

# Contract Templates and Guidelines

Service Agreements are not required now for purchases of goods or services under \$15,000. The new PO Terms and Conditions should be utilized instead of a service agreement. Make sure to attach it to the requestion and send it to the vendor with your PO when required. (See attached PO Terms and Conditions)

Before executing a document, the University department must determine whether the document is a contract that requires routing for review and approval.

These templates, without substantive change to the terms and conditions, typically result in a contract that the signature authority will execute in a timely manner. Specific Contracts may be an exception to this standard, such as construction-related agreements and any contracts that include arrangements signifying a higher risk level.

Service Agreements are required for the following services that are \$15,000 and below:

Here are a few tips on choosing which Service Agreement to use:

- Any agreement with a business, whether it is a corporation, LLC, sole proprietorship, etc., must use the Service Agreement template "with insurance."
- If you are contracting with an individual and the service, they provide is their primary income source, you must use the Service Agreement template "with insurance."
- If you are contracting with an individual and the service is "on the side, " not their primary source of income, you will use the Service Agreement template "without insurance."
- Please delete all instructions (usually highlighted in teal or brackets) and stress within the document before sending it to the contractor for signature.

## UT Tyler Contract Templates

### 1. Facility Use and Joint Sponsorship Agreements

#### a. Follow Event Management Instructions

- [Event Management](#)
- [Event Procedure Manual](#)
- [Joint Sponsorship](#)
- [About Scheduling & Conference Services](#)
- [Scheduling & Conference Services Guidelines](#)

- b. [Facility Use Agreements](#)
  - Processed through [Event Management](#)
  - Event management and logistics
  - Student Organizations, Faculty & Staff, and External Clients
  - [UT Tyler HOP 5.14 Use of University Facilities](#)
  
- c. [Joint Sponsorship Events](#)
  - Processed through [Event Management](#)
  - Joint Sponsorship locations can include all of UT Tyler property, to include, but not limited to, all campuses, parking lots, and locations that are not considered “special use facilities” (see [UT Tyler HOP 5.14 Use of University Facilities](#)).
  - [UT Systems Regents' Rules and Regulations Rule 80105: Joint Sponsorship of the Use of Property or Buildings](#)

## 2. Food Trucks

- a. [Food Vendors \(Vetted\)](#)
  
- b. [Athletic Venue Food Truck Agreement](#)
  - Between UTT and Food Truck Owner
  - Cash sales
  - Must be at an athletic event
  - Location, area, and event must be specifically documented (ie. parking lot XX near soccer fields)
  
- c. [Catering Agreement](#)
  - Between UTT and Food Truck Owner
  - University pays a specific dollar amount
  - Location and event documented
  
- d. [Food Truck Agreement](#)
  - Between UTT and Food Truck Owner
  - Non-cash sales only
  - University pays a specific dollar amount
  - Location and event must be documented

## 3. Specialized Services

- a. Consultant

- b. Performer/Entertainer
- c. Professional Services
- d. Speaker/Presenter/Instructor

Use the appropriate Service Agreement template if:

- The Service Provider does not provide a quote or invoice
- Specifications or deliverables need to be outlined, or
- If the purchase is over \$15,000 use the [Goods and Services Agreement](#)

a. [Standard Service Agreement with Insurance](#)

- Between UTT and the Service Provider
- Service provided in exchange for compensation
- Outlines details about business relationships such as pricing, ownership, etc.
- Service provider required insurance coverage language included
  
- This Agreement template may not be used for the following types of contracts regardless of value:
  - contracts under which the Contractor will receive UT data protected by FERPA or HIPAA,
  - contracts related to the development of intellectual property (including software and websites) [work for hire issues],
  - contracts for the procurement of electronic and information resources (including computers, software, websites, and cloud computing services) [cloud computing, EIR, computer recycling issues],
  - contracts under which the Contractor will be granted direct or remote access to or control of critical infrastructure in the State of Texas. or
  - [Special Procedure Contracts](#)

b. [Standard Service Agreement without Insurance](#)

- Between UTT and Service Provider
- The Service Provider is not a business and is conducting work on the side (not requiring insurance)
- Service Provider is not an employee of UT Tyler or UT Systems
- Service provided in exchange for compensation
- Outlines details about business relationships such as pricing, ownership, etc.
  
- This Agreement template may not be used for the following types of contracts regardless of value:
  - contracts under which the Contractor will receive UT data protected by FERPA or HIPAA,

- contracts related to the development of intellectual property (including software and websites) [work for hire issues],
- contracts for the procurement of electronic and information resources (including computers, software, websites, and cloud computing services) [cloud computing, EIR, computer recycling issues],
- contracts under which the Contractor will be granted direct or remote access to or control of critical infrastructure in the State of Texas, or
- [Special Procedure Contracts](#)

4. [Amendment](#)

- Between UTT and Contractor
- A change, correction, clarification, or deletion to an agreement that has already been executed
- Catering Agreement between UTT and Caterer
- A service agreement that specifies the details of catering services taking place over a specific period of time for one or more events

5. [Construction Agreement](#)

- Between UTT and Contractor
- Sets scope and terms of work for the project

# Purchasing Guidelines

All purchases need a Requisition, created in PeopleSoft by End User. Unless a ProCard is allowed (UT Tyler Academic only), or the purchase has an exception.

