



2.4 College Contracts Policy

Category: Administration

Name of Responsible Office: President's Office

Title of Responsible Executive: President

Date Established: September 1, 2013

Date Last Approved: October 4, 2021

Summary

This policy establishes which offices have authority to sign college contracts and creates a procedure for signing contracts.

Policy

Policy Statement

Definitions

Educational Services Agreement. An academic agreement between the College and an external party where either party provides an academic product without a financial commitment.

Affiliation Agreement. An affiliation agreement is a contract between the College and another entity for purposes of establishing a relationship to provide an educational opportunity for students or share academic programs, personnel, and/or resources for a particular purpose.

Business Service Agreement. An agreement between the College and an external party where either party provides a product or service with a financial commitment.

Workforce Agreement. An agreement between the division of Economic Development and Innovative Workforce Services where EDIWS provides a service to an external party.

Grant Agreement. An agreement to receive funding from an external entity, such as a governmental agency, corporation or private foundation for an activity with a defined budget, period of performance, and scope of work undertaken by the College.

Signature Authority

The President is hereby authorized to sign, on behalf of the Board of Trustees, all agreements and contracts between the College and an external party. The President may delegate as appropriate:

- the authority to sign all Agreements to the Chief Financial Officer/Vice President for Administrative Services.
- the authority to sign Educational Services and Affiliation Agreements as appropriate to the Provost/Vice President for Academic and Student Affairs and Vice President for Economic Development and Innovative Workforce Services.
- Joint authority to sign Workforce Service Agreements to the Chief Financial Officer/Vice President for Administrative Services and the Vice President of Economic Development and Innovative Workforce Services.

The Chief Financial Officer/Vice President for Administrative Services may delegate the authority to approve certain Agreements considered to be recurring in nature to the Director of Purchasing.

Review Process

In order to protect the College, it is vital that agreements that involve commitment of College resources (financial, human etc.) or expose the College to some type of risk be reviewed prior to signature. This review generally will follow one of two review paths prior to signature:

1) Non-Grant Funded Agreements

College department(s) initiates the agreement, negotiates the terms and provides those terms to:

- a. the Director of Purchasing for a review of terms and conditions. Upon completion, the agreement will be forwarded to
- b. the Controller, for a review of financial commitments. Upon completion, the agreement will be forwarded to
- c. Associate Vice President of Administrative Services for a review of risk and insurance requirements. Upon completion, the agreement will be forwarded to
- d. the Chief Financial Officer/Vice President for Administrative Services (or the President) for signature.¹

Note: This process may involve the initial review of 'template' agreements that are considered to be recurring in nature. Examples are Affiliation and Workforce Service agreements with signature authority delegated as noted in the policy statement.

2) Grant Funded Agreements

College department(s) along with Strategic Resource Development & Grant Management Office initiates the agreement, negotiates the terms and provides those terms to:

- a. the Controller, for a review of financial commitments. Upon completion, the agreement will be forwarded to
- b. Associate Vice President of Administrative Services for a review risk and insurance requirements. Upon completion, the agreement will be forwarded to
- c. the Chief Financial Officer/Vice President for Administrative Services (or the President) for signature.²

At any point during either review path, terms and conditions may need to be further negotiated between the College and the contracting party. A review by the College's Deputy Chief Information Office may also be involved. In addition, and upon approval by the Chief Financial Officer/Vice President for Administrative Services (or the President), the College may request the assistance of external legal counsel.

Record Keeping

The Director of Purchasing will assist with the creation of standard 'templates' for many routine, reoccurring agreements, contracts, and other such documents. As appropriate the template will contain standard terms and conditions such as indemnification language, choice of law, and the College's Non-Discrimination Notice.

Copies of fully executed non-grant agreements, contracts, and other such documents will be on file in the Purchasing Department.

Copies of fully executed grant agreements, contracts, and other such documents will be on file in the Strategic Resource Development & Grant Management Office.

Contact Information

Office of the President

¹ As officers of the College, the Provost/Vice President for Academic and Student Affairs and the Vice President for Economic Development and Innovative Workforce Services may be delegated signature authority on College contracts as long as the contract has been routed through the appropriate review path.

² As officers of the College, the Provost/Vice President for Academic and Student Affairs and the Vice President for Economic Development and Innovative Workforce Services may be delegated signature authority on College contracts as long as the contract has been routed through the appropriate review path.