Delegation of Colorado State University Contract Signature and Legal Review Authority

Section I – Authority

On June 9, 2010, SB10-003 was signed into law which allowed, among other things, institutions of higher education to opt out of the State fiscal rules and operate under institutional rules and procedures.

The Board of Governors of the Colorado State University System (System) by resolution of August 11, 2010 elected to exempt the System and its respective institutions from the State fiscal rules and further adopted the State of Colorado Fiscal Rules as their own to be modified and changed to conform to the respective institutions’ needs.

The resolution further authorized the Chancellor and Presidents to delegate the powers granted in the resolution to others within their respective organizations deemed to have appropriate and adequate training and experience in fiscal rules and procedures.

The System has promulgated and approved a set of System Fiscal Rules and this Delegation is made in conformance with the System Fiscal Rules and the above referenced resolution.

Section II – Scope of Delegation

A. This delegation is personal to the Controller or other delegates named herein.
B. A sub-delegate may not further sub-delegate the contract approval authority granted herein.
C. All delegations herein are for Controller signature authority only. No authority to bind the Board of Governors or the institution to a contract is granted or implied. All contracts require BOTH an authorized signature by or on behalf of the Board pursuant to the CSU Contract Signature Delegation Memorandum, AND Controller signature pursuant to this delegation.
D. The delegation is subject to any exceptions or limitations set forth below.

1. Delegation of signature authority for fiscal rule review for institution contracts:
   A. David Ryan, University Controller, is the primary delegate for fiscal rule review and approval for all types of contracts, with authority to approve, modify, and revoke all further sub-delegations.
      i. As Primary delegate, David Ryan may authorize an advance payment of any amount on a University contract if it is considered to be in the best interests of the University. This authority to approve advance payments for contracts is delegated to Gail Michaud if David Ryan is not available. Advance payments in excess of $10,000 shall require legal review and approval.
B. Gail Michaud is authorized to sign as a secondary delegate for contracts that are
determined to be low risk for all types of contracts or for all types of contracts if
David Ryan is not available.

C. Linda Meserve, Farrah Bustamante, Kathleen LaFollette, Rick Tensley, Greg
Draughon, Eric Hamrick and Mandy Zila are authorized to sign as sub-delegates only
for the following types of contracts that do not exceed $100,000: Personal Services,
In addition these individuals are authorized to approve an advance payment made
pursuant to a University purchase order if it is considered to be in the best interest
of the University up to $10,000.

D. Dawn Paschal and Thomas Moothart are authorized to sign as sub-delegates only
for the following types of contracts that do not exceed $50,000: Goods and
Materials that are library specific such as electronic journals, books, periodicals,
subscriptions, etc.

E. Mari Strombom, Dezarai Brubaker, Nancy McDonald and Jim Dolak are authorized
to sign as sub-delegates only for the following types of contracts that do not exceed
$50,000: Personal Services for hotel and conference center contracts.

F. Mark Cooper is authorized to sign as sub-delegate only for the following types of
contracts that do not exceed $25,000: Equipment leases for copiers and printing
equipment using a pre-approved form of lease agreement or addendum to an
existing master lease agreement.

G. Michael E. Ellis is authorized to sign as a sub-delegate only for the following types of
contracts that do not exceed $10,000: Personal services contracts for concerts,
lectures and performances.

2. Exceptions and limitations

A. The types of contracts and situations listed below must be submitted to the
University Controller’s office for review and approval:
   i. Debt collection services
   ii. Acquisition of new or replacement financial systems
   iii. Voluntary separation agreements
   iv. Settlement agreements
   v. Unauthorized expenditures (late contracts)—see policy/guidelines on CSU
      Purchasing Dept. website

B. System Fiscal Rule Waivers
   i. The Chancellor with the concurrence of the Chief Financial Officer and an
      authorized delegate from the Office of General counsel may waive a System
      Fiscal Rule, if it is in the best interests of the institution and the State.

C. Other required signatures and approvals
   i. Delegates are reminded that some state statutes require approvals by other
      state agencies for certain types of contracts. Having Controller delegation
to sign these contracts does not affect the requirement to obtain these
      specific approvals. (For example, all construction contracts, regardless of
amount, require the approval of the State Buildings Program delegate for CSU).

