

# **Texas A&M International University**

## **PURCHASING CARD PROGRAM**

### **PROGRAM GUIDE**

**Citibank MasterCard**

**(Revised 11/9/2011)**

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# TEXAS A&M INTERNATIONAL UNIVERSITY

## PURCHASING CARD PROGRAM GUIDE

### OVERVIEW

#### Purchasing Card Program

The Purchasing Department is delighted to offer to all Texas A&M International University Departments a simplified way in which you may order and pay for goods. The Purchasing Card Program (ProCard) is a fast, flexible purchasing method for processing **non-restricted commodity** purchases from suppliers that accept credit cards. The purpose of the Purchasing Card Program is to establish a more efficient, cost-effective method of facilitating the delegated purchasing and payment for small dollar transactions. If used to its potential, the program will result in a significant reduction in the data entry of limited requisitions, receiving, invoices, and vouchers and reduction in related documentation including checks. The ProCard can be used with any supplier that accepts MasterCard as a form of payment.

**The ProCard is designed as a payment method. All purchasing statutes, rules, policies, and procedures must be adhered to when utilizing the ProCard.**

### PURCHASING CARD CONTRACT

The terms and conditions of the ProCard contract are specified and awarded by the Texas Procurement and Support Services (TPASS) for the State of Texas. Texas A&M International University is utilizing the State of Texas contract for purchasing card services with Citibank. Texas A&M International University and its' cardholders must comply with the terms and conditions of the State contract in the implementation of this program.

### PURCHASING CARD PROGRAM GUIDE

This Purchasing Card Program Guide provides the guidelines for using the ProCard. **PLEASE READ IT CAREFULLY.** Your signature on the Purchasing Card Agreement (Attachment A) certifies that you understand the intent of the program and agree to follow the established guidelines.

## **IMPORTANT POINTS OF THE PROGRAM**

The following important points should be reviewed before using the ProCard:

- Your ProCard is issued in your name. **All purchases using the ProCard must be made by you only!** You are responsible for the security of the ProCard and the transactions made with it. **FAILURE TO FOLLOW THE PURCHASING CARD GUIDELINES CAN RESULT IN CORRECTIVE ACTION INCLUDING TERMINATION OF EMPLOYMENT.**
- ProCards must not be shared, it forfeits your dispute rights with Citibank.
- State Statute (SB583) prohibits state entities from buying from vendors who are under “warrant hold” status. Vendors are on warrant hold for reasons such as being in debt to the State, tax delinquency, student loan default, or failure to pay child support. It will be the responsibility of the cardholder placing an order to insure that “warrant hold” status is verified **BEFORE COMMITTING FUNDS ON BEHALF OF THE UNIVERSITY** Cardholders must verify vendors’ “warrant hold” status on the Comptroller of Public Account’s website. The Comptroller’s website is <http://www.window.state.tx.us/procurement/>.
- You can use the ProCard with any vendor that accepts MasterCard and is not on the restricted list (restricted merchant category codes restricted by the University/State). It may be used for in-store purchases, mail, telephone, and fax orders.
- You may use the ProCard to purchase supplies within your delegated limits. Use must not exceed the monthly credit limit assigned to the ProCard.
- Statement reconciliations are due to the Purchasing office immediately after the closing of the monthly cycle. Any Expense Reports submitted after the 10<sup>th</sup> of the month will be considered late and cardholders will be reported. Late submissions are tracked, and after three (3) late submissions, ProCard privileges will be suspended. Reconciliation is required in order to ensure that all charges are accurate.
- The ProCard **is not intended to avoid or bypass appropriate purchasing or payment procedures.** This program complements the existing processes.
- The ProCard is **not for personal use.**
- The Pro Card must be returned to the Program Coordinator upon your transfer or termination of employment.

The Purchasing Department will place a suspension on all credit cards that incur 3 or more restricted purchases. After a second restricted purchase, cardholders will be required to come in for a second training.

## **GENERAL INFORMATION**

### **Duties and Responsibilities**

#### **Program Administrator**

The Program Administrator was designated by Texas A&M International University for questions, issues, and administration of the program. The Administrator is knowledgeable of all procedures in the Purchasing Card Program Guide. All ProCard requests must go through the Program Administrator.

