
SUBJECT: CONTRACTING AND SIGNATURE AUTHORITY

1.0 PURPOSE

1.1. The purpose of this policy is to establish the individuals authorized to sign Snow College contracts and provides for the sub-delegation of such authority. Its intent is to clarify authority to commit college resources or bind the college. Employees who exercise authority delegated pursuant to this policy minimize their risk of personal liability for unauthorized actions. This policy will also safeguard college resources and minimize the college's financial, legal, operational, and compliance-related risks by establishing the authority and responsibilities of college employees with regard to reviewing and executing contracts and other written documents on behalf of Snow College.

2.0 DEFINITIONS

2.1. Contract: A written agreement between the college and one or more third parties that is binding and enforceable, such as an agreement under which the college purchases, leases, or acquires goods, services, or personal property, or obligates college time and/or resources. A contract may be titled in some other way such as "Memorandum of Understanding", "Agreement", etc. but regardless of the title it must be properly approved and signed.

2.2. College time and resources: This includes, but is not limited to, funding, personnel, office, laboratory and classroom facilities and equipment.

3.0 POLICY

3.1. Snow College officials designated by this policy and implementing procedures are authorized to execute contracts and other written instruments on behalf of Snow College. Any contract executed by a person not authorized to do so by this policy is not binding on the college.

3.1.1. An employee who signs a contract that they are not authorized to sign is acting outside the scope of their employment and may be personally liable for any resulting liability or obligation. Such individuals also may be subject to disciplinary action, up to and including termination, under applicable human resources policies.

3.1.2. Employees executing contracts and other written instruments on behalf of the College are responsible for assuring that they have authority to act on behalf of the College and that such authority is exercised in compliance with applicable conditions, restrictions and guidelines.

- 3.2. The Board of Trustees grants contract signing authority to the President and Vice-President of Finance and Administrative Services for all contracts not excluded by this Policy.
 - 3.2.1. The President and/or Vice-President of Finance and Administrative Services may further delegate signing authority pursuant to written Procedures to be adopted and approved by the President in writing to supplement this Policy. The Procedures shall be presented to the Board of Trustees as an informational item at least annually. The Board of Trustees may direct that the Procedures be modified as necessary.
- 3.3. Authority to sign certain contracts is withheld or conditioned as follows:
 - 3.3.1. Contracts which commit college funding of \$50,000 or more or require indemnification require legal review.
 - 3.3.2. Contracts which commit college funding of \$100,000 or more also require the signature of the President or responsible Vice President.
 - 3.3.3. Contracts which commit college funding of \$200,000 or more also require Board of Trustee review and approval.
 - 3.3.3.1. The Executive Committee of the Snow College Board of Trustees may approve contracts that are time sensitive and require a signature within 60 days. Such contracts shall then come before the Board of Trustees for ratification at the next available Board of Trustees meeting.
 - 3.3.4. All real estate contracts require Board of Trustee review and approval except: (1) leases where the college is lessor; (2) leases where the college is lessee and the lease has a term of less than 5 years and financial consideration of less than \$50,000 annually; and (3) easements.