

# UC Hastings College of the Law

Board of Directors –  
Financial,  
Major Procurement  
and Budgeting Cycles

# Governance – By Laws & Standing Orders

- Board of Directors
- Officers of the College

# Board of Directors

- Standing Committees of the Board: at least three (3) Directors as members
  - Committee on Educational Policy
  - Committee on Advancement and Communications
  - **Committee on Finance**
    - **Subcommittee on Audit**
- Board of Directors – Quarterly Meetings
  - March, June, September, December
- **Committee on Finance – Quarterly Meetings**
  - **February, May, August, November**
  - **Audit Subcommittee - May, October/November**

# Responsibilities of The Committee on Finance

- Consider and make recommendations to the Board at least annually on all matters relating to the finances, financial planning, and business management of the College.

Includes:

- Annual operating and capital budgets
- External audit report including evaluation of findings
- External borrowing of funds
- Purchase, sale, or lease of real property
- Compensation plans for all faculty, staff and officers
- Staff personnel and labor relations policies
- Assessment of fees – student, housing, parking, other
- Management of assets and investments
- Matters relating to the grounds and buildings

# Duties of

## Chancellor and Dean of the College

- Administrative
  - General – Chief Executive Officer; may delegate any duties except the responsibility to report directly to the Board
  - Awarding of Degrees
  - Financial Awards – fellowships, scholarships and prizes
  - Personnel – appoint, determine compensation, promote, demote, and dismiss College employees
  - Government Relations – Federal and State
  - **Fees and Assessments** – “The Chancellor and Dean shall fix and determine the amount, conditions, and time of payment of all fees, fines, and deposits to be assessed against students of the College, except that the Chancellor and Dean shall secure the approval of the Board prior to the assessment of tuition and fees. Where required by law the Chancellor and Dean shall also secure the approval of students.”

# Duties of Chancellor and Dean of the College

- **Budget and Finance** – through the Committee on Finance
  - Budget Submission – annual capital and operating budgets
    - “No funds of the College shall be expended or committed without budget authority of the Board except as otherwise provided in these Standing Orders.”
  - State Appropriations – recommendations as to requests
  - Interfund Transfers – no such transfer shall result in the establishment of a new policy, program, or project

# Duties of Chancellor and Dean of the College

- **Contract Authority**
  - Commitments for Budgeted Expenditures
    - Execution of contracts, agreements and other documents consistent with the College's Financial Operations Policy and Procedures Manual
  - Commitments for Expenditures in Advance of Budget
    - Shall not exceed 50% of the Governor's budget for the ensuing fiscal year
  - Commitments to Accept Funds
    - Solicit and accept pledges, gifts and grants
    - Board authorization required for certain documents; for example:
      - Exceptions to approved programs/policies; or commitments > 5 years
      - Restricted gifts/grants/pledges greater than \$50,000 or for a new program
      - Affiliation agreements involving direct financial obligations to new programs
      - Any gift of real estate, mineral rights, ground leases, partnership interest, encumbered property, or privately held securities
      - Naming of any chair, scholarship, endowment, or College facility or area

# Duties of Chancellor and Dean of the College

- Fund Raising
  - Campaign Authority
  - Return Gifts
- Reporting
  - Summer meeting: next fiscal year's activities intended to further the College's Long-Range Plan
  - Fall meeting: State of the College, including:
    - Past year's accomplishments
    - Progress toward achievement of the Long-Range Plan
    - Any recommended alterations to the Plan

# Duties of the Other Officers of the College

- Chief Financial Officer
  - Report on the fiscal condition and operations of the College in formats and frequency determined by the Committee on Finance
  - Formulate the State and non-State budgets and present them to the Board for approval through Committee on Finance
  - Keep the Chancellor and Dean and the Board informed of projected and actual variances from approved College budgets

# Duties of the Other Officers of the College

- General Counsel
  - Report to the Board on legislation affecting the policies or practices of the College, and on any pending or potential litigation involving the College.
- Secretary
  - Maintain all written College Administrative Policies and Procedures approved by the Board including:
    - Personnel Policies and Procedures
    - Fiscal Policies and Procedures
    - Development Policy and Administration Manual
    - College Investment Policy

# Financial Operations Policy and Procedures Manual

- Governs the financial accounting matters of the College
  - Comprehensive accounting program
    - Stewardship responsibilities
    - Financial management information
  - Updates are periodically brought to the Board of Directors for their approval
  - <http://www.uchastings.edu/fiscal/policy-manuals/financial-policy/index.html>