#### **Program Administrator:**

**Laura C. Rea**  
[lrea@tamiu.edu](mailto:lrea@tamiu.edu)

#### **Procurement Card Coordinator**

**Laura E. Gamez**  
**(956) 326-2343**  
[lgamez@tamiu.edu](mailto:lgamez@tamiu.edu)

#### **Buyer**

**Annie Gutierrez**  
**(956) 326-2709**  
[ann.gutierrez@tamiu.edu](mailto:ann.gutierrez@tamiu.edu)

#### **Department Supervisor**

The department supervisor is responsible for designating cardholders and approving monthly ProCard statements for cardholders to ensure they are within Texas A&M International University's Policy. The supervisor should assist the cardholder with understanding the purchasing regulations.

#### **Cardholders**

The cardholder is the person designated by a supervisor to use the ProCard for purchasing supplies/items within the spending limits. The cardholder is responsible for following the purchasing guidelines of Texas A&M International University in regards to purchases, selection of vendors, security of card and monthly reconciliation.

#### **Citibank Customer Service**

The Purchasing Card Program is serviced using a team approach with Citibank's Customer Service Center. This center is available 24 hours a day, 7 days a week to assist the cardholder with general questions about the ProCard account.

The Customer Service number is: **1-800-248-4553**

## **PURCHASING CARD CONTROLS**

### **Credit Limits**

All ProCards have monthly cardholder spending limits. Monthly limits may vary for each cardholder and will be established by the Program Administrator. Request to raise the transaction limits will be sent to the Program Administrator in writing by the supervisor and must be approved by the appropriate VP or Dean. The Program Administrator will review and respond to the request.

If the request is granted, the Program Administrator will forward the request to Citibank for processing.

**Please allow 2 to 4 working days for Citibank to process any limit changes.**

### **Transaction Limits**

**Your ProCard has a single transaction limit of \$5,000.00 per cycle, unless otherwise specified.** This is the amount available on the ProCard for a single purchase. A cardholder **must not** have expenditures over the set limit per cycle or the purchase will be declined. A transaction includes the purchase price plus freight and installation. Cardholders should not attempt to make a purchase greater than their approved amount or split purchases in an effort to remain under the established transaction limit.

### **Restricted Vendors**

The ProCard Program may be restricted for use with certain types of suppliers and merchants. If you present your ProCard for payment to these vendors the authorization request will be declined.

### **Historically Underutilized Business Program Guidelines**

It is the policy of Texas A&M International University to involve qualified Historically Underutilized Businesses (HUBs) to the greatest extent allowed by law in the University's construction contracting, professional services, and purchase, lease or rental of all supplies, materials, services, and equipment. The University, its contractors and subcontractors will not discriminate on the basis of race, color, religion, national origin, sex, disability, political belief, or affiliation in the award of contracts. **Every University employee is responsible for conducting business with outside vendors and has the responsibility of making a good faith effort of ensuring that HUBs are afforded an equitable opportunity to compete for all procurement and contracting activities of the University.** Texas A&M International University has adopted HUB Policy as outlined by The Texas A&M University System Policy 25.06 (See Attachment D, and E).

A list of HUB vendors may be found on the Texas Procurement and Support Services (TPASS) website, <http://www.cpa.state.tx.us/procurement/cmb/cmbhub.html>. A partial list of vendors can be found on the Texas A&M International University Purchasing website, <http://www.tamui.edu/adminis/purchasing/hubsvendor.shtml>.

## **MAINTAINING YOUR PURCHASING CARD**

It is every cardholder's responsibility to **ALWAYS** obtain a receipt for each transaction when using the ProCard. The receipts should be kept in a safe place and retained in the department. Receipts are the University's official records and will be required for audits.

### **Cardholders Empowerment**

At the end of each billing cycle (3<sup>rd</sup> of every month- except weekends or holidays) the cardholder will reconcile by going to Citibank's website at <https://www.globalmanagement.citidirect.com/sdng/login/login.do>. Attach all documentation, note any additional information pertinent to the purchase, verify all purchases are valid and forward the Expense Report to the corresponding supervisor for review and approval. **The Expense Report should then be routed to the Purchasing Department for approval prior to payment.**

### **Sales and Tax**

Texas A&M International University is **tax exempt** and the credit card so indicates. Ensure taxes are not being applied to your purchases. A tax exemption certificate is available through the Business Office.

