



Policy Title College Contracts Signature Policy

Policy Number	2200
Category	Administration & Community Relations
Applicability	College-wide
Responsible Office	Office of Legal Affairs
Effective Date	August 15, 2024

I. Policy Statement

All contractual agreements entered into on behalf of Suffolk County Community College require an authorized signatory. This policy identifies those College employees, by title, who are authorized to execute College contracts and legally bind the College to obligations set out in such agreements.

II. Rationale

Only an individual authorized to legally bind the College is permitted to be a signatory on College contractual agreements. As the chief executive of the institution, the College President has authority to execute agreements on behalf of the College. The breadth of the College’s operations require that the College enter into numerous contractual agreements, including but not limited to agreements for purchase of goods and services, for the use of College facilities, for educational services offered by the College to third parties, as well as labor and employment-related MOUs and agreements. This Policy extends authority to other College employees, in addition to the College President, who may bind the College to contractual commitments and who are authorized to execute College contracts on behalf of the institution.

III. Scope and Applicability

This Policy applies to all College employees. Agreements executed by an individual without express prior authorization shall not be binding on Suffolk County Community College. College employees who are not herein authorized but nevertheless execute contractual agreements which purport to be on the College’s behalf may be subject to discipline in accordance with any applicable law or collective bargaining agreement, and may be held personally responsible and liable for performance of obligations in such agreements, including payments required by unauthorized agreements.

IV. Responsible Office/Executive

The Office of Legal Affairs has responsibility for the implementation and review of this Policy.

V. Definitions

- A. Agreement/Contract:** a written document, including an electronic document, that creates legally binding obligations between the College and another party.

- B. Procurement Contract:** an agreement for the College to purchase goods, commodities and/or services, awarded after a formal solicitation, such as a Formal Sealed Bid or a Request for Proposals, where the anticipated annual expenditure is above \$20,000 for services, commodities and/or professional services contracts, and above \$35,000 for public works contracts. A “Procurement contract” shall also include contracts for goods or services which are exempt from competitive bidding pursuant to the [College Procurement Policy](#) (i.e., preferred source contracts, county contracts, sole source purchases, etc.) and have an anticipated annual expenditure in excess of \$20,000.
- C. Use-of-Facilities Agreement:** a revenue-generating revocable permit which allows for a temporary Use of College Facilities by outside parties, in conformance with the [College’s Facilities Use Policy](#).
- D. Lease/License Agreement:** an agreement whereby College buildings or portions thereof, and/or outdoor facilities are rented to outside parties on a long-term basis for the exclusive use of the third party, in return for the payment of lease or license fees to the College.
- E. Affiliation/Internship Agreement:** an agreement with a hospital, a healthcare facility, another college or university, or a place of business whereby College students are able to receive clinical/practical training relating to a College course in which they are enrolled, or whereby the College is offering clinical/practical training to students enrolled in another college or university.
- F. Continuing Education/Workforce Training Agreement:** revenue-generating agreement whereby the College’s departments of Workforce Training and Continuing Education are providing training or workshops to outside organizations and their employees.

VI. Policy

All contracts entered into on behalf of the College require prior review and approval by the College’s Office of Legal Affairs. For revenue-generating agreements, such as Use of Facilities and Continuing Education/Workforce Training Agreements, a template reviewed and approved by the Office of Legal Affairs, if used without substantive revisions, does not require subsequent approvals by the Office of Legal Affairs. Once reviewed and approved by the Office of Legal Affairs:

- A.** All Procurement Contracts require written approval by the area Vice President and the Vice President for Business & Financial Affairs, and must be executed by the College President.
- B.** All contracts which require the expenditure of College funds, but which fall below

the anticipated threshold of Procurement Contracts (under \$20,000 for purchase/service agreements, and under \$35,000 for public works contracts) must be approved by the area Vice President and may be executed on behalf of the College by: College General Counsel, College Deputy General Counsel, the area Vice President, the Vice President for Business and Financial Affairs, or College President.

- C.** All Lease and License Agreements must be recommended as to financial terms by the Vice President for Business & Financial Affairs and executed by the College President.
- D.** All Use-of-Facilities Agreements must be executed by the Vice President for Student Affairs. Any Use-of-Facilities Agreements with financial terms that differ from those outlined in the College's [Facilities Use Policy](#) must also be recommended by the Vice President for Business & Financial Affairs.
- E.** All Articulation Agreements and Affiliation/Internship Agreements must be executed by the Vice President of Academic Affairs.
- F.** All Continuing Education/Workforce Training Agreements must be approved by the Associate Vice President for Workforce Development, recommended as to financial terms by the Vice President for Business & Financial Affairs, and executed by the College President.
- G.** All Memorandum of Understanding (MOUs), Memorandum of Agreement (MOAs), and collective bargaining agreements with unions representing College employees must be executed by the College President and the Vice President for Human Resources.
- H.** Agreements which do not require expenditure of College funds, and which are not expressly addressed above (i.e., confidentiality and non-disclosure agreements, intellectual property use agreements, memoranda of understanding with other municipalities/governmental entities, etc.) may be executed on behalf of the College by the College General Counsel, College Deputy General Counsel, area Vice President, or College President.
- I.** The appropriate signatory for any agreements relating to litigation, arbitration, settlement or resolution of any claims/disputes of a legal nature will be identified by the College General Counsel, based on the nature of the specific legal matter.
- J.** All other contractual agreements must be executed on behalf of the College by the College President or their designee.
- K.** When an Authorized Signatory is unavailable to execute agreements on behalf of the

College due to business or personal travel, scheduled vacation, or other reasons, the following procedures will be utilized:

1. College General Counsel shall be authorized to execute agreements on behalf of the College President in the President's absence. Alternatively, the President may designate another College employee, in writing, and may authorize such individual to execute College agreements on the President's behalf during the President's absence.
2. Other College signatories listed above may, in their absence, designate another College employee, in writing, who will be authorized to execute College agreements on the signatory's behalf during the signatory's absence. All such designations must be forwarded to the Office of Legal Affairs, and must state the period of time during which the designated individual shall receive the signatory authority.

L. Procedures: The Office of Legal Affairs is authorized to develop and disseminate reasonable rules and procedures as necessary to establish a process for recording any recommendations and approvals that are part of the contracting process, and for tracking and maintaining copies of agreements/contracts on behalf of the College.

VII. Cross-References

- [Procurement Policy](#)
- [Facilities Use Policy](#)

VIII. References

- Middle States Commission on Higher Education (MSCHE) [Standard VII](#)

IX. History/Revision Dates

Board of Trustees Adoption Date: August 15, 2024