

**Policy Title: Delegation of Contract Signature Authority for Procurement of Goods/Services**

**Policy Reference: By-Laws of Benedictine University**

**Background:**

This *Delegation of Contract Signature Authority for Procurement of Goods/Services Policy* is implemented pursuant to the authority granted to the President of Benedictine University by the University's Board of Trustees (the, "Board") to enable the efficient "day-to-day" purchase of the various products, materials, equipment, software, and other items and services (collectively, "goods/services") as necessary for the operation of Benedictine University (the, "University"). This policy sets forth the University personnel authorized by the President to approve and sign contracts for the procurement of goods/services for their respective area(s) of responsibility. It is a violation of University policy and a misrepresentation under applicable law for any person to sign any contract, agreement or other document which binds (or purports to bind) the University without the proper authorization to do so. Each person with signature authority under this policy will have the right to sign contracts to purchase goods/services within the applicable budget for their area(s) of responsibility, with the corresponding obligation to be accountable for such contracts and to follow University procedures for contract approval including, where required, obtaining all legal/compliance reviews/approvals for the contract. The University's Office of Institutional Compliance and Risk Management will conduct periodic internal audits of compliance with this policy. In the event this policy conflicts with any other current policy at Benedictine University, this policy shall control and supersede to the extent of such conflict. This policy is not intended to (and does not) preclude the Board of Trustees of the University or the President from exercising any applicable rights or performing any applicable responsibilities at any time. This policy may be amended or replaced, in whole or in part, at any time at the discretion of the President within the scope of authority granted to the President by the Board.

**Section I. No Sub-Delegation of Signature Authority for Major Transaction Contracts:**

The following contracts for "Major Transactions" must always be reviewed by the Board of Trustees for approval by the President before being signed on behalf of the University by the President and there is **no** sub-delegation of signature authority under this policy for any Major Transaction Contract. Major

Transaction Contracts include:

- Contracts for payments by the University in excess of \$500,000 over the duration of the contract;
- Building construction contracts;
- Leases of real estate for a term longer than 3 years;
- Contracts for a fixed (non-cancellable) term longer than 3 years;
- Consultant contracts requiring payments by the University in excess of \$100,000; and
- All other contracts otherwise required by the Board of Trustees to be submitted to the Governance Committee for approval from time-to-time.

**Section II. Delegation of Signature Authority for Procurement of Goods/Services:**

1. Contracts for the purchase of any goods/services within the following dollar limit must be submitted to and signed by the President, the Provost & Chief Academic Officer or the Interim Chief Financial Officer, unless the contract also falls under the requirements of Section I. of this policy, in which case the signature authority for the contract will be governed by Section I.:
  - **Contracts for payment by the University in excess of \$25,000 but not exceeding \$250,000 in the aggregate over the duration of the contract and subject to obtaining legal review/approval of the contract.**
2. Contracts for the purchase of any goods/services within the following dollar value limit must be submitted to and signed by at least two of the following University officials: President, Provost & Chief Academic Officer,

Interim Chief Financial Officer, unless the contract also falls under the requirements of Section I. of this policy, in which case the signature authority for the contract will be governed by Section I.:

- **Contracts for payment by the University in excess of \$250,000 but not exceeding \$500,000 in the aggregate over the duration of the contract and subject to obtaining legal review/approval of the contract.**
3. Contracts for the purchase of any goods/services within the following dollar limit may be submitted to and signed by the Dean of the Department, unless the contract also falls under the requirements of Section I. of this policy, in which case the signature authority for the contract will be governed by Section I.:
    - **Contracts for payments by the University not exceeding \$25,000 in the aggregate over the duration of the contract and *provided that*, in each case, the applicable Dean obtains the Provost's written approval to proceed with the contract and obtains legal review/approval of the contract.**
  4. Contracts for the purchase of any goods/services within the following dollar limit may be submitted to and signed, as applicable, by the Chief of Staff, Chief Information Officer, Chief Enrollment Officer, Chief Mission Officer or Chief Student Engagement Officer having budgetary responsibility for the applicable contract, unless the contract in question also falls under the requirements of Section I. of this policy, in which case the signature authority for the contract will be governed by Section I.:
    - **Contracts for payments by the University not exceeding \$25,000 in the aggregate over the duration of the contract and subject to obtaining legal review/approval of the contract.**
  5. Contracts within the following dollar value limit may be submitted to and signed by the Director of Athletics in the case of the Athletics Department, having budgetary responsibility for the applicable contract, unless the contract in question also falls under the requirements of Section 1 of this policy, in which case the signature authority for the contract will be governed by Section I.:
    - **Contracts for payments by the University not exceeding \$25,000 in the aggregate over the duration of the contract and subject to obtaining legal review/approval of the contract.**
  6. Each person with contract signature authority under this Section II, may sub-delegate that signature authority to one or more people, provided such sub-delegation is in writing (email is sufficient to evidence a sub-delegation of signing authority) and is without any further right of sub-delegation by the recipient. The sub-delegation must indicate whether the right applies to one contract or to all contracts not exceeding a specified dollar value (e.g. \$10,000). In no event, however, shall any person with the initial signature authority under this Section II, ever sub-delegate signature authority beyond the maximum level of their corresponding signature authority. Any sub-delegation of signature authority may be withdrawn at any time in writing by the person granting the sub-delegation right or by any officer of the University on written notice to the recipient. Email notice to the recipient is sufficient to withdraw any sub-delegation issued as provided hereunder. Each person sub-delegating their signature authority remains responsible for the contract(s) signed by the recipient to the same extent had they signed the contract directly. Copies of any issued sub-delegations should be sent to the University's Chief Institutional Compliance and Risk Management Officer.

**Contacts:** For any questions regarding this policy, please contact the University's Contracts Attorney in the Office of Institutional Compliance and Risk Management at [Pmcsweeney@ben.edu](mailto:Pmcsweeney@ben.edu) and/or the Business and Finance Services Department for assistance before proceeding with your contracting activity.

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