### **Security of the ProCard**

The cardholder is responsible for the security of the card. This card will be treated with the same level of care as the cardholders would use with his/her own personal charge card. Guard the ProCard account number carefully. Your account number should not be posted in a work area or left in a conspicuous place. It should be kept in an accessible but secure location.

**The only person authorized to use the ProCard is the cardholder whose name appears on the card. The card is to be used for business purposes only. Unauthorized use of the ProCard can result in disciplinary action being taken by the University, including termination of employment.**

### **Employment Transfer/Termination**

When a cardholder terminates employment with Texas A&M International University or transfers to another department within the University, the department has the specific obligation to reclaim the purchasing card and return it to the Program Administrator prior to the employee's termination/transfer date.

## **Lost or Stolen Cards**

If a ProCard is lost or stolen, immediately contact the Citibank’s Customer Service at **1-800-248-4553**. After contacting Citibank, notify the Program Administrator and the department supervisor.

## **Procedures**

To obtain a ProCard the following process will be followed:

1. Cardholder must fill out an application and department head/supervisor must approve and submit to appropriate VP/Dean for further approval. The approved application must be forwarded to the Program Administrator. (Attachment F).
2. Program Administrator will request issuance of the ProCard from Citibank. Please allow up to/approximately ten (10) days for your card to be received by the Purchasing department.
3. Once the card is received, the Program Administrator will schedule the applicant for a ProCard training. The applicant must bring a photo I.D. to the training class for verification and identification.
4. The applicant will attend the training (approximately 45 minutes) and will sign Purchasing Card Agreement (Attachment A).

## **About the Card**

A ProCard will be issued in your name with the State of Texas emblem and the wording “**OFFICIAL USE ONLY**” clearly indicted on the card. This card is for University business purposes only and it may not be used for any personal transactions. **It is important you understand that you are personally responsible and accountable for this ProCard.**

## **Purchasing Card Activation**

The cardholder must sign the back of the card and call **1-800-248-4553** to activate the ProCard before using it.

## **Purchasing Guidelines**

As a State institution, we are bound by certain state, local and federal laws and guidelines. As such, all purchases must be in accordance with the laws of the State of Texas and the purchasing procedures of The Texas A&M University System and Texas A&M International University. The cardholder is responsible for compliance and strict adherence to all purchasing guidelines within their department delegated authority.

<b>Single/Vendor Transaction Limit</b>	<b>\$5,000.00</b>
<b>Monthly Transaction Limit</b>	<b>\$5,000.00</b>

**As a reminder, the departmental delegated authority is for limited purchases. State law mandates that large purchases may not be broken down into small purchases to meet delegated limits. To do so would be a violation of state law and The Texas A&M University System and Texas A&M International University purchasing procedures. These limits help ensure that large-dollar purchases comply with University and State requirements for competitive bids. Cardholders who split purchases or bypass transaction limits will be reported to the appropriate VP for corrective action.**

Cardholders should promote and encourage positive interactions with suppliers. Honesty and courtesy are essential ingredients in all aspects of a buyer/supplier relationship.

All cardholders will follow these guidelines when using the ProCard:

1. Identify the commodity class and item of goods or services to be purchased.
2. Check the Texas Building and Procurement Commission or the Purchasing Departments website for HUB vendors at <http://www.cpa.state.tx.us/procurement/cmb/cmbhub.html>.
3. Check the State of Texas Contracts. If the item is on State Contract utilize the Contract. All items on State Contract may be found at <http://www.cpa.state.tx.us/procurement/>.
4. Statute prohibits state entities from buying from vendors who are in “warrant hold” status. Verify vendors “warrant hold” status utilizing State Comptroller’s website <http://www.cpa.state.tx.us/procurement/cmb/cmbhub.html>.

### **Examples of Acceptable Purchases**

All purchases must be made in accordance with the applicable statutes and regulations, the State Comptroller’s rules, The Texas A&M University System and Texas A&M International University’s policies and procedures. **(Refer to Guidelines for Disbursement of Funds, [http://sago.tamu.edu/soba/ver1\\_96.htm](http://sago.tamu.edu/soba/ver1_96.htm))** A State Agency **may not** pay for goods before they are delivered to the agency. The cardholder needs to ensure goods **will not** be received before the statement due date. The University’s closing date will be on the 3<sup>rd</sup> of each month with payment due within fourteen (14) days. Vendors should only charge the account when goods are shipped, this includes backorders.

