**TEXAS DIVISION OF EMERGENCY MANAGEMENT**

**THE TEXAS A&M UNIVERSITY SYSTEM**

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

**Fiscal Year 2022**

**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, the Deputy Chief for Recovery and Mitigation 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:**

|  |  |  |  |
| --- | --- | --- | --- |
| BOR | Board of Regents | SOBA | System Office of Budgets & Accounting |
| Chief | Chief Executive Officer | SR | System Regulation |
| CFO | Chief Financial Officer | SREO | System Real Estate Office, a function of OGC |
| COO | Chief Operating Officer | SP | System Policy |
| Dir. Proc. | Director of Procurement, TEES | System | The Texas A&M University System |
| IT | Information Technology | TTC | AVC, Texas A&M System Technology Commercialization |
| OGC | Office of General Counsel |  |  |
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**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 a materially unaltered contract form or template approved by OGC within the preceding three years, or as otherwise approved pursuant to *TAMUS Contract Review Guidelines and Checklist, Section D, OGC Contract Review and Approval Procedures and Guidelines*;
	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 comply 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. Government Code 2261.253 requires state agencies to post contracts for the purchase of goods or services from a private vendor that are valued at $15,000 or greater if using institutional funds and all contracts using appropriated funds. Please forward copies of all agreements to System Contract Management to ensure proper reporting is completed.
6. 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 | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * CFO
* COO
* Deputy Chief
* Chief
 |
| 1.2 RELLIS Advertising Agreements | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **2. AFFILIATION AGREEMENTS/AFFILIATION SERVICE AGREEMENTS** |
| 2.1 Agreement with Foreign Governmental Bodies and Federal, State, or Local Governmental Entities | * N/A
 | * N/A
 | * N/A
 |
| 2.2 Private Companies & Foundations | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **3. ARTICULATION AGREEMENTS** |
| 3.1 Agreements with other institutions of higher education regarding transfer of courses | * N/A
 | * N/A
 | * N/A
 |
| **4. ATHLETIC AGREEMENTS** |
| 4.1 Athletic Events *Scheduled NCAA sanctioned sporting events.* | * N/A
 | * N/A
 | * N/A
 |
| 4.1.1 Athletic Game Guarantees | * N/A
 | * N/A
 | * N/A
 |
| 4.2 Athletic Event Sponsorship | * N/A
 | * N/A
 | * N/A
 |
| 4.3 Transportation Purchase Order Contracts | * N/A
 | * N/A
 | * N/A
 |
| 4.4 Hotel Purchase Order Contracts | * N/A
 | * N/A
 | * N/A
 |
| 4.5 Athletic Facility Rental Agreements *Limited use of System property by outside entities.*  | See Section 23.8.1 herein. | See Section 23.8.1 herein. | See Section 23.8.1 herein. |
| 4.6 Recreational Sports Event Sponsorship | * N/A
 | * N/A
 | * N/A
 |
| **5. COLLECTION AGENCY AGREEMENTS** |
| 5.1 Collection of Accounts (*See 5.1.1 below*). *All collection agency contracts, extensions and renewals are subject to and conditioned upon express written approval of the State Attorney General.*  |
| 5.1.1 Collection Agency Agreements *General Counsel acts as liaison to the Attorney General and shall retain executed copies (not originals) and approve all collection agency contracts for the System and its members.* | * N/A
 | * N/A
 |
| **6. CONSTRUCTION CONTRACTS** (SP 51.02, 51.04, SR 51.04.01) \* Monetary Categories Above Do Not Apply to this Section. |
| 6.1 Minor Projects (Less than $4,000,000) | * Division Chief
* COO/CFO/Deputy Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 6.2 Major Projects ($4,000,000 or more, but less than $10,000,000) | * Division Chief
* COO/CFO/Deputy Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 6.3 Architect/Engineer *Employment of Architect/Engineer for Consultant/Engineering Professional Services.* | * Division Chief
* COO/CFO/Deputy Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **7. CONSULTING AGREEMENTS**  |
