

Contract Review

Office of Legal Affairs
Suite 125 | Blair Hall



WINSTON-SALEM STATE UNIVERSITY

WSSU

Legal Team

Ivey L. Brown

Chief Legal Counsel

Venus D. Boston

Deputy Chief Legal Counsel

Tiffany S. Turner

Business Manager



Blair Hall Suite 125
336.750.2105

What is a Contract?

- Contract: an agreement with specific terms between two or more persons or entities in which there is a promise to do something in return for a valuable benefit known as consideration.
- Contract/Agreement/Lease/Memorandum of Understanding (or Agreement)

What We Look For

- Risk Management
- Legal Names
- WSSU Contract Policy
- Overlap of Departments
- State Contract Regulations
- Terms Prohibited by Law or Attorney General Opinion

General Guidelines

- No modifications are allowed to WSSU contract templates or routing pages.
- Agreements totaling \$25,000+ requires OLA review
- Clinical Affiliation and Site Agreements: terms lasting five (5)+ years for out of state contracts, or ten (10)+ years for in state contracts.
- Contracts cannot be used to fulfill the duties of employees.
- Contracts that involve the receipt of funds must be approved by the University Controller.
- All consultant services must be approved in advance through the North Carolina Department of Administration, Division of Purchase & Contract, and the Governor's office.

Submitting Contracts for Review

- All contracts are to be submitted HARD COPY to the Office of Legal Affairs, via campus mail or hand delivery
- NO WALK THROUGH SIGNATURES. DO NOT ASK FOR IMMEDIATE REVIEW AND SIGNATURE.
- The Office of Legal Affairs reserves a review period of ten (10) business days.

Submitting Contracts for Review

- Signatures should be obtained in order presented on the Internal Routing Page.
- Services should NOT begin prior to the agreement being fully executed.
- If it is on a WSSU template, the other party should sign first.

Retention

The Office of Legal Affairs is not the custodian of record for fully executed contracts. It is the responsibility of the office of which the contract generated, The Office of Finance & Administration or The Office of the Provost, to maintain a copy of the fully executed contract.

Contract Templates

- The Office of Legal Affairs drafts contract templates that are readily available for use across campus.
- The office that desires an agreement can download the template from the Office of Legal Affairs WSSU webpage, and complete the agreement. Legal will not complete contracts for departments.
- Contracts are locked, disallowing editing beyond what is designated. Legal will not unlock contract templates for departments or contractors.

Type of Contracts

- Contractual Services (State Funds)
 - Used when contracting for services paid for using state funds.
- Contractual Services (Grant Funds)
 - All contracts involving grand funds must be initiated by the Office of Sponsored Programs
- Speaker/Artist Engagement
 - Used when contracting for performances such as speakers or artist paid for with State Funds. Template can be used when contracting with performer directly or the agent.
- Open DJ/Host
 - Used to establish terms under which a DJ/Host will perform at University events, but does NOT guarantee the hiring or secure DJ/Host for specific event.
- Clinical/Site Affiliation
 - Used to establish a clinical affiliation relationship between the University and a healthcare provider.
- Athletics Sponsorship
 - Used to establish sponsorship relationships with the University's departments of athletics.

Signature Authority & Liability

- The Chancellor, Vice Chancellor for Finance & Administration, and the Provost, are the only persons allowed to contractually bind the University to an agreement.
- Anyone else who enters to a contract, binding the University, could be held personally liable.
- Contracts that do not follow the policy or process will be disavowed.
- Contractor will be notified that no contract/relationship exists with WSSU