

CONTRACTING AUTHORITY

I. Policy Section

3.0 College Operations

II. Policy Subsection

3.7 Contracting Authority

III. Policy Statement

No person may sign an agreement obligating GRCC time or resources unless authorized under this policy.

IV. Reason for the Policy

This policy will ensure that agreements, including but not limited to contracts, leases, memorandums of understanding, partnership agreements, affiliation agreements, clinical agreements, articulation agreements, and/or any other documents that are binding on the College ("agreements") are reviewed and signed by the proper authorities. This will limit the College's exposure for liabilities related to such agreements.

V. Entities Affected by This Policy

All GRCC employees

VI. Who Should Read This Policy

Budget Control Officers
Requestors of goods and services for Grand Rapids Community College
Suppliers of goods and services to Grand Rapids Community College
Board of Trustees
Individuals responsible for creating or reviewing agreements between the College and outside entities.

VII. Related Documents

N/A

VIII. Contacts

Policy Owner: General Counsel
Vice President of Finance and Administration

VIII. Definitions:

- A. Agreement: For purposes of this policy, “agreement” shall refer to any contract, lease, partnership agreement, affiliation agreement, clinical agreement, articulation agreement, MOU or any other type of document between two or more parties committing College time and/or resources.
- B. Contract: A legally binding agreement between two or more parties.
- C. Lease: A contract by which one conveys real estate, equipment, or facilities for a specified term and for a specified rent.
- D. Partnership: A legal relation existing between two or more persons contractually associated as joint principals in a business.
- E. MOU (Memorandum of Understanding): A written commitment by two or more parties to allocate time and/or resources toward a mutual goal.

IX. Procedures

- A. Timeline: Submit copies of the proposed agreement to the Vice President of Finance and Administration (if financial), Provost (if academic) or Chief Information Officer (if technology) and the General Counsel’s offices a minimum of three (3) weeks prior to the due date. If Board approval is necessary, the agreement must be submitted one month in advance of the Board Meeting.
- B. Review: The General Counsel’s office will review the agreement for legal sufficiency and solicit input from other departments as needed.
 - 1. The General Counsel and Vice President of Finance and Administration, Provost or CIO will either:
 - i. Approve for signature
 - ii. Recommend changes
 - iii. Request additional information
 - iv. Delegate review
 - 2. The requesting party shall be responsible for negotiating changes as recommended and shall obtain approval of revisions before signing.
 - 3. The requesting party shall be responsible for the substantive commitments in the agreement and for ensuring compliance with the signed agreement once approved.

C. Approved Agreement: When an agreement has been approved for signature, the requesting party will obtain the appropriate signatures.

1. For the College:

- i. For academic agreements: The Provost or designee shall sign all academic agreements on behalf of the College.
- ii. For financial agreements: The VP of Finance and Administration or designee shall sign all financial agreements on behalf of the College.
- iii. For technology agreements: The CIO or designee shall sign all technology agreements.

D. Record retention: The requesting party shall retain the original, fully executed agreement. A copy of the fully executed agreement shall also be provided to the office of the individual executing the agreement on behalf of the College.

E. Purchasing Agreements: Purchasing agreements for goods and services made in compliance with the GRCC Purchasing Policy that do not obligate the College beyond the current fiscal year for \$1000 or less annually and do not have renewal provisions for subsequent years may be signed by the authorized Budget Control Officer without prior review and approval under this policy. Purchasing agreements for goods and services for \$1000 and above annually must be reviewed by the authorized Budget Control Officer and must be reviewed and signed by the Director of Purchasing.

F. Workforce Training (Training Solutions) Agreements: Workforce Training agreements using the approved Training Agreement Template with individual companies to provide training services which do not have renewal provisions may be signed by the authorized BCO without review and approval under this policy.

X. Forms

N/A

XI. Effective Date

September, 2013

XII. Policy History

New policy 2013

Updated 2018

December, 2022 - Revised to provide additional information relating to document retention.

XIII. Next Review/Revision Date

December, 2024