D. Period of delegation
   i. This delegation is valid for three years from the effective date of this delegation. Any change in position shall terminate the delegation. Delegations are not transferrable.

E. Contract Legal Review
   i. All contracts with a total value over $100,000 (including all optional renewal terms), and all contracts that are not standard form contracts approved by CSU Contracting Services, and all contracts that are determined to be high risk shall have legal review and approval. The attorneys delegated to perform the required legal review for the institution of higher education, prior to signature and approval of state contract fiscal review, are: Jason L. Johnson, Linda Schutjer, Jannine Mohr, Jean Christman, and Grant Calhoun.

Section III – Delegated Review Responsibility

The University Controller is responsible for ensuring compliance with all applicable statutes, rules, policies and procedures. Sub-delegates assume these responsibilities and shall contact the University Controller whenever a question or concern arises as to the propriety of any expenditure or contract and as to all unauthorized expenditures that have occurred.

These statutes, rules and policies require that prior to executing the contract the Controller and/or the designated sub-delegate shall ensure that:

• Expenditure
  o Is reasonable and necessary;
  o Is authorized by the appropriation to which it will be charged;
  o Does not exceed the unencumbered balance of the appropriation;
  o Complies with all constitutional, statutes, System Fiscal Rules and CSU policies;
  o Is encumbered, unless an encumbrance waiver has been granted; and

• Prices or rates are fair and reasonable as evidenced by either an established catalog price, a vendor quote or bid that has been approved by a CSU Purchasing Agent, or by the knowledge and experience of the ordering department for items within its designated small-dollar purchase limitation. Any question or concern about pricing shall be referred to the CSU Purchasing Department for review and approval.

• Form and Content of the contract are sufficient and appropriate for the parties and subject matter under applicable state and federal laws, CSUS Fiscal Rules, and CSU Fiscal Policies and Procedures. All contracts shall be approved in advance by CSU Contracting Services unless the contract is made using a pre-approved CSU standard contract form (without modification).
Interagency Agreements

An “Interagency Agreement” may only be signed by a delegate at the state agency or institution which is disbursing the funds, therefore this delegation only addresses interagency agreements in which Colorado State University is disbursing funds. The appropriate delegate listed above has the authority to sign for the University Controller when using a pre-approved CSU standard interagency agreement form. All other interagency agreements shall be referred to CSU Contracting Services for review and approval.

Approval and Signature

After review, the expenditure contract shall be approved or disapproved. If approved, the delegate shall evidence such approval by signing the contract.

Other Requirements

The sub-delegate agrees to the following items:

Contracts Completeness Checklist – the sub-delegate shall use a contracts completeness checklist in reviewing all contracts. Checklists may be obtained from CSU Contracting Services.

Contracts Database – the responsible delegate shall log all contracts into the CSU Contracts database, including all modifications (task order, amendment, funding letter, option, change order). Information and training on the use of the Database shall be obtained from CSU Contracting Services.


No Dual Signature – The delegation does not allow the primary delegate or any sub-delegate, to sign a contract for both the University (as a sub-delegate of the President, on behalf of the Board), and for the Controller.

Training – all delegates agree to attend training on contract delegation as scheduled by the Controller.

Section IV – Signatures

This delegation is hereby done and made effective by:

Anthony A. Frank, President

Date

8/1/2014
On the indicated date, the following agree to all terms of this agreement:

Primary Delegate:

[Signature]

David Ryan

7/30/14

Date

Other Authorized Delegates:

[Signature]

Gail Michaud

7/30/14

Date

[Signature]

Linda Meserve

7/18/14

Date

[Signature]

Farrah Bustamante

7-18-2014

Date

[Signature]

Kathleen LaFollette

7-18-2014

Date

[Signature]

Rick Tensley

7-30-14

Date

[Signature]

Greg Draughon

7-18-14

Date

[Signature]

Eric Hamrick

7/18/14

Date

[Signature]

Mandy Zila

7/23/14

Date

[Signature]

Dawn Paschal

2/23/14

Date

[Signature]

Thomas Moothart

7/23/14

Date

[Signature]

Dzearai Brubaker

[Signature]

Jim Dolak