

Executive Memorandum No. 14

Delegation of Administrative Authority to Approve Certain Types of University Contracts, and Requirements for Submittal and Execution of Contracts Requiring Approval of the Board of Regents

1. Delegation of President's Authority to Approve Contracts

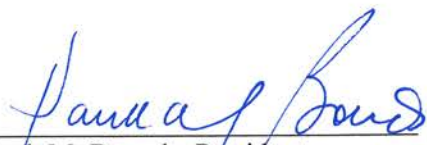
Pursuant to Section 6.4 of the Bylaws of the Board of Regents of the University of Nebraska and the Board of Regents Policy on Administrative Approval of University Contracts (RP-6.3.1), amended by the Board on December 4, 2018, the President hereby delegates authority to each Chancellor to approve those types of contracts outlined in the Addendum attached hereto, subject to the requirements stated in RP-6.3.1.

Each Chancellor may further delegate all or any portion of the authority outlined in the Addendum to such administrative officers and professional staff employees under his or her jurisdiction as will provide for the most efficient conduct of University campus business affairs; provided, that each such further delegation of authority to approve and execute contracts shall be documented in writing, signed by the Chancellor, and filed as a record with the Corporation Secretary before the same shall be effective.

2. Contracts Requiring Regents' Approval to be submitted to Regents in Final Written Form

Any proposed contract not described in Section 4 of RP-6.3.1 shall require specific approval by the Board of Regents. Each proposed contract requiring approval by the Board of Regents shall be submitted to the Board in final written form with the agenda of the meeting of the Board at which approval is requested. All such contracts once approved by the Board shall only be executed by the President (or officer designated by the President) and a second officer authorized to execute contracts pursuant to Section 6.4 of the Bylaws of the Board of Regents of the University of Nebraska.

Dated this 20th day of December, 2018.


Hank M. Bounds, President

Reference: December 14, 1994
Amended July 1, 1996
Amended March 5, 1998
Amended December 20, 2018

University of Nebraska
Delegation of Administrative Authority to Approve Certain Types of University Contracts
Executive Memorandum No. 14 - Addendum

Effective January 1, 2019

| Type of Decision | Position | Authorized by | President | Chancellors |
|---|----------|----------------|--|-------------------|
| 1 Any contract with a public utility or similar organization for the purchase of public utility services routinely used in the course of business in operation of the University. | | RP-6.3.1(4)(a) | Yes | Yes |
| 2 Any contract for the purchase of fuels (including but not limited to gasoline, oil, diesel fuel, propane, etc.) routinely used in the regular course of business in operation of the University. | | RP-6.3.1(4)(b) | Yes | Yes |
| 3 Any contract relating to the staging, performance, or sponsorship of any cultural, performing arts, recreational, or intercollegiate athletic event. | | RP-6.3.1(4)(c) | Yes | Yes |
| 4 Any contract for the procurement of construction services for a building, structure, or other improvement to real property which does not exceed \$5,000,000 in the aggregate. | | RP-6.3.1(4)(d) | Yes | up to \$2,000,000 |
| 5 Any contract of any nature, not otherwise described in Section 6.3.1(4); provided that the contract does not exceed \$5,000,000 in the aggregate over the term of the contract. | | RP-6.3.1(4)(e) | Yes | up to \$2,000,000 |
| 6 Any contract granting a license or assigning the right to grant a license in regard to the marketing or sale of any University class or course of instruction. | | RP-6.3.1(4)(e) | Yes | No |
| 7 Any contract for services relating to the marketing or sale of any University class or course of instruction by a licensee or assignee of the University. | | RP-6.3.1(4)(e) | Yes | No |
| 8 Any amendment of or change order to a contract for the procurement of construction services for a building, structure, or other improvement to real property, if such contract is duly approved by the Board of Regents or duly approved and executed pursuant to Section 4d, provided all such amendments or change orders for the project do not exceed, in the aggregate, the greater of \$1,000,000 or 1.25% of the total project cost. | | RP-6.3.1(4)(f) | Yes | up to \$1,000,000 |
| 9 Any contract for the procurement of professional services, except services of a licensed architect, engineer, landscape architect, or land surveyor, where the total fee for services, including contractor expenses, will not exceed \$2,000,000. | | RP-6.3.1(4)(g) | Yes | up to \$2,000,000 |
| 10 Any contract with an accounting/auditing firm. | | RP-6.3.1(4)(g) | Requires Pre-approval by Board of Regents' Audit, Risk, and Compliance Committee | |
| 11 Any contract for the procurement of professional services of an architect, engineer, landscape architect, or land surveyor, where the firm has been selected in accordance with RP-6.3.2. | | RP-6.3.1(4)(h) | Yes | Yes |
| 12 Any contract granting to a party a lease or license to use University real property, provided (1) the term of the lease or license does not exceed twenty (20) years, or (2) the total aggregate rents or license fees payable over the term of the lease or license do not exceed \$5,000,000. | | RP-6.3.1(4)(i) | Yes | up to \$2,000,000 |
| 13 Any contract for or grant of an easement encumbering University real property where the value of the encumbrance of the easement and associated damages does not, in the reasonable judgment of the University, exceed a commercial value of \$1,000,000. | | RP-6.3.1(4)(j) | Yes | up to \$1,000,000 |
| 14 Any contract granting a license or assigning the right to grant a license in any University technology as part of the transfer of such technology for commercial purposes. | | RP-6.3.1(4)(k) | Yes | Yes |
| 15 Any contract of employment with a University faculty or staff member, including UNMC Terms of Employment Agreements with clinical faculty and UNMC Supplemental Compensation Agreements, for appointments and salary obligations that may be approved by the President or his or her designees under Section 3.2 of the <i>Bylaws</i> . | | RP-6.3.1(4)(l) | Yes | Yes |
| 16 Any contract for the disposal of real property that the President is authorized to approve in accordance with RP-6.2.3. | | RP-6.3.1(4)(m) | Yes | Yes |
| 17 Any contract relating to acceptance of a gift or grant that the President or a Chancellor is authorized to accept in accordance with RP-6.6.7. | | RP-6.3.1(4)(n) | Yes | Yes |
| 18 Any subcontract awarded in accordance with a grant to the University in the normal course of business | | RP-6.3.1(4)(o) | Yes | Yes |