

Contract Management Training (Advanced)

Frequently Asked Questions (FAQs)

1. Is there a list of Departmental Contract Administrators (DCAs) and their respective departments?

Answer: Though the list may be incomplete, you can find most DCAs in the global address book under grp-Contracts-Dept Administrators.

2. Is a Contract Management System coming in the near future?

Answer: CNP is looking into it and hopes it will be in place by the end of the FY2021.

3. Sometimes the expiration date for a contract is difficult to locate. Where should I look?

Answer: It should be on the first page or two in the section with the effective date, but if it isn't, then a search for words like term, renewal, etc. will unearth the end date. If that doesn't work, call CNP.

4. Would it be possible to put a link to the Business Affairs Contract Processing Checklist (Checklist) on CNP's homepage?

Answer: The link to the Checklist can be found in multiple locations such as, UT4U, Resources, Purchasing; Business Affairs homepage; Business Affairs, Contracts Administration; Contracts and Procurement, Forms and Guides; and others. If you have any issues locating the most current Checklist, contact CNP and they will help you.

5. When I get an invoice, I see the HUB Progress Assessment Report (PAR). Does someone in HUB review that when I submit the approved invoice?

Answer: No, HUB doesn't review when the approved invoice is submitted to A/P. The DCA should submit invoices with PARs to HUB Coordinator (Kyle and Katie) for review and approval when processing invoices and before the invoice is uploaded to A/P. A HUB Coordinator will send DCA an approval response via email once it is reviewed.

6. What is the difference in a vendor having a Nondisclosure Agreement (NDA) vs a Business Associate Agreement (BAA)?

Answer: NDA is not anywhere near what a BAA is for HIPAA data, HIPAA data is the type of data generated at the doctor's office; when we are working with a vendor accessing, viewing data, a BAA is a required stringent, federally guided agreement. It holds the business associate to a very high bar. The NDA is more we agree to not do anything bad with your data; a vendor has said we are going to allow you to see proprietary data and you promise not to do anything bad with the data. If UT requires a NDA, it is because the vendor is going to be near the data, not working with it, accessing or viewing it.

7. How often do the Information Security Office (ISO) vendor risk assessments need to be updated?

Answer: Sometimes annually, but if you have a contract monitoring plan, you will have the ISO recommendations on that plan. If you don't have a monitoring plan, CNP and DCA will need to discuss. Contracts that deal with confidential data are assessed annually. Others it is at the time of renewal.

8. Single sign on (using UT credentials for third-party hosted platforms). When would it be required for third-party vendors to use two-factor (i.e., Duo or Microsoft) for these platforms?

Answer: It depends on the software vendor. Sometimes the vendor is unable to do single sign on and we

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would have to do it differently. UT System requires any website that is hosting UT confidential data to provide two-factor authentication.

9. The DCA collects/receives the Certificate of Insurance (COI). Does the Office of Risk Management (ORM) review? Insurance is specialized and complex and most DCAs would not understand how to read a COI.
Answer: Yes, ORM will review the COI to confirm that the limits are accurate.

10. When is it allowed for UT System to use "prepayment?" I have relied on the statement that we cannot prepay for services.

Answer: One example where prepayment is allowed is for software licenses and maintenance. Generally, UT doesn't and isn't allowed to prepay. Contact CNP if you have questions.

11. What is the difference between an "Enhanced" Contract Monitoring Plan and a required "Routine" Contract Monitoring Plan? What is the difference between Routine (Suggested) and Routine (Required) Contract Monitoring Plan?

Answer: An Enhanced Contract Monitoring Plan is required when the completed Contract Risk Assessment has at least one (1) high-risk item checked; a Routine Contract Monitoring Plan is required when the completed Contract Risk Assessment has at least one (1) medium-risk item checked; and a Routine Contract Monitoring Plan is suggested when the completed Contract Risk Assessment has only low-level risks checked.

12. For Systemwide contracts that are primarily used by the institutions, is there a better way to track spend? Maybe utilizing PeopleSoft? Currently, we rely on vendors reporting spend on a regular basis and do not have access to real-time spend.

Answer: UT institutions are not all on the same instance of PeopleSoft and some UT institutions utilize a different solution. It would make using PeopleSoft as a tracking tool extremely difficult, if not impossible.

13. Is the Contract Close-Out Form required for ALL contracts when they expire? Or only those that require a certain amount of monitoring?

Answer: The Contract Close-Out Form is required if the contract has a value of \$250,000 or more or if the value is less than \$250,000 and "High Risk" factors are known to exist and the contract has a Contract Monitoring Plan. Having the Contract Close-Out Form with the Contract Monitoring Plan helps you complete it during the lifecycle of your contract and not have to remember at the end of the contract how you handled the beginning of the Contract (e.g. contract kick-off meeting).

14. Does the Contract Close-Out Form apply to things like Memoranda of Understanding (MOUs)?

Answer: The Contract Close-Out Form as well as Risk Assessment Form and Contract Monitoring Plan do not apply to MOUs, memoranda of agreement, interagency contracts (IACs), interlocal agreements, intergovernmental contracts or contracts where there is no cost.