

## UTA'S CONTRACT SUBMISSION AND ROUTING PROCESS GUIDE

1. **Are you purchasing something (i.e., paying for a product or service) with a Purchase Order, ProCard, Voucher, or APS Form?**
  - a. If no, skip to Step 2.
  - b. **If yes, are you purchasing software, Software as a Service (SAAS)<sup>1</sup>, Electronic Information Resources (EIR)<sup>2</sup> or cloud services?**
    - i. If no, skip to Step 1.c.
    - ii. If yes, you must receive an approved TAPREQ and complete ISO risk assessment before you purchase or acquire any software, SAAS, EIR, or cloud service.
      1. A TAPREQ and ISO risk assessment must be completed for **all** software, SAAS, EIR and/or cloud service purchases, regardless of dollar value and/or procurement method, even if it is a free product. Please see the [Technology Acquisition Helper](#) for more information about completing a TAPREQ and ISO risk assessment.
      2. You will need to submit proof of your TAPREQ approval and your ISO risk assessment to Procurement or Legal Affairs along with your contract for review. Contracts for software, SAAS, EIR, or cloud services that are submitted to Procurement or Legal Affairs without the necessary TAPREQ approval will not be reviewed and will be returned to the requesting department.
      3. Once you have received your TAPREQ and ISO approvals proceed with Step 1.c.
  - c. **Will you be paying with a Purchase Order<sup>3</sup>, a Non-Purchase Order Voucher, or with your ProCard?**

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<sup>1</sup> Software as a Service or SAAS is a method of software delivery and licensing in which software is accessed online via a subscription, rather than bought and installed on individual computers. This includes most online services that require a subscription or license to access. (Source Google Dictionary by Oxford Languages.)

<sup>2</sup> Electronic and Information Resources (EIR) are technologies and any equipment used to create, convert, duplicate, store, or deliver data or information. This includes telecommunications products, web sites, multimedia, and software products.

<sup>3</sup> Items that do not require a purchase order are listed in Section IV.H. of [UTA Procedure BF-PGS-PR-01 Best Value Purchasing Procedures and include items like](#): Central Library procurements for books, subscriptions, journals, etc.; 2) Utilities - telephone, electric, gas and water; 3) Filing fees for work to be performed on buildings, e.g. Texas Department of Health; 4) Professional registration/license fees, e.g. University Health Services physicians, safety employees; 5) YWCA Child Development Center scholarships and reimbursements; 6) Postal Services - permits, bulk rate fees and meter charges; Insurance premiums; Interagency payments for services (non-encumbrance); 9) Registration fees for conferences, seminars, and workshops billed by the supplier; 10) Umpires/officials' fees for refereeing sporting events billed by supplier; 11) Memberships in the name of the University or University department; 12) Overnight hotel lodging paid on behalf of official university guests; 13) Fees for performers and entertainers and any associated requirements in the performers/entertainers rider; 14) Meals in restaurants and catering expenses - pick-up or delivery; 15) Expenses related to hosting a conference (i.e., audio-visual equipment, room rental, booths, etc.); 16) Guest lecturers; 17) Subscriptions to periodicals, including electronic versions; 18) Flower bouquets; 19) Professional, consulting and/or temporary services from individuals that by nature of the service does not allow UTA to receive a benefit from an open market procurement; however, such services must be processed in accordance with UTA Procedure BF-P-PR-09 Payments for Professional Services; 20) Advertisements, e.g. newspapers, radio, TV, billboards, periodicals, etc., and associated services (requires submission of a copy of the ad or ad verbiage); 21) Miscellaneous fees, e.g. assessments, accreditations, royalties, copyrights, appraisals, training costs, and others as approved by the Office of Procurement; 22) Publications and audio-visual materials (prepared materials only, not equipment, supplies, or printing); 23) Leases for office space and associated facility improvements/renovations; 24) Bottled water and/or soft drinks from UTA's Exclusive Pouring Rights Contract. Prior to placing an order, contact the Office of Procurement for the appropriate university account number; 25) Medical services for student athletes paid by the Athletics Department; 26) Retreat facilities; 27) Books and supplies purchased through UTA Bookstore for scholarship recipients; 28) Division of Enterprise Development curriculum/course material development; 29) Copier lease and maintenance charges.