| 7.1 Statutory Consulting Agreements*Acquisition of consulting services as defined by Texas Government Code § 2254.021.*  | See Section 27.7 herein. | See Section 27.7 herein. | See Section 27.7 herein. |
| 7.2 Statutory Consulting Agreements  *Providing consulting services to 3rd parties* | See Section 26.1 herein. | See Section 26.1 herein. | See Section 26.1 herein. |
| **8. DONOR AGREEMENTS** (SP 21.05, SR 21.05.01) |
| 8.1 Personal Property with Restrictions (*including indemnification*) on Acceptance (*including cash or cash equivalents*) See SP 21.05. | * N/A
 | * Dir. Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 8.2 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 23.3 herein. | See Section 23.3 herein. | See Section 23.3 herein. |
| 8.3 Intellectual Property Gifts | See Section 16.13 herein | See Section 16.3 herein. | See Section 16.3 herein. |
| **9. EMPLOYMENT APPOINTMENTS** |
| 9.1 Faculty Offer Letters (*Conditional letters of appointment to faculty*) |
| 9.1.1 Approval of Appointment Offers – Tenure with Appointment (*Rank of Professor, Associate Professor*) | * N/A
 | * N/A
 | * N/A
 |
| 9.1.2 Approval of Appointment Offers – Tenure-Track Faculty Appointments (*Rank of Associate Professor, Assistant Professor, Instructor*) | * N/A
 | * N/A
 | * N/A
 |
| 9.1.3 Approval of Appointment Offers – Non-Tenure Track Appointments (*e.g. Visiting Faculty Titles & Lecturer Titles*) | * N/A
 | * N/A
 | * N/A
 |
| 9.1.4 Approval of Appointment Offers – Appointment and accompanying salary changes as *Dean, Interim Dean, Acting Dean* | * N/A
 | * N/A
 | * N/A
 |
| 9.1.5 Approval of Appointment Offers – Appointment and accompanying salary changes as *Academic Department Head, Interim Head, Acting Head* | * N/A
 | * N/A
 | * N/A
 |
| 9.1.6 Approval of Appointment Offers – Appointment and accompanying salary changes for faculty members appointed as *Director of an Academic Administrative Services Center or Institute* | * N/A
 | * N/A
 | * N/A
 |
| 9.1.7 Approval of Appointment Offers – Appointment and accompanying salary changes as *Associate or Assistant Dean* | * N/A
 | * N/A
 | * N/A
 |
| 9.1.8 Approval of Appointment Offers – Appointment and accompanying salary changes as *Associate or Assistant Department Head, Departmental Division Head* | * N/A
 | * N/A
 | * N/A
 |
| 9.1.9 Approval of Appointment Offers – Faculty Appointments in Excess of Budgeted 100% Assignment | * N/A
 | * N/A
 | * N/A
 |
| 9.1.10 Continuing and Extension Education  | * N/A
 | * N/A
 | * N/A
 |
| 9.1.11 Other Instructional Agreements – Temporary Hires (*part-time faculty, adjunct faculty*) | * N/A
 | * N/A
 | * N/A
 |
| 9.1.12 Off-Campus Instruction | * N/A
 | * N/A
 | * N/A
 |
| 9.1.13 Graduate Assistants (*initial employment agreement for graduate student assistants*) | * N/A
 | * N/A
 | * N/A
 |
| 9.2 Non-Faculty Employment Appointments |
| 9.2.1 Approval of Appointment Offers *– Non-Classified Administrative Staff* | * Human Resources
* Division Chief
* COO/CFO/Deputy Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief

Chief  |
| 9.2.2 Approval of Appointment Offers – *Classified Support Staff* | * Human Resources
* Division Chief
* COO/CFO/Deputy Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 9.2.3 Approval of Appointment Offers – *Staff in Excess of Budgeted 100% Assignment* | * Human Resources
* Division Chief
* COO/CFO/Deputy Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **10. EMPLOYEE BENEFITS CONTRACTS – Benefits Administration** |
| 10.1 Group Insurance Contracts/Policies and Administrative Agreements | * N/A
 | * N/A
 | * N/A
 |
| **11. EQUIPMENT LEASE AGREEMENTS**  |
| ***TAMUS as Lessor*** |
| 11.1 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.* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 11.2 Equipment Lease for *TAMUS -*Related Activities*Non-employee (student, conference, etc.) rental for a specified period of TAMUS -owned equipment.* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 11.2.1 Rental Vehicles*(Non- TAMUS Lessee)* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 11.2.2 Equipment | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| ***TAMUS as Lessee*** |
