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Purpose

The purpose of this procedure is to delegate signature authority and review requirements for agreements and contracts, other than purchasing contracts, grants, and facility rental agreements.

Procedure


- A. Definitions - The words defined in this section shall have the meaning set forth below whenever they appear in the Administrative Procedures Manual, unless the context in which they are used clearly requires a different meaning or a different definition is prescribed for a particular article or provision.
1. Contract - A contract is any agreement, regardless of label, between the College and another entity or individual that creates mutual obligations that may or may not include the exchange of funds. Agreement, Letter of Intent, Letter of Agreement, and Memorandum of Understanding are examples of other labels frequently used for contracts. While use of different labels is acceptable, classification of contracts for the purpose of this APM must be based on the below definitions regardless of such labels.
 2. Customized Training Contract - Training, courseware development, management, training related services, or any other revenue generating contracts, normally with employers for the purpose of improving the job and academic performance of its employees or agents; usually, the training is specifically created for or provided by the client (the employer), an existing course is customized to some significant extent to meet the employer's needs, or the training is delivered at client or other off-campus facilities. The College takes a financial risk on recovery of its expenditures and has an opportunity to earn surplus unrestricted funds. These contracts are frequently fixed price or fixed fee, and usually have a deliverable (project management, course delivery, courseware development, etc.).
 3. Quick Response Training (QRT) - A three party contract between CareerSource Northeast Florida, the College, and a third party to provide State of Florida Quick Response Training Program funds to new and expanding industries, and using the College as fiscal agent to allocate funds to the third party.
 4. Affiliation Agreement - A contract wherein another entity provides a comprehensive learning experience including, but not limited to, nursing and other allied health students from the College within an internship setting on site at the other party's facility; normally, neither entity has a financial obligation to the other.
 5. Memorandum of Intent (MOI) - A counter-signed document, regardless of label, with another entity for cooperation or collaboration toward some mutually desirable state or outcome, but neither the College nor the other entity have any obligation, financial or otherwise, to the other or a liability if something goes wrong.

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6. Grant - An externally funded agreement in which the College does not take a financial risk on reimbursement of its expenditures, nor does it have an opportunity to earn surplus unrestricted funds. Grants frequently deliver a needed service to a third party beneficiary or the community. Generally, these are cost reimbursement contracts. Grants are processed through the College's Resource Development Department.
7. Agency Sponsored Courses (Not at risk) - An agreement by an entity in accordance with APM 04-1201 to pay standard tuition and fees for their employees or other individuals for publicly available courses.
8. Collegewide Agreement - Any contract that has substantial political, social, or financial impact on the College, requires resources of more than one campus, or has greater than a three-year term. Substantial financial impact for the purposes of this APM is defined as the equivalent monetary value of the College's obligation being greater than \$50,000.
9. Other Agreement - Any contract not otherwise defined herein, between the College and another entity or individual which creates mutual obligations other than the exchange of funds where the equivalent monetary value of the College's obligation is equal to or less than \$50,000.

B. Delegation of Limits:

1. Executive Chairs/Campus Presidents and College Vice-Presidents are delegated by this procedure with the authority to sign externally funded Customized Training Contracts up to \$50,000 total revenue, Affiliation Agreements, and Other Agreements for their respective campuses or divisions. Contracts with College-wide impact may be signed by the Vice President, Business Services or the Provost/Vice President of Academic Affairs, as appropriate and pursuant to Board Rule. Contracts with total value in excess of CATEGORY V (currently \$325,000) as defined by Florida Statute 287.017 require Board approval. Authority to sign Customized Training Contracts below \$20,000 (the amount required by Florida Statute for financial disclosure) may be delegated in writing, per the attached Delegation of Authority letter, by the Executive Chairs/Campus Presidents and Vice-Presidents to College full-time employees, where such written delegation shall be filed with the College's Assistant General Counsel (AGC). Any delegation made pursuant to this APM is intended to address the signing of documents and not the authority to commit the College to action not approved by the College President and the District Board of Trustees.

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C. Signature and Approval Authority Delegation:

1. This matrix as approved by the College President constitutes written delegation authority for review (R), approval (A), and signature (S) for the following:

	(a)	(b)	(c)*	(d)	(e)
Customized Training Contracts	S	S	A	R	R
QRT	S		A	R	
Affiliation Agreements		S	A	R	R
Other Agreements		S	A	R	R
Collegewide Agreements	S		A	R	R
Memorandum of Intent		S	A	R	

- a. Vice President, Business Services or the Provost/Vice President of Academic Affairs (as appropriate and pursuant to Board Rule)
- b. Executive Chairs/Campus Presidents and Vice-Presidents (\leq \$50K and $<$ \$20K for their Designees)
- c. General Counsel
- d. Assistant General Counsel (Or Campus Contract Officer for *low risk Standard Contracts $<$ \$50,000)
- e. Risk Management/Bursar/Business Services/Finance/Workforce/Other – As required

*Standard Contracts have been pre-approved by the General Counsel (GC) as to form and legality, and are available from the AGC. Standard Contracts adequately protect the College's interests, are written in clear language, expedite the contracting process, and are intended to be fair to all parties. Any substantive change to a Standard Contract requires GC approval. Substantive changes do not include inserting the description of the goods or services, or the price. Low risk means there is no hazard to life, limb, or equipment, or other legal or liability issue that would require additional contractual language.

These review, approval, and signature requirements apply to all contracts not otherwise controlled by APM or Board Rule. For contracts in excess of CATEGORY V, the originator will submit a request or draft agenda item to AGC. Administration will process the agenda item for Board approval.



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REFERENCES: F.S. 287.017, 1001.64, 1001.65

Adopted Date: June 14, 2005

Revision Date: June 14, 2005, January 31, 2012, May 29, 2012, February 12, 2013, September 9, 2014, April 18, 2016