## Acceptable Purchases

Supplies-Office General	4010	Supplies-Paper Good & Janitorial	4011
Supplies-Education (books, videos, exams)	4012	Supplies-Research	4013
Supplies-Other	4014	Food Purchases (Research, Seminars, Teaching)	4050
Subscription, Periodicals & Info Services	4025	Fertilizer	4056
Medical Supplies	4045	Pesticides	4058
Parts-Machinery & Equip	4066	Parts-Motor Vehicles	4065
Building Supplies & Material	4076	Shop & Industrial Supplies	4075
Fabric & Linen (ex. shirts)	4080	Landscaping Supplies	4077
Telecom-Parts & Supplies	5120	Furnishing & Equipment (non-inv)	4085
Employee Training/Tuition	5217	Employee Training-Registration Fees	5215
M&R-Motor Vehicles**	5511	M&R Machinery & Equipment**	5512
M&R-Medical Equipment	5513	Telecom Equip Purchase	5770
Medical, Scientific & Lab Equip	5751	Rental of Exhibit Space (booth/table)	5871
Shop & Industrial Equip	5753	Rental of Tools & Equipment	5810
Fabrication of Equipment	5772	Catering Services (Only ARAMARK)	6338
Other Expenses-Local Only (ex. florist)	6335	Entertainment/Business Meals*	6340
Food Purchases (other than 4050)	6339		
Participant Costs-Fees	6367		

## Restricted Purchases

Advertising	Memberships
Alcohol	Microwave
Capital Equipment	Postage/Overnight Packages
Cell Phones	Printer
Chemicals	
Computer ( <b>includes Software/Hardware</b> )	Printing/Copying
Controlled Assets ( <b>see below for definition</b> )	Promotional items with TAMIU logo***
Consultant Services	Radios (hand-held/2-way)
Entertainment ( <b>theater, golf course, bowling, tourist attraction, exhibits, etc</b> )	Refrigerator
Freight Charges	Services ( <b>please contact Purchasing</b> )
	Shredder ( <b>use contract</b> )
Furniture	Social Club Dues
Gasoline	
Gift Certificates/Gift Cards	Travel ( <b>airlines, car rentals, hotels, motels, railroads, cruise lines, travel agencies, Bridge, Road Fees, Tolls, service stations, parking lots and garages, etc.</b> )
Hazardous/radioactive materials	Uniforms
Meals/Food ( <b>for business meals only, not for Individual cardholder meals</b> )	
Medicine	

\* Meals purchased on the ProCard **must** always be documented as to who, what, when, where and why- the Reimbursement/Payment of Business Meal form (Attachment B) must be attached to all food receipts. The form may also be found by going to <http://www.tamtu.edu/adminis/purchasing/documents/Form-ReimbursementPaymentforBusinessMeals.pdf>. A local account must be used for all food purchases. If a receipt is misplaced the cardholder must fill out the Supplemental Documentation/Missing Receipts Form- <http://www.tamtu.edu/adminis/purchasing/documents/Form-ProCardSupplementalDocumentationMissingReceipts.pdf>.

\*\* All Maintenance & Repair (5510 through 5545) purchases must be for the service of actual repair cost, **do not include maintenance agreements.**

\*\*\* These include the following: pens, pencils, binders, cups, tote bags, shirts, etc.

The State of Texas Comptroller has defined “**controlled assets**” as facsimile machines, stereo systems, cameras, video recorders, televisions and projectors. These items, if less than \$500, are not considered “controlled assets” by the state and may be purchased with the ProCard if not restricted above. Items costing more than \$500 **must** be purchased through requisition to the Purchasing Department. Firearms/ammunitions and cash registers for any amount are controlled assets and **may not** be purchased with the ProCard. If you need further clarification regarding controlled assets please call the Purchasing Department at 326-2343.

### **Receiving Supplies**

It is your responsibility to ensure receipt of goods and to follow up with vendors to resolve any delivery problems, discrepancies and/or damaged goods. A copy of the charge slip, sales receipt or any other information related to the purchase must be kept.

