



Oakland University

Administrative Policies and Procedures

SUBJECT: CONTRACTING AND EMPLOYMENT APPOINTMENT AUTHORITY

NUMBER: 410

AUTHORIZING BODY: BOARD OF TRUSTEES

RESPONSIBLE OFFICE: GENERAL COUNSEL'S OFFICE

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RATIONALE: To specify the contracting authority for various administrative functions of Oakland University as authorized by the Board of Trustees.

POLICY:

1. Contracting Officers

The President shall be the principal contracting officer for the University. The President may delegate this authority to designees when the delegation is specifically described and documented in writing to the Office of the Secretary to the Board of Trustees. No person may contract pursuant to this authority except as prescribed herein by specific designation or delegation. The Board of Trustees may in specific instances designate additional contracting officers.

2. Purchase Contracts

1. All contracts for expenditures over \$200,000 after review by legal counsel must be approved by the Board of Trustees prior to execution by the President or the President's designee except as provided in II. C.
2. Contracts for expenditures in amounts up to \$200,000 may be executed by the President or the President's designee without Board approval. If any contract under this provision alters or is a departure from a Board approved policy, practice or procedure, or is in conflict with a policy established by the Board of Trustees,

such contract shall be subject to prior Board approval before execution. The President has delegated contracting authority of \$100,000 to the Vice President for Finance and Administration and \$50,000 to each of the other Vice President's under this provision of the policy.

3. In the event of an emergency where it is necessary to conserve University assets, or to protect the interests of the University, or to address the health and safety concerns of the campus population, and there is no regularly scheduled meeting of the Board prior to the time such agreement must be executed, then the President is authorized to contract for the expenditure of funds for goods and services without prior approval of the Board of Trustees, provided such expenditures are in accordance with the policies and practices established by the Board. Any expenditure or contract entered into pursuant to this authority shall be reported to the Board of Trustees at its next regular meeting for ratification and any necessary amendment of the budget appropriation.
4. Licensing and lease agreements for the purchase or use by the University of goods, services, or personal property rights are considered contracts under this section.
5. For capital improvement projects up to \$200,000, the President has the authority to execute all contracts.
6. For projects of \$200,000 or more, Board authorization shall be obtained at the conceptual stage of the project. At that time, the administration shall present a clear description of the scope of the project, the objectives, the process to be followed for selection of a design, the project schedule, and budget. If the Board approves the project, the President then shall have authority to carry it through to completion within the approved scope and budget, except that in the case of projects of \$2,000,000 or more, specific Board authorization is required to execute a design contract. In addition, for any project that has major aesthetic considerations, the administration shall obtain Board approval of the schematic design.

3. Employment Appointments and Contracts

1. The authority for the approval of positions and appointments subject to compliance with University policies, procedures, relevant employment contracts, and budget authorizations, shall be as set forth below. It is further provided that when such positions and appointments result in a net increase in the total number of full-time positions, the Board shall be notified.

1. (a) Academic dean positions and appointments, academic administrator appointments, and full-time, non-visiting faculty appointments including promotions, job security, and tenure actions for all of the above are subject to the recommendation of the President and must be approved by the Board of Trustees. When it is in the interest of the University, the President or the President's designee may make an offer of employment prior to obtaining Board approval which offer shall be explicitly contingent upon Board action.

(b) The establishment of all academic administrator positions (except full deans as provided in III. A. 1a above), faculty and instructional positions and research positions shall be made by the President or the President's designee.

(c) The appointment of full-time visiting faculty, part-time faculty, and Continuing Education instructional staff shall be made by the Vice President for Academic Affairs or a designee. Such appointments shall be made under guidelines established by the President.

2. (a) Vice presidential positions and reclassification and appointees to these positions are subject to the recommendation of the President and must be approved by the Board of Trustees.

(b) All administrative-professional and non-academic positions and reclassification at or equivalent to Administrative-Professional classification level 18 or above are subject to the recommendation of the President and must be approved by the Board of Trustees. Appointment of personnel to these positions shall be reported to the Board of Trustees.

