



Business Department
Contract Review and Approval Process

1. Overview

This document describes the review process for Eagle Mountain-Saginaw Independent School District contracts and the required reviews by the initiating campus or departments. Please read the document in its entirety, as it contains important information that you may need when submitting a contract for review.

2. Review of EMS ISD Contracts

A contract is any legally enforceable agreement whether or not it is titled “contract.” Contracts include, but are not limited to, letters of agreement, lecture or performance agreements, licenses, memoranda of understanding, and terms and conditions related to all types of transactions. All EMS ISD contracts must be in writing. An agreement may be a binding contract even though one party provides something of value to the other party at no charge. Therefore, the District may have an interest even though there is no financial transaction. The correct legal name of EMS ISD which should appear on all EMS ISD’s contracts is “Eagle Mountain-Saginaw Independent School District”.

3. Contract Review Process

a. Initial Review by the Initiating Campus or Department

Contracts must be **read completely** by the requestor to confirm that it includes what has been agreed to before submitting the contract for review. This includes all exhibits, attachments and addendums. This review should focus on the business implications of the terms and conditions of the contract. The initiating campus or department must determine what it can or cannot agree to, and what needs to be negotiated with the contractor.

Examples of issues to consider during this review include:

- The contract terms and conditions, including duties of the parties, are clear, consistent and acceptable to the campus or department and to EMS ISD.
- The campus or department has the necessary funds and resources for this contract. Submitting a contract for review signifies that the requestor has secured appropriate approval for honoring all costs associated with the entire term of the contract; ***completing this process is not a guarantee of funding.***
- The contract is appropriate and serves the campus or department’s mission and responsibilities.
- The services provided are the most feasible for the District in terms of quality and cost.
- The contract includes the entire understanding between the parties, without additional oral explanations or promises that are not included in the contract.

b. Submit a Contract Review Form

Following the review by the initiating campus or department, a Contract Review Form must be completed. The Contract Review Form is located with Eduphoria. Below are some quick steps to access and submit the form:

1. Log into Eduphoria;
2. Click on Formspace
3. Click on Submit New Form
4. Click on Business Office Forms
5. Select the appropriate Contract Review Form:
 - Campus: select the form that is *applicable* for the type of contract being submitted.
 - Admin Departments: select your departments form.
6. Fill out the form (Page 1 only), upload a copy of the contract and press submit. That's it, you're done!
 - Form is automatically routed to the first designated approver;
 - A notification email is sent to the submitter of the form – confirming submission;
 - A notification email is sent to first designated approver – requesting action;

c. Form Routing

The Contract Review Form will automatically route to the first designated approver. Forms which originate from a **campus**, the Routing Structure is as follows:

- Contract Review Form (Athletics): Principal / Athletics Director / Chief Financial Officer
- Contract Review Form (Fine Arts): Principal / Fine Arts Director / Chief Financial Officer
- Contract Review Form (General): Principal / Chief Financial Officer
- Contract Review Form (Technology): Principal / Technology Director / Chief Financial Officer

Forms which originate from an **administrative department**, the Routing Structure is as follows:

- Contract Review Form (Admin Dept): Director / Deputy Supt / Chief Financial Officer

d. Contract Review

Contract reviews normally take up to three to five business days. In cases where there is a signing deadline and the contract is time sensitive, you are encouraged to indicate this on the form and contact the CFO's Office as early as possible.

After review of each contract, a notification email will be sent automatically to the submitter of the form, indicating:

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1. The contract is *approved as to form*, in which case the signing authority may sign the contract and submit a signed copy to the Office of the Chief Financial Officer; or
 2. The contract is *approved as to form with modifications*, in which case the changes must be communicated to the contractor by the initiating campus or department, and the signing authority may sign the contract provided that the contractor has agreed to all the modifications; and submit a signed copy to the Office of the Chief Financial Officer; or
 3. The contract is *not approved as to form*.

It is important to know that the review determines the validity of a contract, as opposed to whether the contract is appropriate from a business and administrative perspective. The final decision to enter into a contract is the responsibility of the campus or department initiating the contract, and should take place only after all applicable and District approvals have been obtained.

4. Questions

Questions regarding the contract review process should be directed to the Office of the Chief Financial Officer at 817-232-0880, ext. 2955.