

## 51.04.01 Chancellor's Delegation of Authority on Construction Projects



Revised [August 7, 2015](#)

Next Scheduled Review: August 7, 2020

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### Regulation Statement

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This regulation provides the chief financial officer (system CFO) of The Texas A&M University System (system) certain authorities for the Office of Facilities Planning & Construction (FPC)-administered projects. This regulation also provides the member chief executive officers (CEO) with the authority for administering construction projects with a total project cost of less than \$10,000,000.

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### Reason for Regulation

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This regulation delegates certain authority to the system CFO for projects administered by FPC and to member CEOs for major construction projects with scopes less than \$10,000,000 and minor construction projects as defined and set forth in System Policy *51.04, Delegations of Authority on Construction Projects*. FPC will serve as the point of contact with members for guidance in administering member-managed major and minor construction projects.

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### Procedures and Responsibilities

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#### 1. DELEGATIONS TO THE SYSTEM CFO

The system CFO is delegated the following authorities for FPC-administered projects, provided the cost of the action does not cause the total cost of the project to exceed the Board of Regents' (board) approved amount.

- (a) Execution of agreements between the board and architect/engineer firms, construction manager at risk firms and design-build firms as approved by the chancellor, and subsequent changes to these agreements.
- (b) Execution of agreements between the board and contractor for competitive sealed proposals and other competitively bid projects, and subsequent changes to these agreements.
- (c) Execution of guaranteed maximum price (GMP) proposals from construction managers at risk and design-build contractors.
- (d) Execution of notice to proceed documents to contractors to begin construction.

- (e) Reallocation of funds among the pre-construction and construction budget categories of a project.
- (f) Execution of Texas Higher Education Coordinating Board project applications and board certifications.
- (g) Execution of Texas Commission on Environmental Quality documents relating to storm water discharge on construction projects.
- (h) No changes to any agreements that increase the value, except for errors and omissions, will be made nor new purchase orders issued following the date of substantial completion of a project unless said change or purchase order is approved by the chancellor. An exception is that changes to agreements and new purchase orders funded by tuition revenue bond funds may be issued for one year past substantial completion without approval by the chancellor.
- (i) Approval of a request to change the fiscal year designation of a project on the capital plan and add projects to the capital plan that are funded with tuition revenue bonds, other state funds and gift funds once funding is identified and the program of requirements is completed.

## 2. DELEGATIONS TO MEMBER CEOs FOR MAJOR PROJECTS MANAGED BY THE MEMBER

The member CEO is delegated the following authorities for member-administered major projects, provided the cost of the action does not cause the total cost of the project to exceed the board's approved amount.

- (a) Execution of agreements between the board and architect/engineer firms, construction manager at risk firms and design-build firms as approved by the chancellor, and subsequent changes to these agreements.
- (b) Execution of agreements between the board and contractor for competitive sealed proposals and other competitively bid projects, and subsequent changes to these agreements.
- (c) Execution of guaranteed maximum price (GMP) proposals from construction managers at risk and design-build contractors.
- (d) Execution of notice to proceed documents to contractors to begin construction.
- (e) Reallocation of funds among the pre-construction and construction budget categories of a project.
- (f) Execution of Texas Higher Education Coordinating Board project applications and board certifications.
- (g) Execution of Texas Commission on Environmental Quality documents relating to storm water discharge on construction projects.
- (h) At the request of the member CEO, FPC can administer construction projects less than \$10,000,000.
- (i) No changes to any agreements that increase the value, except for errors and omissions, will be made nor new purchase orders issued following the date of substantial completion of a project unless said change or purchase order is approved by the chancellor. An exception is that changes to agreements and new purchase orders

funded by tuition revenue bond funds may be issued for one year past substantial completion without approval by the chancellor.

### 3. DELEGATIONS TO MEMBER CEOs FOR MINOR PROJECTS

- 3.1 Each member CEO is delegated the authority to administer minor construction projects where the total project cost is less than \$4,000,000.
- 3.2 Each member CEO is authorized to demolish buildings and other improvements which cannot be sold as surplus. The Texas Historical Commission must be notified before any building at least 50 years old is demolished in accordance with Texas Natural Resources Code § 191.098.
- 3.3 At the request of the member CEO, FPC can administer minor construction projects.

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### **Related Statutes, Policies, or Requirements**

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[System Policy 25.07, Contract Administration](#)

[System Policy 51.04, Delegations of Authority on Construction Projects](#)

[Tex. Nat. Res. Code § 191.098](#)

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### **Member Rule Requirements**

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A rule is not required to supplement this regulation.

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### **Contact Office**

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Office of Facilities Planning & Construction  
(979) 458-7000