



THE GEORGE  
WASHINGTON  
UNIVERSITY  
WASHINGTON DC

**Responsible University Official:**  
Executive Vice President & Treasurer  
**Responsible Office:** Executive Vice  
President & Treasurer  
**Origination Date:** August 27, 1974

## SIGNING OF CONTRACTS AND AGREEMENTS

### Policy Statement

Except for the specific delegation of authority to certain University representatives referred to below, all proposed agreements, letters of understanding, and contracts shall be sent to the office of the Executive Vice President and Treasurer for University processing prior to formal commitment. If the nature of the agreement is such that it seems appropriate for the agreement to be signed by the President, the reason for the President’s signature should be included on the transmittal memorandum. Otherwise, the Executive Vice President and Treasurer, or designee, will sign all agreements and contracts, after appropriate review as described below.

### Reason for Policy/Purpose

The bylaws of the University specify that only the President and the Executive Vice President and Treasurer, or their designees, are authorized to enter into agreements between the University and another party. This policy is intended to outline the requirements for processing all contracts and identifies the approved exceptions.

### Who Needs to Know This Policy

Faculty and staff

<b>Table of Contents</b>	<b>Page #</b>
Policy Statement .....	1
Reason for Policy/Purpose .....	1
Who Needs to Know This Policy.....	1
Table of Contents.....	1
Policy/Procedures .....	2
Website Address .....	5
Contacts.....	5
Related Information .....	5
Appendices.....	5

Who Approved This Policy .....5  
History/Revision Dates .....5

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## Policy/Procedures

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The first stage in any contract development is realization of a need to use outside goods or services, identification of appropriate entities to meet that need, negotiation of appropriate business terms, and drafting of an agreement. The Supply Chain Office performs most of those functions for many purchasing transactions, but academic and administrative departments may also perform some of those functions for certain transactions, and the Office of General Counsel is available to assist in the drafting of any contracts. Once a contract or agreement has been through the initial development stage, it should follow the steps set forth below for formal approval by the University (complete and attach the TRANSMITTAL/TRACKING sheet to each contract/agreement):

### Basic Approval Procedure:

**Step One:** Department Approval. The first step toward approval of a contract is written approval (by cover memo) from the dean of the school or vice president of the department from which the agreement originates. If the resources of more than one school or department are implicated by the arrangement in any way, written approval from both (or all) schools or departments must also be provided.

- a. All sole source (single source) procurements must have written justification. The decision to sole source must be approved by the responsible vice president, prior to vendor contacts, when the proposed expenditures qualify as a major procurement.

**Step Two:** All major procurement (Major Procurement Review and Authorization Policy, \$10,000,000 or greater) of goods or services must be either:

- a. Reviewed by the University’s Procurement Committee, for proposals involving multiple vendors, and approved by the Executive Vice President and Treasurer, or
- b. Reviewed and approved by the Executive Vice President and Treasurer, for sole source procurements.

**Step Three:** Risk Management Review. If the contract involves special risk management issues or requires proof of insurance, Risk Management will need to give its approval.

**Step Four:** General Counsel Review. The contract, the departmental approval(s) and any collateral review comments must then be submitted to the OGC for its review and approval.

**Step Five:** Executive Vice President and Treasurer Approval. Once approved by the OGC, the contract will be forwarded to the Executive Vice President and Treasurer for final approval and signature.

**Step Six:** The signed documents will be returned to the appropriate party for transmittal. A copy of the transmittal letter, or if transmitted by hand, a memo to that effect, should be returned to the Office of General Counsel, as well as a copy of the final signed contract, for inclusion in the file, as evidence that the contract is in effect.

### **Exception Procedures**

The procedures set forth above should generally be followed for all contracts and agreements, except that the following offices/officials are authorized to enter into agreements, contracts and letters of understanding for the specific areas set forth below, and as such these offices and officials may be substituted for the Executive Vice President and Treasurer in Step Five above. Special or different procedures may also apply to certain contracts (e.g., Faculty Appointments), and the officials authorized to enter into such contracts should be aware of such procedures. Where standard agreements, contracts and letters of understanding are used repeatedly from year-to-year, the Office of General Counsel should review the standard terms on a yearly basis.

**ACADEMIC MEMORANDA OF UNDERSTANDING:** The Executive Vice President for Academic Affairs is authorized to sign Academic Memoranda of Understanding. The Executive Vice President for Academic Affairs has adopted a policy with respect to Memoranda of Understanding for cooperative academic arrangements. Please refer to that policy ([http://www.gwu.edu/~academic/Academic\\_Policies/mou.htm](http://www.gwu.edu/~academic/Academic_Policies/mou.htm)) for guidance on how to handle these arrangements or contact the Academic Affairs Office at 202-994-6510.

**AFFILIATION AGREEMENTS:** The Vice President for Health Affairs is authorized to sign affiliation agreements with hospitals, clinics and health related facilities for clinical placements of students and residents.

**ATHLETIC CONTESTS:** The Executive Director of Athletics is authorized to sign contracts with other schools regarding the scheduling of athletic contests and the associated financial arrangements.

**FACILITIES MANAGEMENT:** Contracts for project management, design or other services related to the construction or renovation of university facilities from \$50,000 up to \$500,000 may be approved by directors and above so long as they are standard form agreements approved by the Vice President and General Counsel.

**FACULTY APPOINTMENTS:** The Executive Vice President for Academic Affairs is authorized to sign faculty appointment letters.

