

# MANUAL OF PROCEDURE

---

**PROCEDURE NUMBER:** 6300 **PAGE** 1 of 6

**PROCEDURE TITLE:** Contracts, Agreements, and Leases - Signature Requirements and Procedures

**STATUTORY REFERENCE:** FLORIDA STATUTE 287.017  
CHAPTER 6A-14.0734 STATE BOARD OF EDUCATION RULES

**BASED ON POLICY:** VI-2 Bidding for Commodities and Services  
VI-30 Contractual Agreements with Individuals or Organizations for Professional and Technical Services

**EFFECTIVE DATE:** April 4, 1984

**LAST REVISION DATE:** November 8, 2005

**LAST REVIEW DATE:** November 8, 2005

## I. PURPOSE

To provide the necessary signature requirements and procedures to be used when submitting various types of contracts, agreements, and leases for approval and payment.

## II. INTRODUCTION

Contractual agreements that exceed Category Two per Florida Statutes Section 287.017 (currently \$25,000) but do not exceed Category Five (currently \$250,000), must be submitted to the College President, the Provost for Operations, or the Provost for Education for approval prior to execution. Contractual agreements with a company, organization, or individual not exceeding Category Five do not require approval by the District Board of Trustees (hereafter referred to as the Board). However, a monthly report of such agreements will be made to the Board by the Controller's Office.

The level of approval and signature requirements for contracts with firms or individuals specified below are based upon cumulative totals within the College for any fiscal year. To illustrate, if a contract was issued by the College in July to a company or organization for \$20,000, the signature of the Originator's Campus President/Vice Provost would suffice. If later that same fiscal year the College entered into another contract with this vendor for \$5,001, the total would now be \$25,001 and would require approval of the College President, the Provost for Operations, or the Provost for Education. In those cases where a contract is initiated by a District Vice Provost, the review by and signature of another Vice Provost is required.

### III. PROCEDURE

#### A. Signature Requirements and Processing

1. Purchase Orders issued by the College must be signed by the Director of Purchasing. The College President or designee must approve purchases that require emergency action.
2. Agreements for Services

The Agreement for Services form is used for obtaining services of individuals, companies, or organizations; the original signed agreement should be submitted to the Accounts Payable Department and copies may be provided to the Contractor, the Originator, the Originator's Campus President/Vice Provost, and the Purchasing Department, as appropriate. The Form is available on the Business Affairs website.

##### a. Agreements with Individuals

###### *Definition*

- (1) Consultants are persons the College utilizes to perform a non-recurring task. The services of the individual are available to the general public and other employers. The individual may perform services for multiple organizations simultaneously. The work to be performed is specific and specialized with the individual having expertise at a professional level, which allows the task to be accomplished without instruction or training. The consultant is free to set his or her own work methods, place and time. The assignment is generally short term, lacks regularity, and there is no sustained continuing relationship between the College and the consultant. Additional information on unique characteristics of independent contractors is available on the Human Resources website.
- (2) Actors may be engaged individually or through an agent (3) to perform in professional productions, mini-series or personal presentations produced by the College.
- (4) Guest lecturers, models, game officials, and providers of other intangible services may be procured within the guidelines established by this Procedure.
- (5) Agreements with individuals shall include the delivery of services for an established daily rate, plus reasonable travel and agreed-to expense reimbursement within the guidelines of Procedure 3400 relating to economical travel and per diem.

### *Authorized Signatures*

- (1) Agreements with an individual at a specified daily rate of \$500 or less must be authorized by the Originator's Campus President or Vice Provost. The total contracted amount is also subject to approval guidelines and signature requirements established under Section II of this Procedure.
  - (2) Agreements with an individual at a specified daily rate in excess of \$500 shall be presented to the Board for approval as a special agenda item. The agenda item will be prepared by the Originator in the appropriate format and forwarded to the appropriate Campus President or Vice Provost for Board action.
  - (3) Agreements with an individual for which a daily rate cannot be specified shall also be presented to the Board for approval as a special agenda item. The agenda item will be prepared by the Originator in the appropriate format and forwarded to the appropriate Campus President or Vice Provost for Board action. This provision is exclusive of expense-only contracts in which the College has merely agreed to reimburse the individual for travel and personal expenses within the guidelines of Procedure 3400.
  - (4) After all signatures and approvals are obtained on the form, the agreement shall be returned to the Originator for forwarding copies and implementation of the agreement, as appropriate. The Originator will then forward the original document to the Accounts Payable Department in accordance with Section III.A.2. of this Procedure.
- b. Agreements with a Company or Organization

### Authorized Signatures

- (1) Agreements with a company or organization of \$25,000 or less must be authorized by the Originator's Campus President or Vice Provost.
- (2) Agreements with a company or organization in excess of \$25,000 must be authorized by the College President, the Provost for Operations, or the Provost for Education prior to the execution of the contract.
- (3) Agreements with a company or organization in excess of \$250,000 shall be presented to the Board for approval as a special agenda item. The agenda item will be prepared by the Originator in the appropriate format and forwarded to the appropriate Campus President or Vice Provost for Board action.

