Instructions for completing the Software Agreement Cover Sheet

- The initiating department must complete the Software Agreement Cover Sheet in its entirety, attaching all applicable quotes, terms and conditions, license agreements, vendor’s security and privacy policies, attachments and exhibits.
- Whenever possible, please obtain a Word document of the agreement directly from the vendor. Please note, Purchasing requires a clean, unmarked, unsigned copy of the agreement. If you are submitting proposed changes, please do so in a separate copy of the agreement.
- The initiating department emails the cover sheet, agreement and all attachments to Purchasing, per the instructions provided on the cover sheet. If a Purchase Order is requested, please attach documentation to the eBuy requisition. Incomplete forms will be returned without processing.

Process Workflow for Software and Software as a Service Agreements

- Upon receipt, the agreement will be logged and assigned an internal tracking number by Purchasing, with confirmation to the initiating department. Purchasing enters agreements into the review queue and processes requests on a First In, First Out (FIFO) basis.
- Purchasing will review the agreement based on the information provided on the cover sheet. The initiating department will be contacted directly during the review process if any questions or issues arise.
  - Purchasing reviews agreements for business terms and legal sufficiency. For example: the contract term, clearly defined deliverables; payment terms; termination provisions.
  - Purchasing does not determine the substance of the agreement. The initiating department is responsible for: (1) ensuring that the products and services proposed meet the department’s needs and information technology requirements; (2) confirming that the department is able to comply with all restrictions and responsibilities outlined in the agreement; and (3) verifying that the agreement includes the entire understanding between the parties, without additional explanation or reliance on verbal commitments that are not included in the agreement.
  - Purchasing will consult with various University departments, including Risk Management, Legal Counsel, Privacy and IT Security, as necessary to ensure that specific contract provisions protecting the University are included in the agreement. Information gathered during this process will be incorporated into the agreement by Purchasing.
- Upon completion of the agreement review, Purchasing will obtain an authorized signature, per Policy FNG02.
- The signed agreement will be returned by Purchasing to the party identified on the cover sheet, or sent to the vendor along with an approved Purchase Order.
- If the vendor contacts the initiating department directly regarding changes to the signed agreement or submits questions regarding the agreement directly to the initiating department, it is the responsibility of the initiating department to engage Purchasing for further review/negotiation of the agreement.
- If the vendor returns a signed agreement to the initiating department, the initiating department shall forward a copy (preferably electronically) of the fully executed agreement to Purchasing.

Penn State is committed to affirmative action, equal opportunity and the diversity of its workforce.