

DELEGATED CONTRACT SIGNATURE AUTHORITY

I. Constitutional and Statutory Authority of the Board of Governors of the Colorado State University System

The Colorado Constitution, Article VIII, Section 5(2), grants plenary supervisory power, except as provided by law, to the Board including, by implication, the authority to contract.

C.R.S. §23-30-102 Board body corporate – powers relating to real and personal property:

(1) capable in law of suing and being sued, of taking, holding, acquiring, exchanging, selling and determining the uses of personal property and real estate, or any interest therein, the ownership of which is vested in the board...; of **contracting and being contracted with**; of having and using a corporate seal; and of causing to be done all things necessary to carry out the provisions of this article.

(2) the power to lease personal property for a term not to exceed 80 years

(2.5) subject to such reviews and approvals of state agencies as are required by law, the power to sell, lease, or exchange real property, or any interest therein, including any mineral rights, the ownership of which is vested in the board.

(3) power to lease any real property or any interest therein owned by it for mineral exploration, development, and production purposes upon such terms and conditions as may be prescribed and contracted by the board in the exercise of its best judgment as being in the best interest of said entity (subject to some statutory limitations).

(4) the authority to enter into a unit agreement providing for the pooling, unitization or consolidation of acreage covered by any oil and gas lease with other acreage for oil and gas exploration, development and production purposes ...

C.R.S. §23-30-106 – CSU System Fund

(1) creates the board of governors of the Colorado State University System fund which is under the control of and administered by the board of governors. The board of governors shall have authority and responsibility for all moneys of the board of governors and any entity governed by it.

(2) monies in the fund are to be used by the Board for the payment of salaries and operating expenses of the board and its entities.

The passage of Senate Bill 10-003 permitted the Board of Governors to exempt Colorado State University-Pueblo from fiscal rules promulgated by the Colorado State Controller and review and approvals required to be performed by the Colorado State Controller. On August 11, 2010 the Board by resolution elected to so exempt the University and authorized the President to implement institutional rules, including the delegation of signature authority and review requirements for all contracts. This resolution further authorized the President to delegate the

powers inherent in promulgating the new fiscal rules to others within the organization deemed to have appropriate and adequate training and experience in fiscal rules and procedures.

II. Authority Delegated to the Institution President by the Board of Governors by Board Resolution

December 1987 Resolution: The State Board of Agriculture (now the Board of Governors) delegates to the institution presidents the authority to approve and execute all contracts, agreements, grants, warrants and other binding legal instruments which are either expressly approved by resolution of the Board, or usual, necessary and appropriate to the normal operation of the institution and within the budgeted expenditures as approved by the Board. The Board also expressly permitted the institution presidents to authorize other administrators to negotiate and execute such instruments.

February 1998 Resolution: gives the President authority to approve changes of authorized signatures on existing Board bank accounts; prohibits President from establishing new accounts or changing the purpose of accounts. The Board Resolution also prohibits delegation of this authority.

June 2006 Resolution: authorizes the President to approve and sign agreements requiring the expenditure of \$100,000 or less to resolve lawsuits, grievances, or other civil claims, not including Workers' Compensation claims, against the Board, the institution or its agents with advice and counsel from Office of General Counsel.

December 2009: authorizes the President to execute amendments to the Student Employee Retirement Plans.

December 2009 – delegates to the President all prior delegations of authority that were previously directly delegated to vice presidents at CSU. Authorizes the President to sub-delegate such authority. Such prior delegations of authority include:

- the authority to sign documents granting non-exclusive utility easements having a then-current fair market value of not more than \$25,000, within established or designated utility corridors, the form of which shall be subject to review by General Counsel. (*originally delegated to VPAS 12/8/1999*)

- the authority to sign documents to lease land and/or surplus water rights where CSU-Pueblo is the Lessor subject to the following criteria: (a) lease period of not more than five years for land; (b) lease period of not more than one year for water rights; (c) where lease has a maximum value of \$5,000 per year; (d) where impact of the lease is minimal; and (e) subject to review/approval by General Counsel. (*originally delegated to VPAS 12/3/2001*)

- the authority to approve and sign workers' compensation settlements up to a value of \$250,000, with review by the Office of General Counsel (*originally delegated to VPAS 6/22/2006*)

- the authority to sign documents reasonably necessary and appropriate to acquire exclusive and non-exclusive easements subject to the following criteria: (a) then-current fair market value of not more than \$25,000; (b) obtained for programmatic or operational purposes; (c) include customary and reasonable obligations the costs of which are within the Board approved Budgets; and (d) after consultation with the Office of General Counsel (*originally delegated to VPAS 6/3/2008*)

III. Authority delegated by the President to the Vice Presidents and Other University Officials with further sub-delegations

A. Provost/Vice President for Academic Affairs

1. Authority to sign Cooperative Agreements, Affiliation Agreements, Memorandum of Understanding; and other academic agreements for all departments that are direct reports to the Provost.
2. Authority to sign Research Agreements, including grants, sub-grants or sub-awards, research subcontracts, materials transfer agreements, intellectual property license agreements, and confidentiality/non-disclosure agreements pertaining to research or scientific/technical services. Also the authority to license the use of CSU intellectual property to an external party.

a. Sub delegation Dean of Library Sciences

1. Authority to sign license agreements for software, database access, online publications, and library materials.
2. Authority to sign agreements relating to any transaction involving library services or services provided within the LARC.
3. No sub delegations.

