UNIVERSITY OF MIAMI
SPONSORED PROGRAMS POLICIES AND PROCEDURES

Section B: Proposal Preparation
Policy B5: Commitment of University Resources

PURPOSE:

The purpose of this policy is to define the required authorization and procedures for the commitment of University assets and resources.

POLICY:

1. Procurement of Goods and Services from All Sources Outside the University

   - The procurement of goods and services from outside the University by other than the Purchasing Department and their designee is not authorized. The payment for unauthorized purchases becomes the personal responsibility of the person placing the order, and is not the responsibility of the University. (See Purchasing and Bookstore Policies and Procedures; also see "Equipment Purchases" Policy F1.2, in this manual)
   - Purchases made by means of an authorized petty cash fund and conforming to section E of the Petty Cash Fund Policy, number D040, of the University Policy and Procedures are not subject to paragraph above, and are allowable.

2. Provision of Goods and Services to All Parties Outside the University

   - Consulting and Compensation for Non-University Activities - See "Consulting" in the Faculty Manual.
   - Private Business Operation - Conducting or establishing private or individual businesses in University buildings or on University property, or the use of the University's name, telephones, equipment, or other facilities or assets for business use is not permitted. This policy will be enforced in conjunction with the protection of the tax-exempt status of the University, and the Ordinances of the City of Coral Gables.
   - Commitment of the University Name, Buildings, Equipment, or Facilities Use for Activities under the Auspices of the University - Such commitments should have all appropriate authorizations in sufficient time prior to the requested use as to allow for planning and scheduling. Coordination of classroom space for academic use only on the Coral Gables Campus is handled by Space and Scheduling. All other requests for use of University facilities should be submitted to the appropriate Facility Coordinator. Dependent on the facility and/or the nature of the use, the "Agreement Form for Use of University Facilities" may be required.
These forms are available from the Office of the Vice President for Business Services.

Commitment of University Buildings, Equipment, and Facilities for Use by Outside Groups or Organizations:

A. Use of Facilities:
   The University of Miami may permit the use of the buildings, grounds, and other property of the University, when not in use for University business, for the following purposes:
   - Use by Recognized University Organizations - University properties may be used for meetings and activities conducted by the following groups: academic and nonacademic units of the University of Miami, University alumni groups, and registered student organizations.
   - Use by Non-University Organizations for Events Open to the Public - University properties may be used by nonsectarian, nonpolitical, and noncommercial organizations of the community and area for activities which are nonexclusive. If an admission fee is charged, the proceeds must be used for educational purposes.
   - Use by Commercial Organizations or individuals - Arrangements may be made only with prior written approval of the Facilities Coordinator and the Vice President for Business Services under a special separate facilities use contract. For Example the Bank United Center contracts with outside organizations to use their space.

B. University properties and facilities may not be used for the following reasons or purposes:
   - Meetings or events sponsored solely by non-University organizations for strictly political purposes.
   - For any activity which, by its nature, would cause serious disruption or become an additional security risk as determined solely by the University.
   - For any purposes prohibited either by any federal or applicable Florida State Education Law or any applicable rule or regulation thereunder, or by any other federal or Florida State or local statute, rule, or regulation now or hereafter enacted.
   - Events which may risk obvious damage to the facility or danger to individual attendees.
   - The University policy on solicitation will apply as appropriate to this policy.
   - The University of Miami reserves the right to refuse permission for use of any property or facilities to non-University organizations or individuals without reason or cause.

3. Supervision

   - The Facilities Coordinator of the designated facility shall require that there be an authorized representative from the group who shall be responsible for conduct of the group, acquiring security and for scheduling the activity, ensuring that the
group's activities are consistent with the University's and the individual facility's policy for protection and proper use of school property, and paying use charges, if any. A University staff member (designated by the Facility Coordinator) may be required to be present for any use of facilities.

- When University equipment is to be used (i.e., audio-visual equipment, etc.), the responsible Facilities Coordinator shall ensure that adequate provision for protection of University property exists. Use of the University operator or presence of a University staff member may be required, with reimbursement for this cost to be borne by the group using the facility.

4. Fees

A fee for facility use and reimbursement of expenses may be charged to the requesting organization. All fees will be paid to the department responsible for the facility operation. The individual coordinator for each facility will determine the actual charges.

- Any charges for the use of the grounds and facilities is on an as-is (bare wall) basis, with such light, heat, and air conditioning that is available. These charges may be waived only on a consistent basis by the Department Head responsible for the facility.
- For events which involve unusual usage and wear of University facilities, there may be a special use charge in addition to any other charges payable under this section.
- Use of Facilities will require Sales Tax to be charged if applicable.
- When, and in the judgment of the Facilities Coordinator, the service of a trained crew or security is required for proper operation of the equipment or facility of the University, the user shall be required to pay the established regular and overtime rate for such services, plus appropriate overhead charges.
- If security officers, in the opinion of the Facilities Coordinator, are required for parking or other purposes, the Coordinator shall confer with the Chief of Police at the Coral Gables Campus or the head of Facilities Administration in the Medical Campus and both will determine the number of security officers required. The user shall pay the established rate for such services, plus appropriate overhead. The University reserves the right to determine the amount of security staff needed.

