I. Purpose

To set forth policy regarding contracts and other official documents.

II. Definitions:

No policy specific or unique definitions apply.

III. Policy:

A. General

1. Except as otherwise provided herein, the president is authorized to approve, sign, and execute contracts and settlements of claims in accordance with law and board policy. In addition, the president is authorized to approve or accept all gifts, grants, and contracts involving the university’s receipt of extramural funds. Should it be determined, in consultation with the board, that a contract or settlement is anticipated to have a significant impact on policies, programs, or operations; or result in potential institutional liability the prior approval of the board shall be required regardless of amount and source of funding. The president may delegate authority for the approval, acceptance, signing, and execution of contracts and settlements to other university officials.

B. Construction Projects

1. The president is authorized to act as the contracting officer of the university on construction projects, including projects financed in whole or in part from federal and other grants. Construction projects, including repair and maintenance projects, in excess of and/or totaling more than $5,000,000 shall require the board’s prior approval. This requirement will not be circumvented through parceling. The president shall provide advanced notice, to the extent
practical, of potentially controversial decisions or actions that are within
authority delegated to the president. Should it be determined, in consultation
with the board, that a construction project is anticipated to have a significant
impact on policies, programs, operations, or generates controversy prior
board approval is required regardless of amount or source of funding.

C. Consultant Contracts

1. Contracts to engage consultant services, including but not limited to
consultants to study or review university programs and/or operations for the
purposes of recommending courses of action, which are anticipated to require
changes in board policies and/or have significant impact on policies,
programs, or operations, shall require the prior approval of the board
regardless of amount or source of funding. Consultant contracts which are
estimated to be $1,000,000 or less, consultant expenses included, and are
not expected to result in changes in board policies and/or have a significant
impact on policies, programs or operations, shall be approved by the
president or the president’s designee. All consultant contracts in excess of
$1,000,000, expenses included, shall require the prior approval of the board.
This requirement will not be circumvented by parceling the amount of the
contract.

D. Settlement Agreements

1. All settlement agreements recommended by the university’s general counsel
involving payments of $500,000 or less, or involving workers’ compensation
claims in any amount and which do not contravene board policy and do not
have a significant impact on policies, programs, or operations, shall be
approved by the president or the president’s designee. Agreements which are
anticipated to require changes in board policies and/or have significant impact
on policy, programs, or operations and/or where the board is named as a
party to a suit, shall require the prior approval of the board regardless of
amount. All settlement agreements exceeding $500,000, except for
settlement of workers’ compensation claims, shall require the approval of the
board. This requirement may not be circumvented by subdivision of the total
amount of the settlement claim. All settlements requiring board approval shall
include a signature line for the board.

E. Procurement Procedures

1. Subject to the provisions set forth herein, the president is authorized to
develop internal policies and procedures for the procurement of goods,
services and construction in accordance with law and board policy, provided
such procedures are approved by the board prior to implementation in
accordance with Chapter 304A-105, HRS. Except as otherwise provided herein, the procurement of goods or services exceeding $5,000,000 shall require the prior approval of the board unless, in consultation with the board, it is anticipated that such procurement will have a significant impact on policies, programs, or operations, in which case prior board approval is required regardless of amount and funding source. The specified threshold will not be circumvented by parceling.

IV. **Delegation of Authority:**

Except as otherwise provided herein, the president is authorized to approve, sign, and execute contracts and settlements of claims and approve or accept all gifts, grants, and contracts involving the university’s receipt of extramural funds, and may delegate certain authority to other university officials. See RP 8.201(A)(1).

The president is authorized to act as the contracting officer of the university on construction projects, including projects financed in whole or in part from federal and other grants. See RP 8.201(B)(1).

The president or the president’s designee is authorized to approve certain Consultant contracts. See RP 8.201(C)(1).

The president or the president’s designee is authorized to approve certain settlement agreements. See RP 8.201(D)(1).

The president is authorized to develop internal policies and procedures for procurement. See RP 8.201(E)(1).

V. **Contact Information:**

Office of the Vice President for Administration, 956-8862, jgouveia@hawaii.edu

VI. **References:**

- http://www.hawaii.edu/offices/bor/

**Approved as to Form:**
Cynthia Quinn  
Executive Administrator and  
Secretary of the Board of Regents  

Date