

College Operating Procedures (COP)



Procedure Title: Contract Submission and Renewal Processes
Procedure Number: 10-0101
Originating Department: Office of Operations

Specific Authority:

Board Policy
Florida Statute
Florida Administrative Code

Procedure Actions: Adopted: 08/23/2022; 4/18/2024;03/11/2025

Purpose Statement: To ensure that all College service agreements including, but not limited to Contracts, License Agreements, Quotes, Proposals, and Memoranda of Understanding (MOU) are submitted, reviewed, and approved in a consistent, methodical, efficient, and thorough manner.

Guidelines:

This policy sets out the rules and procedures relating to all service agreement *contracts* performed for the College. All College employees shall adhere to this policy as it relates to all aspects of College *contracts*. Attempting to circumvent guidelines within this procedure may result in the non-approval of a *contract* or cancellation of an event or service. College Operating Procedure (COP) 05-0106: Employee Acceptance of State Laws, College Policies and Procedures states employees that violate the policies of the College may be subject to disciplinary action including termination.

Definitions:

“Contract”: A written agreement intended to be enforceable by law which outlines goods and professional services involving the College which include, but are not limited to: Agreements, Quotes, Proposals, and Memoranda of Understanding (MOU).

Procedures:

1. All non-construction *contracts* require approval from the Vice President / Chief Information Officer, the President, and/or the Board of Trustees according the following authority levels:
 - a. *Contracts* valued up to \$100,000.00 require the signature of the Vice President/Chief Information Officer
 - b. *Contracts* valued between \$100,000.01 and \$325,000.00 require the Vice President / Chief Information Officer’s recommendation for the President’s signature.
 - c. *Contracts* over \$325,000.00 require the Vice President / Chief Information Officers and President’s recommendations for the Board of Trustees’ signature.
 - d. Construction contract services, architectural and engineering services contracts require approval from the Assistant Vice President, Capital Projects, Facility Planning, and Maintenance. These services are performed under continuing

contracts for construction contract services in an amount not to exceed two hundred thousand dollars (\$200,000) each.

- e. Department heads may not sign *contracts* on behalf of the College.
2. Budget Administrators will review their department's *contracts* prior to submitting them for approval. Budget Administrators shall submit *contracts* for approval to the Office of Risk & Contract Management department ensuring all necessary supporting documents are included in the submissions. Incomplete submissions are not accepted. It is the responsibility of the submitting department to negotiate the terms of the *contract* that are in the best interest of the college.
3. *Contracts* should be submitted for review and approval no later than fourteen days (14) prior to *contract* start date. New *contracts* should be submitted for review no later than thirty days (30) prior to *contract* start date. Due to the high volume of recurring annual contracts, it is highly encouraged that departments submit recurring annual *contracts* by April 1 for July 1 *contract* commencement terms.
4. The Office of Risk & Contract Management will review *contract* submissions for language consistent with college approved templates, sovereign immunity rules, renewal guidelines, and terms. Additionally, the Office of Risk & Contract Management shall ensure appropriate insurance requirements and risk transfer are met and will inform Vice President of potential exposure, if applicable.
5. The Office of Risk & Contract Management shall review *contracts*, seeking consult from General Counsel, to ensure legal sufficiency including, but not limited to, compliance with relevant federal and state laws, compliance with policies and procedures, conformity with the College's expectations, and adequate protection of the College's interests and rights. *Contract* language is developed by the Office of Risk & Contract Management. Material changes made in a document will be approved by General Counsel. The Office of Risk & Contract Management will be the primary contact with other parties' legal counsel and will seek General Counsel's assistance as needed.
6. After a *contract* submission is reviewed by the Office of Risk & Contract Management and General Counsel, when applicable, the Office of Risk & Contract Management will send the submission to the appropriate College signatory(ies) for final approval.

College Contracts – single contract or templates created by the College

1. The Office of General Counsel is the owner of all College *contract* templates and may make necessary changes to update the templates.

These templates will be reviewed every three years by General Counsel:

- BO-035 Facility Use Agreement –
- BO-078 Arena Use Agreement

- BO-080 Independent Vendor Agreement - Food Kiosk
- BO-081 Clinical Affiliation Agreement Addendum
- BO-082 Clinical Affiliation Preceptorship Agreement
- BO-083 Summer Camp Agreement
- BO-084 Suncoast Credit Union Suite Agreement
- BO-085 Hospitality Suite Addendum for Arena Agreement
- BO-086 Construction Management Agreement
- GC-03 Independent Contractor Agreement
- GC-07 Art Loan Agreement
- GC-09 Mentor Teacher Agreement
- GC-11 Speaker AgreementGC-13 Clinical Affiliation Agreement
- GC-14 Trademark License Agreement
- RM-004 Agreement Between Owner and General Contractor
- RM-013 Higher Education Institution Contract Addendum

Contract Renewals - These are *contracts* with FSW vendors for services or annual/multi-year events that renew regularly.

1. Contract renewals for year 1 and 2 will be reviewed by the Office of Risk and Contract Management to ensure contract language has not changed from the previous legally reviewed contract.
2. *Contract* renewals are reviewed by General Counsel and the Office of Risk & Contract Management on the third year of an annual renewal or upon entering a new agreement with an existing party for a multi-year term. Contract renewals for year three (3) must be approved by General Counsel.

New Contracts

1. New contracts with legal verbiage will be reviewed by the Office of Risk & Contract Management and forwarded to General Counsel to review and approve.
2. Any changes to the contract language will be approved by General Counsel.
3. The Office of Risk & Contract Management or General Counsel may reach out to the department or other party's legal department as needed for more details regarding the contract.

Contract Cancellation

1. Departments should be familiar with their contracts' termination clauses. If a department needs to cancel/terminate a *contract* prior to the end of the contract's expiration, the department must notify the Office of Risk & Contract Management keeping in mind the timing within the termination clause.

2. The Office of Risk & Contract Management will review contract terms and consult with General Counsel to determine if *contract* termination is possible.
3. If a termination is possible, then the Office of Risk & Contract Management will draft and send the Notice of Cancellation to the vendor.