A vendor’s entry system usually prints an automatic invoice with the processed order. Instruct the vendor not to send the invoice to the Accounts Payable Department but directly to the individual cardholder making the purchase (this will prevent duplicate payments to vendors). If a purchase is made via mail or telephone, ask the vendor to include the receipt with the goods when shipping the products.

### **Expense Report and Documentation**

The cardholder is responsible for submitting the Expense Report.

The credit card transactions **must** be reconciled thru Citibank’s website (<https://www.globalmanagement.citidirect.com/sdng/login/login.do>) immediately after the closing of the billing cycle. **The following documentation is required to be retained and submitted with the Expense Report:**

- Sales receipts
- Credit card receipts/slips
- Other information or correspondence related to the purchase
- Credit receipts
- Reimbursement/Payment of Business Meals Form

If a receipt is unattainable the cardholder must fill out a form for each missing receipt. The form that must be filled out is the Supplemental Documentation/Missing Receipts Form.

### **Reconciliation**

The cardholder must use Citibank’s GCMS website to log in and reconcile. **Any discrepancies identified will be promptly investigated with the documentation of action taken and recorded as an attachment to the log. It is the cardholder/department’s responsibility to resolve all discrepancies.**

Transactions require the approval of both the cardholder and their immediate supervisor. Under no circumstances will both the purchaser and approver be the same person. In the case of purchases made by Vice Presidents and the President, the following approval will be followed:

**Cardholder Signature Line**

President

VP for Finance & Administration

Provost & VP for Academic Affairs

VP for Institutional Advancement

**Department Head Signature Line**

VP for Finance & Administration

Provost & VP for Academic Affairs

VP for Finance & Administration

President

**Audit of Expense Report**

The Expense Report, along with the supporting documentation become official records and will be maintained in the Business Office in accordance with the University’s record retention schedule. The records for the ProCard purchases will be required when Texas A&M International University is audited. These records may be audited by the Texas A&M International University Fiscal Office, Purchasing Department, Texas A&M University System auditors, or state auditors.

Transactions on completed Expense Reports, after being submitted to the Purchasing Department, will be audited to ensure compliance to ProCard guidelines. Expense Reports that are inaccurate will be returned to the department for correction. Instances of noncompliance will be reported by the Purchasing Department to the appropriate VP for corrective action.

**Statement and Payment**

A statement for each cardholder will be available by logging into your account on the Citibank website. Citibank will mail one summary billing to the Program Administrator listing all transactions during the period by cardholder. The Business Office will pay the summary billing in full. Payment is required within 14 (fourteen) days to Citibank. The Texas Government Code requires that the Business Office audit all vouchers before they are submitted to the State Comptroller’s Office for payment.

**Purchasing Card Payment**

Employees do not pay their own monthly statement. The program does not affect your credit rating in any way. The Purchasing Card Program carries corporate and individual liability.

**Returns, Credits and Disputed Charges**

Should a problem arise with a purchase item or charge every attempt will be made by the cardholder to first resolve the issue directly with the supplier. Review of statements is vital to ensure the account is properly credited for returns, credits, and disputed charges. The returned, credited, or disputed item **must** be noted on the Purchasing Card Expense Report.

- **Returns:** If a cardholder needs to return an item to a supplier, contact the supplier and obtain instructions for return. Note that some suppliers may charge a restocking or handling fee for returns. All returns should be indicated on the Expense Report.
- **Credits:** If an item is accepted as a return by the supplier, a credit for this item should appear on the following month’s statement. All credits should be indicated in the expense report.

- **Disputed Charges:** If a cardholder finds a discrepancy on a monthly statement, the cardholder should contact the supplier and attempt to resolve the problem directly. All disputed items should be indicated in the Expense Report. Copies of all correspondence with the vendor must be kept as documentation. A cardholder is responsible for the security of the ProCard and the transactions made with it. ProCards must not be shared, it forfeits your dispute rights with Citibank.

If a cardholder cannot resolve a disputed item directly with the vendor, the cardholder should contact Citibank directly and follow dispute procedures as instructed.

Please visit [https://www.globalmanagement.citidirect.com/sdng/static-11.1.5.02/citigroup/en\\_US/help/advanced/user\\_guides/A.pdf](https://www.globalmanagement.citidirect.com/sdng/static-11.1.5.02/citigroup/en_US/help/advanced/user_guides/A.pdf) for steps to dispute a charge.