REFERENCES:

None

PROCEDURES:

1. Procedure for Use of Facilities
• Requests are made via the form "Agreement Form for Use of University Facilities" to the appropriate Facility Coordinator. These forms can be obtained from the Office of the Vice President of Business Services.
• The Facilities Coordinator determines availability, acceptability, sales tax and cost, if any, to the sponsor.
• The Public Affairs Office is advised of time and date of the event.
• The facilities Coordinator notifies requesting party and, when appropriate, prepares contract for execution by the Business Services Office.
• No reservation will be finalized until confirmed in writing by the appropriate Facilities Coordinator (except as stipulated in individual facility policy, herein attached).
• The Facilities Coordinator may appoint a designee to perform these procedural functions.

2. Solicitation of Outside Agencies, Organizations, and Businesses for Sponsorship of Research Projects or Academic Programs

Research proposals, training grant proposals, or special proposals for institutes, etc., if they pertain to academic programs, must be approved by the Department Head and the appropriate Dean(s), and processed through the Sponsored Programs Research Administration (Pre-Award Office). This rule applies regardless of the source of funds, whether private, governmental, or commercial. Final approval and signature must be obtained from the Vice Provost for Research (or other officer of the University authorized to negotiate in his or her absence.)

3. Contracting on Behalf of the University

Unless specifically authorized in writing by the appropriate University authority, only corporate officers of the University designed by the Board of Trustees are authorized to contract on behalf of the University. Generally, the Senior Vice President for Business and Finance or his designee or the Vice Provost for Research or his designee, signs all contracts related to sponsored programs. The Vice President for Business Services signs all other non sponsored contracts. The Vice President for Real Estate is responsible for any contract related to construction, leases, purchase of property, rent and sale. Contracting on behalf of the University without appropriate prior authorization may result in personal responsibility.
Types of contracts/agreements include the following:

• Purchase Agreements - for goods and services, handled per the Purchasing Policy and Procedures Manual.
• Sponsored Program Awards - for research, academic, service, and other sponsored programs and projects.
• Use of University Facilities - any organization not recognized or registered as a University organization will be required to execute an agreement if it desires the use of any University facility.
• Real Estate: (contact Vice President for Real Estate)
- Purchases or lease or rent of property, space for University use.
- Sale, rent or lease of University property for use by others.
- Entertainment Contracts - agreements for speakers, vocalists, musicians, groups, performers, etc.
- Other Agreements/Contracts - There are many other reasons that the University would enter into contracts. Some examples are:
  - Sale and/or charter of vessels.
  - Affiliation agreements
  - Equipment leases, etc.
  - Athletic contests
  - Consulting agreements

4. Contract/Agreement Approval Procedure

- For approval of contract/agreements for sponsored programs, contact Research Administration.

The approval procedure (within the Board of Trustees' authorization policy) for all University contracts other than sponsored programs is as follows:
- The requesting University department or individual originate the proper requisition document;
  - Purchase Requisition/Contract - Form #PR-1
  - Use of Facilities Form
  - Real Estate Agreements - sale/purchase/contracts/leases.
  - Entertainment contracts form with amendment,
  - consulting agreement
  - Other agreements/contracts
- The Department Head or designee will initial to show approval on the contract/agreement signature line. Academic requests must first have the approval of the Office of the Executive Vice President/Provost. Academic contracts should be reviewed by Legal Counsel and by the Vice President for Business Services and/or Vice President of Real Estate.
- When funds are to be expended, the contracts/agreement should be forwarded to the appropriate Sponsored Programs –Expenditure Compliance Office for approval.
- If funds are not available, the agreement will be returned to the requesting department
- If funds are available, the appropriate Office for Sponsored Programs –Expenditure Compliance will then forward Purchase Requisitions to the appropriate Purchasing Department, and contracts/agreements to the Office of the Vice President for Business Services.

The Office of the Vice President for Business Services and/or Real Estate will:

- Review the documents for proper legal form and content, and, if necessary, forward to legal counsel
• Direct the University Risk Manager to review the documents for proper insurance coverage and wording to protect the University's interest.
• Review for business and financial aspects.
• If all above conditions are met, the contract/agreement will be executed by the Vice President for Business Services on behalf of the University.

**NOTE:** Whenever possible, contracts should be in triplicate and executed by the other contracting parties before being executed by the University.

• Originals of all fully executed contracts/agreements, other than those for sponsored programs, should be sent to the Office of the Vice President for Business Services to be held in the University files. Certificates of Insurance should be attached if possible.
• Originals of all sponsored programs contracts/agreements should be sent to the Sponsored Programs – Financial Management Office at Coral Gables, Marine or Medical Campuses.