

Delegation of Colorado State University System Fiscal Rule Contract Signature And Legal Review Authority

SECTION I- Authority

On June 9, 2010, SBI0-003 was signed into law which allowed, among other things, institutions of higher education to opt out of the State fiscal rules and operate under institutional rules and procedures.

The Board of Governors of the Colorado State University System (System) by resolution of August 11, 2010 elected to exempt the System and its respective institutions from the State fiscal rules and further adopted the State of Colorado Fiscal Rules as their own to be modified and changed to conform to the respective institutions' needs.

The resolution further authorized the Chancellor and Presidents to delegate the powers granted in the resolution to others within their respective organizations deemed to have appropriate and adequate training and experience in fiscal rules and procedures.

The System has promulgated and approved a set of System Fiscal Rules and this Delegation is made in conformance with the System Fiscal Rules and the above referenced resolution.

SECTION II- Scope of Delegation

- A. This delegation is personal to the Chief Financial Officer or other delegates named herein.
 - B. The delegate may not further delegate the contract approval authority within the institution or department.
 - C. The designation is subject to any exceptions or limitations set forth below.
- 1. Individual designation of signature authority for fiscal rule review for System contracts.
 - A. As primary delegate, Mr. Richard Schweigert, Chief Financial Officer.
 - 2. Exceptions and limitations
 - A. The types of System or state contracts and situations listed below must be submitted to the State Controller's Office for review and approval:
 - (1) Debt collection services;
 - (2) Acquisition of new or replacement financial systems;
 - (3) Statutory violations, i.e. the delegate cannot approve commitment vouchers when a disbursement has been made in violation of CRS 24-30-202(2) or (3).

The Chancellor with the concurrence of the Chief Financial Officer and an authorized delegate from the Office of General counsel may waive a System Fiscal Rule, if it is in the best interests of the institution and the State.

B. Other required signatures and approvals

Delegates are reminded that some State Statutes and the State Fiscal Rules require review and approval by other State agencies, as specified in Fiscal Rule 3.1, for certain types of

state contracts. Having Controller delegation to sign these contracts does not affect the requirement to obtain these specific approvals.

C. Period of delegation

This delegation is valid for three years from the effective date of this agreement.

D. Contract legal Review

All contracts with a total value over \$100,000; or that are not standard form contracts and contracts that are determined to be high risk shall have legal review and approval. The attorneys delegated to perform the required legal review for the institution of higher education, prior to signature and approval of state contracts for the State Controller, are Michael D. Nosier, Jason Johnson, Linda Schutjer, Jannine Mohr, Johnna Doyle, Grant Calhoun, and Jean Christman,. If these individuals are not available to perform the required legal review, the contract shall be routed to the State Attorney General's Office for review by the State Services Section. An attorney delegate shall not perform the legal review nor sign as to the legal approval of any contract for which the attorney is also the delegated signatory of the Board of Governors of the CSU System.

SECTION III - Delegated Review Responsibility

As a delegate, the institution of higher education controller acts for the State, and is responsible for ensuring compliance with all applicable statutes, rules, policies and procedures. For the approval of contracts, the institution of higher education controller must ensure compliance with the System Fiscal Rules and C.R.S. § 2430-202 (3).

These statutes and rules require that prior to executing the contract; the delegate shall ensure that:

- **Expenditure:**
 - Is reasonable and necessary
 - Is authorized by the appropriation to which it will be charged;
 - Does not exceed the unencumbered balance of the appropriation;
 - Complies with all constitutional, statutory System Fiscal Rules and Controller policies;
 - Is encumbered, unless an encumbrance waiver has been granted; and
- Prices or rates are fair and reasonable and in accordance with State law and administrative rules; and

- Form and Content of the contract are sufficient and appropriate for the parties and subject matter under applicable State and federal laws and Fiscal Rules.

1. Inter-Agency Agreements

An "Inter-Agency Agreement" may only be signed by the State Controller's delegate at the state agency or institution, which is disbursing the funds. If no one at the disbursing agency or institution has been delegated signature authority for the State Controller, the "Inter-Agency Agreement" must be routed to the OSC for review and approval.

2. Approval and Signature

After review, the State expenditure contract shall be approved or disapproved. If approved, the delegate shall evidence such approval by signing the contract.

3. Other Requirements for delegate

The delegate agrees to the following items:

- Contracts Completeness Checklist -the institution shall use a contracts completeness checklist in reviewing all contracts.
- Contracts Database -the institution shall log all its contracts into a data base, including all modifications (task order, amendment, funding letter, option, change order).
- System Fiscal Rules and Policies -the institution shall abide by the System Fiscal Rules.
- Annual Training -the institution of higher education controller shall attend at least one training session at the Colorado Contracts Improvement team (CCIT), Colorado Financial Managers Association (CFMA), or other contracts training during each fiscal year.
- No Dual Signature -This delegation does not allow the primary delegate or any sub delegate, to sign a contract for both the institution of higher education and the Controller.

SECTION IV - Signatures

This delegation is hereby done and made effective by:



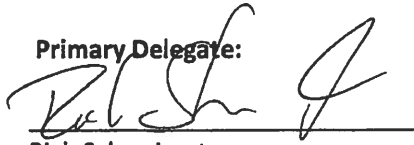
Dr. Michael Martin/Chancellor

8/13/14

Date

On the indicated date, the following agree to all terms of this agreement:

Primary Delegate:


Rich Schweigert

8/1/2014
Date