


<p><b>CAMPUS POLICY</b></p>  <p><b>UNIVERSITY OF COLORADO at COLORADO SPRINGS</b></p>	<p><b>POLICY NUMBER:</b> 500-009</p>	<p><b>PAGE NUMBER:</b> 1 of 6</p>
	<p>CHAPTER: Fiscal</p>	
	<p>SUBJECT: Contracting Authority</p>	
	<p>EFFECTIVE DATE: June 11, 2007</p>	
	<p>SUPERSESSION: N.A.</p>	
<p>OPR: AVCAF, Resource Management, Legal Counsel</p> <p>VC: Administration and Finance</p>	<p>APPROVED: Approved by Pamela Shockley-Zalabak, Chancellor, on June 11, 2007</p>	

I. POLICY

This campus policy describes the contracting authority of the University of Colorado at Colorado Springs (UCCS) in adherence to the applicable laws and regulations of the Regents of the University of Colorado and the State of Colorado.

II. AUTHORITY FOR CAMPUS POLICIES

Authority for the creation of campus administrative policies is found in *The Laws of the Regents*, 1990, Article 3 Section B.8, which states:

The chancellor of the University of Colorado at Colorado Springs shall be the chief academic and administrative officer responsible to the president for the conduct of affairs of the Colorado Springs campus in accordance with the policies of the Board of Regents. The chancellor shall have such other responsibilities as may be required by these *Laws*, the Board, and as may be delegated by the president.

III. PURPOSE

The majority of UCCS contracts can be broken down into two (2) major subgroups: expenditure contracts wherein the University expends money for the acquisition of supplies, services (both personal and professional), equipment, and real estate; and revenue contracts wherein, in exchange for consideration, the University supplies goods and/or services, or grants permission to vendors to market goods and services to faculty, students, and staff on University property.

The purpose of this policy is to define those positions with contract execution authority and the procedure for executing such contracts.

IV. DEFINITIONS

Academic Affairs (Provost and Executive VCAA): One of two divisions within the University of Colorado at Colorado Springs. The Provost and Executive Vice Chancellor for Academic Affairs has overall responsibility for the Beth-El College of Nursing and Health Sciences, the College of Business, the College of Education, the College of Engineering and Applied Science, the Kraemer Family Library, the College of Letters, Arts, and Sciences and the Graduate School and the Office of Student Success. The Vice Chancellor for Student Success (VCSS) reports to the Provost and Executive VCAA.

CHAPTER: Fiscal – 500	SUBJECT: Contracting Authority	POLICY: 500-009	EFFECTIVE:	PAGE: Page 2 of 2
-----------------------	--------------------------------------	--------------------	------------	-------------------------

Administration and Finance (VCAF): One of two divisions within the University of Colorado at Colorado Springs. The Vice Chancellor for Administration and Finance has overall responsibility for Accounting, Athletics, Benefits, the Bookstore, Budget and Planning, Facilities Services, Student Financial Services, Compliance Office, Mailing Services, Human Resources, Print and Copy Services, Public Safety and Parking Services, University Center, Family Development Center, Recreation Center, Student Housing budget and facility operations, and property, space and leases.

Associate Vice Chancellor: May substitute for the Provost and Executive VCAA or Vice Chancellor in his/her absence. The associate vice chancellor provides executive leadership and strategy for departments reporting to the Provost and Executive VCAA or Vice Chancellor.

Board of Regents: The Constitution and statutes of the State of Colorado vest the supervision of the University of Colorado in the nine (9) elected Regents of the University of Colorado. (Colo. Const. art. VIII, section 5; Colo. Const. art. IX, section 12; C.R.S. §§23-20-111 and 23-20-112.)

Chancellor: The chief executive officer of the University of Colorado at Colorado Springs. Divisions reporting to the chancellor are Academic Affairs and Administration and Finance. Departments reporting to the chancellor are varied and may include Community and University Relations and Events, Information Technology, and University Advancement.

College: Reporting to the Provost and Executive VCAA, the colleges of the University of Colorado at Colorado Springs are responsible for establishing the academic standards for all course offerings.

Department: A distinctive section of University of Colorado at Colorado Springs management, as designated by the chancellor. Departments will generally be in the Academic Affairs and Administration and Finance areas.

Dean: The administrative officer of an academic college.

Director: The head for a non-academic department.

President: The Board of Regents has delegated to the President the responsibility for the administration of the University under the policies described by the Board of Regents.

Student Success (VCSS): A unit of Academic Affairs. The Vice Chancellor for Student Success reports to the Provost and Executive VCAA and has delegated responsibility for Admissions and Records, the Office of the Dean of Students, the Chancellor's Leadership Class, Disability Services, the Excel Centers, Financial Aid/Student Employment, Recruitment and Admissions Counseling, Residence Life, the Student Health Center, the Student Success Center, and the University Counseling Center.