**LEGAL COUNSEL AND SETTLEMENTS:** The Vice President and General Counsel or his designee is authorized to engage legal counsel, experts and other professionals relating to lawsuits, and to sign settlements and agreements associated with lawsuits and claims in amounts as agreed from time to time between the Executive Vice President and Treasurer and the Vice President and General Counsel.

**PROCUREMENTS:** The University Supply Chain Organization (SCO) will process procurement requests including orders for goods and services, hotel special event agreements, blanket purchase orders, procurement of office supplies, furniture and fixtures, office and operating equipment, computer hardware, software and computer supplies, and equipment maintenance contracts. Departments may work directly with SCO on these arrangements. To the extent legal or risk management review is required, this will be coordinated by SCO. Procurement procedures may be found at <http://eas.gwu.edu/home/index.cfm>.

**RENTAL OF UNIVERSITY FACILITIES:** The managers of university facilities (such as Marvin Center, Smith Center, Lisner Auditorium, etc.) are authorized to sign standard lease agreements.

**RESIDENTIAL HOUSING:** The Senior Vice President for Student and Academic Support Services is authorized to enter into license agreements with students in University residential housing provided that they are standard form agreements received/approved by the Vice President & General Counsel.

**SPONSORED RESEARCH:** For sponsored projects, the Office of The Chief Research Officer is authorized to sign grant and contract documents on behalf of the University. Sponsored projects include research projects funded by governmental units, research funded by third parties in which the University is required to generate a product of some sort or contracts for classroom instruction for government entities where non-standard rates are charged. These arrangements should be coordinated with the Office of The Chief Research Officer (202-994-6255).

**STUDENT ACTIVITIES SPONSORED EVENTS:** For student activities involving entertainers and/or bands, the Senior Vice President for Student and Academic Support Services, or his designee, is authorized to sign a standard agreement. For student activities that require the rental of off-campus space, the Senior Vice President for Student and Academic Support Services, or his designee, is authorized to sign a standard rental agreement.

Registered student organizations may request the University to contract on their behalf in the name of the University. Individual students and unregistered student groups have no authority to request that the University assume a legal obligation. Contracts signed by individual students, or in the name of student groups, whether registered or not registered, will not be honored by the University and any financial commitments made will be those of the individual student or students involved. The Student Activities Center (SAC) has established policies and procedures to comply with the University's contracting requirements. They also have available standard form agreements, which can be used in connection with events that student organizations may want to organize. Thus, student organizations should contact the SAC at 202-994-6555 if they want to enter into a contract.

Note that failure to follow the policies and procedures established by the University with respect to contracting by student organizations constitutes a violation of GW's Code of

Conduct and may result in a Student Judicial action against the individual or group found to have violated such policy or procedure.

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## Website Addresses for This Policy

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[GW University Policies](#)

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## Contacts

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<b>Subject</b>	<b>Contact</b>	<b>Phone</b>
Questions	Executive Vice President & Treasurer	202-994-6600

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## Related Information

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[Bids, Quotations and Sole Source Justification Policy](#)

[Debarred Suppliers Policy](#)

[Disadvantaged Business Enterprises Policy](#)

[Major Procurements Review and Authorization Policy](#)

Memorandum of Understanding:

[http://www.gwu.edu/~academic/Academic\\_Policies/mou.htm](http://www.gwu.edu/~academic/Academic_Policies/mou.htm)

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## Appendices

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**Appendix A** Contract/Agreement Transmittal/Tracking Sheet

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## Who Approved This Policy

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William F. Howard, Interim Vice President and General Counsel

Louis H. Katz, Executive Vice President & Treasurer

Board of Trustees, Audit and Finance Committee

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## History/Revision Dates

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**Origination Date:** August 27, 1974

**Last Amended Date:** April 30, 2006

**Next Review Date:** April 30, 2010

**Appendix A**

Contract/Agreement Transmittal/Tracking Sheet

**EXECUTIVE VICE PRESIDENT AND TREASURER**  
*2121 Eye Street, NW, Suite 701, Washington, DC 20052*  
*Phone: (202) 994-6600 Fax: (202) 994-9304*

**CONTRACT & AGREEMENT TRANSMITTAL/TRACKING SHEET**

(Name of the contract or agreement) BETWEEN THE GEORGE WASHINGTON UNIVERSITY (Name of the University department)

- |    | Initial | Date  |   |
|----|---------|-------|---|
| 1. | _____   | _____ | The contract/agreement has the approval (by attached cover memo) from the dean of the school or vice president of the department from which the contract/agreement originated. If the resources of more than one school or department are implicated by the arrangement in any way, written approval from both (or all) schools or departments has been provided. (all sole source procurements must include written justification) |
| 2. | _____   | _____ | The contract/agreement, if totaling \$10,000,000 or greater, has been reviewed by the University's Procurement Committee, in accordance with the Major Procurement Review and Authorization Policy.<br>a.) If sole sourced, must have been reviewed and approved by the Executive Vice President & Treasurer.   |
| 3. | _____   | _____ | The Office of Risk Management and Insurance has reviewed the contract/agreement for special risk issues or proof of insurance.  |
| 4. | _____   | _____ | The contract/agreement has been entered into the University's centralized Contract Management System.   |
| 5. | _____   | _____ | The contract/agreement, the departmental approval(s) and any collateral review comments has been reviewed by the Office of General Counsel (OGC) and has received OGC's approval.   |
| 6. | _____   | _____ | A signed copy of the contract/agreement has been returned to the appropriate party for transmittal.   |
| 7. | _____   | _____ | A copy of the transmittal letter, or if transmitted by hand, a memo to that effect, has been returned to the Office of General Counsel, as well as a copy of the final signed contract, for inclusion in the file, as evidence that the contract is in effect.  |