

1 Contracting Authority (Non-employment Related)

2 Effective: July 1, 2008

3 Updated/Revised: Nov 25, 2013

4 Contact: [Office of University Counsel](#)

5 Introduction

6 In order to assure compliance with law and with policies of the Board of Regents, State of Iowa, and to manage risks
7 associated with binding commitments, contracts and agreements should be signed by persons who have the appropriate
8 expertise, or who can assure that the appropriate review of such documents occurs.

9 The Board of Regents has delegated authority for most transactions to specific university officials, while retaining authority
10 over a limited number of transactions. This policy is intended to assure that university commitments through contracts and
11 agreements are properly executed. This policy is applicable to all contracts other than employment agreements. For hiring
12 authority, see Resources (below).

13 Authority retained by Board of Regents

14 The Board of Regents has retained authority over the following transactions as provided in the Regents Policy Manual
15 (RPM) and Iowa Administrative Code (IAC):

- 16 • Real estate purchases, sales, security interests and easements (except for disposal of buildings of a value of less than
17 \$10,000) (RPM §9.02)
- 18 • All land leases (except farm leases) and all other real property leases (including farm leases) with any of the following
19 terms: 10,000 gross square feet or more, for an annual rental cost of \$100,000 or more, for a period of greater than five
20 years (including all renewal periods) or which include an option or right of first refusal to purchase (RPM §9.02(E))
- 21 • Legal advice or representation, bond counsel or bond-related financial advisors (IAC §681-8.2(3); IAC §681-8.8; and
22 RPM §3.03(L))
- 23 • Contracts for construction of capital improvements projects with an estimated cost of \$250,000 or more, unless the Board
24 of Regents has approved the budget of a capital improvement project with an estimated cost of between \$250,000 and
25 \$999,999 (RPM §9.07(B) and §9.09(A))
- 26 • Contracts for architectural, engineering, construction management, and other design professional and consulting
27 services on capital improvement projects with budgets of \$1,000,000 or more (RPM §9.08(B))
- 28 • Feasibility study agreements for capital improvement projects if the costs of the study is expected to be \$50,000 or more
29 (RPM §9.10(C))
- 30 • Contracts for fire protection services (RPM §7.08(G)(2))
- 31 • Moveable and fixed equipment with a unit cost of \$250,000 or more, or of an aggregate cost of \$500,000 or more (RPM
32 §7.06(B)(12)(b))

33 Authority delegated by Board of Regents

34 Except as limited above, the Board of Regents has delegated authority for other transactions as provided in the Regents
35 Policy Manual and Iowa Administrative Code §681-8 and §681-13.8 as follows:

- 36 • **President** – General authority
- 37 • **Senior Vice President for Business and Finance** – General authority *except for*
 - 38 • Applications, proposals, grants, contracts and agreements relating to economic development, research and
39 sponsored projects and for
 - 40 • Contracts and agreements relating to educational consortia, joint educational projects, cooperative education,
41 service learning, internship opportunities and academic instruction provided by others
- 42 • **Senior Vice President and Provost** –
 - 43 • Applications, proposals, grants, contracts and agreements relating to economic development, research and
44 sponsored projects, and
 - 45 • Contracts and agreements relating to educational consortia, joint educational projects, cooperative education,
46 service learning, internship opportunities and academic instruction provided by others

- 47 • **Vice President for Research –**
48 • Applications, proposals, grants, contracts and agreements relating to economic development, research and
49 sponsored projects
- 50 • **Director of the Office of Sponsored Programs Administration –**
51 • Applications, proposals, grants, contracts and agreements relating to economic development, research and
52 sponsored projects

53 **Policy Statement**

54 **Review**

55 Contracts requiring Board of Regents approval (see above) must be reviewed by the Senior Vice President for Business and
56 Finance (or by University Counsel in the case of contracts for legal advice or representation) for presentation to the Board of
57 Regents for approval.

58 **Further delegation**

59 When the Board of Regents has delegated authority to the university or to university officials, the official with authority may
60 delegate some or all of the authority vested in that official, including authority to re-delegate, by a memorandum of delegation
61 approved by the Office of University Counsel. In addition, delegation may occur by adoption of a university policy granting
62 contracting authority.

63 **Documentation of delegation**

64 Memoranda of delegation must be filed with the Office of University Counsel and the Assistant Vice President for Business
65 Services. The Office of University Counsel is responsible for the retention of memoranda of delegation.

66 **Authority of managers of fee-for-service units**

67 Approval to conduct activity as a fee-for-service unit with entities outside of the university constitutes a delegation of authority
68 for the manager of the service center to enter into agreements for providing the approved services. For purposes of this
69 policy, a "fee-for-service unit" is any unit that provides, for a fee, goods and/or services to individuals, businesses or other
70 entities outside the university.

71 **Resources**

72 **Links**

- 73 • [Contracting at ISU; Contract Assistance \(Office of University Counsel\)](#)
74 • [Contract Delegations Website](#)
75 • [Purchasing Department Policies and Procedures](#)
76 • [Signature Authority for Internal Transactions](#)
77 • [Fee-For-Service Operations](#)
78 • [Hiring Authority](#)
79 • [Iowa Administrative Code \(IAC\) §681-13.8 Contracting Authority](#)
80 • [Iowa Code §§262.9, 262.10, 262.32](#)
81 • [Regents Policy Manual \(RPM\) Chapters 7 and 9](#)