

Policy Title: Signing Authority
Policy Approver: Board of Governors
Policy Holder: Finance and Administration Services
Executive Lead: Vice-President, Finance and Administration
Category: Operational
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Next Review: June 2025

Approval Statement

With the approval of the Board of Governors, this policy is hereby deemed in effect the 9th day of June, 2023.



David Morrison
Chair, Board of Governors
Yukon University

June 9, 2023

Date

1. Purpose

The purposes of this policy (“Policy”) are to specify the signing authorities required for different types of contracts, and to define the responsibilities of individuals who negotiate, approve, or sign contracts on behalf of the Yukon University (“University”).

2. Governing Legislation and Relevant Documents

The Yukon University Act
AF 3.0 Procurement Policy
AF 2.0 Financial Services Policy

3. Scope

This Policy applies to all operating, capital, ancillary and research contracts entered into on behalf of the University.

4. Definitions

Contract - includes any written agreement, Contract, subcontract, letter of intent, memorandum of understanding, memorandum of agreement, lease, deed, grant, license, purchase order, certificate, instrument, assignment, or any other document which creates an obligation, or which may be binding on the University (monetary and non-monetary).

Signing Authority – is the power, delegated by the Yukon University Board of Governors (“Board”) to certain Authorized Employees, to enter into and execute Contracts on behalf of the University, relating to general operations and the development and expansion of the University.

5. Policy

No person is authorized to sign any contract on behalf of Yukon University unless the person has authority provided under this Policy or an applicable Board of Governors’ motion.

All contracts signed under authority provided under this Policy must be in accordance with approved policies and budgets as approved by the Yukon University Board of Governors

("Board"). For greater clarity, contracts for the acquisition of goods or services on behalf of the University must comply with the Procurement Policy.

6. Process

To determine the appropriate Signing Authority for a contract, this three-step process must be followed:

- a) **Step One** – determine which policies, in addition to this Policy, apply to the contract. Other policies, in particular the Procurement Policy, may establish requirements for contracts that should be considered at the early stages. If all university policies have been followed, proceed to Step Two.
- b) **Step Two** – determine the cumulative, multi-year dollar threshold of the contract in order to determine the appropriate Signing Authority level.
- c) **Step Three** – once the Signing Authority has been identified, an individual must satisfy themselves that all responsibilities set out in Section 8, Signing Authority Responsibilities, of this Policy have been or will be met.

7. Negotiating Agreements

Employees who undertake agreement negotiation on behalf of the University have a responsibility to:

- a) Be aware of all University policies including any authorizations, approvals, or restrictions regarding the contract's content before negotiations commence;
- b) Consider previous contracts for the same good or service with the same vendor and whether or not the competitive bidding thresholds set out in the Procurement Policy need to be considered in relation to the cumulative value of contracts awarded;
- c) Determine whether there are financial issues which need further consideration prior to reaching an agreement;
- d) Carry out due diligence regarding the other contracting party including their legal status and viability to deliver the goods or perform the services required;
- e) Determine whether additional support is necessary regarding the contract including if legal support or advice is required and obtain support as early as possible in the negotiation process;
- f) Negotiate in the best interests of the University; and,

- g) Advise the other contracting party that the agreement is not considered final or binding until it has been signed in accordance with University policies.

8. Signing Authority

The Board establishes the following levels of signing authority which are delegated to enter into and execute contracts on behalf of the University relating to general operations, and the development and expansion of the university:

Yukon University Signing Authority by Level		
Level	Limit	Details
Base Level	Up to \$3,000	An employee who has been instructed by a Level 1, 2, 3, 4, Presidential or Board Signing Authority to purchase a good or service which is to be done by invoice or purchase card transaction.
Level 1	Up to \$15,000	The President or an individual with level 2, 3 or 4 Signing Authority may designate an employee of the University with Level 1 Signing Authority within the unit that employee works to address long term operational requirements.
Level 2	Up to \$30,000	Directors
Level 3	Up to \$50,000	AVPs, Deans, or Equivalent
Level 4	Up to \$200,000	Vice-Presidents & Vice-Provost
Presidential	Up to \$500,000	
Board	Over \$500,000	

The above Signing Authority levels are not presumed to apply to contracts falling into a category set out in Section 11, Exceptions. For signing procedures for such contracts, a more restrictive signing authority may apply.

Supported by the Procurement and Contracts Office, the President shall maintain a current list of University employees who have been provided with Level 1, 2, 3 and 4 Signing Authority.

Contracts being considered by a Level 1, 2 or 3 Signing Authority which are not in the University's standard form contract templates established pursuant to this Policy and Procedure Guidelines must be reviewed by the Procurement and Contracts Office who may require further review by Legal Counsel or the Vice-President, Finance & Administration. It is recommended that University standard form contract templates be used whenever possible, to provide assurance of the University's interests being protected.

The Signing Authority to execute documents under Seal shall be determined by the Board.

9. Signing Authority Responsibility

An individual with Signing Authority is responsible for the following with respect to each contract they sign:

- a) Ensure that the Contract is within their Signing Authority;
- b) That the Contract is within the limits and controls of approved budgets;
- c) That the Contract terms are clear, understood and consistent with any competitive bid requirements or vendor negotiations;
- d) The Signing Authority does not have an actual or perceived conflict of interest;
- e) The Contract complies with University procedures and, if necessary has been reviewed by the Procurement and Contracts Office and/or Legal Counsel;
- f) The Signing Authority is signing on behalf of the University's proper name "Yukon University" and no other entity;
- g) Any additional risk management actions (i.e., updating the University's insurance coverage requirements), have been initiated;
- h) Any original signed copies of a Contract is securely stored, with a digital copy sent to purchasing@yukonu.ca for permanent retention;
- i) Following execution of the Contract, the goods or services contracted for are provided in complete satisfaction of the Contract; and,
- j) Contract terms, in particular deliverables, dates, dollar limits, and quality of goods/services, have been adhered to.

10. Conflict of Interest

All procurement and contracting must comply with the Standards of Conduct Policy, and specifically:

- a. No University employee or individual involved in the negotiation or execution of contracts shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with their duties and responsibilities.
- b. Any potential conflict of interest must be declared, and any exceptions approved must be recorded in writing by the Vice-President, Finance & Administration.

11. Exceptions

The following contracts deal with specialized subject matter and may have more restrictive Signing Authority and document retention rules applied to them:

- a) Employment contracts and Secondment Agreements;
- b) Collective Agreements and any related documents;
- c) Payroll and Pension deductions;
- d) Academic Agreements (affiliation or collaboration agreements);
- e) Revenue contracts;
- f) Expense claims;
- g) Externally funded research expense claims; and,
- h) Agreements related to the disposal, sale, purchase, or lease of real property.
- i) Nominal Value Contracts which may come with \$1 or \$0 upfront cost, but which may bring additional risks to the organization (e.g., a donation of equipment to the University).

Specific procedures regarding these exceptions shall be set out in the Procedure Guidelines developed by Vice-President, Finance & Administration.

12. Other Related and/or Accompanying Documents

Procedure Guidelines