



<b>Policy Title</b> Contracts Policy	<b>Original Adoption Date</b> 9/15/2017	<b>Policy Number</b> FS-565
<b>Responsible College Division/Department</b> Financial Services	<b>Responsible College Manager Title</b> Vice President of Administration	

**Policy Statement**

All contracts must be signed by the President or designee.  
A fully executed copy must be on file in Financial Services Office.

This policy includes all the following contracts:

- Letter of Agreement
- Memorandum of Understanding
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- Training Contracts (WI Stat 38.14)
- Leases
- Clinical Agreements
- Articulation Agreements
- IT Maintenance Agreements
- Software Contracts
- Vendor Contracts

Procurement contracts do not include educational or employment contracts.

Contract Language Requirements

Contracts shall contain the following language:

1. Provision for termination by the District.
  2. Conditions under which the contract may be terminated by default.
  3. Condition where the contract may be terminated due to circumstances beyond the control of the contractor
  4. Provisions for administrative, contractual, or legal remedies when contractors violate or breach contract terms.
  5. A provision requiring compliance with Executive Order 11246, entitled, "Equal Employment Opportunity" as amended by Executive Order 11375, and as supplemented in Department of Labor Regulations (41 CFR Part 60) for all contracts over \$50,000 and all construction contracts over \$10,000.
  6. Effective date and termination date (7 years is the maximum term allowed by the WTCS).
  7. Clear understanding of deliverables and expectations of the contract.
  8. Wisconsin laws must apply to contract terms and conditions.
  9. Require claims to be brought to a Wisconsin court
  10. Do not agree to the following:
    - a. Binding arbitration.
    - b. Unilateral indemnification or hold harmless agreements.
    - c. Cover court costs and fees in the event of litigation.
    - d. Limitations to specific dollar amounts if damages are incurred.
    - e. Pay tax.
- Vendors must be able to provide a certificate of insurance per the requirements set by the College.
  - Vendors may be required to complete a Vendor Security Form.
  - Vendors with employees and/or contractors who may come in contact with a student, either on



campus or remotely, are required to train those employees and/or contractors on their responsibilities under Title IX of the Education Amendments of 1972. In the event an employee and/or contractor is a supervisory or management role, he or she is considered a mandatory reporter for Title IX purpose.

**Reason for Policy**

**Historical Data, Cross References and Legal Review**

**Reviewed/Revised:** 09/15/17, 1/26/18, 10/22/2018

**Cross Reference:** WI Stat 38.14, Department of Labor Regulations (41 CFR Part 60)

**Legal Counsel Review and Approval:** N/A

**Board Policy:** III.A General Executive Constraint

**Definitions**