

What to Consider Before Signing a Contract

This document provides resources and guidelines for any University official who has the authority to bind UNC Charlotte to external entities through signing contracts (or who is unsure whether he/she has such authority).

Contract

- **What does the term “contract” mean?** A contract is any document that legally binds the University to another party. Contracts can take many forms, including affiliation agreements, memoranda of understanding (“MOUs”), terms and conditions, letters of agreement, and a variety of other labels. A contract might or might not involve the payment of money. Online terms and conditions that must be accepted prior to using a product or service (“click-through agreements”) are also considered contracts. For more information, see [University Policy 603.1](#).

Authority

- **Am I authorized to sign a particular contract?** See the [signature authority chart](#).
- **What if I am not listed in the chart as someone authorized to sign for the University?** If you sign a contract without the proper authority, the University does not consider itself bound by the contract and you could be personally liable for the promises you made in the contract.
- **What if I am listed as an Alternate or Equivalent in the chart?** An Alternate only has signature authority when the person with primary signature authority is unavailable. An Equivalent maintains the signature authority specified in the signature authority chart at all times.
- **What if I am the Acting official while the primary official is away (e.g. Acting Dean, Acting Vice Chancellor, etc.)?** If the primary official designates in writing (including an email) that you will be the Acting official for a specific period of time, you have the same signature authority as the primary official for that period of time.

Required Processes

- **Is the contract for the purchase of goods or services?** Go through the [Purchasing Department](#) before signing.
- **Is the contract related to research or sponsored programs?** Go through [Grants and Contracts Administration](#) in collaboration with your college’s research liaison.
- **What if the contract involves receiving information or data from a third party that is subject to access restrictions?** Follow the process outlined in [University Policy 311.9](#).
- **What clauses are required or prohibited in University contracts?** See the [UNC Charlotte Contract Checklist](#).
- **How much insurance should be required of the other party?** See [Minimum Insurance Requirements chart](#).
- **May I accept the other party’s electronic signature?** See [Guidelines for Accepting Digital/Electronic Signatures](#).

Additional Assistance

- **How can I receive additional training related to my signature authority responsibilities?** Contact the [Office of Legal Affairs](#) for training workshops regarding contract review or for advice related to specific questions.
- **In addition to the required processes above, who are the subject matter experts who can assist on specific contract topics?** See below.

Contact Information for Special Contract Topics

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| Information and Technology Services (<i>IT contracts such as software, hardware, or cybersecurity for data</i>) | 704-687-5446 http://itservices.uncc.edu/directory/planning-administration |
| Technology Transfer (<i>patents, trademarks, licenses, and non-disclosure agreements</i>) | 704-687-8012 techtransfer@uncc.edu |
| Office of Donor Relations (<i>to coordinate the acceptance of donations</i>) | 704-687-7222 https://foundation.uncc.edu/contact |
| Risk Management (<i>to determine what amount and type of insurance should be required of the other party</i>) | 704-687-8448 http://rmi.uncc.edu/ |

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