B. Vice President of Finance and Administration

1. Authority to execute expenditure and revenue contracts, agreements and other binding legal instruments that are usual, necessary and appropriate to the normal operation of the institution and within the budgeted expenditures as approved by the Board.

2. Authority to sign documents granting non-exclusive utility easements having a then-current fair market value of not more than \$25,000, within established or designated utility corridors, the form of which shall be subject to review by General Counsel.
3. Authority to sign documents to lease land and/or surplus water rights where CSU-Pueblo is the Lessor subject to the following criteria: (a) lease period of not more than five years for land; (b) lease period of not more than one year for water rights; (c) where lease has a maximum value of \$5,000 per year; (d) where impact of the lease is minimal; and (e) subject to review/approval by General Counsel.
4. Authority to approve and sign workers' compensation settlements up to a value of \$250,000, with review by the Office of General Counsel.
5. Authority to sign documents reasonably necessary and appropriate to acquire exclusive and non-exclusive easements subject to the following criteria: (a) then-current fair market value of not more than \$25,000; (b) obtained for programmatic or operational purposes; (c) include customary and reasonable obligations the costs of which are within the Board approved Budgets; and (d) after consultation with the Office of General Counsel.
6. Authority to sign Equipment Lease/Purchase Agreements, related documents, certificates and instruments as may be necessary to consummate transactions contemplated by the Equipment Lease/Purchase Agreements
 - a. Sub delegation to Director of Purchasing
 1. Purchase of goods, equipment, intangibles and services generally with a value of less than \$50,000.00.
 2. No sub delegations.

C. Vice President of Student Services and Enrollment Management

1. Authority to execute contracts regarding student activities or events, or other ventures within the purview of Student Services and Enrollment Management.
2. Authority to sign work-study placement/site agreements, financial aid agreements with state and federal agencies, veterans training grants, and scholarship and stipend agreements with undergraduate students.
3. Authority to sign agreements relating to External affairs and Alumni association, also including granting of a license to use CSU-Pueblo's name, logo and marks, CSU-Pueblo's owned photos, videos and artwork and sponsorships agreements.

a. Sub delegation to Dean of Students and Residence Life:

1. Authority to execute Residence Hall Agreements; Walking Stick Apartment agreements; contracts regarding student activities or events, or other ventures within the purview of Student Services and Residence Life.

i. Sub delegation to Director of Housing:

1. Authority to Execute Residence Hall Agreements and Walking Stick Apartment Agreements with students.

a. No sub delegations.

D. Athletic Director

1. Authority to execute athletic sponsorship agreements including approval of transaction by athletic marketing contractor.
2. Authority to execute non-conference game agreements
3. No sub-delegations.

IV. Controller signature requirements of expenditure contracts

All expenditure contracts require signature by the university controller or Vice President of Finance and Administration in the controller's stead, and require legal review and other approvals. Nothing in this memorandum shall be construed to authorize any official to sign a contract obligating the expenditure of CSU-Pueblo funds without the approval of the university controller, or the VPFA in the controller's stead.

V. Legal Review

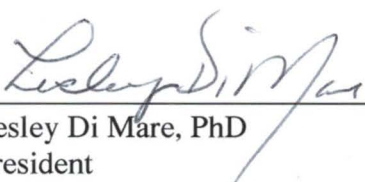
All contracts that are not university standard contracts require legal review. Any modifications to university standard contracts require legal review.

A "contract" as used herein includes any and all agreements, however titled, that are intended to be legally enforceable and binding on the parties to such agreement. Examples of contracts include, but are not limited to, expenditure contracts, revenue contracts, leases of real or personal

property, real property agreements, academic and cooperative agreements, affiliation agreements, interagency and intergovernmental agreements, licenses, grants, construction contracts, personal services contracts, employment contracts, memorandum of understandings, letters of intent, and intellectual property conveyances. "Contract" does not include a purchase order or procurement card transaction, unless otherwise specified.

The Office of General Counsel (OGC), or an attorney designated by the OGC for the Institution, shall review and approve all contracts that are required by statute or by the Colorado Attorney General's Office to have a legal review. Such contracts are not valid and shall not be implemented until signed by a duly authorized attorney.

Approved by:

 11/18/15

Lesley Di Mare, PhD Date
President