# Major Procurement Cycle

- Requirements
- Formal Public Bidding Process

# Procurement of Goods & Services

- Chancellor and Dean and CFO are only College officers authorized to enter into Contracts/Agreements
- All Contracts/Agreements must be approved as to form by General Counsel – allow seven (7) days
- A fully executed Contract/Agreement must be secured before work commences
- Competitive pricing process required for contracts/purchases \$10,000 or more
  - \$10,000 - \$49,999: informal
  - \$50,000 - \$99,000: informal + Board approval
  - \$100,000 or more: formal + Board approval
- Contracts extending more than one year require Board approval

# Procurement of Goods & Services

Amount of Purchase	P.O. Required?	Who Purchases	How Goods are Purchased
\$2,499 or less	NO	a. Individual, or b. Purchasing	a. <b>P-card</b> direct to vendor is preferred method b. <b>Purchasing</b> will assist ordering dept. if needed
\$2,500 - \$9,999	<b>YES</b>	Purchasing or requesting dept.	<b>Submit Purchase Request w/ preferred vendor.</b> Purchasing will handle transaction. (Requesting dept. may place order after PO is issued, if dept. desires to do so.)
\$10,000 - \$49,999	<b>YES</b>	Purchasing	<b>Informal competitive process required.</b> Submit specs or a scope of work with Purchase Request. In partnership with the requesting dept., Purchasing will solicit competitive quotes and award as appropriate.
\$50,000 - \$99,999	<b>YES</b>	Purchasing	<b>Informal competitive process and <u>Board approval</u> required.</b> Submit specs or a scope of work with Purchase Request. In partnership with the requesting dept., Purchasing will solicit competitive quotes and award as appropriate.
\$100,000 and up	<b>YES</b>	Purchasing	<b>Formal Bid Process and <u>Board approval</u> required.</b> Submit specs or scope work with Purchase Request. In partnership with the requesting dept., Purchasing will formally bid and award through Board of Directors approval.
<b>Note:</b> All contracts extending more than one year require Board approval regardless of dollar value.			

# Formal Public Bidding Process ~ 47 Days

<b>Purchase Request Submitted to Purchasing:</b> -assumes complete product specifications, or -assumes complete service requirements.	Start
<b>Administrative time:</b> -reviewing submissions, creating bid documents, scheduling	3 days
<b>Bid live:</b> -'advertised', or posted online and open	2 weeks
<b>Pre-bid conference:</b> -holding conference, responding to issues or questions -allowance for bidders to comply with changes	1 week
<b>Bid Summation:</b> -assumes no discrepancies -tally of responses, generally award to lowest responsible bidder	2 days
<b>Agreement Drafting &amp; Execution:</b> -assumes no pushback -drafted per bid scope, all available for signing	7 days
<b>Minimum Finance Committee Agenda Notice</b>	15 days

# Exceptions to Competitive Quotation and Formal Bid Process

- Professional Services
  - Legal, audit, project management, technical, financial advising, engineering, architectural
- Cooperative Purchasing (“Piggyback”) Provision
  - State of California purchasing agreements
  - University of California purchasing agreements
  - Hastings vendor pool
- Sole Source
  - Single source or matching existing brands
  - As provided for in California Public Contract Code
  - Written justification by CFO, Director of Business Services and respective Division Head required

# Other Internal Approvals Required

- General Counsel (Elise Traynum)
  - all legal services prior to hire
- Director of Information Technology (Eric Noble)
  - all software and computer hardware prior to purchase
- Assistant Dean of Communications (Michael Trevino)
  - all communications, use of logo, and photographers prior to hire
    - Identity Standards Manual (use of logo, style standards guide)  
[http://www.uchastings.edu/media-and-news/docs/UC\\_Hastings\\_Identity\\_Manual-tagged.pdf](http://www.uchastings.edu/media-and-news/docs/UC_Hastings_Identity_Manual-tagged.pdf)
    - Download Logo Graphics (bridge logo)  
[http://www.uchastings.edu/media-and-news/docs/UC\\_Hastings\\_Identity\\_Manual-tagged.pdf](http://www.uchastings.edu/media-and-news/docs/UC_Hastings_Identity_Manual-tagged.pdf)