3. The establishment and appointment of all other positions and reclassification not provided for in III. 1. and 2. above shall be made by the President or the President's designee.

2. Contracts for employment of faculty and staff, subject to compliance with University policies, procedures, relevant employment contracts and budget authorizations and guidelines established by the President shall be executed as follows:

1. The Vice President for Academic Affairs or a designee shall execute employment contracts for academic deans, academic administrators and all faculty and instructional positions.

2. The President, Vice President for Finance and Administration, or their designee, or the Assistant Vice President for Employee Relations shall execute employment contracts for all other employees not specified under paragraph B. 1. above.

4. Collective Bargaining Contracts:

Collective Bargaining contracts with officially recognized bargaining unit groups are to be signed by the President or Vice President for Finance and Administration, the Assistant Vice President for Employee Relations, and the University's chief negotiator (if other than the Assistant Vice President for Employee Relations), subsequent to approval of such contracts by the President and the Board of Trustees.

5. Contracts for University Facilities and Services

1. Contracts for the lease of University facilities, other than for personal residency, that are for a period of one year or more, are to be executed by the President or the President's designee, subsequent to approval by the Board of Trustees.

2. Contracts for the lease of University facilities for a period less than one year and rental agreements for residential purposes are to be executed by the President or the President's

designee.

6. Contract/Grant Agreements

Contract/grant agreements relating to educational, research, public service and student financial aid activities of the University are to be executed by the President or the President's designee. Contract/grant agreements which require the actual commitment of University funds are subject to the monetary limitation approval requirements in article II. Contract/grant agreements under this provision shall be reported to the Board of Trustees at the earliest meeting date possible.

7. Contracts for the Sale or Disposal of University Assets

1. Subject to the specific prior approval by the Board of Trustees, compliance with University procedures and policy and review by legal counsel, the President or the President's designee shall have authority to execute agreements for the sale of real property titled to the University.
2. The President, Vice President for Finance and Administration or the Treasurer, when in the interest of the University, shall have the authority to sell, assign or endorse for transfer any certificates representing stocks, bonds or other securities received in kind and held or registered in the name of Oakland University in an amount not exceeding \$50,000 in any one transaction or \$200,000 in any monthly period. In the event of an emergency and when it is in the interest of the University, the President, Vice President for Finance and Administration or the Treasurer shall have the authority to sell, assign or endorse for transfer any certificates representing stocks, bonds or other securities received in kind and held or registered in the name of Oakland University in an amount exceeding \$50,000, and up to \$250,000, in any one transaction with the prior approval of the Chairman of the Board of Trustees or in the absence of the Chairman, the Vice Chairman of the Board. The total amount of the transactions approved by the Chairman and Vice Chairman of the Board under this provision shall not exceed \$500,000 in any monthly period. All other transactions exceeding the limits set forth above must have prior Board approval. All such actions authorized above are to be reported to the Board of Trustees at the earliest meeting date possible.
3. The President or Vice President for Finance and Administration shall have the authority to sell or dispose of University surplus goods and equipment of less than \$20,000 in appraised value for each item in accordance with University policies and procedures when such action is to the benefit of Oakland University.
4. The President or the Vice President for Finance and Administration shall have the authority to sell or dispose of University surplus objects of art, antiques, or collectors' items of less than \$20,000 value for each item subject to the prior approval of the Board of Trustees or an ad hoc committee specially appointed by the Board to dispose of such property in the interest of the University.

8. Meadow Brook Performing Arts Company Contracts

Contracts with the Meadow Brook Performing Arts Company, including employment contracts, are subject to the provisions of this policy.

9. Conformity to Law

All University contracts must be in compliance with the law and with University policies and regulations and shall conform to the legal standards and requirements of the University General Counsel.

SCOPE AND APPLICABILITY:

DEFINITIONS:

PROCEDURES:

RELATED POLICIES AND FORMS:

APPENDIX:



[Return to Table of Contents](#)