University Advancement: Lead by the Chief Operating Officer who reports directly to the Chancellor. University Advancement serves as the primary university resource for the University of Colorado at Colorado Springs Foundation office and oversees and directs development activities for university-designated development.

CHAPTER: Fiscal – 500	SUBJECT: Contracting Authority	POLICY: 500-009	EFFECTIVE:	PAGE: Page 3 of 3
-----------------------	--------------------------------------	--------------------	------------	-------------------------

Vice Chancellor: The executive officer for a unit within the University of Colorado at Colorado Springs. There are two Vice Chancellors and one Provost and Executive Vice Chancellor.

## V. PROCEDURES

### A. Contract Execution and Authority

1. In order to create a contract, certain signatures and review must be obtained. Expenditure contracts always require three signatures denoting three specific areas of concern:
  - a. Executive: Regent authority to bind the institution
  - b. Financial: Fiscal authority certifying the funds are available to pay the contracted debt; and
  - c. Legal: legal authority certifying that the terms and conditions of the contract are legally sufficient.
2. Revenue contracts require:
  - a. Executive: Regent authority to bind the institution
  - b. Legal: legal authority certifying that the terms and conditions of the contract are legally sufficient.
3. For specific types of contracts the State and/or Board of Regents may require additional signatures and review. These additional required signatures and reviews are described in the Administrative Policy on Contracting Authority located at <https://www.cusys.edu/policies/General/contracting.html>.

### B. Authority to Execute Contracts: Executive

1. Board of Regents. The supervisory authority granted to the Board of Regents includes the power to enter into binding contracts. Before a contract can be legally binding on the Board of Regents, it must be signed by an authorized representative of the Board. Representatives may be authorized by an action of the Board or an individual who has received contracting authority from the Board with the power to delegate on a matter over which the Board has the power to delegate. **An individual who has not received a delegation of authority to sign contracts may not sign agreements that purport to bind the University, and may be held personally liable if he or she attempts to do so [C.R.S. 24-30-202 (3)].**
2. President. Included as a necessary part of the responsibility of the President is the authority to execute contracts on behalf of the Board of Regents and to delegate the authority to other officials of the University.
3. Chancellors: Pursuant to the President's authority, the President has delegated to the Chancellors of the University of Colorado Campuses the full and complete authority to execute, on behalf of the University and the Board of Regents, any and all non-real estate contracts or other instruments creating a financial commitment which do not exceed one million dollars (\$1,000,000.00).
4. Director of the Procurement Service Center: The President has also delegated to the Director of Purchasing at the Procurement Service Center the full and complete authority to execute on behalf of the University and the Board of Regents, all contracts or other instruments for the procurement of supplies, services and equipment which do not exceed one million dollars (\$1,000,000.00).
5. Treasurer of the University: The Treasurer of the University has been granted special contracting and approval authority from the Board of Regents over the following activities which may involve contracting or other types of financial transactions as detailed in the Administrative Policy statement on contracting authority located at <https://www.cusys.edu/policies/General/contracting.html>.

CHAPTER: Fiscal – 500	SUBJECT: Contracting Authority	POLICY: 500-009	EFFECTIVE:	PAGE: Page 4 of 4
-----------------------	--------------------------------------	--------------------	------------	-------------------------

6. Risk Management: Has the responsibility to ensure that appropriate insurance requirements are included in every contract, and that certificates of insurance reflecting required coverage are obtained and maintained in a manner prescribed by University Risk Management, to include a process for obtaining renewals as required.

C. Authority to Execute Contracts: Financial

1. In addition to the Chancellor's signature (or designee), State Fiscal Rules provide that for expenditures of funds, the State Controller or his/her designee must also sign the contract. Additionally, UCCS requires that all non-expenditure or revenue must have the signature of the Vice Chancellor of Administration and Finance or his/her designee.
2. The State Controller designee at UCCS is the Vice Chancellor for Administration and Finance (who is also the Chief Financial Officer for the campus). In the absence of the Vice Chancellor for Administration and Finance, the campus Controller or the campus Resource Management Director may serve as the State Controller designee.

D. Authority to Execute Contracts: Legal

1. State Fiscal Rules provide that all state contracts involving the expenditure of money greater than \$25,000 (except a contract of any amount used to settle a dispute) must have legal review prior to signatures by authorized officials and that the Office of the Attorney General, or its designees (the attorneys in the Office of the University Counsel), must sign the contract, approving it for (i) compliance with the State Constitution, State statutes, regulations, and executive orders; (ii) authority of the contracting State agency; and (iii) any other legal requirements.
2. Non-expenditure or revenue contracts that bind the University must also be reviewed for legal sufficiency.

