

SB 20 Contract Management Rules, Regulations and Ethics

Texas Tech University Health Sciences Center



Presentation Goals

- I. Introduce the contract management process and statutory requirement for training at Texas Tech University Health Sciences Center.
- II. Outline the rules and regulations associated with Contract Management.
- III. Explain the ethical standards involved with Contract Management.
- IV. Identify the relevant references utilized in the Contract Management process.

Contract Management Process and Statutory Requirement



Statutory Requirement

Texas Tech University Health Sciences Center (TTUHSC) and Texas Tech University System (TTUS) officers and employees authorized to execute contracts on behalf of TTUHSC or TTUS or to exercise discretion in awarding contracts, are required to receive training, including training in ethics, selection of appropriate procurement methods, and information resources procurement technologies.

- [Texas Education Code §51.9337\(b\)\(5\)](#)

Contract Management Process

Contract Management involves:

- The complete contracting process from Planning through Contract Administration and concluding with Contract Close Out.
- Including, but not limited to, the requesting entity or department, the Contracting Office, the Contract Manager, and the vendor.

Contract Management involves:

The coordination and management of five core processes:

- **Planning**
- **Procurement**
- **Contract Formation**
- **Post-award Contract Administration**
- **Contract Close Out**

Contract Management involves:

The coordination and management of five core processes:

- **Planning:** Identify objectives and contracting strategy for Procurement.
- **Procurement:** Purchasing, renting, leasing, or acquiring any Goods and Services, including all functions that refer to the acquisition through Contract Close Out.

Contract Management involves:

The coordination and management of five core processes:

- **Contract Formation:** Ensure the contract contains provisions that hold the Contractor accountable to the specifications and all State and Federal required terms and conditions.

Contract Management Process

Contract Management involves:

The coordination and management of five core processes:

- **Post-Award Contract Administration:** After the awarding of a contract, management actions must be taken for oversight to have full compliance with all the terms and conditions contained within a contract.
- **Contract Close Out:** Perform final review of the received Goods or Services, confirm the receipt of all Deliverables, and finalize any payments.

Rules and Regulations



Rules and Regulations

Contract rules and regulations include:

- **Planning for a contract**
- **Steps for procurement process**
- **Submitting a contract**
- **Getting a contract authorized**
- **Monitoring a contract**
- **Closing out a contract**

Rules and Regulations

Planning for a Contract:

- Comply with the State Purchasing and Accountability and Risk Analysis Procedure per Texas Government Code, §2261.256 (a).

Submitting a Contract:

- Routed through the Contracting System: [Contracting System](#).
- Submit the “New Contract” option and fill in the requested information.
- After submission, a confirmation notice will be emailed stating that the Contracting office received your contract with an approval sheet for Department and Division signatures.

Rules and Regulations

Submitting a Contract:

- Fully executed contract is returned and entered in the Contracting System.
- Contract is activated for use.

Who is Authorized to Execute Contracts:

- The Board of Regents
- The Chancellor
- TTUHSC President
- Persons with delegated authority from the individuals listed above.

Rules and Regulations

Managing of Contracts

Contract managers typically are:

- Department Administrator
- Person(s) with equivalent authority

Responsibilities of the contract manager include:

- Development
- Negotiation
- Submission
- Monitoring
- Ensuring receipt of all Deliverables
- Close out

Ethical Standards & Policies



General Requirements:

- Employees should adhere to the highest level of professionalism in conducting official duties.
- Employees should remain independent and free from the perception of impropriety.

Standards of Conduct:

- Governed by Federal and State laws and statutes.
- Regents' Rules and Institutional Operating Policies regulate employee conduct in contracting.
- Failure to follow these standards in contracting can lead to disciplinary action for employees and the Institution.

Standards of Conduct:

State employees shall **not**:

- Accept any gift favor, or service that can influence one's behavior, conduct, or official duties.
- Accept employment or engage in a business or professional activity that would require or induce the disclosure of confidential information.
- Accept other employment that could reasonably be expected to impair one's judgement in the performance of official duties.

Standards of Conduct:

State employees shall **not**:

- Make personal investments that could create a conflict between the employee's private interest and the Institution's interest.
- Solicit, accept, or agree to accept any benefit for having exercised one's official duties in favor of another.
- Conceal any potential Conflicts of Interest with any contract or purchase of Goods or Services; and disclosure must be given to the Institution.

Standards of Conduct:

- Contracts that provide financial interest to Institutional employees, officials, or their family members are prohibited.

Contracts:

Contracts with retired state employees:

- Can not occur before the first anniversary of the last date on which the individual was employed by the Institution.
- Must disclose if employed by the Institution or another State agency any time during the prior two years in the Offer, and details regarding that employment.

Contracts:

Contracts with retired state employees:

- Can **not** occur before the second anniversary date of the end of employment or service with the State involving a Person they worked with in Procurement or Contract Negotiation during employment.

Conflicts of Interest:

To avoid conflicts of interest, TTUHSC shall:

- Request all potential Contractors and Respondents disclose any actual or potential Conflicts of Interest involving current or former Institution employees and/or related personnel to the Contractor.
- **Not** enter into a Contract that requires Regents' approval prior to execution or has a value of at least \$1 million without the requisite disclosure by potential Contractors or Bidders.

Ethical & General References



Ethical References

Ethical References:

Refer to the following Ethical Standards, Policies, and Institutional Operating Policies and Procedures for additional information:

- [HSC OP 10.05 Conflict of Interest & Commitment Policy](#)
- [HSC OP 52.06 Standards of Conduct and Ethics Guide](#)
- [HSC OP 73.09 Financial Conflicts of Interest on Research](#)

Ethical References

Ethical References:

Refer to the following Ethical Standards, Policies, and Institutional Operating Policies and Procedures for additional information:

- [Texas Education Code §51.9337\(b\), \(c\)\(1\), \(c\)\(2\)](#)
- [Texas Government Code §572.051 Part C](#)
- [Texas Government Code §2252.901](#)
- [Texas Government Code §2252.908](#)
- [Texas Government Code §2254.033](#)
- [Texas Government Code §2261.252\(a\), \(b\), \(c\)](#)

General References:

Additional guidance, resources and training materials are available from:

- [Contract Management Handbook](#)
- [TTUHSC Contracting Website](#)
- [TTUHSC Purchasing Forms and Resources Webpage](#)

General References:

If you have any questions or concerns, the TTUHSC Contracting Office in Lubbock can be contacted by:

- Email: contracting@ttuhsc.edu

- Permanent Mail:

Contracting Office

TTUHSC

3601 4th Street STOP 6217

Lubbock, TX 79430-6217

Conclusion

Conclusion:

This concludes this training documentation regarding SB 20 Contract Management Rules, Regulations and Ethics.

Thank you for taking time to learn about Contract Management at TTUHSC.