



WAYNE STATE
Office of the President

University Policy 2004-06

Policy-Making by the President

CONTRACT SIGNATORIES
(Fifth Release)

1.0 Purpose

- 1.1 In its bylaws the Board of Governors has delegated to the president full authority as chief executive officer of the University and has, in addition, authorized the president to designate the duties of other executive officers.
- 1.2 The Board of Governors is empowered to contract for the University. In its bylaws the Board has empowered the president or his/her designee to execute contracts agreements, leases, and other financial obligations on behalf of the University, as authorized by statute or resolution. The Board of Governors statute, "Contract Awards," WSUCA 2.81.01, delegates certain contract-signing authority and authorizes the president to establish guidelines for such delegation.
- 1.3 The purpose of this university policy is to establish rules regarding the signing of contracts, and to delegate to certain administrative officers, authority to sign contracts.

2.0 Definition

- 2.1 Any agreement between two or more parties, which is enforceable at law, is a "contract." This university policy addresses agreements or arrangements with a non-WSU party or parties, to which Wayne State University is a party, whether or not the formal document of agreement is entitled "contract."
- 2.2 A contract is a "sponsored program" in those cases where the primary purpose of the non-WSU party is to contract for the performance of research, instruction, or public service by WSU, and in those cases where the primary purpose of WSU is to contract for the performance of research, instruction, or public service by the non-WSU party.
- 2.3 Contracts in which the University is the seller of service constitute "contracts for the sale of services."
- 2.4 All other contracts in which the University is the purchaser of goods or services constitute "contracts for the acquisition of goods or services from third party vendors or independent contractors."

3.0 General Rules

- 3.1 Contracts should be in writing.
- 3.2 No contract may be signed on behalf of Wayne State University unless it has first been approved on its face, in writing, by the Office of the General Counsel, except as provided in section 3.3, and except for contracts that follow exactly a form which has been previously approved, as a form, by the Office of the General Counsel (for example, a Purchase Order form to which no special language has been added, the forms for salary reimbursement agreements of the School of Medicine, or the form "Publishing Contract," when no special language has been added), or categories of contracts which, in the General Counsel's written opinion, do not require legal review. Those purchases that are authorized for purchase on a P-card are not subject to this policy.
- 3.3 Either (1) the President or (2) any two vice presidents may sign contracts that the Office of the General Counsel has declined to approve in those instances in which they are satisfied that, as a matter of policy, signing the contract will be in the best interest of the University.
- 3.4 Whenever the specific approval of a contract by the Board of Governors is required, and approval has been obtained by telephone poll or mail ballot, as permitted by the Bylaws of the Board of Governors, the signature of the Secretary of the Board of Governors shall be required on the contract, as verification that the Board has approved the contract, in addition to any other signatures that may be required by statute or by university policy.

4.0 Delegation of Authority

- 4.1 The following officers are hereby delegated authority to sign contracts on behalf of Wayne State University. No other persons are authorized to sign contracts for or on behalf of the University. No subdelegations of authority other than those listed below may be made without approval of the president.

Delegation of Authority

Activity	Signatory Authorized by Board	Dollar Amount	Subdelegated Signatory
<p>A. Real Property Transactions involving the purchase, sale or other disposition of real property (except for (1) petitions for the vacation of streets and/or alleys, and undertakings to obligate the University for the payment of costs for such vacations; (2) leases; and (3) receipt of gifts of unencumbered, reasonably marketable, real property that would not necessitate expenditures of University funds)</p>	<p>Any one of : President, or designee (after prior Board authorization)</p> <p>President or designee</p>	<p>Transactions for \$ 100,000 or more.)</p> <p>Transactions costing less than \$100,000 (should be reported to the Board at the meeting following the completion of the transaction)</p>	<p>Senior Vice President for Finance & Business Operations (<i>after prior Board authorization, and approval by the President</i>)</p> <p>Senior Vice President for Finance & Business Operations (<i>after approval by the President</i>)</p>
<p>1. Petitions for the vacation of streets and/or alleys, and undertakings to obligate the University for the payment of costs for such vacations¹</p> <p><small>¹ Pursuant to BOG Statute, "Streets and Alleys, Vacation of," WSUCA 2.83.03.</small></p>	<p>President or designee</p>		<p>Senior Vice President for Finance & Business Operations (<i>after approval by the President</i>)</p>
<p>2a. Lease of real property (as lessee)</p>	<p>President or designee,</p> <p>President or designee</p>	<p>Leases for a period of 120 months or longer, including an unconditional right of renewal, and/or for \$250,000 or more net rental cost annually</p> <p>Leases for a period less than 120 months, including an unconditional right of renewal, and/or for less than \$250,000 net rental cost annually.</p>	<p>Senior Vice President for Finance & Business Operations (<i>after approval by the President</i>)</p> <p>Senior Vice President for Finance & Business Operations (<i>after approval by the President</i>)</p>
<p>2b. Lease of real property as lessor (except for No. 3 below)</p>	<p>President or designee</p>	<p>All Transactions</p>	<p>Senior Vice President for Finance & Business Operations or Vice President & Chief of Staff (CofS) in absence of the Sr. VP for Finance (<i>after approval by the President</i>)</p>