| 11.3 Equipment Lease with Purchase Option*Rental of equipment for TAMUS use with fixed option to purchase within a specified period (five years or less).* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 11.4 Equipment Lease (Rental)*Rental of equipment for TAMUS use for a specified period (five years or less).* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **12. FEDERAL & STATE REGULATORY AGREEMENTS** |
| 12.1 Permits, Licenses, Declarations, Applications Filed with Regulatory Agencies | * Division Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **13. FINANCIAL CONTRACTS – Treasury Services** |
| 13.1 System Depositories (SP 22.02) | * N/A
 | * N/A
 | * N/A
 |
| 13.2 Investment Management (SP 22.02) |
| 13.2.1 Investment Consultants and Advisors (subject to provisions of Section 27 Consultant Agreements) | * N/A
 | * N/A
 | * N/A
 |
| 13.2.2 Investment Management (SP 22.02) | * N/A
 | * N/A
 | * N/A
 |
| 13.3 Debt Management (SP 23.02, RFS, HEF and PUF) |
| 13.3.1 Financial Advisors (subject to provisions of Section 27 Consultant Agreements) | * N/A
 | * N/A
 | * N/A
 |
| 13.3.2 Bond Counsel (See Section 19.2 Legal) | * N/A
 | * N/A
 | * N/A
 |
| 13.4 Other Banking Functions (Custodial agreements, securities lending agreements) | * N/A
 | * N/A
 | * N/A
 |
| **14. GRANT PARTICIPATION AGREEMENTS (STATE/LOCAL/PRIVATE) (NON-RESEARCH RELATED)** |
| 14.1 Grants (for sponsored research project related grants see Section 24.1) | * COO
* CFO
* Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 14.2 Student Financial Aid | * N/A
 | * N/A
 | * N/A
 |
| 14.3 Funding Agreements (*Academic*) | * N/A
 | * N/A
 | * N/A
 |
| 14.4 Funding Agreements(*Non-Academic; Non-Sponsored Research*) | * COO
* CFO
* Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **15. INSURANCE-PARTIAL RISK TRANSFER CONTRACTS – Risk Management and Safety**(Retention of Predetermined Limited Risk with Contractual Transfer of Excess Risk Exposure |
| 15.1 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. | * N/A
 | * N/A
 | * N/A
 |
| 15.2 Directors and Officers Liability Contract (Covers BOR, System Administrators, Faculty and Staff) | * N/A
 | * N/A
 | * N/A
 |
| 15.3 Healthcare Purchasers Professional Liability Contract (Professional /Fiduciary coverage for System Self-Insured Group Benefit Programs) | * N/A
 | * N/A
 | * N/A
 |
| 15.4 Various Insurance – Partial Risk Transfer Contracts (Funding from Member/User) NOTE: ***The Office of Risk Management is responsible for all System-based Partial Risk Transfer Contracts. Risk Management must be contacted before any insurance is purchased.*** | * N/A
 | * N/A
 | * N/A
 |
| 15.5 Workers’ Compensation Insurance Claims processing or settlement | * N/A
 | * N/A
 | * N/A
 |
| 15.6 Administrative Contracts | * N/A
 | * N/A
 | * N/A
 |
| **16. INTELLECTUAL PROPERTY (SP 17.01)** **Texas A&M Technology Commercialization (TTC) –** out-bound licensing, sale, or transfer of Intellectual Property. |
| 16.1 Technology Transfer |
|  16.1.1 Patent License Agreement  (*Technology Transfer*) | * N/A
 | * N/A
 | * N/A
 |
|  16.1.2 Non-Patent License Agreement (*Technology Transfer*) (trade secrets; non-patentable inventions/know-how; Plant Variety Protection Act; copyrights; etc. | * N/A
 | * N/A
 | * N/A
 |
|  16.1.3.1 Trademark and Service Mark License (System controlled or owned) | * Inventor
* Division Chief
* COO/CFO/Deputy Chief
* OGC
 | * Chief (<$25,000)
 | * Chancellor
 |
|  16.1.3.2 Trademark and Service Mark License (Member owned and licensed via System IP license agreement) | * Inventor
* Division Chief
* COO/CFO/Deputy Chief
* OGC
 | * Chief (<$25,000)
 | * Chancellor
 |
|  16.1.4.1 Software License (In-Bound) | See Section 22.3 herein. | See Section 22.3 herein. | See Section 22.3 herein. |
|  16.1.4.2 Software License (Out-Bound) System Owned | * Inventor
* Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
|  16.1.4.3 Software License (Out-Bound) Member Owned | * Inventor
* Division Chief
* COO/CFO/Deputy Chief
* OGC
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
|  16.1.5 Option Agreement for future License of Intellectual Property | * N/A
 | * N/A
 | * N/A
 |
|  16.1.6 Inter-Institutional Agreement (*educational institutions*) | * N/A
 | * N/A
 | * N/A
 |
