

Contract Administration – Contract Liaison

Contract Liaison Procedures

Original Date: April 25, 2014 Revision Date:

July 1, 2017; September 1, 2019

Applies to:

All UNTHSC Departments

Purpose:

This document outlines key procedures for Contract Liaisons to follow in collaborating with the Office of Contract Administration (OCA) in contract managing at the department level and in assisting with contract processing, routing, and administration for each contract initiated by the department. Effective practices will help ensure that the requirements of each of the department's contracts are satisfactorily performed; the responsibilities of both parties are properly discharged; and UNTHSC's financial, academic, and clinical interests are protected.

Form(s):

- Contract Document - either provided by External Party or provided by the Office of General Counsel as an Approved Form.

Definition(s):

- Contract. "Contract" means any written agreement that creates a binding obligation, financial or otherwise, for the University. Contracts include but are not limited to affiliation agreements, cooperative agreements, grants, intellectual property agreements, inter- or intra- agency contracts, internship agreements, leases, letter agreements, letters of intent, licenses, master service agreements (MSA) memoranda of agreement (MOA), memoranda of understanding (MOU), nondisclosure agreements, professional services agreements (PSA), and purchase orders (PO).
- Deliverable. "Deliverable" means a unit or increment of work required by the contract, including such items as goods, services, reports, or documents.
- External Party. "External Party" means the external contracting organization and includes but is not limited to federal, state and local agencies; nonprofit organizations; private businesses; partnerships; business units; and individuals. Used interchangeably with the term "second party", "contracting organization", "contractor", and "vendor".

Process:

- The Office of Contract Administration will oversee the management and administration of all UNTHSC contracts except research contracts as detailed in the Research and Office of Sponsored Programs Chapters of the Health Science Center Policies.
- The specific nature and extent of the contract administration by the department will vary from contract to contract. It should be consistent with the complexity and level of risk of the contract, the term of the contract, and the dollar value, if applicable. Contract managing should start by developing a complete description of each party's duties and obligations, how these will be performed, and when they will be performed. The next step should be preparing a contract administration plan that cost effectively monitors and measures the performance of all parties.
- The Contract Liaison is responsible for ensuring that the procedures detailed in the Contract Administration Policy and those listed below are followed:
 - Working closely with the Office of Contract Administration through each stage of contract administration as necessary.
 - Developing the initial contract including a clear scope of work and completing requested information such as office/individual in Notice clause, effective dates, shipping/invoicing information, etc.
 - Addressing possible fiscal obligations and ensuring that the department has the necessary funding for expense contracts.
 - Reviewing each contract and ensuring that UNTHSC can perform the obligations set forth in the contract.
 - Coordinating negotiation of the business terms of the contract with the contracting organization, if necessary.
 - Ensuring that the correct version of Approved Forms is used and that the wording has not been altered from that approved by the Office of General Counsel. If the wording has been altered, the Office of Contract Administration must be notified.
 - Obtaining necessary department approvals prior to submitting the contract.
 - Ensuring that the contract is not signed by the department.
 - Preparing and submitting the contract to the Office of Contract Administration for review, routing and signatures as required based on the contract type.*
 - Ensuring all appropriate documentation including but not limited to Statements of Work (SOW's), exhibits, attachments, and already acquired approvals (IT, OGC, BSC, Fair Market Value (FMV) analysis, etc.) is submitted with the contract.
 - *If contract is related to a purchase, ensuring that the contract is submitted to the University of North Texas System Business Support Services (BSS) electronically with an ePro requisition for review and processing.
 - Ensuring the requisition adequately covers the financial obligations specified in expense contracts.
 - Working with the University of North Texas System Business Support Services (BSS) to ensure procurement guidelines have been met for all contracts related to a purchase.

- Working with the Office of General Counsel to resolve legal issues.
 - Forwarding executed copies of contract to OCA when department has obtained the vendor signature.
 - Maintaining appropriate department records of contracts and agreements.
 - Serving as the point of contact for disseminating the instructions regarding the work to the contracting organization.
 - Ensuring compliance with terms of the contract by UNTHSC and the contracting organization.
 - Documenting vendor performance in writing including whether it is unsatisfactory, satisfactory, or exceptional. Significant events such as the contracting organization failing to meet the schedule for deliverables or providing outstanding service for an event should also be documented.
 - Reporting non-compliance to the Office of Contract Administration and to the BSS, if a procurement contract.
 - Verifying accuracy of invoices and authorizing payments consistent with the contract terms.
 - Monitoring contracts and initiating amendments, renewals and terminations in timely manner.
 - Clearly identifying the original contract when submitting amendments, renewals, extensions, and change orders.
 - Tracking the total cost or monetary value of each contract including all potential contract extensions or renewals whether automatic or by the execution of additional amendments.
 - Ensuring that each contract, unless one of the exceptions listed in Regents Rule 03.903, with a total cost or monetary value of \$1,000,000 or more is submitted for Board of Regents approval in a timely manner. This includes working with the appropriate Cabinet member to complete the current process for Board of Regents submissions.
 - If required, working with the appropriate department Cabinet member to complete the current process for Board of Regents submissions if subsequent amendments, extensions, renewals or cumulative amendments increase the total cost or monetary value of the contract to \$1,000,000 or more. See the exceptions listed in Regents Rule 03.903.
 - Notifying OCA when Board of Regents approval is granted and forwarding copy of the Board Briefing and Board Order to OCA.
 - Assisting with contract closeouts.
- Contract Liaisons are **not** authorized to take the following actions:
 - Instructing the contracting organization to perform any duties under the contract before the contract is fully executed.
 - Changing the contract scope without doing so through the formal amendment process.
 - Directing the contractor to perform work not specified in the contract.
 - Extending contract term without execution of an approved amendment.
 - Allowing the contracting organization to incur additional costs over the limit specified in the contract.

Exceptions to Procedure:

- None

Training:

- The Office of Contract Administration provides online and one-on-one training for Contract Liaisons. Requests for training should be emailed to the Office of Contract Administration at contractadmin@unthsc.edu.

Additional Information:

- For assistance, contact the Office of Contract Administration x 2945 or email contractadmin@unthsc.edu.
- For questions about purchasing, contact the UNT System Business Support Services at 1-855-868-4357, 940-369-5500 or <http://bsc.untsystem.edu/>
- For assistance with research contracts, contact the Office of Sponsored Programs at 817-735-5073 or <https://www.unthsc.edu/sponsored-programs/>; or contact the Office of Research Development and Commercialization at 817-735-5127 or <https://www.unthsc.edu/research/research-development-and-commercialization/>.
- For questions related to legal issues, contact the UNT System Office of General Counsel at 1-940-565-2717 or <http://untsystem.edu/generalcounsel/index.htm>
- For additional information regarding UNT System contract requirements, see the UNT System Office of General Counsel [Contract Management Handbook](#).
- For additional information regarding the Board of Regents contract requirements, see [Regents Rule 03.900 Delegation of Authority for Contracts and Agreements](#).