E. Authority to Acquire Real Property through Purchase or Lease

1. This authority is granted to the President of the University with conditional delegation to the Chancellor's of each campus. There is no further delegation of this authority.
2. For a complete description of this authority, see II.D.1 of the system policy on Contracting located at <https://www.cusys.edu/policies/General/contracting.html>

F. Authority to Dispose of University Real Property through Sale of Lease

1. The President's authority does not include the authority to dispose of University real property assets. Consequently, any contract or other document which effectively transfers real property outside of the University must be approved by the Board of Regents. Such dispositions shall be made in accordance with the Administrative Policy Statement entitled, "[Format For Real Estate Transactions Concerning Property Disposition Submitted to the Board of Regents.](#)"
2. For a complete description of this authority, see II.D.2 of the system policy on Contracting located at <https://www.cusys.edu/policies/General/contracting.html>

G. Contracting and Request for Proposal (RFP) procedures

1. All contracts for the acquisition of supplies or services affecting the entire campus must be executed, reviewed and signed in the following sequence:

CHAPTER: Fiscal – 500	SUBJECT: Contracting Authority	POLICY: 500-009	EFFECTIVE:	PAGE: Page 5 of 5
-----------------------	--------------------------------------	--------------------	------------	-------------------------

- a. Contact the office of the Associate Vice Chancellor for Administration and Finance (AVCAF). The AVCAF will either serve as the chair of the RFP committee or will sit on the RFP committee as determined by the campus Leadership Team.
  - b. The AVCAF will determine the membership of the RFP committee.
  - c. If the contract involves information technology or the purchase of technology services and/or supplies, the Director of Information Technology or his/her designee must be a member of the RFP committee.
  - d. The AVCAF will serve as the liaison to the Leadership Team regarding the RFP process and eventual vendor selection.
  - e. The Procurement Services Center (PSC) determines and is responsible for the RFP process.
  - f. Once a vendor is selected, the AVCAF will serve as the campus contract administrator for the contract.
  - g. Contract negotiations shall be lead by the PSC and the AVCAF.
  - h. Review and signature process:
    - 1.) The PSC must review the contract
    - 2.) Risk Management review
    - 3.) Contractor
    - 4.) Office of University Counsel
    - 5.) Director of Information Technology (if appropriate)
    - 6.) Chancellor or designee. Note that to sign as a designee of the Chancellor on contracts, an individual must have received written delegation from the Chancellor.
    - 7.) Vice Chancellor for Administration and Finance as the State Controller designee
2. All contracts for the acquisition of supplies or services affecting a single and specific department only must be executed, reviewed and signed in the following sequence:
- a. **No department may enter into a contract which obligates or affects any other department on the UCCS campus or in the UCCS system.** For example, a department may not enter into a revenue contract with a financial services institution for an affinity credit card as such a contract obligates the entire campus.
  - b. The Procurement Services Center (PSC) determines and is responsible for the RFP process.
  - c. If the contract involves information technology or the purchase of technology services and/or supplies, the Director of Information Technology or his/her designee must be a member of the RFP committee.
  - d. Once a vendor is selected, the fiscal principal for the requesting department conducts contract negotiations with the PSC.
  - e. The fiscal principal will serve as the campus contract administrator.
  - f. Review and signature process:
    - 1.) The PSC must review the contract
    - 2.) Risk Management review
    - 3.) Contractor
    - 4.) Office of University Counsel
    - 5.) Director of Information Technology (if appropriate)
    - 6.) Chancellor or Designee. . Note that to sign as a designee of the Chancellor on contracts, an individual must have received written delegation from the Chancellor.
    - 7.) Vice Chancellor for Administration and Finance as the State Controller designee

CHAPTER: Fiscal – 500	SUBJECT: Contracting Authority	POLICY: 500-009	EFFECTIVE:	PAGE: Page 6 of 6
-----------------------	--------------------------------------	--------------------	------------	-------------------------

- g. All contracts for grants must be reviewed by the Vice Chancellor for Administration and Finance or his/her State Controller designee.

H. Record Keeping

1. All contracts are to be maintained in the Office of the Associate Vice Chancellor for Administration and Finance
2. Contract Administrators are to retain a copy of the contract in their office.
3. Originals of contracts are to be sent to the AVCAF.
4. The AVCAF is responsible for:
  - a. The safe storage of all contracts.
  - b. A Contract log
  - c. A delegation of authority log

VI. RESPONSIBILITY

- A. The Chancellor, Vice Chancellors, Deans and Directors are responsible for adhering to the provisions of this policy.
- B. The office of the Associate Vice Chancellor for Administration and Finance is responsible for record keeping associated with this policy.

VII. HISTORY

- A. University of Colorado system policy: Contracting  
<https://www.cusys.edu/policies/General/contracting.html>

VIII. ATTACHMENTS: