

CONTRACTING AUTHORITY

I. General Authority

The President and the Chief Fiscal Officer are authorized and directed to serve as the contracting officers, fully authorized to execute contracts on behalf of the Board of Trustees, in its name, or on behalf of the University of Arkansas in that name.

Any contract shall indicate the particular campus of the University of Arkansas for which the contract is applicable. Contracts are not to be made in the name of a campus as a contracting party since there is only one legal entity capable of contracting for the one institution ("University of Arkansas"), either in that institutional name or in that of its governing board ("Board of Trustees of the University of Arkansas"). Contracts made in the name of a campus, school or college, academic department, etc., are unenforceable.

The President is authorized to delegate, or withdraw such delegation, to the Chancellors or chief executive officer for each campus, division or unit, or other appropriate individuals, the authority to contract in the name of the University of Arkansas for business activities in the normal course of operations when it is deemed that the efficiency, effectiveness, and best interests of the University will be well served by such delegation, and provided that such agreements must receive appropriate legal review or be entered into upon standard contract forms developed, or approved for such purposes, by the General Counsel of the University. Further, the President shall not delegate authority for contracts which include (a) a commitment to build or renovate a facility in excess of \$10,000,000, (b) a commitment to initiate or expand an academic program, (c) a commitment to continued expenditures of University funds beyond the term of the contract, (d) an athletic related employment contract over \$100,000 and/or for a term greater than three (3) years, (e) contracts or other instruments affecting the title to real estate unless specific authority is given elsewhere in this or other Board policies, (f) sponsored research and corporate contracts that exceed \$10,000,000 or, in the case of non-human research, are greater than five (5) years, and (g) any document that requires the signature of the President or Chief Fiscal Officer under applicable state or federal law or other Board policies. The President shall establish procedures for the review of contracts for professional and consultant services prior to their execution pursuant to the authority delegated by the President under this policy.

II. Employment Contracts and Appointments

All employment contracts of campus personnel originate on the separate campuses, but are not official until signed by the President or his/her designee, unless the President has delegated authority as provided herein. In the context of athletic related employment

contracts referenced in Section I, the President shall not delegate authority to execute such contracts, or to give final consent to waive any provision under such contracts.

An appointment to a position does not constitute an employment contract, and is subject to Board Policies 405.1 and 405.4. The President shall be responsible for carrying out the appointment process for Chancellors and the chief executive officers of each campus, division or unit, and staff members of the System Administration. Chancellors or the chief executive officers of each campus, division or unit shall be responsible for personnel actions involving the appointment of Vice Chancellors, Deans, Associate Vice President for the Cooperative Extension Service, and Associate Vice President for the Agricultural Experiment Station. However, no person shall be appointed to those positions without the prior approval of the President, who will also be consulted regularly in the selection process and have the discretion to participate in the interviews of finalists.

III. Contracts for Research and Sponsored Programs and Corporate Sponsorships

The President is authorized to delegate to the Chancellors or the chief executive officer of a campus, division or unit the authority to review, approve, and sign all applications or proposals for sponsored research programs and corporate sponsorship agreements. The President may, in his discretion, establish a procedure for reports to be submitted to the Chief Fiscal Officer those applications or proposals which involve a capital outlay by the University, a commitment for a new academic program, or a continuing commitment obligating the University beyond the period of the contract or grant or to report other matters in connection with research and sponsored programs and corporate sponsorships.

All contracts or grants for research and sponsored programs, including but not limited to any research or programs initiated, sponsored, or otherwise supported by a third party, and any corporate sponsorship agreements shall be executed by the President or Chief Fiscal Officer or, if applicable, the Vice Chancellor of Research (or comparable position) unless the President has delegated authority as provided in Section I of this policy. Any such contracts that exceed \$10,000,000 or are greater than five (5) years in duration cannot be delegated by the President. This five (5) year limitation on delegation shall not apply to contracts for human subject research.

IV. Lease or Rental Agreements

The President and the Chief Fiscal Officer are authorized to execute lease, license, facility use or rental agreements on behalf of the Board of Trustees, in its name, or on behalf of the University of Arkansas in that name.

The President is authorized to delegate, or withdraw such delegation, to the Chancellors or chief executive officer of each campus, division or unit the authority to lease, rent or license real property owned by the University for residential purposes, for University-related programs or activities and for other purposes approved by the President. Any such lease, license, facility use or rental agreement shall be on a standard form reviewed and approved by the General Counsel and shall not exceed a term of two years. Prior to execution of a lease, license, facility use or rental agreement, the Vice Chancellor for Finance and Administration or other appropriate administrator shall confirm that the lease or other document does not violate private activity use restrictions for tax exempt bond-financed facilities.

The President is authorized to delegate, or withdraw such delegation, to the Chancellors or chief executive officer of each campus, division or unit the authority to lease property in the name of the University of Arkansas for use by a campus, division or unit of the University for activities in the normal course of operations when it is deemed that the efficiency, effectiveness and best interests of the University will be well served by such delegation. Such agreements must receive appropriate legal review or be entered into upon standard contract forms developed, or approved for such purposes, by the General Counsel of the University. The President shall not delegate authority to lease property for use by the University for a term in excess of two years or for payments over the term of the lease in excess of \$500,000.

March 30, 2017 (Revised)
September 11, 2015 (Revised)
November 22, 2013 (Revised)
September 19, 2002 (Revised)
April 18, 1998 (Revised)
September 26, 1997 (Revised)
November 8, 1996 (Revised)
November 20, 1992 (Revised)
January 15, 1988 (Revised)
November 6, 1987 (Revised)
September 17, 1982 (Revised)
November 21, 1975