

HOFSTRA UNIVERSITY

Policy and Procedures

Subject: Contract Review
Initial Policy Approval: September 2003
Date Last Revised: April 3, 2017
Responsible Office: Financial Affairs/ Legal Affairs

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Purpose

The purpose of this policy is to establish the procedures for initiating and executing contract agreements that bind the University. In order to ensure adherence to regulatory requirements, reasonable business terms, and valid legal obligations, all contracts shall be reviewed by the Office of Financial Affairs, which will coordinate other required reviews including insurance, legal, budget, information technology, etc.

In order to ensure that all obligations are known, properly examined, and properly recorded, all agreements shall be signed and authorized by the President, or Vice President for Financial Affairs. In certain instances the Senior Vice President for Planning and Administration, the Senior Vice President for Academic Affairs, and/or General Counsel are authorized to sign contracts, all of which are then filed with and maintained by the Office of Financial Affairs.

In general, a contract is required for services provided to the University and/or if payment deposits or progress payments need to be made or when the University is intended to be bound by the agreement. Questions regarding when a contract is required should be directed to the Office of Contract Administration.

The University has developed a series of standard agreements which are useful in expediting the process. Where possible, use of a standard agreement is encouraged. A list of the types standard agreements follows, and the templates can be found on the Office of Contract Administration website, <http://www.hofstra.edu/about/financial-affairs/contract-administration/index.html>:

- Single Engagement Agreements
- Guest Lecturer Agreements
- Conference Services Agreements
- Facility Use Agreements
- Playhouse Rental Agreement
- Standard Plant Service Agreements
- Standard Plant Project Agreements
- Clinical Placement Agreements
- Independent Contractor/Consulting Agreement
- Grant Consulting Agreements
- Sports Club Coaches Agreement
- Sports Officiating Agreement
- Photography Agreement
- Equipment Rental Agreement
- General Construction Agreements
- Architectural/Design Services Agreement

Policy

Each proposed Contract should be submitted via email and accompanied by a Contract Approval Form and Contract Information Form, copies of which are available on the Office of Contract Administration website and explained below.

1. All contracts shall be submitted via email to the Office of Financial Affairs at contractadmin@hofstra.edu for review and execution. The proposed contract shall be completely filled out and accompanied by the Contract Approval and Contract Information Forms. The Contract Approval Form shall be signed by the person proposing that the University enter into the contract, and by all supervisors and department heads up to and including the responsible Vice President or Dean and Provost. The Contract Approval Form requires each signatory to confirm that each has reviewed and agrees with the contract. Each person also verifies the need for the contract and budget availability.

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2. The Contract Information Form shall be completed in its entirety by the person most familiar with the details of the contract and include necessary background information explaining the reason for the contract, the vendor selection process, and other pertinent information.
 3. Once the necessary paperwork is received, the Office of Financial Affairs will review the proposed contract; ensure that there is appropriate insurance in place; and obtain review from the Vice President for Legal Affairs and General Counsel, as appropriate. Once all necessary approvals are in place, the Vice President for Financial Affairs will sign the contract on behalf of the University.
 4. The Vice President for Financial Affairs, or designee, will determine whether a contract requires a Purchase Order to properly encumber the funds. The Office of Contract Administration will initiate the encumbrance via the Office of Procurement Services and communicate the appropriate information with the requesting department.
 5. The executed contract will be returned, via email, to the person designated on the Contract Information Form, who will return the contract to the vendor for counter signature or further action, as determined by the Office of Contract Administration. If a counter signature is required, the requesting department shall ensure that a counter-signed version is promptly emailed to the Office of Contract Administration. In all instances, the Office of Financial Affairs will retain an executed copy of the contract on file.

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We recognize that in many instances, the nature of the contract or agreement will require active participation by the Office of Financial Affairs and the Office of General Counsel during the negotiation phase. In instances where a standard form of Hofstra University contract cannot be used, the Office of General Counsel shall be consulted at the outset of negotiations. Departments are encouraged to consult with the Office of General Counsel at the outset of any matter involving non-standard terms and conditions.

Over time, we will develop and/or modify terms to be included in all agreements, including terms governing notice renewals, terminations, choice of law, indemnification, insurance requirements, etc. We will circulate as the provisions are developed or modified, and will post on the Office of Contract Administration website.

This policy is applicable to all schools of the University.

No payment will be authorized for any agreement or contract which is not signed and which does not otherwise meet the requirements of this Contract Policy.