### **Card Termination**

If it is found that a cardholder has not used the ProCard for three consecutive accounting periods (3 months), this card may be revoked at the discretion of the Program Administrator.

When a cardholder terminates employment with the University, the cardholder has the specific obligation to return the ProCard to the Purchasing Department prior to the employee's termination date. All paperwork for transactions pending the closing of the cycle must be submitted to the Program Administrator.

Multiple notifications to a single department for insufficient budgets by the Business Office may result in revocation of all department cards.

Noncompliance with State and University purchasing procedures will be grounds for revocation of cards of individual cardholders and if continued may result in revocation of all of the division's or departmental ProCards.

## **ATTACHMENTS**

Attachment A - Cardholder Purchasing Card Agreement

Attachment B - Reimbursement/Payment of Business Meals

Attachment C - The Texas A&M University System Policy - Participation by Historically Underutilized Business

Attachment D - The Texas A&M University System Regulation - System HUB Program

**TEXAS A&M INTERNATIONAL UNIVERSITY  
PURCHASING CARD AGREEMENT**

Texas A&M International University is pleased to present you with this purchasing card. It represents trust in you and your empowerment as a responsible agent to safeguard and protect company assets.

I, \_\_\_\_\_, hereby acknowledge receipt and training on the Texas A&M International University MasterCard Purchasing Card, my card number: \_\_\_\_\_(last 8 digits). As cardholder, I agree to comply with the terms and conditions of this Agreement and the purchasing card procedures.

I acknowledge receipt of said Agreement and confirm that I have read and understand their terms and conditions. I understand that Texas A&M International University is liable to Citibank & MasterCard for all University charges.

I agree to use this card for Texas A&M International University approved purchases only and agree not to charge personal purchases. I understand that Texas A&M International University will audit the use of this card and report any discrepancies.

I further understand that improper use of this card may result in disciplinary action, up to and including termination of employment. I agree to reimburse the University for any cost not associated with the University, even if I am no longer employed by the University.

I understand that Texas A&M International University may terminate my right to use this card at any time for any reason. I agree to return the card to Texas A&M International University immediately upon request or upon termination of employment.

**CARDHOLDER:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Department: \_\_\_\_\_ Extension: \_\_\_\_\_

**APPROVAL:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Phone: \_\_\_\_\_

# Texas A&M International University

## Reimbursement/Payment of Business Meals

Employee's Name \_\_\_\_\_ Current Date \_\_\_\_\_

Place of Meeting \_\_\_\_\_ Meeting Date \_\_\_\_\_

Account Number \_\_\_\_\_ Department \_\_\_\_\_

Number of Meals \_\_\_\_\_ Total Amount \_\_\_\_\_

Does total include alcoholic beverages?    Yes    No

Purpose of Meeting:

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**Description of Entrée Meals**  
(Required only if an itemized receipt is not available)

**Attendees**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

I, the undersigned, certify that food and beverages were purchased for the business purposes as described above.

\_\_\_\_\_  
Cardholder Signature

\_\_\_\_\_  
Vice-President/President Signature

## SYSTEM POLICY

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### **25.06 Participation by Historically Underutilized Business**

*Approved February 27, 1995 (MO 44-95), Revised September 26, 1997 (MO 181-97), Revised September 24, 1999 (MO 226-99), Revised November 30, 2000 (MO 203-00), Revised September 27, 2001 (MO 212-01)*

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1. It is the policy of The Texas A&M University System (the System) to involve qualified Historically Underutilized Businesses (HUBs) to the greatest extent allowed by law in the System's construction contracting, professional services, and purchase, lease, or rental of all supplies, materials, services, and equipment. The System, its contractors and subcontractors shall not discriminate on the basis of race, color, religion, national origin, sex, disability, political belief, or affiliation in the award of contracts. Every System employee responsible for conducting business with outside vendors has the responsibility of making a good faith effort of ensuring that HUBs are afforded an equitable opportunity to compete for all procurement and contracting activities of the System.
2. The chief executive officer (CEO) of each component university, agency and the health science center (HSC) will designate an employee as HUB Coordinator who will have responsibility for implementing all programs dealing with HUB activities for that component and for carrying out the policy as published in the System Policy Manual. The Chancellor will designate a HUB coordinator for The Texas A&M University System. The System HUB coordinator will provide coordination for the System and support the activities of the component HUB coordinators.
3. The Texas A&M University System adopts the rules as specified in 1 TAC §111.11 et seq. relating to the Historically Underutilized Business Program for application to all construction projects and purchases of goods and services paid with appropriated money.
4. The Chancellor shall report to the Board annually on the progress made by the System and each component university, agency and the HSC in the participation by HUBs.