Activity	Signatory Authorized by Board	Dollar Amount	Subdelegated Signatory
3. Classroom rentals at extension centers to third parties	President or designee	Rentals in excess of one academic year Daily rentals and term rentals up to one academic year	Senior Vice President for Finance & Business Operations Vice President for Academic Student Affairs and Global Engagement
4. Receipt of gifts of unencumbered, real property that would not necessitate expenditures of University funds. ²	President or designee	All Transactions	Vice President for Development and Senior Vice President for Finance & Business Operations
B. Investment	President or designee(s)	All Transactions	Senior Vice President for Finance & Business Operations
C. Routine Contracts			
1. Acquisition by purchase, lease or rental of supplies or equipment (except as provided in C.2 and D.7), and acquisition of the services of contractors (including those who are contracted to sell goods and services on campus). For waiver of bidding for contracts for goods or services of \$25,000 or more, see item 13, Competitive Bid Exceptions.	President or designee	Contracts for \$ 1,000,000 or more.	Senior Vice President for Finance & Business Operations
		\$200,000 or more but less than \$1,000,000 or within \$200,000 of the highest contract value already signed by the Vice President	Associate Vice President, Procurement & Strategic Sourcing
		\$50,000 or more but less than \$200,000	Associate Director of Purchasing Services
		Less than \$50,000	The Buyer in the Purchasing Department
2. Acquisition of moveable equipment not associated with the structure of a building, whether by direct purchase or by capital lease.	President or designee (after prior approval by the Board)	Transactions for \$1,000,000 or more	Senior Vice President for Finance & Business Operations (<i>after approval by the Board of Governors.</i>)
		Transactions costing less than \$1,000,000	Senior Vice President for Finance & Business Operations.

²Pursuant to Board of Governors Statute, "Planned Giving Policies and Guidelines," WSUCA2.72.01.

Activity	Signatory Authorized by Board	Dollar Amount	Subdelegated Signatory
----------	-------------------------------	---------------	------------------------

		\$200,000 or more but less than \$1,000,000 and contract change orders up to \$1,000,000 or within \$200,000 of the highest contract value already signed by the Senior Vice President	Associate Vice President, Procurement & Strategic Sourcing
		\$50,000 or more but less than \$200,000.	Associate Director of Purchasing Services
		Less than \$50,000	The Buyer in the Purchasing Department
3. Acquisition of the services of independent contractors (Personal Services Contracts) whose expertise is in areas traditionally related to the expertise of the operating divisions	President or designee	Contracts of \$50,000 or more, and in compliance with competitive bidding requirements. For contracts less than \$50,000.	Associate Provost; Associate Vice President, Dean or above of the respective Division. The contracting unit dean or director.
4. Outside Legal Counsel	President or designee	All Transactions	General Counsel
5. Services of artists, speakers and performers for events for student organizations.	President or designee	For contracts of \$10,000 or more.	Provost and Sr. Vice President for Academic Affairs, or the Associate Vice President, Procurement & Strategic Sourcing.
		Contracts less than \$10,000.	Dean of Students.
6. Rental of facilities, exhibits and equipment for events for student organizations.	President or designee	Contracts of \$10,000 or more.	Provost and Sr. Vice President for Academic Affairs, or the Associate Vice President for Procurement & Strategic Sourcing
		Contracts less than \$10,000.	Dean of Students.

Activity	Signatory Authorized by Board	Dollar Amount	Subdelegated Signatory
7. Athletics-related contracts	President or designee	Contracts for \$ 25,000 or more.	President.
		Contracts for less than \$25,000.	Director of Athletics.
8. Publishing Contracts in the form that has been approved, as a form, prior to the time of signature.	President or designee	All Transactions	Provost and Sr. Vice President for Academic Affairs
9. Contracts related to library acquisitions (limited to books and serials) within the authorized budget of the Dean of Libraries.	President or designee	All Transactions	Dean of Libraries
10. Off-campus banqueting arrangement	President or designee	Contracts of \$1,000,000 or more.	Senior Vice President for Finance & Business Operations
		Contracts of \$ 200,000 or more but less than \$1,000,000.	Associate Vice President, Procurement & Strategic Sourcing
		Contracts of \$50,000 or more but less than \$200,000	Associate Director of Purchasing Services
		Contracts of \$10,000 or more but less than \$50,000	The Buyer in the Purchasing Department
		Contracts of less than \$10,000, limited to standard reservation forms and, if liquor will be served, vendor has a valid liquor license.	Deans and unit directors
11. Sale of surplus property (except real property), i.e., supplies and equipment ³	President or designee	Sales of \$75,000 or more.	Senior Vice President for Finance & Business Operations
		Sales of \$10,000 or more but less than \$75,000.	Associate Vice President, Procurement & Strategic Sourcing
		Sales of less than \$10,000.	Controller

