Reference : LEGAL
Section : GENERAL
Title : CONTRACT PREPARATION, EXECUTION AND MANAGEMENT

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PROCEDURE

The following procedures apply to all agreements that are maturing on a scheduled basis as well as new obligations, which are being processed by the Legal Department as a result of current Board action.

1. During the preparation of any agreement, it will be necessary to obtain review and approval of the branch head whose task it will be to implement the contract. This directive is to apply to all services, purchase of expendables, and equipment.
2. Once the agreements are drafted by the Legal Branch and approved by the implementing branch, they should be forwarded to the outside agency, client or vendor for signature. Subsequent to execution as indicated above, all contracts should be reviewed for accuracy and then forwarded to the Executive Director for signature. All contracts forwarded to the Executive Director for signature must be endorsed by the branch head responsible for the implementation of the contract.
3. All contracts should be certified by counsel and forwarded to the Executive Director with a cover memo identifying the appropriate Board authorization. In no case should covenants of any contract deviate from approved specifications and price as provided by Board resolution.

CONTRACT MANAGEMENT:

The following procedures apply:

1. Once a contract has been executed by the Executive Director, the Legal Branch will forward it to the Chief Financial Officer and the Branch Manager of the Branch that submitted the Board Action Request for approval of the contract. It is up to the Branch manager to ensure that the employee responsible for managing the contract receives it.

2. Upon receipt, the employee responsible for managing the contract must carefully review the contract to make sure that he/she understands all the terms. Any questions should be directed to the Legal Branch.

3. All time frames set forth in the contract for action by either NFTA/Metro or the contractor must be noted and monitored to ensure compliance. As the end of the contract term approaches steps must be taken to solicit bids or proposals for a new contract sufficiently in advance so that there is no gap in time between the expiration of one contract and Board approval of another. In the event the contract contains an option to renew, timely notice must be given to the third party.

4. In the event Board action is required, the Board of Commissioners should receive the item sufficiently in advance in order that the Board can take appropriate action (i.e., re-bid, referral to committee, etc.).

5. All contract requirements must be observed. Any deviation from the contract requirements must have the prior approval of the Legal Branch.