

Essex County College
College Regulation

REG 3-9 AFFILIATION AGREEMENT/CONTRACT PROCEDURES

Purpose:

To establish proper submission, review, approval, distribution, and retention process with respect to contracts and affiliation agreements involving the College.

Application:

1. All agreements and/or contracts shall be submitted to the Area Head, and then to the Purchasing Department for review and clearance.
2. Following Purchasing Department clearance, the proposed agreements/contracts will be submitted to the Office of General Counsel for review. If after review, the agreement is legally acceptable, and/or no amendments, revisions or additional documentation is needed, the Office of General Counsel will so note, and return it to the Area Head for submission to the President. If the agreements or contracts require Board approval, the initiating Department/Area will prepare the request for Board action and submit to the President. The Area Head will ensure that all proposed agreements or contracts are signed by the respective external agency, vendor, or institution prior to submission to the President for approval and Board action, if applicable.
3. Following the President's review and approval of the agreement or contract, the agreement or contract will be signed by the President or, sent to the Board for approval if Board approval is required. For any contract or agreement requiring Board approval, the President will sign the contract of agreement following Board approval.
4. Copies of all fully executed contracts or agreements, and any Board resolution(s), if applicable, will be sent by the Board Liaison to the initiating Department/Area Head, the Purchasing Department, and the Office of General Counsel.
5. The initiating Department will be responsible for sending the external agency, vendor, or institution a fully executed copy of the agreement or contract.
6. Any required Certificate(s) of Insurance shall be promptly obtained from the external agency, vendor or institution by the initiating department. Copies of same will also be forwarded to the Office of General Counsel, the Purchasing Department, and Office of Finance/Senior Comptroller.
7. The initiating department, division or area will be responsible for maintaining files for all contracts or agreements initiated and implemented by that department, division or area.
8. The Office of General Counsel and the Purchasing Department will maintain a record of all College agreements or contracts.

9. Any future contractual modifications or side letters of agreement must be approved by the President, and the Board if applicable. Subsequent to approval, all modifications or side letters will be filed with the Office of General Counsel, the Purchasing Department, and the initiating area, division or department. Copies will be sent to the external agency, vendor, or institution by the initiating department

Responsible Official(s): Office of Purchasing, Office of General Counsel

Reference(s): N.J.S.A. 18A: 64A-12(j)

Regulation History: App. 12/83, Rev. 7/11, 3/17, 3/22, 5/23

Attachment(s):