|  16.1.7.1 Assignment of Intellectual Property to Third Party (*IP does not exist at time of Sponsored Research Agreement*) | * N/A
 | * N/A
 | * N/A
 |
|  16.1.7.2 Assignment of Intellectual Property to Third Party (*Existing IP*) | * N/A
 | * N/A
 | * N/A
 |
|  16.1.8 Intellectual Property Release to Inventor/Author | * N/A
 | * N/A
 | * N/A
 |
|  16.1.9 Material Transfer Agreement covering System Intellectual Property (*Commercial*) | * N/A
 | * N/A
 | * N/A
 |
|  16.1.10 Material Transfer Agreement covering System Intellectual Property (*Non‑Commercial*) | * N/A
 | * N/A
 | * N/A
 |
| 16.2 Disclosure and Protection of Intellectual Property |
|  16.2.1 Invention/Software Copyright Disclosure | * N/A
 | * N/A
 | * N/A
 |
|  16.2.2.1 IP Creators Sharing Agreement (usually included in IP Disclosure) | * N/A
 | * N/A
 | * N/A
 |
|  16.2.2.2 IP Creators Multiple IP Relative Weight Agreement | * N/A
 | * N/A
 | * N/A
 |
|  16.2.3.1 Members Sharing Agreement | * N/A
 | * N/A
 | * N/A
 |
|  16.2.3.2 Members Multiple IP Relative Weight Agreement | * N/A
 | * N/A
 | * N/A
 |
|  16.2.4 Intellectual Property Application and Prosecution (patents; copyright registrations; trademark applications; plant variety protection act certificates) | * N/A
 | * N/A
 | * N/A
 |
|  16.2.5 Intellectual Property Application and Prosecution for Member Owned Copyrights and Trademarks (copyright registrations and trademark applications) | * N/A
 | * N/A
 | * N/A
 |
| 16.3 Collegiate Licensing | * N/A
 | * N/A
 | * N/A
 |
| 16.4 Nondisclosure/Confidentiality AgreementsRelating to Commercialization of System Intellectual Property*Committing TAMUS or individuals other than the individual signing. (Nondisclosure/Confidentiality Agreements that SOLELY bind the individual signing are exempt.)* | * Division Chief
* COO/CFO/Deputy Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 | * Chief
 |
| 16.5 (Deleted as Not Related to this Section 16, Intellectual Property) | * N/A
 | * N/A
 | * N/A
 |
| 16.6 (Deleted as Not Related to this Section 16, Intellectual Property) | * N/A
 | * N/A
 | * N/A
 |
| 16.7 (Deleted as Not Related to this Section 16, Intellectual Property) | * N/A
 | * N/A
 | * N/A
 |
| 16.8 Memorandum of Agreement Non-academic (letter style) agreements which document programmatic commitments between TTC and Non-System entities (*includes promotion of collaboration for: commercializing System IP; obtaining investors for companies licensing System IP; research investment by entities in a foreign country; and promoting history of System students and foreign country*) | * N/A
 | * N/A
 | * N/A
 |
| 16.9 Creation of System Business Entity to Commercialize System Intellectual Property | * N/A
 | * N/A
 | * N/A
 |
| 16.10 Intellectual Property Gifts |
|  16.10.1 IP Offer to System in Exchange for Royalty Sharing | * N/A
 | * N/A
 | * N/A
 |
|  16.10.2 IP Offer to Member in Exchange for Royalty Sharing | * N/A
 | * N/A
 | * N/A
 |
|  16.10.3 IP Offer to System of Charitable Gift | * N/A
 | * N/A
 | * N/A
 |
|  16.10.4 IP Offer to Member of Charitable Gift | * N/A
 | * N/A
 | * N/A
 |
| 16.11 Misc. Intellectual Property Agreements and agreements ancillary to intellectual property agreements  | * N/A
 | * N/A
 | * N/A
 |
| **17. INTER-AGENCY and INTER-LOCAL AGREEMENTS** |
| 17.1 Inter-Agency Agreements*Commitment for the use/acquisition (provision) of resources from (to) another STATE AGENCY governed by Texas Government Code Chapter 771* | * COO/CFO/Deputy Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 17.2 Inter-Local Agreements*Commitment for the use/acquisition (provision) of resources from (to) a LOCAL GOVERNMENT governed by Texas Government Code Chapter 791* | * COO/CFO/Deputy Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **18. INTRA-SYSTEM AGREEMENT**  |
| 18.1 Intra-System Agreement*Commitment for the use/acquisition (provision) of resources from (to) other System members.* | * COO/CFO/Deputy Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 18.2 RELLIS Intra-System Agreement*Commitment for the use/acquisition (provision) of resources from (to) other System members.* | * COO/CFO/Deputy Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **19. LEGAL** (SP 09.04, SR 09.04.01) |