- c. Payment Processing for Agreements for Services
- (1) Purchase Orders may be established to facilitate payment(s) on Agreements for Services. After all approvals and signatures are obtained on the agreement, the Originator shall initiate a Department Requisition. The Department Requisition, together with a copy of the agreement, shall be forwarded through established channels to the Purchasing Department for review and issuance of a Purchase Order. Original agreements are forwarded to and maintained by the Accounts Payable Department. Upon completion of the contractual service by the individual, company, or organization, the Originator shall submit signed invoice(s) to the Accounts Payable Department for payment in accordance with established College Procedure. Payment processing via the issuance of a Purchase Order is required for all Agreements for Services in excess of \$25,000, as defined in Section II of this Procedure. Specific Procedures and instructions related to the preparation of Department Requisitions are outlined in Procedure 6100.
  - (2) When an Agreement for Services is \$25,000 or less, the Originator may opt to initiate payment via a Disbursement Request (i.e. direct payment, after-the-fact). Upon completion of the contractual service by the individual, company, or organization, the Originator shall initiate the Disbursement Request and forward signed invoice to the Accounts Payable Department for payment in accordance with established College Procedure.
3. Real Property Use or Rental/Lease
- a. When no lease is required, the Agreement for Services form may be used, see Section III.A.2 for details.

#### **Authorized Signatures**

- (1) Signature requirements for Agreements for Services in connection with the use or rental of real property are the same as those described in Section III.A.2.b. of this Procedure.
  - (2) After all signatures and approvals are obtained on the form, the agreement shall be returned to the Originator for forwarding copies and implementation of the agreement. The Originator will then forward the original document to the Accounts Payable Department in accordance with Section III.A.2.
- b. When a lease or other agreement (such an agreement will hereafter be referred to as a lease) is required to be signed, the lease requires a review and approval of the conditions of the lease by the Campus Dean for Administration, in addition to the approvals described in Section III.A.2.b. of

this Procedure. When a lease might subject the College to an insurance liability, the Originator should discuss the conditions of the lease with the College's Director of Risk Management.

### **Payment Processing for Property Use or Rental/Lease**

- (1) In cases involving the rental or lease of real estate, whether or not a lease is required, the Originator shall prepare a Department Requisition. The Department Requisition, together with appropriate documentation, shall be forwarded through established channels to the Purchasing Department for review and issuance of a Purchase Order.
- (2) At appropriate times and as specified by the terms of the agreement or lease, the Originator shall submit signed invoice(s) or other supporting documentation to the Accounts Payable Department for payment in accordance with established College Procedure.

#### **4. Contracts with the Federal Government**

Contracts and agreements with the Federal government shall be presented to the Board for approval as a special agenda item. The agenda item will be prepared by the Originator in the appropriate format and forwarded to the Campus President or Vice Provost for Board action.

After all signatures and approvals are obtained on the form or contract, the agreement shall be returned to the Originator for forwarding copies and implementation of the contract. . The Originator will then forward the original document to the Accounts Payable Department in accordance with Section III. A. 2. of this Procedure.

#### **B. Special Instructions**

##### **1. Rationale for the Board Agenda**

Contracts or leases that require Board approval must be accompanied by aboard agenda item in appropriate format prepared by the Originator.

##### **2. College Liability**

When a contract or agreement might subject the College to an insurance liability, the Originator should discuss the conditions of the contract or agreement with the Director of Risk Management.

##### **3. Timely Submission of Contracts and Agreements**

Contracts and agreements must not be executed until all required signatures and the required social security number or tax identification number on the Agreement for Services or lease have been obtained. To ensure the accuracy of this information, the

Originator should obtain a completed IRS Form W-9 “Request for Taxpayer Identification Number and Certification” from the contracting party. Campus Presidents and Vice Provosts should be aware that the later the contracting party signs the agreement, the later the payment will be made.

4. Contracts and Agreements with Family Members of College Employees

Under no circumstances may a College employee execute or approve a contract or agreement with a member of his or her family. Failure to comply with this guideline may result in the termination of employment with the College.

5. Department Requisitions, Disbursement Requests and Required Documentation


Disbursement Requests with original documentation (invoices, receipts, etc.) and signed invoices, when a Purchase Order is issued, should be forwarded to Accounts Payable in a timely manner. Invoices from companies or organizations must be submitted on the organization's letterhead.

6. Reports to the Board of Trustees

Contracts and lease agreements will be listed in a monthly report to the Board of Trustees (those requiring Board approval will be reported in a separate Board item, see item 1 above). This report will be prepared by the Controller's Office. Continuing Contracts requiring multiple payments will be reported along with the first payment. One-time payment contracts will be reported to the Board upon receipt of the fully executed contract.

7. Approval Designation

At the option of a Campus President or Vice Provost, the authority for contracts may be delegated to one person within a Campus or District function. A memorandum delegating signature authority for any fiscal year should be on file in the Accounts Payable Department.

	
	11/8/05
<b>PRESIDENT</b>	<b>DATE</b>