

Contract Policy

(Revised: December 5, 2016)

Contracts are agreements that create an obligation to do or not to do a particular thing. This policy establishes the process for Loyola University New Orleans personnel to approve, sign and execute contracts committing the University to performance of any act. All contracts entered into by the University, unless specifically excluded by this or another policy adopted by the Board of Trustees, are subject to this policy, including all original contracts, amendments, alterations, modifications, corrections, changes and extensions. All policies in conflict with this policy are hereby superseded to the extent of such conflict.

1. The authority to enter into contracts on behalf of the University must be expressly written pursuant to the policies of the Board of Trustees and this policy. All contracts must contain a written statement that the person signing on behalf of Loyola University New Orleans and on behalf of the Contractor has the authority to execute the agreement according to its terms on behalf of the parties.
2. Contracts of \$20,000.00 or more must be submitted to the Office of Government and Legal Affairs (GLA) before execution for review and approval as to form and legal sufficiency. All contracts under \$20,000.00, but incur liability that exceeds the amount of the agreement should be submitted to the Office of Government and Legal Affairs for review.
3. The following contracts must be submitted to the President for approval:
 - a. Contracts for construction and rehabilitation projects in amounts over \$200,000.00 for new construction, repair, and rehabilitation. If a change order increases the value of a contract to over \$100,000.00, the President must approve the change order.
 - b. Contracts which involve a stated or implied consideration of more than \$200,000.00 or have a primary term longer than five (5) years, excluding:
 - i. sponsored project agreements.
 - c. Contracts granting rights in real property owned by the University, other than:
 - i. student residential leases, and
 - ii. Licenses, which do not transfer any interest in the real property.
 - d. Contracts with an entity in which a member of the Board of Trustees holds stock and/or serves as a director; and
 - e. Any type of contract not addressed in approved contract administration procedures.

4. The President is authorized to approve all contracts not reserved for approval by the Board and may delegate authority to the extent such authority is delegated by the Trustees to the President.
5. The President, on behalf of the Board of Trustees, is expressly delegated the authority to sign any contracts.
6. This policy covers the following documents, which are all construed to be contracts, and designates the following individuals to sign contracts:
 - a. Academic or Clinical Affiliation agreements: President or Provost.
 - b. Architect/Engineer agreements:
 - i. \$200,000 or more: President.
 - ii. Under \$200,000.00: Vice President in charge of the department.
 - c. Agreements for acquisition of goods and services:
 - i. \$200,000.00 or more: President.
 - ii. Under \$200,000.00: Vice President in charge of the department.
 - d. Agreements for athletic events and contests: Vice President of Student Affairs.
 - e. Consultant/professional services agreements:
 - i. \$200,000.00 or more: President.
 - ii. Under \$200,000.00: Vice President in charge of the department.
 - f. Donor agreements: (to include charitable gift annuity agreements):
 - i. Up to and including \$250,000.00: Vice President of Institutional Advancement or Vice President of Finance.
 - ii. Over \$250,000.00: President
 - g. Confidentiality/non-disclosure agreements committing Loyola University New Orleans: Vice President in charge of the department.
 - h. Contracts:
 - i. \$200,000.00 or more: President.
 - ii. Under \$200,000.00: Vice President in charge of the department.
 - i. Contracts for purchase of real property: President.
 - j. Educational Testing Services agreements: Vice President in charge of the department.

- k. Employment agreements with faculty: Provost.
- l. Employment agreements with staff: President or Provost.
- m. Equipment lease or purchase agreements: Vice President in charge of the department.
- n. Federal/State program sponsored project agreements: Provost or Director of Grants and Sponsored Programs.
- o. Federal and State participation agreements other than the above described: Provost.
- p. Federal/State regulatory agreements: President with exception below.
- q. Federal acquisition and assistance agreements and certifications related to sponsored projects: President, Provost or Director of Grants and Sponsored Programs.
- r. Student Housing agreements: Vice President for Student Affairs.
- s. Instructional agreements: Provost.
- t. Intellectual property agreements: President or Provost.
- u. Lease agreements:
 - i. \$200,000.00 or more: President.
 - ii. Under \$200,000.00 Vice President in charge of department.
- v. Legal settlements: President
- w. Licensing agreements: President or Vice President in charge of department.
- x. Maintenance agreements: Vice President in charge of the department.
- y. Memoranda of Agreement: President or Provost/Vice President in charge of department.
- z. Permits, licenses, declarations and applications filed with regulatory agencies: Vice President in charge of the department.
- aa. Plant Fund Capital projects:
 - i. Any amount: President.
- bb. Real property leases: President.

- cc. Sales agreements: Vice President in charge of the department.
 - dd. Services agreements: Vice President in charge of the department.
 - ee. Site use agreements: Vice President in charge of the department.
 - ff. Software licensing agreements: Vice President in charge of the department.
 - gg. Special events contracts: Vice President in charge of the department.
 - hh. Technology transfer agreements: Vice President in charge of the department.
 - ii. Vending contracts: Vice President in charge of the department.
7. Any authority not expressly delegated by this policy remains with the President and/or Board of Trustees.
 8. Contracts reviewed and authorized before the adoption of this policy shall remain in full force and effect; however, any modification or extension of such contracts shall be reviewed and authorized in accordance with this policy.
 9. Delegation of Authority:
 - a. Vice President for Academic Affairs: The following agreements under \$25,000.00 may be signed by the Vice Provost or Dean in charge of the department-
 - Agreements for acquisition of goods and services
 - Consultant/Professional Services agreements
 - Contracts
 - Instructional Agreements
 - Maintenance Agreements
 - Services Agreement
 - Software Licensing Agreement
 - Special Events
 - b. Vice President Institutional Advancement: Agreements under \$25,000.00 may be signed by the Coordinator of Special Events or the Director of Alumni Relations.
 - c. Vice President for Student Affairs: Agreements under \$25,000.00 may be signed by the Assistant Vice President for Student Affairs, and the Directors of the following departments: Co-Curricular Programs, Residential Life and Dining, Counseling and Student Health, Athletics and Wellness, and Career Development. (revised 5/11)