

ASSIGNMENT OF MONEY BY PARTY TO WHOM UNIVERSITY IS DIRECTLY INDEBTED

TO THE UNIVERSITY OF HAWAI'I:

(Name of Party to Whom UNIVERSITY is Indebted)

(Address)

(City)

(State)

(Zip Code)

hereinafter referred to as "CONTRACTOR", requests the UNIVERSITY to pay

\$ _____, now due or to become due and owing
(Specify total amount or the words "All sums")

to the CONTRACTOR from the UNIVERSITY OF HAWAI'I under _____

(Contract No., Purchase Order No.)

(hereafter referred to as the "CONTRACT") to the order of _____

(Name)

(Address)

(City)

(State)

(Zip Code)

hereinafter referred to as "PAYEE", subject to the conditions set forth herein.

The CONTRACTOR warrants and represents that he/she/it has not heretofore sold, assigned, or otherwise disposed of the money due or to become due under the CONTRACT, and that there are no orders, garnishments, or attachments outstanding affecting the same in any way.

The UNIVERSITY consents to pay the amount designated by the CONTRACTOR, and by such consent the UNIVERSITY does not assume any obligation, duty or liability whatsoever under any agreement, written or otherwise, between or among the CONTRACTOR and the designated PAYEE or any other person(s) or entity, notwithstanding any provision, term or condition in or constituting said agreement. The UNIVERSITY's consent to paying as designated by the CONTRACTOR is also subject to any withholding request by the DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS for violations under Chapter 104, Hawai'i Revised Statutes; by the DEPARTMENT OF TAXATION for delinquent taxes; and by any other department of the STATE OF HAWAI'I for any claim outstanding against the CONTRACTOR or designated PAYEE. Further, it is expressly understood that the UNIVERSITY may withhold any sums due to the agency from the CONTRACTOR, whether by liquidated damages, offset or otherwise, and that the UNIVERSITY's consent hereto is limited strictly to those sums which may be owing to the CONTRACTOR pursuant to the CONTRACT.

The CONTRACTOR hereby releases and forever discharges the UNIVERSITY and the STATE OF HAWAI'I from any and all liability whatsoever on account of any and all moneys paid to the PAYEE, pursuant to this ASSIGNMENT.

Evidence of authority to sign this ASSIGNMENT on behalf of the CONTRACTOR must be submitted with this ASSIGNMENT in a form satisfactory to the UNIVERSITY.

(Signature)

(Title)

(Date)

Consent to the above ASSIGNMENT is hereby granted.

(Senior Vice President for Administration, University of Hawai'i)

(Date)

INSTRUCTIONS AND EXPLANATION FOR FILLING IN FORM 90

ASSIGNMENT OF MONEY BY PARTY TO WHOM THE UNIVERSITY IS DIRECTLY INDEBTED

1. Signatures and Notarizations.

- a. **Corporation:** If the CONTRACTOR is a corporation, the officers or other persons authorized to sign on behalf of the corporation, as evidenced by a corporate resolution, should sign and have their signatures acknowledged before a notary, using a corporate acknowledgment form.
- b. **Partnership:** If the CONTRACTOR is a partnership, the partners should sign and have their signatures acknowledged before a notary, using a partnership acknowledgment form.
- c. **Sole Proprietor:** If the CONTRACTOR is an individual, i.e., doing business as a sole proprietorship, the owner's signature should be acknowledged before a notary, using an individual acknowledgment form.

2. Number of Copies.

Three (3) copies of the form are to be prepared and submitted to the Office of Procurement, Real Property and Risk Management, University of Hawaii, 1400 Lower Campus Road, Room 15, Honolulu, Hawaii 96822.

3. Distribution.

Copy #1 OPRPRM
#2 PAYEE
#3 CONTRACTOR

4. Cancellation or Reduction of Assignment.

Cancellation or reduction of this assignment must be requested, in writing, supported by a written statement from the PAYEE consenting to the cancellation or reduction.