



University Community (faculty, staff and students)

SUBJECT (R*)	EFFECTIVE DATE (R*)	POLICY NUMBER (O*)
CONTRACT REVIEW POLICY	July 2014	150.105

POLICY STATEMENT (R*)

- 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.

PROCEDURES (O*)

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.

HISTORY (R*)

Replaces existing contract review policy. Revised policy adopted February 2008 to be effective immediately and implemented as units are trained on the new policy. Revision Date(s): November 3, 2008; July 2014.

RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT (R*)

Office of the General Counsel
Florida International University

RESPONSIBLE ADMINISTRATIVE OVERSIGHT (R*)

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For any questions or comments, the "Document Details" view for this policy online provides complete contact information.

FORMS/ONLINE PROCESSES (O*)

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.

***R = Required *O = Optional**