


MEMORANDUM RE: DELEGATION OF CONTRACT SIGNATURE AUTHORITY

Date: May 25, 2021

To: Kirsten M. Volpi, Executive Vice President and COO, CFO & Treasurer
Richard Holz, Provost and Executive Vice President for Academic Affairs
Anne Walker, Vice President and General Counsel
Daniel Fox, Vice President for Student Life
John Bradford, Vice President for Global Initiatives and Interim Vice President for
Research and Technology Transfer
Peter Han, Vice President for External Relations and Chief of Staff

From: 
Paul C. Johnson, President

Re: Delegation and Sub-Delegation of Contract Authority

The Colorado Constitution, Article VIII, Section 5(2), and statutes of the State of Colorado, including C.R.S. §23-41-104(1), vest in the Board of Trustees for the Colorado School of Mines (“Mines”) exclusive control over all funds and appropriations, as well as general supervision of Mines, including the control and management of Mines property and the ability to make all necessary bylaws and regulations for the management and governance of Mines.

An individual’s authority to execute contracts on behalf of Mines is only acquired through written delegation, approved in advance, except that the persons holding the positions described below have delegated authority to execute certain contracts by virtue of their position. Delegation of authority comes from the Board of Trustees. Therefore, the authority delegated herein does not extend to any other power or authority properly belonging to the Board of Trustees of the Colorado School of Mines.

This memorandum sets forth Mines internal contract delegation structure as it exists on the date set forth above and is intended to be consistent with Mines’ Board of Trustees’ Policies concerning Contract Approval, Capital Construction and Real Estate Conveyance, and Mines’ Financial Policies. This memorandum is not intended to address other types of delegated authority (e.g. personnel authority, internal workflow approvals) nor is it intended to address the authority to execute other types of documents (e.g. tax documents, appointment letters, formal submissions to state or federal entities on behalf of Mines).

1. **Authority Delegated to the President by the Board of Trustees:**

Pursuant to the Colorado School of Mines Board of Trustees Capital Construction and Real Estate Conveyance Policy, as amended on March 28, 2014, any interest in real property conveyed to or from the Colorado School of Mines (including easements and right-of-ways) must be approved by the Board of Trustees. All documents that effectuate a conveyance of any interest in real property to or from the Colorado School of Mines must be executed by the President or the Executive Vice President and COO, CFO and Treasurer (“EVP”), or in the

absence of the President or EVP, the Provost and Executive Vice President for Academic Affairs (“Provost”), or by further written delegation from the President, when necessary.

In addition, the Board has delegated to the President the authority to approve and execute:

- contracts for capital construction projects with a budgeted total project cost of up to \$4,999,999, and all revisions thereto; and
- contracts for revisions to capital construction projects of \$5,000,000 or greater where the revision is less than 10% of the original total project cost.

Pursuant to the Colorado School of Mines Board of Trustees Contract Approval Policy, as amended on October 30, 2015, the Board has delegated to the President of Mines the authority to approve and execute all contracts, agreements, grants, and other binding legal instruments, including but not limited to:

- all employment contracts;
- agreements for the provision of sponsored or non-sponsored research;
- agreements for the provision of continuing education;
- agreements establishing a formal institutional collaboration or relationship with business or external academic entities or international partners;
- gift and donation agreements; and
- contracts for the expenditure of monies up to \$4,999,999, that are entered into by, or for the use and benefit of, the Colorado School of Mines, except as otherwise provided in the Capital Construction and Real Estate Conveyance Policy.

This delegation includes the ability to sub-delegate such authority to the Provost or an appropriate area Vice President, who may be permitted to further sub-delegate when necessary and appropriate, as set forth below.

All non-standardized contracts and contracts containing complex legal issues shall be submitted to an attorney from the Office of General Counsel for legal review prior to execution of such agreement. All doubts regarding the necessity of legal review should be resolved in favor of seeking legal review.

