

CONTRACT ROUTING PROCESS



The Office of General Counsel and Purchasing is committed to the Essex County College administrators, faculty, and staff to provide a more centralized contract management process. Contract management is the process of managing contract creation, execution, and analysis to maximize operational and financial performance while reducing financial risk. Only Dr. Augustine Boakye President of Essex County College can sign contracts. **Purchasing will secure signature for all contracts.**



Our primary contract management activities center around:

- ★ Involve Purchasing prior to contacting a vendor for goods/services.
- ★ Assist in the writing of contracts or provide College templates.
- ★ Contract negotiation with vendors as deemed appropriate by Purchasing Director.
- ★ Partnering with departments throughout the year to ensure contract compliance. Departments will also receive training and updates.
- ★ Provide support and assistance throughout the contract approval process.

STEP 1

Call or email the **Purchasing Department** to discuss your Departments needs at 973-877-3037 purchasing@essex.edu

STEP 2

Initiating office, department administrator and area head will **review and approve the scope of work**. Initiating office contacts the vendor regarding the contract or request contract from ECC.

STEP 3

Initiating office email the vendor contract to purchasing@essex.edu. Initiating office will participate as requested by purchasing.

STEP 4

Purchasing Department reviews the vendor contract within 7 business days and, if approved, submits it to the **Office General Counsel (OGC)**.

STEP 4

OGC reviews the vendor contract and, if approved as to **legal form**, then a memo is provided to purchasing to secure signatures. If not approved, Purchasing will negotiate the terms based on **OGC** recommendations.

STEP 5

Records retention: The Purchasing Department and **Office of General Counsel** saves an electronic version of the fully executed contract.

Initiating office ensures that the vendor provide a copy.

STEP 6

Oversight of contract fulfilment. Purchasing ensures that goods and services are delivered according to **contract terms**, track the start and end dates of the contract and maintain all records pertaining to the contract.

FREQUENTLY ASKED QUESTIONS



1

What is a contract?

An agreement between two or more people that is enforceable by law. Be careful because a contract doesn't have to have the words "Agreement" or "Contract" at the top of it to be a legal binding agreement. A contract may have any of the following headings- Statement of Work, MOU, Letter of Agreement, Grant, Facility Use Agreement, Invoice, Purchase Order, Terms and Conditions or Subscriptions.

2

Can I get a contract quicker if I go directly to the Office of General Counsel?

No, Contracts must go through Purchasing to ensure that, depending on the dollar amount and supplier, it is competitively bid if needed, that supplier registration has been filled out by the supplier, that the funding source is provided, and that any insurance certificates are collected.

3

What can I do on my end to ensure the contract is processed quickly?

Get Purchasing involved early. You don't want to waste time negotiating with a supplier, only to find out that Essex County College is required by law to formally bid it out, issue a Request for Proposal, etc. or that Essex County College already has an exclusive contract or a master agreement with a different supplier for that same service/goods.

4

What if I signed a contract when I don't have signing authority?

If you sign a contract without signing authority, you may be held personally liable for the full amount of the unauthorized contract. In addition, you could be subject to discipline up to and including termination in accordance to Essex County College policies and procedures.

5

Why does Purchasing process sometimes take a long time?

The #1 reason that the purchasing process can take a while is that the supplier refuses to agree to Essex County College standard terms and conditions. If all suppliers accepted the College terms without modifications the process would go quickly. Essex County College is bound by state, local and federal law and board policies. Some suppliers deal primarily with private companies and do not understand that Essex County College must abide by certain specific laws and requirements. Many times, the College's contracts are accepted without any changes, but it takes a supplier's legal department a long time to review the contract.

The 2nd most common reason is that the initiating department has failed to provide Purchasing with all of the information required.

Examples of Contracts

- ★ MOU and MOA
- ★ Service Agreements
- ★ Leases/Rental Agreements
- ★ Clinical Agreement
- ★ Faculty Contract Addendum
- ★ Consultant Agreements
- ★ Software License Agreements
- ★ Nondisclosure Agreements
- ★ Waiver and Releases