Contract Execution

I. Purpose

To implement Board of Education of Baltimore County (Board) Policy 3215 by establishing uniform guidelines for the review, approval and execution of contracts and the modification of contract documents on behalf of the Board and the Baltimore County Public Schools (BCPS).

II. Definitions

A. **Contract** – A legally binding agreement or memorandum of understanding between the Board and a vendor, merchant, consultant or business to provide a good, perform a service, build a structure, improvement or appurtenance, lease property or rent equipment in exchange for appropriate consideration.

B. **Contract Modification** – Any written alteration in specifications, delivery point, period of performance, price, quantity or other provision of a contract accomplished by mutual action of the parties.

C. **Entertainment Agreement** – An agreement between the Board of Education of Baltimore County and a contractor to provide entertainment services at a school-sponsored event.

D. **Graduating Class Agreement** – An agreement between the principal of a school and the graduating class officers to allocate class account balances for designated purposes.

III. Guidelines

A. This rule governs all contracts and contract modifications that create a binding obligation upon the Board or BCPS.

B. The Office of Purchasing shall establish procedures for the review, approval and execution of contracts and contract modifications on behalf of the school system.

C. Contract Execution and Delegation of Authority
1. Contracts or contract modifications in excess of $500,000.00 require the signature of the Board Chair and the Superintendent.

2. The purchasing manager is delegated authority by the Superintendent to execute all contracts, or contract modifications, valued at $500,000.00 or less on his/her behalf, unless the contract is associated with the expenditure of school activity funds.

3. The school principal may execute contracts, or contract modifications, graduating class agreements, entertainment agreements, and equipment rental agreements related to the expenditure of school activity funds.

IV. Compliance

A. All employees are responsible for following Board policies, including the Board’s ethics code, Superintendent’s rules and established procedures when executing contracts and contract modifications on behalf of the school system.

B. A contract and/or contract modification signed by any individual who does not have documented signature authority is not binding on the Board of BCPS, but may subject the individual who signed without requisite authority to personal liability.

Legal References:  Annotated Code of Maryland, Education Article § 4-205, Powers and Duties of County Superintendent
Annotated Code of Maryland, Education Article § 5-112, Contracts for School Buildings, Improvement or Supplies

Related Policies:  Board of Education Policy 3125, School Activity Funds
Board of Education Policy 3160, Review and Approval of School-Sponsored Activities
Board of Education Policy 3209, Purchasing Principles
Board of Education Policy 3210, Purchasing Guidelines
Board of Education Policy 8360 Sub Series, Ethics Code

Rule Superintendent of Schools
Approved: 09/25/69