

Business Contracts:

- Facility Use Agreements
- Lease and Rental Agreements
- Special Events or Concert Agreements
- Interagency Cooperation Agreements
- Liability Releases and Indemnification Agreements
- Third Party Agreements for Tuition and Fees
- Athletics Coaching Agreements
- Medical Agreements
- Other Business Contracts not specifically listed

Other Contracts not processed by the VPBA:

Purchasing Contracts

- Construction Contracts
- Equipment Leases
- Logo and Trademark Agreements
- Consulting Agreements
- Maintenance Agreements
- Professional Services Agreements
- Search Firm Agreements
- Personnel Agency Agreements (Temp Services)
- All Other Purchasing Agreements

Research and Sponsored Projects Contract

- Primarily Research Contracts
- Foreign Institute Agreements

Responsible Party

Office of the Vice President for Business Affairs