- i. **Purchase Order:** If you are paying with a Purchase Order (see footnote 3 below), submit your purchase order requisition to Procurement using UT Share. If you have a contract, attach your contract to the purchase order requisition in UT Share. Procurement will review the contract and make any necessary edits. Once all necessary edits are incorporated, Procurement will approve the contract and submit it to one of UTA's designated authorities for signature.
- ii. **Voucher:** If you are paying with a Non-Purchase Order Voucher, determine if the vendor is requiring a contract.
  1. If you are paying with a Non-Purchase Order Voucher and a contract is ***not*** required, submit your voucher directly to Accounts Payable using UT Share.
  2. If you are paying with a Non-Purchase Order Voucher and a contract ***is*** required, you must submit your contract to Legal Affairs using the Legal Affairs [Contract Routing Form](#).
  3. Legal Affairs will review the contract and make any necessary edits.
  4. If edits to the contract are needed, you will be asked to return the contract to the vendor so that vendor can review the edits. As the person/department requesting the good or service you will be the primary point of contact with the vendor since you have the most knowledge of how the good or service will be used in your department.
  5. Once all necessary edits have been made to the contract then Legal Affairs will approve the contract and submit it to one of UTA's designated authorities for signature.
  6. After the contract has been signed by UTA, you will receive a copy of the UTA-signed agreement. Please forward the partially executed agreement to the vendor and request a fully executed copy in return. Make sure to keep a copy of the fully executed agreement (the one signed by both UTA and the Vendor) in your department.<sup>4</sup>
- iii. **ProCard:** If you are paying for your purchase with a ProCard, you must follow ProCard rules.
  1. **A ProCard may only be used on purchases of less than \$4,000.**
    - a. If your purchase is for more than \$4,000, you may not use a ProCard and must submit a Purchase Order requisition in UT Share.
    - b. You may not split a ProCard Payment for a purchase of more than \$4,000 into multiple payments to avoid the Purchase Order requisition Process. If the total cost of your purchase is greater than \$4,000, follow Step 1 above.
  2. **A ProCard may not be used for certain purchases.** These purchases are listed in Section IV.B. of [UTA Procedure BF-PGC-PR12](#) "Purchasing Card (ProCard) Program Procedure" and are also listed in the footnote below.<sup>5</sup>

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<sup>4</sup> The Office of Legal Affairs is not a repository for all contracts signed by the University, regardless of whether execution of the contract involved review by the Office of Legal Affairs.

<sup>5</sup> The ProCard cannot be used to pay for any of the following: a. Airlines; b. Automobile rentals; c. Hotels and motels; d. Eating places, i.e. restaurants and fast food; e. Catering; f. Bars, taverns, nightclubs; g. Package stores, beer, wine, liquor; h. Truck stop transactions; i. Travel and related expenses; j. Cash advances, travelers' checks, deposit accounts, i.e. purchase of credits, etc.; k. Radioactive materials; l. Firearms; m. UT Arlington tuition and/or fees; n. Internet provider service; o. University parking decal fees; p. Charitable donations; q. Tours, sporting events, and entertainment events; r. Traffic citations, Toll tags; t. Insurance; u. Gifts over \$100; v. Desktop computers, laptop computers, and tablets; w. Any third party service (including cloud services) that involve the creation, transfer, storage, manipulation, processing or other handling of University data; x. Gift Cards/gift certificates for University employees -

3. **Are you being asked to sign a contract before completing your ProCard Purchase?**
- a. If you are paying with a ProCard and have a contract, you must submit your contract to Legal Affairs using the [Legal Affairs Contract Routing Form](#).
  - b. Legal Affairs will review the contract and make necessary edits.
  - c. If edits to the contract are needed, you will be asked to return the contract to the vendor so the vendor can review the edits. As the person/department requesting the good or service you will be the primary contact with the vendor since you have the most knowledge of how the good or service will be used in your department.
  - d. Once all necessary edits have been made to the contract then Legal Affairs will approve the contract and submit it to one of UTA's designated authorities for signature.
  - e. After the contract has been signed by UTA, you will receive a copy of the signed agreement. Please forward the signed agreement to the vendor and make sure to keep a copy of the fully executed agreement (the one signed by both UTA and the Vendor) in your department.
4. **Are you required to accept a “click through agreement”<sup>6</sup> to make your (less than \$4,000) ProCard Purchase?**
- a. If your purchase is a ProCard permissible purchase of goods or services (other than software, SAAS, EIR, or cloud services) then proceed with your purchase in accordance with the [Purchasing Card \(ProCard\) Program Procedure](#). You may click that you agree to the vendors terms and conditions where required, i.e., a “click through agreement.”
  - b. If you are purchasing software, SAAS, EIR, or cloud services (see Step 1.b.ii. for software and EIR purchases) and the value of the purchase is less than \$4,000, then you will need to determine if your department will input or store any confidential UTA data in the software, SAAS, EIR, or cloud service.<sup>7</sup>
  - c. If your department **will** input or store any confidential UTA data in the software, SAAS, EIR, or cloud service, then ask the vendor to provide a Microsoft Word version of the “click through agreement.” If the vendor is unable to provide a copy of the “click through agreement,” then please download or print a copy of the agreement and send to Legal Affairs.