- Under \$15K...
  - Purchasing or satellite buyers process the POs for UT Tyler Health Science.
  - UT Tyler Academic all POs go back to the requestor to process or flow back to eshop.
  - PO Terms and Conditions need to be attached to the PO when needed.
- \$15K to \$50K...
  - Completed requisitions should include all supporting documents.
    - Informal Bid Process
      - Including freight and all additional service charges shall require a minimum of three (3) informal bids/quotes.
      - At least two (2) bids/quotes must be obtained from certified Texas HUBs, if available.
      - The Informal Bid/Quote Intake Form (DocuSign) must be filled out and reviewed by Procurement (UT Tyler Academic Only).
        - If the department is not going with the lowest bid, then they need to fill out an Exclusive Acquisition Justification form to justify why.
- Departments may obtain one (1) quote when utilizing a UT System Supply Chain Alliance (UTSSCA)/Vizient contract or another accredited Group Purchasing Organization (GPO).
  - UT Health Science must use Health trust when it's an Ardent clinical order unless UT Supply Chain has a HUB vendor.
  - GPO BuyBoard - To make sure (UT Tyler Academic only) receives their BuyBoard rebate(s), cc [info@buyboard.com](mailto:info@buyboard.com) when you send PO to the End User.
- If applicable, agreements need to route through Symplr with all supporting documentation for legal review.
- Over \$50K
  - For Good(s) Departments may obtain one (1) quote when utilizing a UT System Supply Chain Alliance (UTSSCA)/Vizient contract or another accredited Group Purchasing Organization (GPO). Using an accredited GPO - The requirement to obtain a minimum of three (3)

valid proposals (or two, if there are only two firms in the category) applies when procuring primarily services containing a Scope of Work (SOW) (e.g., consulting services) in order to identify “best value”.

For Formal Solicitations RFP/RFQ/IFB:

- Determine what kind of solicitation is needed with procurement/purchasing department) RFP/RFQ/IFB)
- Request for Proposal (RFP) is a formal solicitation method that requires evaluation of proposals based upon best value criteria established in Texas Education Code 51.9335(b).
- Request for Qualifications (RFQ) is used to identify a group of suppliers who meet a set of minimum qualifications.
- Invitation for Bid (IFB) is used when the good or service lends itself to a precise set of specifications, such as manufacturer part number (or equivalent), size, weight, voltage, CPU capacity, etc. The evaluation is based upon the best value criteria established in Texas Education Code 51.9335(b), with price and delivery often being weighted more heavily.

Templates for all RFPs/RFQs/IFBs Procurement/Purchasing will help departments in the solicitation process:

- The University of Texas System – Contracting and Procurement Practice Group (CPPG) Sample Documents. Goods/Services - <https://apps.utsystem.edu/OGCProtected/sampledocs.htm>
  - The University of Texas System – Construction Contracts and Solicitation Procurement Agreements - <https://www.utsystem.edu/documents/docs/general-counsel-documents/2024/construction-contracts-and-solicitation-procurement-agreements>

After the evaluation process Procurement/Purchasing:

- Send the team leader an email with a scoring summary asking for a recommendation statement based on the evaluation guidelines.
- Or Meet with the evaluation team to discuss scoring.
- Or Schedule presentations if needed and then evaluation team has another chance to evaluate based on information provided during presentation/meeting.

- Or send Best and Final Offer (BAFO) to Proposer(s), usually to the top one or two based on the natural scoring break. Then based on pricing changes (if any) the cost evaluation team can rescore if they want.

Award has been made:

- ❖ Procurement/Purchasing will send all rejection and award letters to the vendors.
- ❖ Procurement/Purchasing will send all awardee proposal documents to the department.
- ❖ Department works with the awardee on contract if applicable and routes through Symplr for signature. (If questions on contract contact legal)
- ❖ Executed agreements with all required supporting documentation are sent to Procurement/Purchasing.
- ❖ PO is sent to End User to forward to the vendor.
- Single Bid if approved **EAJ** (Exclusive Acquisition Justification) is provided and meets the EAJ/Procurement requirements.
  - If there is no agreement to be signed, then the End User will fill out the EAJ in DocuSign for approvals.
  - If there is an agreement the End User will fill out the EAJ in DocuSign and attach the document in Symplr.
  - If the supplier is providing a service or if the quote has T&Cs, then it will require a purchasing addendum.
    - Contracts are loaded into Symplr (used to store and route contracts as appropriate)
    - Contracts route for approvals within Symplr... next to last stop is Procurement/Purchasing.
    - Procurement reviews contract to ensure it meets Purchasing standards.
      - What is the initial term including any and all renewals.
      - Thresholds that may require additional documents/processes.
      - Contract end date.
      - All required supporting documents attached in Symplr.
    - Contracts approved by Procurement/Purchasing are routed within Symplr for final review before sending out for signatures.
- All supporting documents are attached to the Pending PO in PeopleSoft.

- Procurement/Purchasing reviews/approves the PO and sends to the End User or Vendor by email.
  - UT Tyler Academic the End User is responsible for sending PO to vendor(s).
  - UT Tyler Health Science the Purchasing department or a Satellite