

January 21, 2015

NEBRASKA WESLEYAN UNIVERSITY

CONTRACT REQUIREMENTS GUIDELINES

Authorized signatories:

The President and Vice President for Finance and Administration or their designees are the authorized signatories for the institution. Please do not sign any contractual agreement on behalf of the institution or it may not be legally binding or enforceable. Submit any contracts to the Business Office for review and allow sufficient time for outside legal and insurance review. While we intend to initiate review of any contract within twenty-four hours of receipt, the more complex the agreement the more time it may take to complete so please assume a minimum of one week for a standard agreement and potentially more for more complex agreements that may require legal review.

Types of contracts:

Contracts may take many forms and include but are not limited to the following:

Art exhibits

Cooperative agreements (or affiliation agreements)

Consulting agreements

Contract services

Counseling services

Facilities rentals

Grants

Leases

Letters (or Memorandums) of Understanding

Licensing agreements

Professional services

Purchase agreements

Speakers and events

Summer camps and conferences

Transportation of people or supplies (buses, automobiles, vans or trucks)

Nebraska Wesleyan University (NWU) has a number of standard contracts regarding many of the above circumstances. Those contracts should be used unless there is a specific exception approved in advance. Generally when an event is arranged or sponsored by NWU, we should originate the contract and require the other party to sign first prior to signature by NWU. If a contract originates with the other

party they are generally going to require the signature of an authorized signatory at NWU before they sign the agreement. Bond requirements of NWU restrict borrowing, so never propose or sign a lease agreement. Discuss any considerations for lease with the Business Office.

Copies of selected standard agreements are available on the Business Office web page. If changes are proposed to the standard terms of any agreement, those changes should be red-lined so that they are easily identifiable for review. The Business Office also has examples of many other types of agreements.

If an agreement contains representations regarding compliance with the terms of the agreement, the person or department originating the agreement is responsible for complying with those representations and maintaining documentation of such compliance for the required length of time.

Insurance provisions:

Also available on the Business Office web site are the EIA Insurance Guidelines for Contracts which provides recommended insurance coverages that should be considered in various types of agreements. Always check the insurance guidelines carefully to ensure that the agreement you are proposing meets those guidelines and meets the terms of our insurance coverage.

You are responsible for obtaining or delivering any insurance certificates required by an agreement. These insurance certificates may contain specific provisions so those should be carefully considered and any required certificates should be signed prior to the commencement of any contract.

Contract records:

Original copies of all contracts are maintained in the NWU document storage system with an electronic copy.

Facilities Rental Agreements: Checklist

Send Facilities Rental Agreements to Carol Ogorzolka in the Business Office along with the signed contract, W-9 for final review and signature by the Business Office. No contract is considered complete until all documents are submitted, reviewed and signed by the Vice President for Finance and Administration or his designee.

Facility _____

Date of event _____

_____ Payment is 100% prior to the date of each event. A schedule of rental rates for each room or facility is posted on the Business Office web site. Those rate must be used unless exceptions are approved in advance.

_____ The Facilities Rental Agreement is not final until signed by the approved representative from NWU.

_____ An insurance certificate naming Nebraska Wesleyan University as additional insured with the appropriate insurance coverages is attached or will be provided prior to the event. No event can take place without a valid certificate of insurance.

_____ I have checked the schedule to determine that the event does not conflict with other events or have made arrangements to alleviate any conflict and have arranged for facilities and support services including setup, security and audio visual.

_____ If the event is for rental of Johnson hall, Heim Hall, White Hall, any townhouse or any of the athletic facilities the sponsor must be a 501 (c) 3 tax exempt organization and provide a copy of their tax exempt status with this agreement.