# Purchasing Info on the Web

- Procurement Policy and Guidelines  
<http://www.uchastings.edu/purchasing/policy/index.html>
- Purchasing Forms and Links  
<http://www.uchastings.edu/purchasing/forms-links/index.html>
  - Purchase Requisition
    - *Required to open a Purchase Order for Goods and Services*
  - New Vendor Form (substitute W-9)
    - *Required for all new Vendors doing business with the College*
  - Warehouse Issue Form
    - *Purchasing stocks printer paper and toner (for most models on Campus)*
  - Vendor Selection Guidelines
- Procurement Card (P-Card) Program  
<http://www.uchastings.edu/purchasing/pcard/index.html>

# Board Meeting Cycles

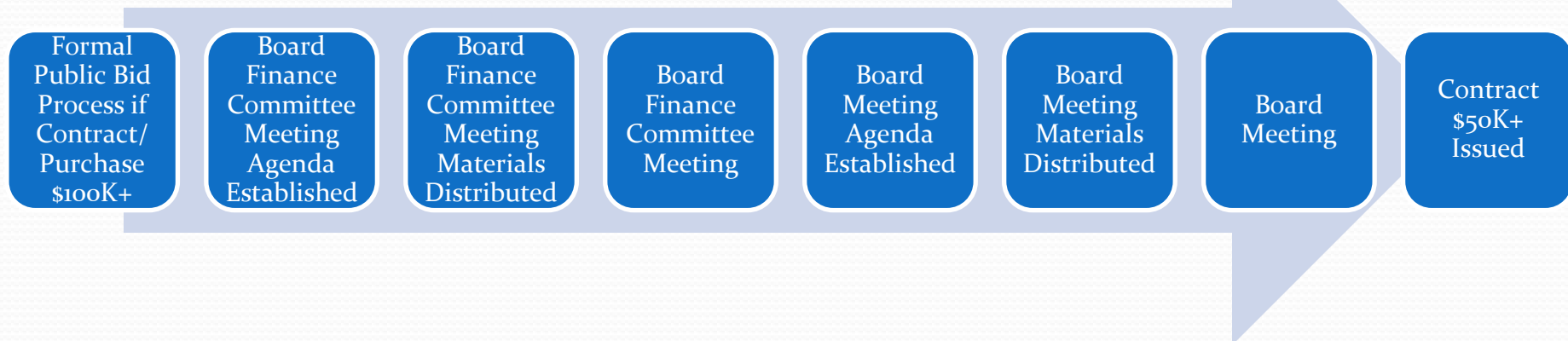
-Financial Reporting, Budgeting, Procurement and Fees

# Board Meetings - Quarterly

- Board of Directors Meeting Schedule on the web
  - <http://www.uchastings.edu/faculty-administration/board/meeting-schedule.html>
- Board of Directors Meeting Notice and Agenda on the web
  - Posted ten (10) days prior to meeting date
  - <http://www.uchastings.edu/faculty-administration/board/meeting-notices.html>
- Board of Directors Meeting Materials
  - Distributed seven (7) days prior to meeting date
  - Copy in Hastings Law Library or General Counsel's Office

# Board Meetings - Quarterly

- Public Bidding - at least 47 days prior
  - Initiate contracts, agreements or purchases \$100,000 or more; submit complete product specifications and/or service requirements to Purchasing
- Meeting Preparation – at least 15 days prior
  - Notify General Council’s Office of agenda item and submit written meeting materials
- Meeting Notice & Agenda – issued at least 10 days prior
- Meeting materials – distributed at least 7 days prior



# Board Meetings - Quarterly

Board	Finance Committee		Formal Bid Process
Meeting Date	Meeting Date	Date Agenda Must be Posted by General Counsel	Date Public Bidding Process Needs to be Initiated with Purchasing for Contracts \$100K+
June 3, 2011	May 17, 2011	May 6, 2011	March 22, 2011
September 2, 2011	August 16, 2011	August 5, 2011	June 20, 2011
December 2, 2011	November 10, 2011	October 31, 2011	September 12, 2011
March 2, 2012	February 14, 2012	February 3, 2012	December 19, 2011
June 1, 2012	May 15, 2012	May 4, 2012	March 19, 2012
September 7, 2012	August 14, 2012	August 3, 2012	June 18, 2012
December 7, 2012	November 13, 2012	November 2, 2012	September 17, 2012

