

I. Purpose

The purpose of this procedure is to provide clear direction to all College employees regarding signing contracts in the college's name. This procedure covers the types of contracts, the process to have a contract reviewed and signed, authority to sign, and the official recordkeeping and tracking of contracts.

II. Scope

This policy applies to all contracts for purchases for materials, supplies, equipment, construction, service agreements, licensing and maintenance agreements, and leases. The following are exempted from this policy:

- 1) One-day Presenter Agreements
- 2) Employment Contracts of Exempt Staff Members

III. Records

The Purchasing Department shall maintain and keep detailed records of all executed contracts within the defined scope as the office of record for document retention purposes and to satisfy requirements for auditing regulations.

IV. Types of Contracts

The following is a brief explanation of each of the types of contracts that are covered under this procedure:

1. Purchase Agreement* - Any agreement that obligates a buyer to buy and a seller to sell materials, supplies or equipment under specified conditions.
2. Construction - Contracts specifically written to govern construction and renovation projects.
3. Independent Contractor/Consultant* - An agreement between the college and another party for a personal service or deliverable.
4. Professional Services* - Similar to a service contract for independent contractors or consultants, but formulated specifically for a professional service such as legal representation.
5. Contracted Services* - An agreement between the college and another party to provide a service such as lawn maintenance, custodial service or online tutoring.
6. Licensing & Maintenance Agreements - Agreements which are typically structured for software or for service and support for software, equipment or machinery
7. Leases* - A contract to rent land, buildings, or other property.

The Purchasing Department, in collaboration with Board of Trustee's attorney, has developed a number of contract templates to facilitate the process of contract review. When possible, use one of the college's templates over a vendor's proposed contract. Templates are available for those contracts indicated with an asterisk (*). Construction contracts use the appropriate AIA (American Institute of Architects) document.

V. Contract Review Process

All contracts require a review process prior to obtaining signatures. This process includes a legal review by the Board of Trustee's attorney prior to being presented for signatures. The Purchasing Department will administer this process for all contracts that are the result of procurement activity and for any other contract a department or division requests assistance with.

This process may take up to two weeks to complete depending on contract negotiations and the work schedules of reviewers, attorneys and signers. Make sure to account for this in your planning process.

VI. Authority to Sign

The authority to sign contracts follows an employee's spend authorization, as documented and posted to the Purchasing Department website [Spend Authorization Table](#). If an employee is within his/her spend authorization, the contract should be signed by the employee, his/her Executive Cabinet member, and the President. If the contract exceeds the employee's spend authorization, it should be signed by his/her Executive

Cabinet member and the President. The President's signature is the final signature and is required on all contracts. In the case of emergencies or time-sensitive situations, the President will appoint a person who may sign in absentia.

VII. Document Retention

The Purchasing Department will scan, store and make current contracts available to required parties via a document-sharing platform (i.e. Google Docs) by setting permissions for those parties who may need to access the contract. All expired contracts will be stored offline until their assigned document retention period expires.

VIII. Reference Documents**IX. Policy History**

Effective 09/30/2018