

Procurement Agreement Terms & Conditions

Expedited Review Process Guide and FAQ

July 1, 2023

The following guide and FAQ can be used to understand when an expedited review process is available for approving certain terms and conditions contained within procurement agreements.

Opting this method when applicable allows for quicker execution of contracts for faculty and staff and reduction of workload for Central Procurement and Office of Legal Affairs.

When the Expedited Review Process is Available

Suppliers may request a signature from The Ohio State University via an agreement, Statement of Work (SOW), Memorandum of Understanding (MOU), or Terms & Conditions when making a purchase.

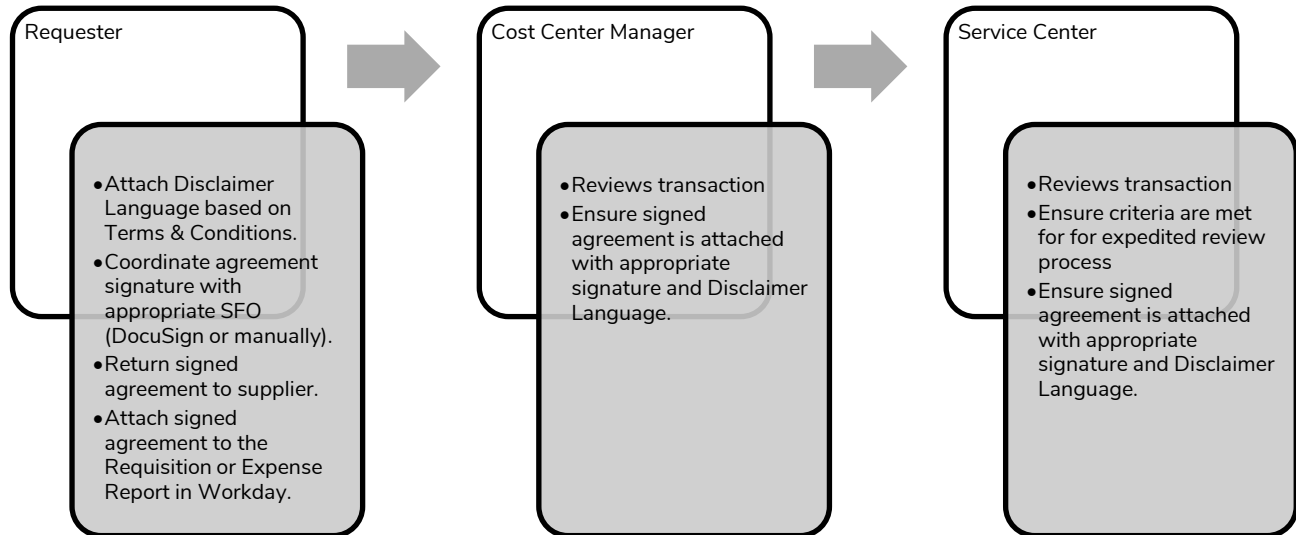
If ALL of the following criteria are met, an expedited review process is available for obtaining signature:

- The purchase is *less than \$5,000*
- The purchase falls within at least *one* of the following *Spend Categories*
 - SC10663 – Education and Training – Conference Registration
 - SC10671 – Food – Restaurants and Catering (only restaurants and caterers outside of Columbus and Internal Suppliers)
 - SC10726 – Meeting Facilities Rental (if a hotel rental, only non-Columbus hotels and Internal Suppliers)
 - SC10736 – Hotels and Lodging (only lodging outside of Columbus and Internal Suppliers)
 - SC10737 – Entertainment Services (only entertainment services outside of Columbus)
- Supplier agrees to attach *Disclaimer Language* to the agreement
- *Senior Fiscal Officer (SFO)* has reviewed and signed the agreement
- If the purchase is made under a *Grant*, and any part of the purchase is not allowable under the Grant, related expenses are the responsibility of the Unit. Contact the Grants Shared Service Center with questions.

If all of these criteria are NOT met, please refer to the following resources:

- Procurement Agreements **under** \$500,000 – [Procurement Agreements Management](#)
- Procurement Agreements **over** \$500,000 – [OnBase Contract Management](#)

Expedited Review Process Steps



Disclaimer Language

COMPLIANCE WITH OHIO LAW / THIRD PARTY TERMS. Company acknowledges that University is an instrumentality of the State of Ohio and as such is subject to Ohio law, including but not limited to Ohio Revised Code Section 9.27. ORC 9.27 requires that no State contract for goods or services may contain provisions requiring indemnification, choice of law and jurisdiction other than Ohio, binding arbitration, auto-renewals, or other provisions contrary to Ohio law, and if it does, such provisions are void ab initio. Company further acknowledges that neither this Agreement nor any subsequent Addendum or embedded terms may contain any provisions that are contrary to Ohio law, and any such provisions are not applicable to the University.

To the extent that Company requires the use of third-party products or services, it agrees and acknowledges that University cannot accept any third-party terms that are contrary to Ohio Law. Company further agrees that to the extent it determines to use such third-party products and services, Company must accept such terms solely on its own behalf, and not flow down such terms to the University.

FAQ

What authority is granted to me as a Senior Fiscal Officer (SFO) related to the Procurement Agreement Expedited Review Process?

Under the annual signature delegation signed by each SFO, SFOs have signature authority for agreements less \$5K with suppliers providing services related to conference registrations, restaurants and catering, meeting facilities, and hotels and lodging and entertainment services, outside of Columbus Ohio, and the surrounding community. These agreements should include the appropriate terms and conditions as required by the State of Ohio or incorporate those terms via an attached addendum.

I am an SFO. Can I delegate my authority to sign the agreement?

No, if an SFO is not available, your agreement should be reviewed and signed by Central Procurement, even if it meets all of the criteria for Expedited Review. Follow the [Procurement Agreements Management](#) process (under \$500,000).

Can I opt out of the Procurement Agreement Expedited Review Process?

Yes, you can choose to have your agreement reviewed and signed by Central Procurement, even if it meets all of the criteria for Expedited Review. Follow the [Procurement Agreements Management](#) process (under \$500,000).

Can I use the Procurement Agreement Expedited Review Process for agreements from a contracted supplier (for example, a supplier within Buckeye Buy)?

No, if the University has a negotiated contract or master contract with a supplier, additional signatures should be not needed. The negotiated contract or master contract establishes the terms and conditions with that supplier. You should also confirm that you are using the correct requisition type in Workday, typically Buckeye Buy for contracted suppliers.

What if the Supplier does not agree to the Disclaimer Language?

Contact your Service Center or the [Sourcing team](#) to find an alternate supplier.

Who can I contact for additional questions?

Agreements Review Team - bf-pur-agreements@osu.edu

Office of Legal Affairs - baumann.91@osu.edu OR near.8@osu.edu