# Sample Board Cycle – June 2011

<b>March 2011 - April 2011</b>																																																																																																	
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# Sample Board Cycle – June 2011

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	<div style="background-color: #f8d7da; padding: 2px;">                     From Mar 22 → Formal Public Bidding Process \$100K+                 </div> <div style="background-color: #d1ecf1; padding: 2px;">                     From Apr 21 → Contract/Agreement Drafting &amp; Execution                 </div>						
Apr 24 - 30							
	<b>May 1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
May 1 - 7	<div style="background-color: #f8d7da; padding: 2px;">Formal Public B</div>	<div style="background-color: #d1ecf1; padding: 2px;">Board Finance Committee</div>					5:00pm Finance Committee Meeting Agenda Posted
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May 8 - 14			5:00pm Finance Committee Meeting Materials Distributed				
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May 15 - 21	<div style="background-color: #d1ecf1; padding: 2px;">Board Finance Committee</div>			9:00am 12:00 pm Board Finance Committee Meeting	<div style="background-color: #d1ecf1; padding: 2px;">Board of Directors Meeting</div>		
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May 22 - 28	<div style="background-color: #d1ecf1; padding: 2px;">Board of Directors Meeting</div>						
			5:00pm Board Meeting Agenda Posted			5:00pm Board Meeting Materials Distributed	To Jun 3 →

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# Board Finance Committee – Quarterly Financial Reporting

- State Budget Status Report
- Auxiliary Enterprises Budget Status Report
  - McAllister Tower, Bookstore, Parking Garage, Student Health Services Center, Business Center
- Investment Report
- Report on Checks/Wire Transfers over \$50,000
- Report on College travel and business expense reimbursements made to the Chancellor and Dean and his/her spouse/partner

# Board Finance Committee - Typical Quarterly Agenda Items

- Contracts, Leases or Purchase Orders: \$50K or more OR that extend over one year in duration
  - Formal Competitive Bid Process Required if \$100K+
  - Do not split transactions to bypass approval limits
- Budget Changes \$50K or more
- Budget Changes for new programs or projects with continuing commitment
- Amendments to the Financial Operations Policy and Procedures Manual
- Project Status Reports

# Board Finance Committee – May Meeting

- Budget Year Annual Budgets - Auxiliary Enterprises
  - Tower, Bookstore, Garage, Student Health, Business Center
- Budget Year State Budget Pre-authorizations (if applicable)
- Miscellaneous Fee Changes, including:
  - Budget Year Student Health Center Fees
  - Budget Year Student Health Insurance Fees
  - Parking Rates
  - Space Rental Fees
- State 5-Year Capital Outlay Plan and Budget Change Proposals (for Budget Year+1; Sacramento Department of Finance)
- Investment Transfers between STIP and GEP
- Report of the Audit Subcommittee; review of Audit Plan

# Board Finance Committee – August Meeting

- Budget Year Student Fees (e.g., August 2011 for 2012-13 fees)
  - JD
  - LLM
  - MSL
  - Non-resident tuition
- Current Year Annual Budgets
  - State
  - Nonstate – Unrestricted and Restricted
- Updated 5-Year State Budget Plan
- Annual Report on Insurance Coverage for Current Year

## November Meeting

- Report of the Audit Subcommittee - presentation of prior year Audit Report

# Board Finance Committee – February Meeting

- Budget Year Endowment Spending Rate
- Budget Year Student Housing Rent Changes
- Current Year Midyear Revised Budget and Budget Changes
- State of California Budget Year Budget Update (Governor's Budget Proposal)
- Report on Faculty and Staff Salaries over \$100,000

