

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, Vice President for Agriculture, 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, (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, and (d) a contract amount which exceeds \$250,000 individually or \$250,000 in the aggregate when involving connected transactions. 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. Personnel Actions

With reference to contract decisions regarding employment with the University of Arkansas, all personnel actions of campus personnel originate on the separate campuses, but are not official until signed by the President or his/her designee, if the President has delegated authority as provided herein. Salaries of appointed personnel cannot be paid until the personnel action forms have been completed.

The President shall be responsible for carrying out the appointment process for Chancellors, Vice President for Agriculture, Director of the Arkansas Archeological Survey, Director of the Criminal Justice Institute, and staff members of the System Administration. Personnel actions involving the appointment of Vice Chancellors, Deans, Distinguished Professors, Associate Vice President for the Cooperative Extension Service, and Associate Vice President for the Agricultural Experiment Station will be the responsibility of the Chancellors or the Vice President for Agriculture, provided that the Chancellors and the Vice President for Agriculture

must consult with the President on appointments to such positions prior to the time that any action has been taken and shall remain in regular consultation throughout the process, including interviews of finalists by the President at his/her discretion. No person shall be appointed to such a position without the prior approval of the President.

The President is authorized to delegate, or withdraw such delegation, to the Chancellors, Vice President for Agriculture, or other appropriate individuals, any other personnel actions for non-classified or classified personnel. When authority on personnel actions has been delegated, the designee shall provide for the maintenance of complete files on all personnel actions delegated and such files shall at all times be immediately and completely open to the President, Chief Fiscal Officer, or other University official(s) designated by the President. Individuals delegated authority by the President shall be held responsible for ensuring compliance with all personnel policies and procedures of the University and the State of Arkansas.

III. Contracts for Research and Sponsored Programs

The President is authorized to delegate to the Chancellors, to the Vice President for Agriculture, and to other appropriate officials, the authority to review, approve, and sign all applications or proposals for research and sponsored programs. The President may, in his discretion, establish a procedure for reports to be submitted to the Vice President for Finance and Administration 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.

All contracts or grants resulting from applications or proposals for research and sponsored programs shall be executed by the President or Vice President for Finance and Administration unless the President has delegated authority as provided in Section I of this policy.

IV. Lease or Rental Agreements

The President and the Vice President for Finance and Administration 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, Vice President for Agriculture, or other appropriate individuals the authority to lease, rent or license 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.

The President is authorized to delegate, or withdraw such delegation, to the Chancellors, the Vice President for Agriculture, or other appropriate officials, 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 \$250,000.

September 19, 2002 (Revised)
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