| 19.1 Litigation (*See 19.1.1 below*) *All settlements shall have concurrence of the TAMUS Chief and General Counsel and where required, the approval of the State Attorney General*.  |
| 19.1.1 Approval to Settle:**$100,000 or less General Counsel****$100,000 to $300,000 Chancellor** **More than $300,000 BOR** | * <\_$100,000 = General Counsel
* >$100,000 $ <\_$300,000 Chancellor
* $>$300,000-Chancellor
 | * OGC
* Chancellor
* BOR
* Chief
 | * Chief
* BOR if >$500,000
 |
| 19.2 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.* | * OGC
* Chancellor
* Chief
 | * Chief
 | * Chief
 |
| **20. MEMORANDA OF AGREEMENT/UNDERSTANDING – ACADEMIC** |
| 20.1 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.* | * N/A
 | * N/A
 | * N/A
 |
| 20.2 Cooperative Agreements*Student co-op affiliation agreements with sponsoring entities.* | * N/A
 | * N/A
 | * N/A
 |
| 20.3 International Affairs*Documents mutual obligations for international joint programs*. | * N/A
 | * N/A
 | * N/A
 |
| 20.4 International Study Abroad Program | * N/A
 | * N/A
 | * N/A
 |
| 20.5 Training Affiliation (*internships*)*Documents mutual obligations to establish training [internship opportunities] for TAMUS’ students*. | * N/A
 | * N/A
 | * N/A
 |
| 20.6 Work Study Program Agreements | * N/A
 | * N/A
 | * N/A
 |
| **21. MEMORANDA OF AGREEMENT/UNDERSTANDING – NON-ACADEMIC** |
| 21.1 General Memorandum of Agreement or Understanding (Letter Agreement)*Documents commitments between TAMUS and non-TAMUS entities that are non-academic in nature.* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **22. PURCHASE AGREEMENTS** (*TAMUS acquiring goods and services not addressed in Section 27* ) |
| 22.1 *TDEM* Purchase Orders*Purchase of goods or services from outside vendor using standard forms promulgated by TAMUS, which are processed through the appropriate bid process in accordance with TAMUS policies and State requirements.* | * Division Chief
* Dir. Of Proc.
 | * Division Chief, Finance
* Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * Division Chief-Finance
* COO
* CFO
* Deputy Chief
* Chief
 |
| 22.2 Vendor Purchase Orders*Purchase of goods or services from outside vendor using vendor supplied document or negotiated agreement.* | * Division Chief
* Dir. Of Proc.
 | * Division Chief, Finance
* Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * Division Chief-Finance
* COO
* CFO
* Deputy Chief
* Chief
 |
| 22.3 Software License Agreements*Contract for use of computer software using vendor supplied document/agreement or System standard forms.* |
| 22.3.1 Department*Contract limiting application to specific Department.* | * Division Chief
* Dir. Of Proc.
 | * Dir. Of Proc.
* Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 | * Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 |
| 22.3.2 System Offices*Contract providing System Office or System-wide computing application.* | * Division Chief
* Dir. Of Proc.
 | * Dir. Of Proc.
* Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 | * Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 |
| 22.3.3 Intellectual Property (non through TTC)*Contract containing IP Provisions* | * N/A
 | * N/A
 | * N/A
 |
| 22.4 Memberships *Purchase of Organizational Affiliations for individuals, groups, or the institution.* | * Division Chief
* Dir. Of Proc.
 | * Dir. Of Proc.
* Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 | * Chief
 |
| 22.4.1 Professional/Service Associations*Purchase by TAMUS on behalf of an individual, group or the institution of a membership in a professional or service organization.* | * Division Chief
* Dir. Of Proc.
 | * Dir. Of Proc.
* Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 | * Chief
 |
| 22.4.2 Social/Individual*Purchase by TAMUS on behalf of an individual of a membership in a social organization.* | * Division Chief
* Dir. Of Proc.
 | * Dir. Of Proc.
* Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 | * Chief
 |
| 22.5 Library Acquisitions *Books, subscriptions, reference materials, memberships purchased for the express purpose of obtaining publications. Database services and lease agreements for electronic library materials.* | * Division Chief
* Dir. Of Proc.
 | * Dir. Of Proc.
* Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 | * Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 |
| 22.6 Library Subcontracts *TAMUS library subcontracts to provide off-campus library services.* | * N/A
 | * N/A
 | * N/A
 |
| 22.7 Commercial Licenses (*Chick-Fil-A, etc.)* | * N/A
 | * N/A
 | * N/A
 |
| 22.8 Maintenance Agreements acquired with equipment purchase or as stand-alone purchase | * Division Chief
* Dir. Of Proc.
 | * Dir. Of Proc.
* Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 | * Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 |
| 22.9 Partial Sale, Partial Gift Purchases (See SP 22.05, *§*3) | * N/A
 | * N/A
 | * N/A
 |
| 22.10 Financing Service Agreements related to the acquisition of good or services. | * Division Chief
* Dir. Of Proc.
 | * N/A
 | * N/A
 |
| 22.11 Purchasing Agreements not classified elsewhere | * Division Chief
* Dir. Of Proc.
 | * Dir. Of Proc.
* Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 | * Division Chief, Finance
* COO
* CFO
* Deputy Chief
* Chief
 |
| **23. REAL PROPERTY TRANSACTIONS** (SP 41.01, SR 41.01.01)[[1]](#footnote-2) \* Monetary Categories Above Do Not Apply to this Section |
| 23.1 Purchase of Real Property*Per SP 41.01, §2 and SR 41.01.01, §3:* * + *SREO oversees all acquisitions of real property.*
 | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * BOR approval required if consideration is over $1,000,000
* Chancellor or CFO approves and executes purchases of $1,000,000 or less
 |
| 23.2 Condemnation of Real Property *Per SP 41.01, §2 and SR 41.01.01, §3:* * + *SREO oversees all acquisitions of real property.*
 | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * Chancellor
* System CFO or OGC executes all documents (after BOR approval)
 |
| 23.3 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 Chief accepting gift.*
 | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * Chief
 |
| 23.4 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.*
	+ *Member Chiefs may recommend disposal or exchange of System real property.*
 | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * Chancellor or System CFO executes after BOR approval, if necessary
 |
| 23.5 Lease of Real Property |
| 23.5.1 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*
 | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * Chief
 |
| 23.5.2 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.* *See SP 41.01, §4 and SR 41.01.01, §6*  | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * Chief, Chancellor or CFO depending on term, amount and property assignment.

SP 41.01 and SR 41.01.01 approvals:* **5 yrs. or less/$500,000 or less – Chief or CFO**
* **10 yrs. or less/over $500,000 to $1,000,000–Chancellor or CFO**
* **More than 10 yrs. or greater than $1,000,000 - BOR**
 |
| 23.5.3 Student Retreat Facility*Lease of facilities (camp grounds, recreational facility, residence, etc.) and/or land for TAMUS use for a specific student retreat.* | * N/A
 | * N/A
 |
| 23.6 Easements (SP *41.01, §6)* |
| 23.6.1 System as Grantor (easement across System property) (10 year limit) | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * N/A -Managing Counsel, Property and Construction executes
 |
| 23.6.2 System as Grantee (easement across 3rd party’s property)(**Requires BOR approval if over $300,000**) | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * N/A – Managing Counsel, Property and Construction, Chancellor or System CFO executes
 |
| 23.6.3 Conditional Roadway Easements (indefinite term)(**Requires BOR approval**) | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * N/A – Chancellor or System CFO executes
 |
| 23.7 Housing Agreements |
|  23.7.1 International Housing *University owned or leased housing provided for visiting international faculty.* | * N/A
 | * N/A
 |
|  23.7.2 Residence Hall *On-campus student housing.* | * N/A
 | * N/A
 |
|  23.7.3 Student Apartments *Off-campus University-housing provided for students.* | * N/A
 | * N/A
 |
|  23.7.4 Mail Box *Rental of residence hall mail boxes.* | * N/A
 | * N/A
 |
| 23.8 Other Grants of Rights Related to Real Property |
| 23.8.1 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 | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * Chief
 |
| 23.8.2 Permits and Licenses of System Land, including Water Use and Antiquities Permits | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * Managing Counsel, Property & Construction executes
* Chief
 |
| 23.8.3 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 | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * VCBA or Managing Counsel
* Property & Construction if property assigned to System Offices
* Chief
 |
|  23.8.4 Oil, Gas and Mineral Rights Leasing See SP 41.01, *§*5 | * N/A
 | * N/A
 |
| 23.8.5 Other Oil, Gas and Mineral Rights documents (i.e. Division Orders; Pooling Agreements; Production Sharing Agreements; Ratification Agreements; Assignment Consents; Affidavits; and related documents) | * N/A
 | * Managing Counsel, Property & Construction executes
 |
