

1.0 DELEGATION OF AUTHORITY

Alcorn State University (ASU) enters into many contractual agreements each year with third parties that provide a wide array of activities involving University funds, facilities, personnel and other resources. This policy delineates the authority for the signature of contracts on behalf of the University. This policy also describes the advance review that is required before a contract is signed and for recordkeeping requirements for all contracts.

This policy, which pertains to all faculty, administrators and staff, applies to any type of agreement that obligates the University to provide payment, services, goods or use of University property, facilities or other resources to a third party. Contractual agreements governed by this policy include, but are not limited to, leases, licenses, design contracts, engineering contracts, construction contracts, service agreements, consulting agreements, employment agreements, grants, research agreements, affiliation agreements, field site agreements, performance agreements, speaker agreements and any other contracts that obligate the University to pay for or to provide other services.

1.1 CONTRACT SIGNATURE AUTHORITY

1.1.1 CONTRACT SIGNATURE AUTHORITY GRANTED BY BYLAWS AND BOARD RESOLUTION

Pursuant to the University's Bylaws, the President, as Institutional Executive Officer (IEO), is authorized to sign all contracts for the University.

The President with Board approval delegates authority to executive delegators, namely, the Executive Vice President/Provost (\$99,999.99), Senior Vice President Operations/COO (\$99,999.99), Vice President for Fiscal Affairs (\$49,999.99), Vice President for Student Affairs (\$49,999.99), Vice President for Media Relations (\$49,999.99), Vice President for Institutional Advancement/Athletics (\$49,999.99) to execute any contract, document or instrument or to take other actions in the name of and on behalf of ASU as deemed necessary and appropriate in the conduct of ordinary University business.

Executive delegators may delegate their authority but only to persons who are current University employees; who have some level of responsibility for the activity being conducted; who are knowledgeable about University policies, rules, laws, regulations and procedures and over whom the delegator has management authority. All delegations become null and void upon the last date of employment.

Under this delegation policy, executive delegators may:

- retain full discretion to reserve to themselves any authority delegated to them;
- delegate the authority if it is not expressly disallowed or limited in any way;
- not delegate greater responsibility and decision-making authority than they have been delegated;

- not delegate authority to anyone who has an individual or institutional conflict of interest related to that authority, as defined by University policy; and
- remain responsible and accountable at all times for the exercise of any authority they choose to delegate to others.

1.1.2 DELEGATION OF CONTRACT AUTHORITY

When delegations of contracting authority occur, the delegating officer retains the ultimate responsibility for matters and personnel under his or her supervision.

An individual who has not received a written delegation of authority to sign contracts is not authorized to sign agreements that purport to bind the University and may be held personally responsible if he or she attempts to do so. The University retains the authority not to recognize a signed agreement if he or she attempts to do so. The University also retains the authority not to recognize an agreement as binding against the University unless all signatories to the agreement have proper contract signature authority as of the date the contract was entered into.

All delegations of contract signature authority must:

- be in writing.
- be made to specific position titles, not named individuals.
- state the scope of the delegation (e.g., a specific vendor/contract only, contracts under a certain dollar amount).
- specify the need for advance review pursuant to this Contract Signature Authority Policy.
- notify the delegate in writing, retain documentation of all of their delegations and review those delegations at least annually to ensure they are up-to-date and appropriate. This documentation must be made available upon request.

1.2 CONFLICTS OF INTEREST

University officers or designees with contract signature authority must exercise that authority in a manner consistent with the University's Individual Conflicts of Interest Policy. Similarly, any University employee who is involved in any way in the contract administration process (e.g., selecting the third party with whom the University will contract, negotiating the terms and conditions of the contract, carrying out the University's responsibilities under the contract or interacting with the third party as a representative of the University) must exercise that authority in a manner consistent with the University's Individual Conflicts of Interest Policy.

Only those positions outlined in this policy are authorized to sign University contracts unless otherwise delegated.

Delegations relating to expenditure of any kind can only be exercised within approved budgets. There is no authority to incur expenditure unless there is an approved source of funds. A delegate who incurs expenditure beyond or without an approved source of funds is accountable for that expenditure.

Delegations relating to purchasing and expenditure of any kind can only be exercised with respect to cost collectors within the delegate's authority. A delegate who incurs expenditure against an unauthorized cost collector is accountable for that expenditure.

A purchasing or expenditure delegation does not remove the need to obtain tenders or quotations in accordance with the University's policies, procedures and/or guidelines. Financial delegations are generally limited to a dollar value which relates to the total cost of the transaction. A transaction may not be split into parts or installments or reduced through deductions or trade-ins.

Any variation from the original approved expenditure must also be approved by the delegate provided that the total cost (including the variation) is within the limits of their delegation. If the increased total cost exceeds the limit of the delegate's delegation, then the transaction must be approved by a delegate who holds an appropriate level of authority within the accountability area.

To ensure operational and administrative efficiency, the Council authorizes the Chief Financial Officer to allocate and administer purchasing and expenditure delegations consistent with this policy, the supporting Delegation Schedules and the responsibilities associated with specific positions in the organization. Details of approved delegations and limits will be maintained in the University's finance system.

