# Contracts Review Policy # 150.105

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## POLICY STATEMENT
The Contracts Review Policy addresses the review and approval by The Office of the General Counsel (OGC) of certain contracts entered into by or on behalf of the University.

## SCOPE
This policy applies to all University units and departments.

## REASON FOR POLICY
To ensure that contracts or agreements that are subject to this policy are reviewed as to form and legal sufficiency.

## ROLES AND RESPONSIBILITIES
I. The Office of the General Counsel (OGC) must review and approve the following contracts as to form and legal sufficiency:
   
   a. Contracts for the purchase of goods and services when the contract value is $75,000 or greater.
   
   b. Contracts involving the provision of educational services overseas and affiliation agreements with entities located outside of the United States.
   
   c. Contracts pertaining to the College of Medicine.
   
   d. Contracts for construction and/or architectural and engineering services.
   
   e. Contracts related to the issuance of bonds, loan agreements, promissory notes, lease-purchase agreements, leases, and other similar agreements.
   
   f. License Agreements with respect to the University’s trademarks and Intellectual Property.
g. Collective Bargaining Agreements.

h. Contracts whereby the President, Provost, a University vice president or dean has requested that the contract be reviewed by the OGC.

II. Templates for various contractual arrangements posted on the OGC website at http://generalcounsel.fiu.edu, such as those listed below, do not require further review by OGC:

a. Affiliation Agreement (health care related)

b. Affiliation Agreement (non-health care related)

c. Athletics Sponsorship Agreement

d. Gift Agreement

e. Independent Contractor Agreement (for professional services)

f. Master Hotel Agreement

g. Premises Use Agreement Modifications to the standard terms and conditions set forth in the form templates must be approved by the OGC regardless of the amount of the contract.

III. All sponsored research-related contracts and/or contracts requiring an A-133 audit shall be sent directly to the Division of Research (“DOR”), regardless of the amount, to be reviewed and processed by DOR and shall not require additional OGC review, except as deemed appropriate by DOR.

IV. Contracts being entered into on behalf of an academic unit and requiring the signature of the Office of the Provost and Executive Vice President, Academic Affairs, shall contain a signature of the College or School, or director of the unit, indicating approval of the contract’s terms.

v. Only individuals with delegation of signature authority in writing are authorized to execute contracts on behalf of the University.

RELATED RESOURCES

Contracts for the Purchase of Goods, Services, Meeting Space, or Licenses and Leases
Contract for Affiliation Agreements and any other Agreements not Requiring Payment from FIU
Link(s) to the above referenced Form(s) available in the "Document Details" Section of the online version of this policy document.

CONTACTS

RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT
Office of the General Counsel
Florida International University

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HISTORY

Initial Effective Date: February 2008
Review Dates (review performed, no updates): N/A
Contracts Review Policy # 150.105a

INITIAL EFFECTIVE DATE: February 2008

LAST REVISION DATE: November 22, 2023

RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT: Office of the General Counsel

PROCEDURE STATEMENT

To facilitate the review process of the contracts listed in the policy, the Department sending the contract must complete and submit the appropriate OGC transmittal form, which can be found on the OGC website (http://generalcounsel.fiu.edu).

Contract documents must be legible and read by the appropriate individual in the department to ensure their content comports with the agreed upon business terms.

Electronic versions of the documents as well as copies of prior contracts with the same party will serve to expedite the review and negotiation process and should be submitted whenever possible.

Upon completion of the contract review by the OGC, the agreement will be forwarded to the appropriate individual for processing.