

SANTA ANA COLLEGE
STANDARD OPERATING PROCEDURE

CONTRACT/AGREEMENT/MOU/AFFILIATION AGREEMENT

APPROVAL AND RECORDATION SYNOPSIS

Objective:	To establish procedures for approval and recording of contracts, agreements, affiliation agreements or memorandums of understanding (MOU's).
Applicable to:	All managers seeking approval of a contract, agreement, affiliation agreements or MOU that resides within their area of responsibility.
Initiator:	Administrative Services

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1. Manager Responsibilities When Seeking Approval and Recording of Contracts, Agreements, Affiliation Agreements or MOU's

The responsibilities of managers seeking approval of contracts, agreements and/or MOU's (hereinafter collectively referred to as contracts) are as follows:

1. If the contract is for a grant, MOU, Affiliation Agreement or an amount over \$14,999, download, complete, and submit the [Contract Checklist for Board Docket](#) to your respective Vice President (VP) with a copy to their Executive Secretary and the Administrative Clerk, in the Administrative Services department.
2. If the contract is for an amount under \$15,000, download, complete, and submit the [Checklist for Contracts Under \\$15,000](#) to your respective Vice President with a copy to their Executive Secretary for review. After area VP reviews the agreement, please submit checklist with the agreement to the VP of Administrative Services, and a carbon copy (cc) to: saccontractsandagreements@sac.edu.
3. Use District contract templates whenever feasible (see below for location of templates).
4. Begin negotiations of new contracts, MOU, Affiliation Agreements, or contract renewals at least six (6) months prior to the anticipated contract start date to ensure ample time for administration and/or Board approvals.
5. Review terms and conditions of non-District contracts with the Director, Contracts Management Services for questionable language that places undue liability upon the District. If seeking approval of a software order form, please note that the forms typically include a link that contains contract terms and conditions.
6. Review and compare any redlined language in District contract templates with the Director, Contracts Management Services.
7. Assist the Director, Contracts Management Services in negotiations with the other party to the contract to remove or revise questionable language.
8. Ensure the contract format is consistent with District guidelines:
 - a. Opening paragraph states that the contract is with Rancho Santiago Community College District on behalf of the Santa Ana College (insert applicable program, department, division or area name).
 - b. Per Education Code 81644, contracts for work or services cannot exceed five (5) years including any options to renew the contract by amendment. Note that the District does not allow automatic renewal language in contracts. Such language needs to be struck from any contract.
 - c. The "Notice(s)" section of a contract must follow the format as found in the District's Purchasing Agreement template. For contracts under \$15,000 (excluding grant contracts) that will be signed by the Vice President of Administrative Services, make sure the notices for the District are sent to the Vice President of Administrative Services at Santa Ana College's address.
 - d. Signature block for the Vice Chancellor of Business Services and/or Vice President of Administrative Services is formatted correctly.
 - e. The Scope of Work (typically Exhibit A) must include the subheadings (Project Scope, Period of Performance, Physical Location, Supplies and Equipment, Payment Rate, and Total not to Exceed) and pertinent information as shown in the [Statement/Scope of Work Example](#) located on the Contracts page of the District Intranet (see Section 3 of this standard operating procedure.

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2. How Managers and/or Administrative Support Staff Record and Obtain Approval of Contracts, Agreements, Affiliation Agreements or MOU's

1. For board submitted items, request a SAC contract number via email from the Assistant to the President, copying your immediate supervisor and respective Vice President.
2. Record contract upon full approval in the [Contracts Workbook](#). Note that managers must ensure that all contracts within their area of responsibility are recorded in the [Contracts Workbook](#) and a PDF copy of the contracts are deposited in the [Contracts Repository](#).
 - a. For contracts under \$15,000, file names must begin with SAC followed by the six-digit date formatted by year, month, and day (e.g., October 11, 2022 format is SAC-221011....).
 - b. For contracts approved by the Board, file names must begin with the SAC contract number (e.g., SAC-19-052B....).
3. For all contracts, obtain contract review by emailing the District's Contracts Management team at contracts@rscdd.edu.
4. To signify that the manager has reviewed and/or negotiated the terms and conditions of the contract and accepts responsibility for ensuring compliance:
 - a. For contracts under \$15,000, initials from the responsible manager, Director, Contracts Managements Services, and responsible VP's initials should be placed next to the District representative's signature block.
 - b. For board approval items, all approvals must be recorded and dated on the contract checklist and submitted with docket files.
5. The responsible manager will submit an electronic copy of the contract to their area Vice President's office for approval by the President's Cabinet and the Board of Trustees if necessary.
6. For approval of contracts under \$15,000 (excluding grant agreements, MOU and Affiliation Agreements), the Vice President of Administrative Services has signature authority as stated on [AR 6150](#). Contracts must allow three to four weeks for processing and for a Purchase Order to be generated prior to the start of work. Contracts will not be signed by the Vice President of Administrative Services if work has already started or has been completed. Following appropriate approvals, send the contract via Adobe Sign to the Vice President of Administrative Services, with a carbon copy to saccontractsandagreements@sac.edu. Contracts that do not follow this standard operating procedure will be returned to the sender.

Once the contract is approved, it is up to the initiating department to obtain the insurance documents from the contractor and submit those to Purchasing before a purchase requisition can be issued.

3. Where to Find This Standard Operating Procedure, Contracts Workbook, Contracts Repository, Contract Templates, and Other Helpful Resources Relating to District Contracts

This standard operating procedure and contract templates and resources can be found on the [District Intranet](#) by selecting the following links:

- Standard Operating Procedure:
 - Standard Santa Ana College > Standard Operating Procedures > Contract/Agreement/MOU <https://intranet.rscdd.edu/SAC/Pages/default.aspx>

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- Contract templates and resources:
 - Contracts Management Services → <https://intranet.rscgd.edu/ContractManagementServices/Pages/default.aspx>

 - Purchasing Services Training –Purchase Agreement:
 - Purchasing Services (scroll down to Trainings) - https://intranet.rscgd.edu/Purchasing/Documents/Professional_Services_Agreement_Training_PP_4-27-22.pdf

The Contracts Workbook and Contracts Repository can be found in:

- H:\Public\SAC Contracts Workbook and Repository

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