	Contract Type	Delegation of Contract Signature Authority		
		Primary	1st Back-up	2nd Back-up
1.	General authority to sign contracts for ASU	President	Executive Vice President/Provost or Senior Vice President for Administration/CFO	Vice President for Fiscal Affairs
2.	University collaboration agreements	President	Executive Vice President/Provost or Senior Vice President for Administration/CFO	
3.	Memorandums of Understanding (MOUs) w/ external entities	Executive Vice President/Provost or Senior Vice President for Administration/CFO	Vice President for Fiscal Affairs	
4.	Real estate leases, service and/or operating agreements with government and private entities,	President (Board approval needed if real property purchase exceeds \$100,000 as discussed in Board Policy Section 905)	Senior Vice President for University Operations/COO	Vice President for Fiscal Affairs

	capital outlay contracts, and deeds and real estate easements			
5.	Debt issuance and investments	Vice President for Fiscal Affairs	Senior Vice President for University Operations/COO	
6.	Agreements related to construction and renovation projects, other than capital outlay and procurement activities	President	Senior Vice President for University Operations/COO	
7.	UNCLASSIFIED: Confidentiality agreements, material transfer agreements, and contract and grant documents, and other contractual agreements (agreements such as consulting and subcontract teaming, data use, licensing, software evaluation, etc.) related to sponsored programs	Executive Vice President/Provost	Senior Vice President for University Operations/COO	
8.	CLASSIFIED: Confidentiality agreements, non-disclosure agreements, material transfer agreements, and contract and grant	Executive Vice President/Provost	Senior Vice President for University Operations/COO	

	documents, and other contractual agreements (agreements such as consulting and subcontract teaming, data use, licensing, software evaluation, etc.) related to sponsored programs			
9.	Intellectual property agreements	Executive Vice President/Provost		
10.	Cooperative agreements for extension services	Executive Vice President/Provost	Senior Vice President for University Operations/COO	Vice President for Fiscal Affairs
11.	Outreach contracts and agreements	President	Executive Vice President/Provost	Vice President for Fiscal Affairs
12.	External group sales, contracts for meeting space, lodging and catering services related to scheduling events	Department Head	Senior Vice President for University Operations/COO	Vice President for Fiscal Affairs
13.	Scheduling and lodging contracts pertaining to sports events with colleges and universities	Vice President Institutional Advancement/Athletics	Senior Vice President for University Operations/COO	Vice President of Fiscal Affairs
14.	Contracts related to the payment of tuition and fees	President	Vice President for Fiscal Affairs	Senior Vice President for University Operations/COO
15.	Lost check (stop-payment) agreements	Vice President for Fiscal Affairs	Senior Vice President for University Operations/COO	

16.	Contracts resulting from competitive solicitation (RFPs, RFQs)	Senior Vice President for University Operations/COO	Vice President for Fiscal Affairs	
17.	University purchase orders, and authority to delegate signatory authority for University purchase orders	Vice President for Fiscal Affairs	Senior Vice President for University Operations/COO	
18.	Direct payment purchases that may require contract	Vice President for Fiscal Affairs		
19.	Orders for goods and/or services that are not placed against University contracts	Department Delegation w/Pcards		
20.	Design service, construction management, and construction contract addendums	Senior Vice President for University Operations/COO	Senior Vice President for University Operations/COO Associate Vice President for Facilities Management	
21.	Equipment lease/purchase	Department Head up to \$5,000	Purchasing Agent	Vice President for Fiscal Affairs
22.	Emergency management contracts	Senior Vice President for University Operations/COO	Vice President for Fiscal Affairs	
23.	Administration of University's retirement programs, including the optional retirement plan	Senior Vice President for University Operations/COO	Vice President for Fiscal Affairs	Director, Human Resources
24.	Press publishing agreement	Executive Vice President/Provost	Vice President of Media Relations	Executive Vice President/Provost

25.	Licensing and trademark agreements	Senior Vice President for University Operations/COO	Vice President for Fiscal Affairs	VP Media Relations
26.	Entertainment events (artistic entertainment performance agreements)	Deputy Provost	Senior Vice President for University Operations/COO	
27.	Proposals for research, public services, scholarship and other creative sponsored activities	Executive Vice President/Provost	Director of Resource Development & Sponsored Programs	
28.	Academic contracts not involving purchases of goods/services	Executive Vice President/Provost	Vice Provost for Academic Affairs/Graduate Studies	
29.	Athletic Department contracts for athletic contests	Director of Intercollegiate Athletics	Senior Vice President for University Operations/COO	Vice President for Fiscal Affairs
30.	Employment of off-duty officer/security agreements	Senior Vice President for University Operations/COO	Vice President for Fiscal Affairs	
31.	Library acquisitions (books, subscriptions, reference materials, and memberships purchased for the express purpose of obtaining publications)	Executive Vice President/Provost	Vice Provost for Academic Affairs/Graduate Studies	Dean of University Libraries
32.	Work-Study program agreement (document agreements)	Department Head		

	between hiring employers at ASU)			
33.	Software license agreement (contract for suite use of computer software using vendor supplied document or agreement)	Senior Vice President for University Operations/COO	Vice President for Fiscal Affairs	Chief Information Officer
34.	Academic contracts not involving purchases of goods/services	Executive Vice President/Provost	Vice Provost for Academic Affairs/Graduate Studies	
35.	Technology transfer software license	Executive Vice President/Provost	Senior Vice President for University Operations/COO	
36.	International study abroad program agreements	Executive Vice President/Provost		
37.	Employment of off-duty officer/security agreements	Senior Vice President for University Operations/COO	Vice President for Fiscal Affairs	Chief of Police
38.	Benefit vendor contracts for voluntary insurance benefit plans	Senior Vice President for University Operations/COO	Vice President for Fiscal Affairs	
39.	Design service, construction management, and construction contracts addendums	Senior Vice President for University Operations/COO	Associate Vice President Facilities Management	Vice President for Fiscal Affairs

1.3 DEPARTMENTAL RESPONSIBILITIES

It is the responsibility of the department generating the contract to ensure that the commitment of all resources (funding, personnel, facilities and space) is met. If resources are not available to the

generating department, the person responsible for generating the contract must ensure through the appropriate level (dean or vice president) that resources will be made available.