TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

Operating Policy and Procedure

HSC OP: 54.05, Use of Consultants

PURPOSE: The purpose of this Health Sciences Center Operating Policy and Procedure (HSC OP) is to establish policies and

contract with an initial consideration of more than $100,000.00, and all modifications increasing that contract. Board of Regents approval is also required for any modification to a consulting contract where the initial consideration was $100,000.00 or less and the modification will cause the total consideration to exceed $100,000.00.

b. A consulting contract with an initial consideration in excess of $100,000 may be executed prior to approval by the Board if the contract includes a provision limiting the total amount of the contract to no more than $100,000 paid to the consultant until such time as the Board has approved the agreement, and the chair(s) of the Finance and Administration committee authorize a proposal submitted to them by the chancellor, or the chancellor's designee, regarding execution of the agreement in advance of approval by the board.

c. For contracts that provide for the services of a consultant with an initial consideration of $100,000 or less, the vice chancellor and chief financial officer, in consultation with the president, and chief financial officer of the institution, shall review consulting contracts prior to execution, and a report of the contract shall be provided as an information agenda item at the next Board of Regents meeting. When submitting a consulting contract with initial consideration of $100,000.00 or less to the Contracting Office, a completed *"Review of Consulting Contracts with an Initial Consideration of $100,000 or Less"* form (Attachment A) must also be submitted. The contract will not be completed until the Contracting Office receives Attachment A.

d. Consultant Services are subject to the Purchasing rules provided for in HSC OP 72.01, Purchasing Supplies, Equipment and Services.

4. Consulting Services Contract Requirements for Appropriated Funds

a. For the purpose of this HSP OP, Appropriated Funds, also called funds appropriated by the Legislature, are defined as funds derived from the exercise of the statutory duties of a state agency, or funds received from the federal government.

b. Consulting contracts paid from Appropriated Funds, to the extent that federal laws or regulations do not conflict with this policy, require departments follow the procedures set forth in the previous sections of this HSC OP. In addition, Major Consulting Services Contracts require the following actions as may be required for compliance with Texas Government Code, Section 2254:

(1) Major Consulting Services Contracts:

(a) Submission and Approval. When the department is ready to submit a contract, a TechBuy requisition (reference number) must be provided to the Contracting Office that evidences funding approval, along with the fully approved *"Request for Consultant Services"* form (Attachment B), at least one hundred twenty (120) days before the service is to begin.

(b) Solicitation of Proposals. The Contracting Office will submit the following information to the Secretary of State for publication in the Texas Register at least thirty (30) days before contracting with a consultant:

1. An invitation for Consultants to provide offers of consulting services;

2. Name, address and telephone number of the individual who should be contacted by a Consultant who intends to make an offer;

3. Closing date for the receipt of offers; and

4. The procedure by which TTUHSC will award the contract.

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