Kennesaw State University  
Policy: Contract Approval & Signature Authority  
KSU Policy Category: Finance

<table>
<thead>
<tr>
<th>Policy Title</th>
<th>Contract Approval &amp; Signature Authority</th>
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<tbody>
<tr>
<td>Issue Date</td>
<td>12/21/2017</td>
</tr>
<tr>
<td>Effective Date</td>
<td>1/16/2018</td>
</tr>
<tr>
<td>Last Updated</td>
<td>4/30/2018</td>
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<tr>
<td>Responsible Office</td>
<td>Chief Business Officer</td>
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<td>Contact Information</td>
<td>Contracts Office</td>
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<td></td>
<td>Phone: 470-578-2138</td>
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<td></td>
<td>Email: <a href="mailto:contracts@kennesaw.edu">contracts@kennesaw.edu</a></td>
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<td></td>
<td>Website: <a href="http://fiscalservices.kennesaw.edu/contracts/">http://fiscalservices.kennesaw.edu/contracts/</a></td>
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1. **Policy Purpose Statement.** This policy defines the approvals that are necessary before the university can enter into a contract, and delegates limited authority to certain officials to execute contracts for the university.

2. **Background.** This policy ensures that the university’s contracts have been properly vetted before they are signed.

3. **Scope (Who is affected).** All components of the university, and the university’s cooperative organizations.

4. **Exclusions or Exceptions.** Contracts to which neither the university nor its cooperative organizations are a party.

5. **Definitions and Acronyms.**

   "**Contract**" A contract is any set of enforceable promises where the university or one of its cooperative organizations is a party. It does not matter if a document is entitled a contract, agreement, memorandum of understanding, letter of intent, or some other term. If the university will be bound by the document, or if the university wishes to bind someone else to the document, then it should be treated as a contract.

   "**Cooperative Organization**" A cooperative organization is an entity that the president of the university has recognized as a cooperative organization, pursuant to the policies of the Board of Regents of the University System of Georgia.

6. **Policy.**

   a. **Prior Review by the Contracts Office.**

   All proposed contracts must be submitted to the university’s Contracts Office for review before they are signed. This applies to all contracts in which the university or a cooperative organization is a party, regardless of the funding source that will be used.

   For contracts to which the university is a party, the Contracts Office must: (1) ensure that the proposed contract is approved by all appropriate officials at the university; (2) ensure that the contract is signed
by an official with appropriate authority; and, (3) maintain a repository of all executed contracts, subject to applicable records retention guidelines.

For contracts to which a cooperative organization is a party and the university is not a party, the Contracts Office must: (1) ensure that the proposed contract is reviewed by all appropriate officials at the university; (2) ensure that the university’s feedback is communicated to the cooperative organization; and, (3) maintain a repository of all executed contracts, subject to applicable records retention guidelines. Each cooperative organization remains responsible for reviewing, approving and executing contracts to which they are a party.

Subject to approval by the university’s Chief Legal Officer, the university’s Chief Business Officer is authorized to: (1) establish procedures governing the Contracts Office; (2) authorize contracting processes that are not subject to prior review by the Contracts Office; and, (3) approve contract templates.

b. Delegation of Signature Authority.

Attachment A lists the university officials who hold delegated authority to execute contracts on behalf of the university, subject to the limitations listed, and the policies of the university and the Board of Regents. The authority delegated via this policy cannot be further delegated to others. The official executing any contract is responsible for returning an original version or pdf version of each contract they execute to the Contracts Office for inclusion in the university’s repository. The value of a contract is viewed as the larger of either the university’s potential liability to the other party, or the other party’s potential liability to the university. Please note that the Board of Regents reserves authority to sign certain contracts to the Chancellor and the Board of Regents themselves, e.g., certain leases, major construction contracts, etc. In addition, certain purchases must be executed or approved by the Georgia Department of Administrative Services. The authority to execute contracts on behalf of a cooperative organization is defined by each cooperative organization. The President may delegate additional authority in writing to other university officials by updating Attachment A, the latest version of which shall be displayed on the Contracts Office website. Authority is also given to execute contracts and transactions using alternate contracting methods approved by the Chief Business Officer, e.g., Purchasing Cards.

