Exemptions to the Review Requirements of Contract Compliance:  
(Effective June 10, 2019)

A contract is any legally enforceable agreement whether or not it is titled “contract.” Contracts include, but are not limited to: terms and conditions related to a transaction, letters of agreement, lecture or performance agreements, licenses, and memoranda of understanding.

Contracts covered by the exemptions outlined below may still require approvals or prerequisites as needed (for example: UITS approval, compliance with Procurement and/or P-card policies, etc.) before they are executed. After these contracts are signed by both parties, the fully executed contracts must be uploaded to Contract Compliance for the issuance of a contract number and addition to the university’s contract repository: https://fiscalservices.kennesaw.edu/contracts/contract-submission-form.php

The following contracts may be executed without obtaining approval from Contract Compliance.

1. Contracts with external entities:

   1.1 Purchases from statewide contracts, existing University and Board of Regents contracts.

   1.2 Pre-approved and unmodified standard university contract templates, such as the Lecture or Artistic Performance Agreements, unless modifications to the terms and conditions are needed. However, these contracts may not be inappropriately used. For example, a Lecture Agreement must not be used to contract with providers of services other than Lectures. In addition fully signed contract must be submitted to the Contract Compliance Office prior to the event or service for inclusion in the University’s repository, using the Contract Submission Form.

   1.3 The following types of contracts, subject to the conditions specified below:

      - Software licenses(1)
      - Purchase/licenses related to statistical data (i.e. Bloomberg)
      - Online subscriptions (not including online advertising)
      - Online shopping carts with terms and conditions (i.e. Amazon, Walmart)
      - Purchase of lab supplies and equipment
      - Purchase of mailing lists for KSU marketing purposes
      - Music license/rental agreements related to use of specific music pieces in theatrical productions

   if all of the following conditions apply:

      i. Cost of the contract or purchase is $2,499.99 or less(2); and
      ii. The initial year’s cost of the contract is paid from the current fiscal year’s budget; and
      iii. The product is for localized use solely within the department or college making the purchase, and not for campus-wide use.

2. Internal KSU agreements:

   2.1 Internal agreements/understandings between two or more KSU departments may be executed or processed without obtaining approval from Contract Compliance. For example:

      - Memorandums of Understanding
      - Joint Appointment Agreements
      - Facility Use Agreements
      - Service Agreements or Invoices/quotes.

   2.2 Please note that this exemption does not apply to agreements with affiliated organizations (such as the KSU Research & Service Foundation, KSU Foundation, KSU Athletic Association, etc.). Such agreements are not internal agreements. The exemption also does not apply to agreements with other institutions that are part of the University System of Georgia.

(1) Agreements related to the licensing of software which contain additional services, such as training, support services, or maintenance are considered service agreements and require Contract Compliance review.

(2) Purchases exceeding $2,499.99 may not be divided into multiple smaller purchases to avoid Contract Compliance review. If there are multiple contracts/quotes with the same vendor related to a single purchase or project, the cumulative value of these contracts should be considered.