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Policy Title	Contract Review and Approval Policy
Issue Date	November 26, 2007
Effective Date	November 26, 2007
Last Updated	October 30, 2014
Responsible Office	Associate Vice President for Operations
Contact Information	Office of Procurement and Contracting Phone: (470) 578-4355  Division of Legal Affairs Phone: (470) 578-3562 Email: <a href="mailto:contracts@kennesaw.edu">contracts@kennesaw.edu</a>

### 1. Policy Purpose Statement

The purpose of this policy is to assure the required reviews and approvals occur before contracts are signed on behalf of Kennesaw State University (KSU or the University).

### 2. Background

Signing a contract on behalf of KSU without obtaining legal approval may, if the University chooses not to honor the contract, result in personal liability for the person signing the contract. This KSU policy aligns with the Georgia Department of Administrative Services (DOAS) procurement contract processes and the Board of Regents (BOR) of the University of Georgia (USG) policies and procedures for contract review and approvals. The KSU Office of Procurement and Contracting works in collaboration with the KSU Division of Legal Affairs to advise on and support procurement for all contracts, including consulting services agreements.

### 3. Scope (Who is Affected)

This policy applies to all KSU employees who sign and/or process contracts on behalf of KSU.

### 4. Exclusions or Exceptions

The KSU Division of Legal Affairs manages the contract review and approval process at KSU, which defines any allowable exemptions to the legal review requirement of this policy (link is provided below).

## 5. Definitions and Acronyms

**Contract:** A contract is any legally enforceable agreement whether or not it is titled “contract.” Contracts include, but are not limited to, letters of agreement, lecture or performance agreements, licenses, memoranda of understanding, and terms and conditions related to all types of transactions.

## 6. Policy

All contracts, (such as for purchase of goods or services, acceptance of donations, or cooperative agreements with other organizations, and others) must be reviewed by the Division of Legal Affairs prior to being signed by the appropriate KSU signing authority.

### Procedure

The KSU Division of Legal Affairs manages the contract review and approval process at KSU and must be consulted to develop the appropriate form of contract document. This documented process also identifies appropriate KSU signing authorities for contracts. To eliminate confusion and avoid delays, all contract review requests should be sent to [contracts@kennesaw.edu](mailto:contracts@kennesaw.edu), where contracts are logged and reviewed in the order received. Contract reviews normally take up to five business days. Therefore, contracts should be forwarded well in advance to allow the Division of Legal Affairs sufficient time for review. The KSU Office of Procurement and Contracting works in collaboration with the Division of Legal Affairs to advise on and support procurement for all contracts, including consulting services agreements.

## 7. Associated Policies/Regulations

- a. BOR Policy Manual 7.2.5 Liability of Expenditure of Budgets
- b. BOR Policy Manual 7.7 Purchasing
- c. BOR Policy Manual 7.9 Contracts
- d. USG Business Procedures Manual Section 3.0 Purchasing and Contracts
- e. USG Business Procedures Manual Section 3.4.1 Authority to Execute Contracts
- f. KSU Letter to Contractors/Vendors
- g. KSU Competitive Solicitation Policy
- h. KSU Consulting Services Policy
- i. Georgia Procurement Manual (GPM) Stage 7 Contract Process

## 8. Procedures Associated with this Policy

- a. KSU Contract Review and Approval Process
- b. KSU Procure-to-Pay Decision Matrix

## 9. Forms Associated with this Policy

- a. KSU Contract Review Request Form

## **10. Violations**

Signing a contract on behalf of KSU without obtaining legal approval, funding/budget approval, and/or procurement approval may, if the University chooses not to honor the contract, result in personal liability for the person signing the contract. KSU employees in violation of this policy are subject to a range of sanctions, including but not limited to disciplinary action, dismissal from the University, and/or legal action.

## **11. Review Schedule**

The Contract Review and Approval Policy is reviewed annually by the Office of the Associate Vice President for Operations or his/her designee.