# Board Finance Committee – Budget Items

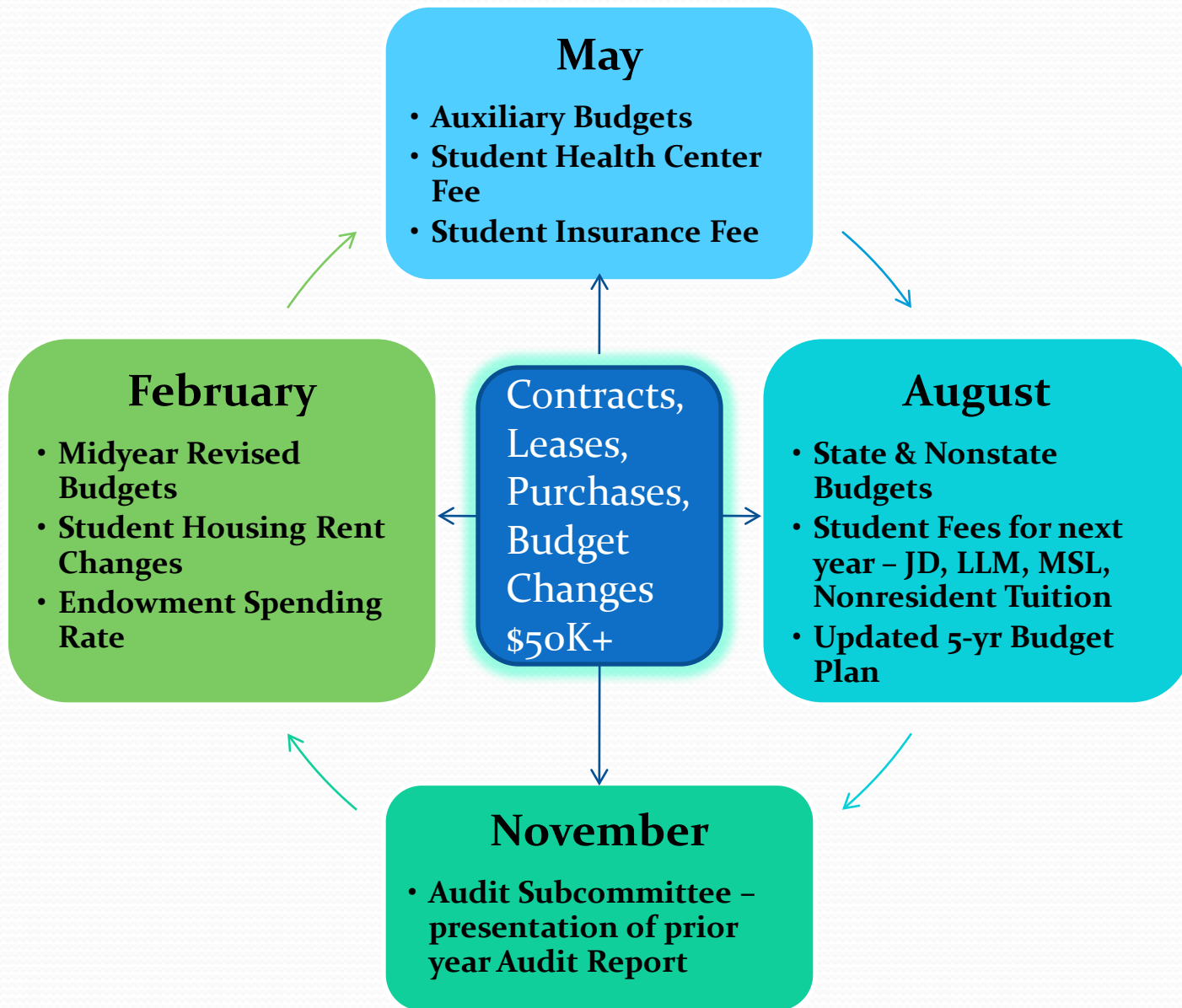
Annual Budget, Auxiliary Enterprises (BY)	May
State Budget Pre-authorizations (BY, if applicable)	May
Capital Outlay Plan and Budget Change Proposals (For submittal to State Department of Finance)	May
Annual Budget, State and Nonstate (CY)	August
Updated 5-Year State Budget Plan	August
Midyear Revised Budget/Budget Changes (CY)	February
State of California Budget Update (BY)	February

# Board Finance Committee – Fee Items

Student Health Center Fees (BY)	May
Student Health Insurance Fees (BY)	May
Parking Rates (BY)	May
Space Rental Fees (BY)	May
Enrollment Fees – JD, LLM & MSL (BY)	August
Nonresident Tuition (BY)	August
Student Housing Rent (BY)	February

# Board Finance Committee – Miscellaneous Items

Investment Transfers	May
Audit Subcommittee – Audit Plan	May
Annual Report of Insurance Coverage (CY)	August
Audit Subcommittee – Audit Report	November
Endowment Spending Rate (BY)	February
Report on Faculty/Staff Salaries > \$100,000	February



# UC Hastings College of the Law

Board of Directors –  
Financial,  
Major Procurement  
and Budgeting Cycles

This presentation on the web at:

<http://www.uchastings.edu/faculty-administration/cfo.html>

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