**CONTACT OFFICE: The Vice Chancellor for Administration**

## SYSTEM REGULATION

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### **25.06.01 System HUB Program**

*November 2, 1998, Revised March 3, 2003*

*Supplements System Policy 25.06*

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#### 1. COMPLIANCE

The System will comply with System Policy 25.06 and with all applicable laws, regulations, and executive orders related to Historically Underutilized Businesses (HUBs).

- 1.1 The System will make a good faith effort to assist HUBs in gaining equal access and equal opportunities to receive contract and subcontract awards for design and construction projects and for the purchase of supplies, materials, equipment and services, including those relating to the issuance of bonds, in accordance with the rules established by the Texas Procurement and Support Services (TPASS).
- 1.2 The System will develop a written HUB Program to support these commitments.

#### 2. DEFINITIONS

- 2.1 A "Historically underutilized business (HUB)" is an entity with its principal place of business in Texas that is:
  - 2.1.1 a business that has satisfied the requirements of the TPASS and has been granted certified status;
  - 2.1.2 a corporation formed for the purpose of making a profit in which 51 percent or more of all classes of the shares of stock or other equitable securities are owned by one or more disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management;
  - 2.1.3 a sole proprietorship created for the purpose of making a profit that is completely owned, operated, and controlled by a disadvantaged person;
  - 2.1.4 a partnership formed for the purpose of making a profit in which 51 percent or more of the assets and interest in the partnership are owned by one or more disadvantaged persons who have a proportionate interest and actively participate in the partnership's control, operation, and management;
  - 2.1.5 a joint venture in which each entity in the venture is a historically

underutilized business, as determined under another paragraph of this section; or

- 2.1.6 a supplier contract between a historically underutilized business as determined under another paragraph of this section and a prime contractor under which the historically underutilized business is directly involved in the manufacture or distribution of the goods or otherwise warehouses and ships the goods.
- 2.2 If a HUB is both minority-owned and woman-owned, it is to be classified as minority-owned.
- 2.3 "Disadvantaged person" means a person who is economically disadvantaged because of the person's identification as a member of a certain group, including Black Americans, Hispanic Americans, American women, Asian Pacific Americans, and Native Americans.
  - 2.3.1 "Black Americans" include persons having origins in any of the Black racial groups of Africa.
  - 2.3.2 "Hispanic Americans" include persons of Mexican, Puerto Rican, Cuban, Central, or South American, or other Spanish or Portuguese culture or origin, regardless of race.
  - 2.3.3 "Asian Pacific American" includes persons whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the United States Trust Territories of the Pacific, the Northern Marianas, and Subcontinent Asian Americans which includes persons whose origins are from India, Pakistan, Bangladesh, Sri Lanka, Bhutan or Nepal.
  - 2.3.4 "Native Americans" includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians.
  - 2.3.5 "American women" includes all women, of any ethnicity except those specified in sections 2.3.1, 2.3.2, 2.3.3, and 2.3.4 above.
- 2.4 "Joint Venture" means a limited association of two or more persons or firms formed to carry out a single business enterprise for profit, for which purposes they combine their property, money, efforts, skills, and knowledge.
- 2.5 "Vendor" or "Contractor" means a supplier of commodities or services to a state agency under a purchase order contract or other contract.

- 2.6 "Treasury funds" are funds maintained in the state treasury and paid through the State Comptroller's Office.
- 2.7 "Non-treasury funds" are funds paid by a System component that are not treasury funds.
- 2.8 "HUB Coordinator" is an employee who holds a position equivalent to the procurement director or is the procurement director. The employee reports to the component CEO on HUB activities including, but not limited to, the component's good faith effort criteria, HUB reporting, contact administration, and marketing and outreach efforts for HUB participation.
- 2.9 "HUB Subcontracting Plan" is the written plans for the use of HUB subcontractors, which is required by a component in procurements with an expected value of \$100,000 or more which a potential contractor/vendor must prepare and return with their bid, proposal or offer.