7. Associated Policy(ies)/Regulations.

a. Board of Regents’ Policy Manual 2.5.4,
   http://www.usg.edu/policymanual/section2/C317/#p2.5.4_agreements

b. Board of Regents’ Policy Manual 7.9
   http://www.usg.edu/policymanual/section7/C474

c. University System of Georgia’s Business Procedures Manual 3.4.1
   http://www.usg.edu/business_procedures_manual/section3/C1137/#p3.4.1_authority_to_execute_contracts

8. Procedures associated with this policy. Full procedures can be found on the Contracts Office website.
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Policy: Contract Approval & Signature Authority
KSU Policy Category: Finance

9. Forms associated with this policy. Current forms associated with this policy can be found on the Contracts Office website.

10. Violations. Violations of this policy can result in disciplinary actions and potential personal liability for the offender. Cooperative organizations that are non-compliant with this policy may lose their recognition as a cooperative organization.


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Approved as Kennesaw State University Policy:

<table>
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<tr>
<th>President</th>
<th>W. Ken Harmon, D.B.A.</th>
<th>April 30, 2018</th>
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<tbody>
<tr>
<td>Signature</td>
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Attachment A
Delegation of Signature Authority
Effective April 30, 2018

President and Chief Business Officer = Contracts of any amount, any non-monetary contracts, and gift acceptance agreements and related documents;

Provost = Faculty employment contracts and appointments, other contracts of a value of less than $50,000, and non-monetary contracts that affect only their areas of responsibility;

Vice Provosts = Contracts of a value less than $25,000 that only obligate resources within their budgets and units;

Vice Presidents, Deans (excluding associate and assistant VPs and deans) and any officer designated by the President as the “Chief” officer for the university in their area of responsibility = Contracts of a value of less than $25,000, and non-monetary contracts that affect only their areas of responsibility, with the following additional delegation to a specific officer within this category:

Vice President for Research = Research and grant proposals of any amount;

Associate and Assistant Vice Presidents, Associate and Assistant Deans, Chairs, and Directors and Executive Directors = Contracts of a value of less than $10,000, and non-monetary contracts that affect only their areas of responsibility, with the following additional delegation to specific officers within this category:

Assistant Vice President of Auxiliary Services = Contracts of a value less than $25,000 that only obligate resources within Auxiliary Services;

Executive Director, University Events = Contracts of a value less than $25,000 related to events at the university that use templates or contracts approved by the KSU Division of Legal Affairs;

Director of Athletics = Contracts of a value less than $25,000 that only obligate resources within Athletics;

Program Managers within the College of Continuing and Professional Education = Contracts of a value less than $25,000 to engage course directors and instructors using templates or contracts approved by the KSU Division of Legal Affairs;

Associate and Assistant Vice Presidents and Directors within the Office of Research = Research and grant proposals of any amount;

Controller = Any contract that the Chief Business Officer could sign when the Chief Business Officer is not reasonably available, or when given express direction from the Chief Business Officer;

University Procurement Officer, Assistant Directors of Procurement, Procurement Managers, = Contracts of a value less than $100,000, and any purchases from statewide contracts, existing agency contracts, purchases from exempt categories, pre-approved piggyback and consortia purchases.
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KSU Policy Category: Finance

*University Buyers and Contracting Officers (in Procurement only) =* Contracts of a value of less than $50,000. Purchases of a value of less than $100,000 from statewide contracts, existing agency contracts, exempt categories, pre-approved piggyback, and consortia purchases.

N.B. Some general thresholds to keep in mind:
- **Purchases of services over $2,500 require e-verify;**
- **Purchases of $10,000 to $24,999 require three quotes; and,**
- **Purchases of $25,000 or more require bidding.**