2. **Authority Delegated by the President to the EVP and Further Sub-Delegation Authority:**

- a. The President of the Colorado School of Mines hereby delegates to the Executive Vice President the authority to approve and execute the following contracts and agreements with NO power or authority to further sub-delegate approval and signature authority:
 - i. Expenditure Contracts from \$500,001 to \$4,999,999;
 - ii. Intergovernmental-Interagency Agreements, Memoranda of Understanding or Agreements for the benefit of Finance and Administration; and
 - iii. Release and Settlement Agreements for the benefit of Finance and Administration, with review by and consultation with the President and the Vice President and General Counsel (“VPGC”).

b. The President hereby delegates to the EVP the authority to approve and execute the following contracts and agreements with the power and authority to further sub-delegate approval and signature authority:

- i. Expenditure Contracts up to \$500,000;
- ii. Revenue and Service Contracts in any amount;
- iii. Research Agreements (sponsored and non-sponsored);
- iv. Project specific MOUs;
- v. Capital Construction Agreements, consistent with the Capital Construction and Real Estate Conveyance Policy); and
- vi. Lease Agreements.

EVP Sub-Delegations:

TYPE OF TRANSACTION	SUB-DELEGATION to approve and execute	BUSINESS REVIEW AND APPROVAL	DEPARTMENT TO CONTACT FOR ASSISTANCE
EXPENDITURE CONTRACTS up to \$500,000	Controller		Procurement Services
EXPENDITURE CONTRACTS up to \$100,000	Director of Procurement & Contracting; AND Contracts Administrators		Procurement Services
EXPENDITURE CONTRACTS up to \$50,000	Director of Procurement & Contracting; Contracts Administrators; AND Purchasing Agents		Procurement Services
ADDITIONAL APPROVALS REQUIRED FOR CERTAIN EXPENDITURE CONTRACTS:			Procurement Services
<ul style="list-style-type: none"> • DEBT COLLECTION SERVICES 		Require approval from the Controller	

<ul style="list-style-type: none"> FINANCIAL INFORMATION CONTRACTS 		Require approval from the Controller	
<ul style="list-style-type: none"> LEGAL SERVICES CONTRACTS 		Require review and approval from the VPGC	
<ul style="list-style-type: none"> PERSONAL SERVICES CONTRACTS 		Require approval from the Director of Human Resources or delegate	
<ul style="list-style-type: none"> RISK INSURANCE 		Require approval from Executive Director of Compliance, Policy and Risk Management	
<ul style="list-style-type: none"> CONTRACTS FOR STUDENT SERVICES (including campus food service, book store, trademarked merchandise licensing, and student health insurance administration) 		Require approval from the VP or Associate Vice President of Student Life	
REVENUE AND SERVICE CONTRACTS (including Technical Service Agreements, but NOT Facility Use)	Director of Procurement & Contracting; AND Contract Administrators		Procurement Services
FACILITY USE AGREEMENTS (except for FUAs related to Athletic facilities, Student Center and Green Center)	Director of Procurement & Contracting		
<ul style="list-style-type: none"> MUSEUM 		Require approval from Executive Director of Geology Museum	Geology Museum/ Procurement Services

<ul style="list-style-type: none"> • EDGAR MINE 		Require approval from Edgar Mine Manager	Edgar Mine/ Procurement Services
DONATION OF INTELLECTUAL PROPERTY, EQUIPMENT AND OTHER TANGIBLE PROPERTY	Controller	Receipt of gifts should be coordinated with receiving department and gifts of Intellectual Property require approval from Office of Technology Transfer	Controller
RESEARCH AGREEMENTS – sponsored and non-sponsored agreements; consortia agreements; project specific MOUs; master agreements, data use, project specific release of claims, subcontracts and confidential / non-disclosure agreements involving research	Director of the Office of Research Administration AND Office of Research Administration Contract Manager		Office of Research Administration
CAPITAL CONSTRUCTION and CONTROLLED MAINTENANCE AGREEMENTS – change orders; proposals; bulletins; pay applications ONLY	Director of Office of Design and Construction; Project Managers	Require approval of State Architect/ Director of Real Estate (unless waived or otherwise exempt)	Office of Design and Construction
LEASE AGREEMENTS (excluding equipment lease)	Associate Vice President for Infrastructure & Operations	Require approval of State Architect/ Director of Real Estate where Mines is Tenant	Operations
PROJECT SPECIFIC MOU for the benefit of university Operations	Associate Vice President for Infrastructure & Operations		Operations

3. **Authority Delegated by the President to the Provost and Further Sub-**

Delegation Authority:

- a. The President hereby delegates to the Provost authority to approve and execute the following contracts and agreements with NO power or authority to further sub-delegate approval and signature authority:
 - i. Tenure/Tenure track faculty contracts;
 - ii. Transitional Appointment Agreements and Retirement Agreements;
 - iii. Academic Affiliation Agreements;
 - iv. Academic Cooperative Agreements (international and domestic);
 - v. Intergovernmental-Interagency Agreements, Memoranda of Understanding or Agreements for the benefit of Academic Affairs;
 - vi. Confidential/non-disclosure agreements unrelated to a specific research agreement, with no expenditure of funds;
 - vii. Site Agreements for academic placements with no expenditure of funds; and
 - viii. Release and Settlement Agreements for the benefit of Academic Affairs, with review by and consultation with the President and the VPGC.

- b. The President hereby delegates to the Provost the authority to approve and execute the following contracts and agreements with the power and authority to further sub-delegate approval and signature authority:
 - i. Senior Design Sponsorship Agreements;
 - ii. Graduate Student Employment Agreements;
 - iii. Graduate Fellowship Agreements;
 - iv. Library/Museum Loan Agreements;
 - v. Domestic academic project or program specific MOU, Partnership or Affiliation Agreement; and

Provost Sub Delegations:

TYPE OF TRANSACTION	SUB-DELEGATION to approve and execute	BUSINESS REVIEW AND APPROVAL	DEPARTMENT TO CONTACT FOR ASSISTANCE
SENIOR DESIGN SPONSORSHIP AGREEMENT	Dean of Earth and Society Programs; Director of Capstone Design@Mines		Capstone Design@Mines
GRADUATE STUDENT EMPLOYMENT AGREEMENTS (RAs & TAs)	Dean of Graduate Studies		Graduate Studies
GRADUATE	Dean of Graduate		Graduate Studies

FELLOWSHIP AGREEMENT	Studies		
LIBRARY/MUSEUM LOAN AGREEMENTS (incoming and outgoing)	University Librarian/Executive Director of Mines Geology Museum		Library/Geology Museum

4. **Authority Delegated by the President to the VPRTT and Further Sub-Delegation Authority:**

a. The President hereby delegates to the VPRTT authority to approve and execute the following types of Contracts and Agreements with NO power or authority to further sub-delegate approval and signature authority:

- i. Intergovernmental-Interagency Agreements, Memoranda of Understanding or Agreements for the benefit of Research and Technology Transfer; and
- ii. Release and Settlement Agreements for the benefit of Research and Technology Transfer, with review by and consultation with the President and the VPGC.

b. The President delegates to the VPRTT the authority to approve and execute the following contracts and agreements with the power and authority to further sub-delegate approval and signature authority:

- i. License Agreements for Intellectual Property;
- ii. Option Agreement
- iii. Letter of Intent;
- iv. Confidential Disclosure Agreements
- v. Material Transfer Agreements;
- vi. IP Management Plans;
- vii. Export Control Licenses (e.g. BIS and OFAC license); and
- viii. Human Subject Review Exemption Letters

VPRTT Sub Delegations:

TYPE OF TRANSACTION	SUB-DELEGATION to approve and execute	BUSINESS REVIEW AND APPROVAL	DEPARTMENT TO CONTACT FOR ASSISTANCE
LICENSE AGREEMENTS – exclusive and non-exclusive	Director of Technology Transfer		Technology Transfer Office
OPTION AGREEMENTS	Director of Technology		Technology Transfer Office

	Transfer		
LETTERS OF INTENT	Director of Technology Transfer		Technology Transfer Office
CONFIDENTIAL DISCLOSURE AGREEMENTS related to use of Mines IP	Director of Technology Transfer		Technology Transfer Office
MATERIAL TRANSFER AGREEMENTS	Director of Technology Transfer		Technology Transfer Office
IP MANAGEMENT PLAN	Director of Technology Transfer		Technology Transfer Office; Office of Research Administration
EXPORT CONTROL LICENSES (E.G. ITAR license)	Research Compliance Officer		VPR
HUMAN SUBJECT REVIEW EXEMPTION LETTER	Research Compliance Officer		Human Subjects Review Committee

5. **Authority Delegated by the President to the VPGL and Further Sub-Delegation Authority:**

- a. The President hereby delegates to the VPGL authority to approve and execute the following contracts and agreements with NO power or authority to further sub-delegate approval and signature authority:
 - i. Intergovernmental-Interagency Agreements, Memoranda of Understanding or Agreements for the benefit of Global Initiatives & Business Development;
 - ii. International non-research project or program specific MOU, Collaboration, or Service Agreements; and
 - iii. Release and Settlement Agreements for the benefit of Global Initiatives & Business Development, with review by and consultation with the President and the VPGC.