### 3. COMPLIANCE WITH THE TEXAS A&M UNIVERSITY SYSTEM PROCUREMENT CODE

The Texas A&M University System Procurement Code (see System Regulation 25.99.02) requires that all purchases, except as specifically provided, be based on best value. Nothing in this regulation shall be construed to require otherwise.

### 4. ADMINISTRATIVE RESPONSIBILITY

#### 4.1 System HUB Coordinator

The Chancellor will appoint a System HUB Coordinator who will have the responsibility for administering the Texas Administrative Code (TAC) rules regulating HUB implementation. In addition, the System HUB Coordinator will:

- (1) monitor, lend assistance, and coordinate all programs dealing with HUBs;
- (2) keep System administration and components informed of latest developments in HUB Program administration;
- (3) update the System HUB Program as necessary and distribute to System components;
- (4) develop a HUB plan for internal educational and outreach activities for the use of the System and its components;
- (5) serve as a liaison between the System and its components to share successful methods of increasing HUB participation;
- (6) monitor and update System HUB Policy and Regulation;

- (7) determine the degree to which System goals and objectives have been attained and suggest ways to improve performance;
- (8) review, consolidate and transmit reports of System and component HUB activities and participation, except as provided in section 6.1(b), to the Chancellor, Board, or other state entity or state official; and
- (9) identify areas that appear to require special attention or remedial action and assist components in obtaining needed information and/or in developing new HUB procedures or strategies.

#### 4.2 Component HUB Coordinators

The CEO of each System component will appoint a HUB Coordinator who will have responsibility for administering the TAC rules regulating HUB implementation for that component. In addition, the component HUB Coordinator will:

- (1) coordinate the development of the component HUB program;
- (2) identify areas requiring special attention in the component HUB program and recommend action;
- (3) provide training to the component employees;
- (4) report results to the CEO on a regular basis;
- (5) report performance to the System database;
- (6) serve as liaison between the System component and the System HUB Coordinator; and
- (7) review the use of subcontracting plans for procurements.

### 5. HUB PROGRAM

In addition to the TAC rules, the System HUB Program shall include, to the greatest extent possible, good faith efforts to:

- (1) ensure that the Texas HUB Certification Electronic Database provided by the TPASS is accessible to all employees and encourage use of the directory in procurement activities;
- (2) distribute procurement policies and procedures to HUBs in an effective process so as to encourage participation of those businesses;
- (3) develop and participate in educational outreach activities, such as:

- (a) publishing materials expressly designed to convey information to HUBs about the component's procurement process; and
  - (b) actively participating in the local Chamber of Commerce and/or economic development programs that promote business opportunity fairs for HUBs.
- (4) develop and/or participate in internal educational activities, such as:
- (a) a formal procurement training program for all professional purchasing staff that incorporates improvement of business skills and encourages HUB opportunities and participation; and
  - (b) developing and distributing information related to HUBs for use in departmental purchases not being processed through the central purchasing department.
- (5) examine bid specifications to ensure that HUBs have access and equal opportunity for all procurement, contracting activities, and physical plant projects;
- (6) participate in programs that consolidate information about upcoming contracting opportunities and allow potential bidders to review those opportunities; and
- (7) develop a System web page to support and encourage HUB participation.

## 6. REPORTING REQUIREMENTS

- 6.1 The TPASS is required to prepare a consolidated report based, in part, on information provided by each System component. In accordance with this requirement, each component will:
- (a) continuously maintain, and compile monthly, information relating to use of HUBs by the component and each operating division of the component, including information regarding subcontractors and suppliers; and
  - (b) report to the TPASS in accordance with Texas Government Code §§2161.121 and 2161.122 and 1 TAC §111.11 et seq.
- 6.2 The System Office of Treasury Services shall file a report related to bond issuance and items financed by bonds, as required by Section 55.03, Texas Education Code. The report shall contain the information specified in Section 55.03.
- 6.3 Each component shall report the monthly progress made in the HUB participation to the System HUB Program Office.

**CONTACT FOR INTERPRETATION: System HUB Coordinator**  
**HISTORY: Last Version: November 2, 1998**

**[Component Rules Relating to This Regulation](http://sago.tamu.edu/policy/section25.htm)**  
**<http://sago.tamu.edu/policy/section25.htm>**