³Pursuant to Board of Governors Resolution, "Sale of Surplus Property, WSUCA 4.83.01," sales of surplus property for amounts greater than \$50,000 require the approval of the Board of Governors.

Activity	Signatory Authorized by Board	Dollar Amount	Subdelegated Signatory
----------	-------------------------------	---------------	------------------------

12. Lease or rental of University supplies or equipment.	President or designee	Transactions totaling over \$50,000.	Senior Vice President for Finance & Business Operations
		Transactions totaling \$50,000 or less.	Associate Vice President, Procurement & Strategic Sourcing
13. Competitive Bid Exceptions:			
<p>Granting written exceptions for contracts requiring highly specialized service of professional firms for which a public bid would not be appropriate, or for contracts for the services of independent contractors (Personal Service Contracts) whose expertise is in areas traditionally related to the expertise of the operating unit.</p> <p>All other exceptions, (sole source, scientific judgment, compatible equipment/ service with existing equipment/service, etc.) with written justification from the requisitioner.</p> <p>(Note: except as approved above, routine contracts for the purchase of supplies, equipment, or the services of independent contractors in the amount of \$50,000 or more must be awarded on the basis of competitive bids.</p>	President or designee	Contracts of \$50,000 or more.	Vice President & Chief of Staff
		Contracts for \$1,000,000 or more.	Senior Vice President for Finance & Business Operations
		<p>Contracts for \$200,000 or more but less than \$1,000,000</p> <p>Contracts for \$50,000 or more but less than \$200,000</p>	<p>Associate Vice President, Procurement & Strategic Sourcing</p> <p>Associate Director of Procurement Services</p>

Activity	Signatory Authorized by Board	Dollar Amount	Subdelegated Signatory
D. Capital Outlay			
1. Planning services for new facilities.	President or designee	Contracts of \$100,000 or more	Senior Vice President for Finance & Business Operations (<i>after prior Board authorization</i>)
		Contracts less than \$100,000.	Senior Vice President for Finance & Business Operations
2. Other planning services	President or designee	All Transactions	Senior Vice President for Finance & Business Operations
3. Construction of new facilities or alteration of existing facilities	President or designee	Alterations costing \$500,000 or more	Senior Vice President for Finance & Business Operations (<i>after prior Board authorization</i>)
		Alterations costing more than \$250,000 but less than \$500,000	Senior Vice President for Finance & Business Operations
		Alterations costing more than \$100,000 but less than \$250,000, and contract change orders up to \$250,000 or within \$100,000 of the highest contract value already signed by the Senior Vice President	Associate Vice President, Facilities Planning & Management or Treasurer
		Alterations costing less than \$100,000	Senior Director, Facilities, Planning & Management or Senior Vice President for Finance & Business Operations
4. Furnishings and equipment related to new construction, or related to alteration projects	President or designee	Contracts for \$1,000,000 or more	Senior Vice President for Finance & Business Operations (<i>after prior Board authorization</i>)
		Contracts for \$200,000 or more but less than \$1,000,000, and contract change orders up to \$1,000,000 or within	Associate Vice President, Procurement & Strategic Sourcing

Activity	Signatory Authorized by Board	Dollar Amount	Subdelegated Signatory
----------	-------------------------------	---------------	------------------------

