

CONTRACTING AUTHORITY

I. Purpose

Board Policy 300.1 addresses the delegation of the authority to execute contracts on behalf of the Board of Trustees, including contracts for the benefit of a campus, division, or unit (“campus”) of the University of Arkansas. This UASP prescribes further requirements for the review of contracts and the delegation of contracting authority under Board Policy 300.1.

II. Contract Requirements

- A. Forms of Contracts. The term “contract” means an agreement or understanding that purports to bind the Board of Trustees or a campus, regardless of the name assigned to the document or agreement, and includes a lease, license, purchase order, memorandum of understanding, letter of intent, term sheet or other form of agreement or commitment. All contracts shall be in writing.

Each contract shall be in the name of the Board of Trustees of the University of Arkansas and shall indicate the campus for which the contract is applicable. A campus shall not make contracts (other than agreements between campuses) only in the name of a campus. Deviations from this requirement may be allowed under unusual circumstances, but any deviation must be approved in advance by the General Counsel’s Office.

Prior to execution of a lease, license, facility use or rental agreement, management agreement or other agreement for the use of University facilities, the Vice Chancellor for Finance or other appropriate campus administrator shall confirm that

which is attached to this UASP as Attachment A) together with a copy of the contract and any purchase order and other terms referred to in the contract. To expedite the review, any documents, terms or conditions referred to in the contract or necessary to understand the contract should

a campus and does not include services contracts requiring legislative review or contracts for construction or other capital improvements. Each Chancellor or chief executive officer shall require that campus purchasing officials under their supervision have adequate procedures in place to assure that each invitation for bid or request for proposal contains a notice setting forth certain contractual provisions or conditions that the campus will require and/or prohibit and also that contracts resulting from the purchasing process will be subject to legal review as required by this UASP prior to the award or issuance of a purchase order.

D. Exceptions to General Delegation of Authority. The delegations of authority in the preceding sub-sections do not grant authority for a Chancellor or chief executive officer, Vice Chancellor for Finance, or Procurement Official to approve, sign modify or amend any of the following:

- (1) A commitment, contract, obligation or method of finance for an amount exceeding \$2,500,000.
- (2) A commitment to initiate or expand an academic program.
- (3) A commitment or contract to continue expenditures of University funds after the termination or expiration of the underlying contract.
- (4) An athletics related employment contract paying over \$100,000 annually or that has a term greater than three years.
- (5) A binding contract or other instrument affecting title to real property, such

accomplished by providing a copy of the proposed contract and a copy of an executed General Counsel's legal review form. Upon execution, a copy of the contract, along with the executed General Counsel legal review form, shall be sent

- A. Powers of attorney authorizing an individual or firm to take specific limited action on behalf of the University, excepting limited powers of attorney for purposes of customs clearance in a form approved by the General Counsel's Office or for purposes of prosecuting patent applications on behalf of the University in the United States Patent and Trademark Office.

- B. Documents in probate proceedings in which the University is a beneficiary such as an entry of appearance and waiver of notice or a receipt of distribution, which may

UNIVERSITY OF ARKANSAS SYSTEM
Office of General Counsel Contract Review Form

1. Campus/Unit: _____
2. Requesting Department/Contact Person: _____
3. Other Contracting Party: _____
Approved Workday Supplier ID: _____
4. Type of Contract:

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