- b. The President hereby delegates to the VPGI the authority to approve and execute the following contracts and agreements with the power and authority to further sub-delegate approval and signature authority:
- i. Continuing Professional Education Services Agreements
 - ii. Student Exchange and Study Abroad Agreements;

VPGI Sub Delegations:

TYPE OF TRANSACTION	SUB-DELEGATION to approve and execute	BUSINESS REVIEW AND APPROVAL	DEPARTMENT TO CONTACT FOR ASSISTANCE
CONTINUING PROFESSIONAL EDUCATION SERVICES AGREEMENTS	Director of Continuing Professional Education		Continuing and Professional Education Services
STUDENT EXCHANGE AND STUDY ABROAD AGREEMENTS	Assistant Vice President for Global Education		Office of Global Education

6. **Authority Delegated by the President to the VPSL and Further Sub-Delegation Authority:**

- a. The President hereby delegates to the VPSL authority to approve and execute the following contracts and agreements with NO power or authority to further sub-delegate approval and signature authority:
- i. Intergovernmental-Interagency Agreements, Memoranda of Understanding or Agreements for the benefit of Student Life; and
 - ii. Release and Settlement Agreements for the benefit of Student Life, with review by and consultation with the President and the VPGC.
- b. The President hereby delegates to the VPSL the authority to approve and execute the following contracts and agreements with the power and authority to further sub-delegate approval and signature authority:
- i. Housing Agreements;
 - ii. Conference Services Agreements;
 - iii. Facility Use Agreements involving Athletic facilities, the Student Center and the Green Center

VPSL Sub Delegations:

TYPE OF TRANSACTION	SUB-DELEGATION to approve and execute	BUSINESS REVIEW AND APPROVAL	DEPARTMENT TO CONTACT FOR ASSISTANCE

HOUSING CONTRACT (residence hall contracts, Mines Park Lease Agreement, Greek Housing contracts)	Associate Vice President of Student Life		Residence Life
CONFERENCE SERVICES AGREEMENTS (internal and external)	Associate Vice President of Student Life		Campus Events
FACILITY USE – ATHLETIC FIELDS, STADIUM, REC. CENTER	Director of Athletics		Athletics
FACILITY USE – STUDENT CENTER & GREEN CENTER	Associate Vice President of Student Life		Student Life

7. **Authority Delegated by the President to the VPER and Further Sub-Delegation Authority:**

a. The President the VPER authority to approve and execute the following contracts and agreements with NO power or authority to further sub-delegate approval and signature authority:

- i. Intergovernmental-Interagency Agreements, Memoranda of Understanding or Agreements for the benefit of External Relations;
- ii. Licenses for Mines Name, Logo and Trademarks;
- iii. Declarations, attestations, and similar documentation required by the United States Patent and Trademark Office as necessary to file, prosecute, and maintain Mines' registered trademarks; and
- iv. Release and Settlement Agreements for the benefit of External Relations, with review by and consultation with the President and the VPGC.

b. The President hereby delegates to the VPER the authority to approve and execute the following contracts and agreements with the power and authority to further sub-delegate approval and signature authority:

- i. Facility Use Agreements – Site Location; and
- ii. License Agreements for use of Mines' name, logo, and marks in Mines' owned videos and photos.

VPER Sub Delegations:

TYPE OF TRANSACTION	SUB-DELEGATION to approve and execute	BUSINESS REVIEW AND APPROVAL	DEPARTMENT TO CONTACT FOR ASSISTANCE
FACILITY USE – SITE LOCATION AGREEMENTS	Chief Marketing Officer	Impacted facilities; Public Safety; Operations	Communications
LICENSE FOR USE OF MINES NAME, LOGO AND MARKS IN MINES OWNED VIDEOS AND PHOTOS	Chief Marketing Officer		Communications

8. **Authority Delegated by the President to the VPGC and Further Sub-Delegation Authority:**

- a. The President delegates to the VPGC authority to approve and execute the following contracts and agreements with NO power or authority to further sub-delegate approval and signature authority:
 - i. Contracts for Procurement for Legal Services; and
 - ii. Release and Settlement Agreements – (approval as to form on behalf of Mines).