



**Policy Number 1.3**

**Chapter: Governance**

**Title: Delegation of Signature Authority for Contracts**

**Division/Department: Administration/Legal Affairs**

**Policy Administrator: Chief Administrative Officer**

**Adoption Date: May 17, 2023**

**Revision Dates:**

**1. PURPOSE**

- 1.1. The Auraria Board of Directors (“Auraria Board”) has the authority to contract and be contracted with pursuant to Colorado Revised Statutes (C.R.S.) § 23-70-105(1)(b).
- 1.2. The Auraria Board wishes to reserve to itself the authority to execute certain contracts (by the signature of its Chair or other designee) and to delegate authority to the Chief Executive Officer to execute certain others, and for the Chief Executive Officer to have the authority to sub-delegate signature authority to division heads and others as specified in this policy.

**2. DEFINITIONS**

- 2.1. Contract: an agreement, instrument, memorandum of understanding, grant, warrant, interagency agreement, intergovernmental agreement, personal services contract, construction contract, or any other form of memorialization of mutual obligations and benefits of the Auraria Board and one or more other parties, intended to be legally enforceable.
- 2.2. Chief Executive Officer (CEO): the Chief Executive Officer of Auraria Higher Education Center (AHEC) appointed by the Auraria Board pursuant to C.R.S. § 23-70-105(1)(f).
- 2.3. General Counsel: the attorney employed by the Auraria Board to direct its legal affairs.

### **3. POLICY**

- 3.1. The Auraria Board hereby delegates to the CEO the authority to approve and execute all Contracts presented in the name of the Auraria Board, that are either:
  - 3.1.1. Expressly approved by action or resolution of the Auraria Board, or;
  - 3.1.2. In furtherance of the ordinary course of business and operations of AHEC, within the budgeted expenditures approved by the Auraria Board, and with a total contract value of less than five million dollars.
- 3.2. The CEO may, in writing, authorize other administrators to negotiate and execute Contracts within the scope of their respective duties and areas of oversight, or as otherwise assigned by the CEO. The CEO shall keep a written record of such sub-delegations.
- 3.3. All Contracts to be signed by the CEO or other authorized delegate shall be subject to legal review and approval by the General Counsel or such subordinate legal reviewer as the General Counsel may appoint in writing.
- 3.4. All Contracts obligating the Auraria Board to expend funds shall meet the requirements of AHEC Fiscal Rule 2.2 for commitment vouchers.
- 3.5. If any person who executes a Contract purporting to bind AHEC lacks the delegated authority to do so pursuant to this policy, AHEC will not be required honor the contract, and such person may be held personally liable for such obligation. See C.R.S. § 24-30-202(3).
- 3.6. The Auraria Board expressly reserves to itself and does not delegate by this policy the authority to execute the following types of contracts:
  - 3.6.1. Contracts for the purchase, sale or transfer of real property, excluding leases and licenses of existing AHEC space with AHEC acting as lessor.
  - 3.6.2. Contracts not within the scope of the delegations authorized in this policy.

### **4. APPROVAL AND ADOPTION**

This Policy has been reviewed and approved by the Board of Directors for the Auraria Higher Education Center.

Date: May 17, 2023

Approved by: */s/ Tracy Huggins*  
Chair of the Auraria Board