



OFFICE OF CONTRACTS MANAGEMENT

Frequently Asked Questions

1. **What is a contract?**

A “contract” is an agreement between the University and one or more parties, creating obligations that are enforceable or otherwise recognizable at law. Contracts include documents that revise or affect a Contract already in place, including, but not limited to contract amendments, addenda, change orders, and contract termination notices. Examples of Contracts include, but are not limited to, standard contracts, memorandums of understanding (MOUs), purchase agreements/orders, maintenance/service agreements, leases, licenses, easements, revenue generating agreements, and software license agreements. University contracts must be in writing to be valid and enforceable.

2. **Who can sign a contract?**

ONLY the following individuals can sign contracts wherein the University of Mississippi is one of the contracting parties:

- Chancellor
- Provost
- VC for Administration and Finance
- General Counsel
- VC for Research and Sponsored Programs
- Assistant VC for Research and Sponsored Programs

The below chart details which UM officials currently maintain delegated contractual authority.

<u>Contract Value or Category</u>	<u>Signature Authority</u>
Any contract regardless of type/amount	Chancellor
Employment Agreements	Chancellor
Expenditure and revenue contracts	Vice Chancellor for Administration and Finance
Research contracts, including grants, sponsored projects, subaward agreements, material transfer agreements, reliance agreements, data use agreements, and non-disclosure agreements	Vice Chancellor for Research and Sponsored Programs and/or Designated Authorized Organization Representative/Signing Official
Research Agreements related to UM Intellectual Property	Vice Chancellor for Research and Sponsored Programs
Academic agreements, including academic affiliation agreements, educational affiliation agreements MOUs, international academic agreements	Provost and Executive Vice Chancellor
Legal services contracts with outside counsel	General Counsel and Chief Legal Officer

Please see UM's Contractual Authority policy for additional information.
[POLICY LINK](#).

3. **What types of contracts should be submitted to the Office of Contracts Management ("OCM") for review?**

With the exception of employment and research contracts, the OCM reviews all other contracts wherein the University of Mississippi is a contracting party.

4. **What is an employment contract?**

An employment contract is a contract between the University of Mississippi and an employee used to define the working relationship. The OCM does not review employment contracts.

5. **What is a research contract?**

Research contracts, include but are not limited to grants, sponsored projects, subaward agreements, material transfer agreements, reliance agreements, data use agreements, and non-disclosure agreements, and agreements to transfer, license, or otherwise handle the intellectual property of the University.

6. **What about \$0 contracts?**

The OCM will also review any \$0 contracts that are not research contracts. This includes \$0 academic affiliation agreements and MOUs.

7. **Does the Office of Procurement Services approve contracts?**

No. The Office of Procurement Services (“OPS”) does not approve contracts. However, OPS is a vital component of many pre-contract and post-contract compliance. In some cases, OPS may need to conduct a “Procurement Review” and certify that certain prerequisites have been met prior to a department submitting a contract to the OCM for approval.

8. **What is “Procurement Review”?**

PRIOR to certain contracts receiving legal review and being routed for approval and signature, the OPS may **FIRST** need to verify whether processes specific to the type of procurement sought have been completed. These procurements include requests for prepayments/deposits, sole source procurements, ITS purchases, equipment leases, and purchases of goods/services that require multiple quotes or the bidding process. If “Procurement Review” is required, the department/individual shall work with OPS and obtain OPS’s approval on the Contract Routing and Approval Form **PRIOR** to the department/individual uploading the form and any contract to the Contract Intake Portal. Please contact OCM or OPS for questions regarding “Procurement Review.”

9. **How do I submit a contract to the OCM?**

All contracts must be submitted to the OCM by utilizing the Contracts Intake Portal. The contracts intake portal can be found on the OCM website.

10. **What documents should I submit to the Contracts Intake Portal?**

Please submit:

- the contract
- the Contract Routing and Approval Form

- and any additional/supporting documents

Please be sure to accurately complete the information fields found on both the Contracts Intake Portal and the Contract Routing and Approval Form. **Incomplete or inaccurate submissions will be deleted.**

The Contract Routing and Approval Form and instructions and definitions for completing the Contract Routing and Approval Form can be found on the OCM website.

11. How long does it take for a contract to be reviewed and approved after the contract is submitted to the Contracts Intake Portal?

The time to complete the review and approval of contracts varies for multiple reasons. We advise departments to budget **30 days** for the review and approval process to be completed for most contracts. For contracts requiring IHL approval, the process can take more than **120 days**.

12. How can I speed up the review and approval process?

Please see our tips sheet on the OCM website. Following the tips listed will speed up the review and approval process. The Tips can be found on the OCM website.

13. What is the Mandatory Addendum?

The Mandatory Addendum should accompany all contracts submitted by departments/individuals to the OCM. The Mandatory Addendum should be signed by the vendor. If the vendor will not sign the addendum, the negotiation process will take longer. The Mandatory Addendum can be found on the OCM website.

14. What about contract requiring IHL approval?

When submitting a contract requiring IHL approval, please budget for 120 days for the review and approval process. Please indicate on the Contract Routing and Approval Form that IHL approval is required and list the month of the IHL Board meeting you are targeting for approval of the contract. The Vice Chancellor for Administration and Finance Office will work with the department/individual to complete the required forms for IHL submissions.

15. What happens after I submit a contract?

If contract negotiation is required, the OCM will copy the department/individual on communications with the vendor/other party. The OCM will review the contract and route the contract for the necessary

approvals and required signatures. Contracts will be routed for approvals based on the following dollar thresholds:

Contracts of less than \$5,000

- reviewed by the OCM/Legal Review

Contracts with a value of \$5,000 to \$99,999:

- first reviewed by the OCM/Legal Review
- next reviewed by the Dean/Director/Department Head

Contracts with a value of 100,000 or more:

- first reviewed by the OCM /Legal Review
- next reviewed by the Dean/Director/Department Head
- then reviewed by the appropriate Vice Chancellor or Senior Leadership Equivalent

16. What happens after a contract is signed?

When the contract has been signed by all parties, the OCM will upload the completed Contract Routing and Approval Form and the fully executed contract to the UM Contracts Database and provide the department/individual with the number assigned to the contract by the UM Contracts Database. That number can be used by the department/individual for future reference.

17. What if the contract will result in the issuance of a Purchase Order?

If the contract will result in a PO, please send the completed Contract Routing and Approval Form and the fully executed contract to the Office of Procurement Services.

Please note, when a requisition has been created and a PO issued, a department **MUST** submit a request to Procurement for processing a goods/receipt. Please view the OCM Guidebook or visit the OCM's and/or Procurement's websites for more detailed information about goods/receipt.