|  23.8.6 Other Documents  (i.e. Surface Use Agreements;  Subordination, Non-disturbance  & Attornment Agreements;  Assignments; Estoppels; Renewals; Consents; Non- Disclosure/Confidentiality Agreements; Ratifications; Releases; Memorandums; Affidavits; Acknowledgments; documents containing statements of fact; and non-substantive amendments to documents, etc.) | * N/A
 | * Managing Counsel, Property & Construction executes
* Chief
 |
|  23.8.7 Condominium Ownership, Operations and Activity Documents | * N/A
 | * N/A
 |
|  23.8.8 Broker/Agency Representation and Listing Agreements; Non- binding Letters of Intent/Term Sheets | * N/A
 | * N/A
 |
| 23.9 Service Contracts for Real Property  Transactions (surveyors, appraisers,  property inspectors, title company  contracts, etc.) (See also Section 27.6) | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * Managing Counsel, Property & Construction executes

Chief  |
| 23.10 RELLIS Campus Leases, Licenses, Permits and Facility Use Agreements | * SREO/OGC
* COO/CFO/Deputy Chief
* Chief
 | * Director of RELLIS Campus
 |
| **24. RESEARCH AGREEMENTS** |
| 24.1 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, cooperative agreements, and consortium agreements* | * Division Chief
* COO/CFO/Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 24.2 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). | * Division Chief
* COO/CFO/Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 24.3 Proposal Submissions | * N/A
 | * N/A
 | * N/A
 |
| 24.4 Teaming Agreements | * N/A
 | N/A | * N/A
 |
| 24.5 Non-disclosure/Confidentiality Agreements | * N/A
 | * N/A
 | * N/A
 |
| 24.6 Material Transfer Agreements | * N/A
 | * N/A
 | * N/A
 |
| 24.7 Testing/Analytical Agreements | * N/A
 | * N/A
 | * N/A
 |
| 24.8 Intellectual Property Agreements (Not through TTC) | * N/A
 | * N/A
 | * N/A
 |
| 24.9 Misc. Research Agreements and agreements ancillary to research agreements. *Includes Vessel Time Charter Agreements; Video Production Agreements; Facility Use Agreements; etc.* | * Division Chief
* COO/CFO/Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **25. REVENUE GENERATING AGREEMENTS** |
| 25.1 Revenue Generating | * Division Chief
* COO/CFO/Deputy Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 25.2 RELLIS Campus Revenue Generating | * N/A
 | * N/A
 | * N/A
 |
| **26. SALES AGREEMENTS** (*TAMUS providing goods or services*) |
| 26.1 Consultant/Professional Service Agreements (non-statutory)*TAMUS acting as consultant or performing professional service (including testing services).* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
|  26.1.1 Intellectual Property Agreements (Not through TTC) | * N/A
 | * N/A
 | * N/A
 |
|  26.1.2 Analysis/Testing | * N/A
 | * N/A
 | * N/A
 |
| 26.2 Property Transfer Agreements (inventoried and non-inventoried items) |
|  26.2.1 Transfer or surplus property  | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
|  26.2.2 Transfer within the System | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
|  26.2.3 Transfer to another state agency | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
|  26.2.4 Transfer to an independent third party | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 26.3 Unclassified Services Providing services not specified elsewhere. | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **27. SERVICES AGREEMENTS** (*TAMUS acquiring services*) |
| 27.1 Educational Testing Services | * N/A
 | * N/A
 | * N/A
 |
| 27.2 Entertainment Events*Artistic entertainment performance agreements.* | * N/A
 | * N/A
 | * N/A
 |
| 27.3 Lecture/Seminar Speaker Agreements *Use of non-faculty/staff to lecture or speak in support of institutional programs.* | * N/A
 | * N/A
 | * N/A
 |
| 27.4 Maintenance Agreements |
| 27.4.1 Purchase with Equipment Purchase*Purchase of maintenance services from equipment vendor as an integral part of equipment purchase.* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief

Chief |
| 27.4.2 Stand Alone Purchase*Purchase of maintenance services independent from equipment purchase or vendor.* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief

Chief |
| 27.5 Non-academic Instruction  *Recreational Sports* | * N/A
 | * N/A
 | * N/A
 |
| 27.6 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 19herein.* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 27.7 Statutory Consulting Services *Acquisition of consulting services as defined by Texas Government Code §2254.021.* *Agreements for outside counsel must comply with Section 19 herein.* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 27.8 Student Medical Services | * N/A
 | * N/A
 | * N/A
 |
| 27.9 Unclassified Services *Purchase of services not specified elsewhere.* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **28.**  **SPECIAL EVENTS** |
| 28.1 Conference/Short-Course | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| 28.2 Exhibition Loan Agreements*Documents commitments to display, secure, admit public, etc. to view works of art of material of public interest.* | * N/A
 | * N/A
 | * N/A
 |
| **29.**  **UNCLASSIFIED AGREEMENTS** |
| 29.1 Miscellaneous Agreements*Contracts and agreements not specifically classified above or currently classified as “N/A”.* | * Division Chief
* COO/CFO/Deputy Chief
 | * Dir. Of Proc.