		\$200,000 of the highest contract value already signed by the Senior Vice President	
		Contracts for \$50,000 or more but less than \$200,000	Associate Director of Purchasing Services
		Less than \$50,000	The Buyer in the Purchasing Department
E. Sponsored Programs			
Contracts and Subcontract Awards	President or designee	Contracts of \$3,000,000 or more	Senior Vice President for Finance & Business Operations or Vice President for Research
		Contracts of \$1,000,000 or more but less than \$3,000,000	Associate Vice President for Sponsored Programs Administration, or the Associate Vice President for Research in the absence of the Associate Vice President for Sponsored Programs Administration
		Contracts of \$500,000 or more but less than \$1,000,000	Senior Director of Sponsored Program Administration
		Contracts up to \$500,000	Associate Director of Sponsored Program Administration
F. Agreements other than affiliation agreements involving no transfer of funds and related to academic programs	President or designee	All Agreements	Provost and Sr. Vice President for Academic Affairs
G. Affiliation Agreements: Affiliation agreements between Wayne State University and one or more organizations as to teaching, research, and service or clinical opportunities	President or designee	Affiliation agreements with an annual transfer of funds of more than \$1,000,000.	Provost and Sr. Vice President for Academic Affairs or Vice President for Health Affairs (<i>after prior approval of the Board of Governors and the President</i>)

Activity	Signatory Authorized by Board	Dollar Amount	Subdelegated Signatory
		Affiliation agreements between \$250,000 and \$1 million	Provost and Sr. Vice President for Academic Affairs or Vice President for Health Affairs (<i>after prior approval by the President</i>)
		Affiliation agreements with an annual monetary transfer of less than \$250,000	Provost and Sr. Vice President for Academic Affairs or designee or Vice President for Health Affairs
H. School of Medicine salary reimbursement agreements	President or designee	All Agreements	Provost and Sr. Vice President for Academic Affairs or Vice President for Health Affairs
I. Eugene Applebaum College of Pharmacy and Health Sciences salary reimbursement agreements	President or designee	All Agreements	Provost and Sr. Vice President for Academic Affairs or Vice President for Health Affairs or designee
J. Contracts for the sale of services by auxiliary units established in whole or in part for the purpose of selling services (e.g., the McGregor Conference Center)	President or designee	Contracts of \$25,000 or more and all other contracts for sale of services not mentioned elsewhere in this policy.	Senior Vice President for Finance & Business Operations
		Contracts of less than \$25,000.	The Assistant or Associate Vice President overseeing the particular auxiliary unit
K. Employment Benefit Agreements	President or designee	All Agreements	Senior Vice President for Finance & Business Operations or designee
L. Labor Agreements	Pursuant to prior Board authorization, President or designee	Academic Labor Agreements	Provost and Sr. Vice President for Academic Affairs, V.P. and General Counsel (<i>after authorization from the President</i>)
		Non-Academic Labor Agreements	Senior Vice President for Finance & Business Operations (after authorization from the President)
M. Agreements dealing with intellectual property	President or designee	All Agreements	Vice President for Research or Senior Vice President for Finance & Business Operations

Activity	Signatory Authorized by Board	Dollar Amount	Subdelegated Signatory
<p>N. Loans and Loan Guarantees</p> <p>The credit of Wayne State University, whether by loan or by loan guarantee, will not be granted to or in aid of any individual, association, corporation, or entity except as permissible by law and in accordance with Board of Governors statute 2.81.01</p> <p>Extensions of credit shall not be funded by State appropriations and may be granted only under the following circumstances:</p> <p>A) A finding by the Board (or in the case of an extension of credit less than \$100,000 by the President) that the beneficiary of the extension of credit is an entity under the substantial control of Wayne. This is indicated when Wayne has substantial control of the governing board of the entity; or</p> <p>B) The extension of credit is essential to maintaining or supporting Wayne's research, teaching, and/or community engagement mission. This is indicated when there is an ongoing relationship between Wayne and the recipient of the extension of credit, and the recipient provides substantial research, educational, or community engagement opportunities to Wayne students and/or Wayne faculty and staff</p>	<p>President or Designee</p>	<p>Loans and loan guarantees of \$100,000 or more</p> <p>Loans and loan guarantees of less than \$100,000 (any such extension of credit must be approved by the President and reported to the Board at its next regularly scheduled meeting)</p>	<p>Senior Vice President for Finance & Business Operations (<i>after prior Board authorization, and approval by the President</i>)</p> <p>Senior Vice President for Finance & Business Operations (<i>after approval by the President</i>)</p>

5.0 Supersession

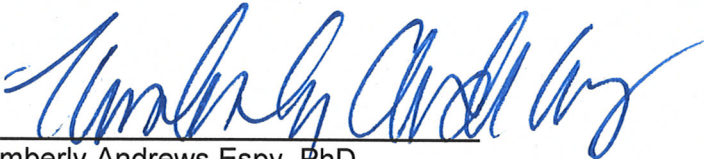
5.1 This university policy supersedes all previous releases of University Policy 2004-06, and all other references to contract signatories in University documents.

6.0 Duration

6.1 This delegation is revocable by the president at any time and without notice.

7.0 Effective Date

7.1 This university policy is effective upon issuance.



Kimberly Andrews Espy, PhD
President

10-24-23

Date