

# Glossary of Contract Terms and Definitions

## Selected Terms from Coversheet

*Contract Type:* Contracts within GEP are broken down into sixteen different types for procurement contract authoring. Please use the definitions below to help you in defining which type of contract you are authoring.

<b>Independent Consultant Agreement</b>	Agreement to obtain consulting services by an individual with highly specialized expertise for defined scope of work.
<b>Independent Contractor Agreement</b>	Agreement with a contractor that is non-opinion or non-consulting related.
<b>Non-Disclosure Agreement</b>	Agreement to not to disclose proprietary, non-public, and confidential information.
<b>Professional Services Agreement</b>	Agreement for purchase of services that are highly specialized and of a technical nature where the supplier performing services a) has a professional license; b) is licensed by a regulatory body; and/or c) is able to obtain professional errors and omissions insurance.
<b>Equipment Loan Agreement</b>	When a supplier is a lender and loaning a piece of equipment to the university for testing and possible purchase. The supplier intends to transfer custody only, and to retain ownership and title to equipment during the loan period and at the end of the loan period, the loaned equipment is return to the supplier.
<b>Master Lease Agreement</b>	Agreement for lease only that allows for the option to ultimately purchase the item. Do not sign a contract for sale but instead enters into an option agreement. The Option Agreement would provide the university with the right to purchase the item at an agreed price during the lease term or other specified term, in exchange, typically, for a fee paid to the seller.
<b>Memorandum of Understanding (MOU)</b>	Agreement of a nonbinding agreement between two or more parties outlining the terms and details of an understanding, including each parties' requirements and responsibilities. An MOU is often the first stage in the formation of a formal contract. An MOU is not a replacement for an agreement and use of an MOU should be limited.
<b>Purchase Agreement</b>	Agreement for purchase of goods, could include a services component.
<b>Facility Use Agreement</b>	Agreement for short term use of facilities.

**Revenue Generating Agreement**

Generates revenue for the university.

**Auxiliary Agreement**

Agreements between campuses and their many Auxiliaries

**Placement Agreement**

Nursing, Students, Internships, Service Learning (could be an affiliation agreement)

**Sponsorship Agreement**

Agreement between Sponsor and those entitled to enforce the Sponsorship obligation.

**Athletics Agreement**

For athletic contests – could be revenue generating or non-revenue generating

*Description:* Description of the good or service being contracted. If neither good nor service, briefly describe what the contract entails.

*Organization Entity:* The department authoring the contract. For Wave 1, this should only be procurement related contracts.

*Region:* The campuses this contract applies to. Select all campuses that are applicable. For example, if it is a UC system wide agreement, then select 'UC Campuses'. If it is a Chico State agreement, then only select 'Chico State.' Etc.

*Contract Sponsor:* The primary contact, including department end user, of the contract. This can be any UC or CSU employee. If you cannot locate the employee in the system, contact **XX** for a user profile to be created.

*Contract Creator:* The individual authoring the contract. This will be auto-created based off whomever begins drafting the contract in GEP.

*Contract Value:* List the estimated contract amount. This is a required field for audit purposes.

## Selected Terms from Additional Information

*Procurement Method(Required):* The way in which the bids were solicited. For dropdown value definitions, see below.

**Competitively Bid**

Formal Public Bid - Publicly advertise the scope, specifications, and terms and conditions of the proposed contract as well as the criteria by which the bids will be evaluated. Competitive bidding aims at

<b>Partially Competitively Bid</b>	obtaining goods and services at the lowest prices by stimulating competition.  Only qualified/vetted suppliers are invited to submit bids. This procurement method is typically used for highly specialized scope and specifications.
<b>Informally Bid</b>	No Formal Bid - Competitive bids submitted in response to an informal invitation to bid (no public notice required). This procurement method is typically used for low dollar or small purchases.
<b>Negotiated</b>	Directly negotiated with a single supplier
<b>Sole Sourced</b>	There are no options but only one supplier is capable of producing the product and/or have the ability to provide the services.
<b>Exempt</b>	Not required to formally bid. Exceptions apply.

*Campus Contract Originated At(Required)*: The campus responsible for authoring the contract. For example, if you are authoring a SDSU employee authoring a multicampus agreement for all Southern California CSUs, you would select “San Diego State” for this field. (Compared to Region you would select all applicable CSUs).

*RFx #*: Free form field to define the associated RFx #.

*Campus Department*: If applicable, the department on campus who this contract is for.

*Requisition #*: If applicable, the associated requisition number in the eProcurement system.

*PO #*: If applicable, the associated purchase order number in the eProcurement system.

*Federally Funded Contract Number*: Only complete if the contract is federally funded. If applicable, free form field to define the federally funded contract number.

*Grant or Cooperative Agreement Number*: Only complete if this contract has a grant or cooperative agreement associated to it. If applicable, the free form field to define the grant or cooperative agreement number.

*Incentive?*: Tracks primary incentive associated to the contract. If the contract has an incentive, then subsequent questions will be asked about the nature of the incentive.

*eCommerce Hosted Catalog Price File?*: Tracks whether or not this contract has an associated hosted catalog eCommerce price file associated to it, to assist in the price file approval process. There are subsequent questions if a Price File exists.