Overview of Contracts

Contract Compliance Office
Office of Fiscal Services
Contract Compliance Office

• Responsibilities:
  • Receiving all contracts, memoranda of understanding, letters of agreement, lecture or performance agreements, licenses, terms and conditions, etc., related to all types of transactions, prior to being signed
  • Ensure all necessary departments have reviewed the contract
  • Notifying department of contract approval status
  • Storing all contracts in the repository for the University

*It is important to note that contract approval by the Contracts Office does not remove the requesting department’s responsibility in relation to business or administrative implications of the contract.

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Topics

- What is a Contract?
- Difference Between Procurement and Non-Procurement Contracts
- Contract Submission Process
- Pre-Approved Templates
- Assistance in Drafting a Contract
- KSU Signature Authority
Definition of a Contract

- Any legally enforceable agreement between two or more parties
- May not necessarily have the title “contract”
- Not limited to financial transactions
- Contracts include, but are not limited to:
  - Letters of Agreement
  - Lecture or Performance Agreements
  - Licenses
  - Memoranda of Understanding
  - Invoices or Quotes with Terms and Conditions
  - Agreements between Kennesaw State University Foundation, Kennesaw State University Research and Services Foundation, Kennesaw State University Athletic Association and any other entity associated with Kennesaw State University
- All contracts must be in writing
Who will submit my contract to the Contract Management System?

How do I know if my contract is a Procurement or a Non-Procurement contract?
Procurement vs. Non-Procurement Contracts

**Procurement:**
- Purchase agreement more than $2,500
- Payment method = Purchase Order
- Leased Equipment
- Quotes, proposals, and statement or scopes of work based on existing university, interagency or statewide contracts

Attach the unsigned contract, along with all supporting documentation, to your ePro requisition.

Your Buyer Partner will submit the contract through the Contract Management System.
Procurement vs. Non-Procurement Contracts

• Non-Procurement
  • Purchase agreement less than $2,500
  • Payment method = OwlPay or P-Card
  • Pre-Approved University Templates
  • Agreement where money is coming into KSU
  • Memorandum of Understanding
  • Affiliation Agreements
  • Game Day Contracts
  • Zero Dollar Contracts

You, the requester, will submit the contract, along with any supporting documentation, directly into the Contract Management System.
Contract Submission Process

1. Requester or Buyer Partner: Submits a contract request to the Contracts Office.
2. Contract Manager: Reviews the contract request and all attached documentation. Once reviewed, the Contract Manager will send the request to the Approval Teams.
3. Approval Teams: Reviews the contract and makes one of the following decisions: Approve, Approved with Modifications, Not Approved, or Approval Not Required.
4. Contract Manager: Notifies the Requester/Buyer Partner that the contract has been Approved or Approved with Modifications.
5. Requester or Buyer Partner: Signatures are obtained for the approved contract:
   • For Non-Procurement contracts, the requester will send the contract to the vendor for signatures, then to the KSU Authorized Signatory for final signature. Once all signatures have been received, the fully executed contract is uploaded to the Contract Management System.
   • For Procurement contracts, the Buyer Partner will attach the signed contract to a Purchase Order and send to the vendor, the requesting department and will upload the fully executed contract in the Contract Management System.

6. Contract Manager: Reviews the fully executed contract and marks it as “Signed”. The contract will then be stored in the University Repository.

*Follow this link to access Creating A Contract Request Guide
Pre-Approved Templates

There are 2 types of Pre-Approved Templates:

• University Templates
  • Artistic Performance Agreement
  • Lecture Agreement
  • KSU Data Confidentiality Addendum
  • Travel Expense Rider (not a stand-alone document)

• Department Templates
  • A document that has been reviewed and approved by the Contracts office for template use by a department for a specific purpose.

*Note that Independent Contractor Agreements are not pre-approved templates and must be reviewed and approved before signatures are obtained.
Assistance in Drafting a Contract

If you need assistance in drafting a contract:

• The request should be submitted through the Contract Management System:
  • In the contract description section, specify that you would like assistance in drafting an agreement.
  • Attach a Word document outlining the statement of work, dates the service will be provided, compensation, etc. Please provide as much information as possible so that Legal Affairs understands the full scope of the agreement.
  • The request will go through the contract review process and will be sent to all necessary departments. Once approved, you will receive the drafted agreement attached to the approval e-mail from Contract Compliance.
KSU Signature Authority

• Only authorized individuals may sign contracts on behalf of KSU.
• The appropriate signature authority is dependent on the type of contract and its value.
• Best business practice dictates that the vendor signs the contract **before** the KSU signature authority as we are typically the payor.
• This also ensures that KSU will receive a fully signed contract.
• The decision to sign the contract is solely at the discretion of the initiating department.
• If the initiating department chooses not to sign the contract, the Contracts Office must be notified immediately.

You can follow this link: [KSU Signature Authority Policy](#)
Helpful Links

• Contract Compliance Homepage:  Contract Compliance
• Procurement Homepage:  Office of Procurement
• Contract Management System:  CMS Home
• Contract Management System Documentation:
  • Creating a Contract Request
  • Creating a Contract Request Using a Pre-Approved Template
  • Creating a Contract Request Using a System-Generated Pre-Approved Template
• Exemptions to the Review Requirements:
  • Exemptions Document
Contacts:

- Email: contracts@kennesaw.edu
- Jennifer Hallock – Contract Compliance Specialist
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  - Available to call or chat on Microsoft Teams
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