* COO
* CFO
* Deputy Chief
* Chief
 | * COO
* CFO
* Deputy Chief
* Chief
 |
| **30. DISASTER ACTIVATIONS** *(TDEM acquiring goods/services during a disaster)* |
| 30.1 Equipment Lease Agreements | * Procurement Unit Leader
* Disaster Finance Unit Chief
* Disaster Finance Section Chief
 | * Disaster Finance Unit Chief
* Disaster Finance Section Chief
* SOC Manager
 | * Disaster Finance Section Chief
* Division Chief, Finance
* Deputy Chief
* COO/CFO/Chief
 |
| 30.2 Inter-Local, Inter-Agency, and Intrasystem Agreements | * Procurement Unit Leader
* Disaster Finance Unit Chief
* Disaster Finance Section Chief
 | * Disaster Finance Unit Chief
* Disaster Finance Section Chief
* SOC Manager
 | * Disaster Finance Section Chief
* Division Chief, Finance
* Deputy Chief
* COO/CFO/Chief
 |
| 30.3 Memoranda of Agreement/Understanding | * Procurement Unit Leader
* Disaster Finance Unit Chief
* Disaster Finance Section Chief
 | * Disaster Finance Unit Chief
* Disaster Finance Section Chief
* SOC Manager
 | * Disaster Finance Section Chief
* Division Chief, Finance
* Deputy Chief
* COO/CFO/Chief
 |
| 30.4 TDEM Purchase Orders | * Procurement Unit Leader
* Disaster Finance Unit Chief
* Disaster Finance Section Chief
 | * Disaster Finance Unit Chief
* Disaster Finance Section Chief
* SOC Manager
 | * Disaster Finance Section Chief
* Division Chief, Finance
* Deputy Chief
* COO/CFO/Chief
 |
| 30.5 Software License Agreements | * Procurement Unit Leader
* Disaster Finance Unit Chief
* Disaster Finance Section Chief
 | * Disaster Finance Unit Chief
* Disaster Finance Section Chief
* SOC Manager
 | * Disaster Finance Section Chief
* Division Chief, Finance
* Deputy Chief
* COO/CFO/Chief
 |
| 30.6 Lease of Real Property | * Procurement Unit Leader
* Disaster Finance Unit Chief
* Disaster Finance Section Chief
* SREO/OGC
 | * Disaster Finance Unit Chief
* Disaster Finance Section Chief
* SOC Manager
 | * Disaster Finance Section Chief
* Division Chief, Finance
* Deputy Chief
* COO/CFO/Chief
 |
| 30.7 Land Use Agreement | * Procurement Unit Leader
* Disaster Finance Unit Chief
* Disaster Finance Section Chief
 | * Disaster Finance Unit Chief
* Disaster Finance Section Chief
* SOC Manager
 | * Disaster Finance Section Chief
* Division Chief, Finance
* Deputy Chief
* COO/CFO/Chief
 |
| **31. FEDERAL NON-RESEARCH INSTRUMENTS** \* Monetary Categories Above Do Not Apply to this Section |
| 31.1 Federal non-research grants, cooperative agreements, contracts, amendments, modifications, or extensions and subawards*Emergency Management Performance Grants, Hazard Mitigation Grants, Public Assistance Grants, Crisis Counseling Grants, Pre-Disaster Mitigation Grants, Fire Management Assistance Grants, Pipeline and Hazardous Material Safety Administration Grants, Building Resilient Infrastructure and Communities Grants, COVID-19 Supplemental Grant Funding* | * CFO
* Deputy Chief
* OGC
 | * CFO
* Deputy Chief
* Chief
 | * CFO
* Deputy Chief
* Chief
 |

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-2)