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regardless of dollar amount (Not subject to the Exception Process, Section XIV); y. Prescription drugs, controlled substances, and medical services may not be purchased with a ProCard except when purchased by Student Health Services and Intercollegiate Athletics for students and student athletes; z. Animals may be purchased with a ProCard only if purchased by the Departments of Biology or Bioengineering, or by the Office of Regulatory Services; aa. Veterinary Services, medical or surgical, by a health professional that specializes in animals, may only be purchased by the Office of Regulatory Services; bb. Consulting and personal services may not be purchased with a ProCard; cc. Ammunition may only be purchased by the UT Arlington Police Department; dd. No purchases may be made on behalf of students; ee. Wireless communication devices and service fees, i.e. cell phones, PDAs, iPhones, and wireless communication adapters/internet cards, may not be purchased with a ProCard. Purchase of software applications for these devices and software applications for iPads and all SmartPhones is also prohibited.

<sup>6</sup> A click through agreement is an online agreement that users agree to by clicking a button or checking a box that says “I agree.” The act of signing via an electronic signature is replaced with the act of clicking.

<sup>7</sup> This determination should not be made by Administrative Assistants who do not understand the software and why it is being purchased. It should be made by the employee who is responsible for managing or initiating the purchase.

- i. Legal Affairs will review the contract or “click through agreement” and make any necessary edits.
  - ii. If edits to the contract or “click through agreement” are needed, you will be asked to return the contract or “click through agreement” to the vendor so the vendor can review the edits. As the person/department requesting the software, SAAS, EIR, or cloud service you will be the primary contact with the vendor since you have the most knowledge of how the software, SAAS, EIR, or cloud service will be used in your department.
  - iii. Once all necessary edits have been made to the contract or “click through agreement” then Legal Affairs will approve the contract and submit it to one of UTA’s designated authorities for signature.
  - iv. After the contract has been signed by UTA, you will receive a copy of the signed contract or “click through agreement”. Please forward the signed contract or “click through agreement” to the vendor and make sure to keep a copy of the fully executed contract or “click through agreement” (the one signed by both UTA and the Vendor) in your department.
  - v. Once you receive both TAPREQ approval and the signed contract or “click through agreement” then you may proceed to purchase the software, SAAS, EIR, or cloud services on you ProCard.
- d. If your department **will not** input or store any confidential data in the product, then once you receive TAPREQ approval, you may click that you agree to the vendor’s terms and conditions where required, i.e., a “click through agreement.”

**2. Is your contract for academic or other educational related purposes<sup>8</sup> and not for the purchase of a good or service?**

- a. If you have a contract that is not for the purchase of a good or service, submit your contract directly to Legal Affairs using the Legal Affairs [Contract Routing Form](#).
- b. Legal Affairs will review the contract and make any necessary edits.
- c. If edits to the contract are needed, you will be asked to return the contract to the vendor so that the vendor can review the edits. As the person/department requesting the good or service you will be the primary contact with the vendor since you have the most knowledge of the good/service and how it will be used in your department.
- d. Once all necessary edits have been made to the contract then Legal Affairs will approve the contract and submit it to one of UTA’s designated authorities for signature.
- e. After the contract has been signed by UTA, you will receive a copy of the signed agreement. Please forward the signed agreement to the vendor and make sure to keep a copy of the fully executed agreement (the one signed by both UTA and the Vendor) in your department.

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<sup>8</sup> Some examples of contracts that may be submitted directly to the Office of Legal Affairs include: MOUs, Interagency/Interlocal agreements, Sponsorship Agreements, Speaker/Performer Agreements, Event Agreements, Real Estate Agreements, Data Sharing Agreements.