



Contract and Agreement Signature Authority

Effective Date: December 16, 2020

Approved By: Maurice Jones, Town Manager

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POLICY

The authority to sign contracts and other agreements to which the Town is a party is described in this policy.

PURPOSE

Ownership of our roles within the organization and accountability to each other for those roles are the foundation of the Town values of Responsibility and Professionalism. The purpose of the Contract and Agreement Signature Authority policy is to designate responsibility for signing various types of contracts and agreements to which the Town is a party.

R.E.S.P.E.C.T. VALUES



Professionalism: We are committed to the excellence and accountability of our own performance as well as the performance of the organization. We carry out our jobs efficiently and effectively, are open to feedback about our performance and show a willingness to learn.



Responsibility: We acknowledge that our duties impact the jobs of many other employees. We take ownership over our roles within the organization as a way to demonstrate our consideration for the time and efforts of our fellow employees as well as pride in our own work.

APPROVAL

Maurice Jones, Town Manager



Contract and Agreement Signature Authority Procedures

Effective Date: December 16, 2020

Approved By: Cliff Turner, Human Resources Director

PROCEDURES

- A. Types of Contracts and Agreements:** The Town is a party to a variety of contracts and agreements. A list of these types of contracts and agreements, which may not be exhaustive and is subject to change, is included as an appendix to this policy.
- B. Signature Authority:** As stipulated in Resolution [2013-01-28/R-3](#) adopted by Council on January 28, 2013, the Town Manager may delegate authority for executing certain contracts and other agreements.
- 1. Designated Signatory:** The delegation of this authority is set forth in Appendix A. In the event that the designated signatory (Executive Director or Department Head) is unable to sign a contract or agreement, the Town Manager, Assistant Town Manager, or Deputy Manager is the only other authorized signer.
 - 2. “Interim” Department Heads:** Interim Department Heads are authorized to enter into listed contracts or agreements for which authority has been delegated to a Department Head.
 - 3. “Acting” Department Heads:** Acting Department Heads are not authorized to enter into contracts and agreements in lieu of the Department Head.
 - 4. Town Manager, Assistant Town Manager, and Deputy Town Manager:** Any agreement or contract that is not of the type listed in Appendix A as one for which authority is delegated to an Executive Director or Department Head shall be signed by the Town Manager, Assistant Town Manager, or Deputy Manager. The Town Manager retains the authority to sign all contracts and agreements that do not specifically require Council approval.
- C. Contract and Agreement Routing:**
- 1. Financial Impact:** Contracts and agreements that may have a financial impact must be routed through the Business Management Department using the established routing procedures and forms. Contracts and agreements that may have a financial impact include, but may not be limited to, those with any of the following criteria:

PROCEDURES
CONT.

- a) Town paying outside party
- b) Outside party paying Town
- c) Town incurring costs
- d) Town making commitments that will involve future costs
- e) Other parties making commitments that will result in payments to the Town or avoidance of cost by the Town
- f) Agreements that involve the Town accepting responsibility that could result in future cost
- g) Agreements that require the Town to act as an intermediary in a transaction

2. Pre-Audit: Department Heads are responsible for ensuring that contracts or agreements meeting any of the above criteria are pre-audited in the Business Management Department to ensure that funds are budgeted and available, verified through the Town Attorney's Office, and notarized by the Town Clerk.

D. Town Manager Notification of Contracts and Agreements Exceeding \$100,000: In the event that the financial impact of a contract or agreement for which an Executive Director or Department Head has been delegated signature authority exceeds \$100,000, the Department Head must notify the Town Manager in writing (email will suffice) prior to execution of the contract.

FORMS/INSTRUCTIONS

Purchasing/Contracts documents (Located on [The Hive](#))

A Resolution Amending Resolution (82-R-40) Authorizing the Manager to Prepare, Approve, and Enter into Contracts: [2013-01-28/R-3](#)

APPENDICES

[Designated Signature Authority](#)

ADDITIONAL
CONTACTS

Manager's Office, Assistant to the Manager, 919-968-2707
Business Management Department, Contracts Manager, 919-969-5025

SCOPE

As of December 1, 2012 this policy replaces and supersedes any previous policies, sections of the employee handbook, or unwritten policies or practices covering the same subject.

POLICY
HISTORY

Adopted April 1, 2013
Updated to include Assistant Town Manager position: December 16, 2020

Type of Contract/Agreement	Final Signature Requirement
Interlocal Agreements (including Mutual Aid Agreements)	Manager/Assistant Manager/Deputy Manager
Construction Contracts Requiring Formal Bids (over \$500,000)	Manager/Assistant Manager/Deputy Manager
Grants and Other Agreements Requiring Manager's Signature by Outside Agency	Manager/Assistant Manager/ Deputy Manager
Fuel Contracts	Manager/Assistant Manager/ Deputy Manager
Transit State Match Applications/Agreements	Manager/Assistant Manager/ Deputy Manager
Small Service Contract	Executive Director/ Department Head
Blanket Contract	Executive Director/ Department Head
Contract Addendums and Amendments	Executive Director/ Department Head
Construction Contracts Under \$500,000	Executive Director/ Department Head
Change Orders and Amendments to Construction Contracts Not Cumulatively Exceeding 10% of Original Contract	Executive Director/ Department Head
Memorandums of Understanding/Agreement (MOUs/MOAs)	Executive Director/ Department Head
Licensing Agreements	Executive Director/ Department Head
Performance Agreements	Executive Director/ Department Head
Maintenance Agreements	Executive Director/ Department Head
Lease and Rental Agreements	Executive Director/ Department Head
Grants Not Requiring Manager's Signature by Outside Agency (i.e. CDBGs) - Applications, Acceptances, etc.	Executive Director/ Department Head
FTA Applications/Agreements/Grants	Executive Director/ Department Head
NCDOT Encroachment Agreement	Executive Director/ Department Head
Town Encroachment Agreement	Executive Director/ Department Head
Utility Agreements	Executive Director/ Department Head
Duke Energy Agreements	Executive Director/ Department Head
Plat Public Improvement Completion Bond Reductions and Releases	Executive Director/ Department Head
Acceptance of New Streets for Town Maintenance	Executive Director/ Department Head
Night Work Permit	Executive Director/ Department Head
Street Closure Permit	Executive Director/ Department Head
LUMO Provisions, including, but not limited to: -Guidance for when a proposed telecommunication facility can be considered an accessory use; -Guidance for application of nonconforming status to property w/o a Special Use Permit; -Method used to apply combined calculations for split zoned Planned Development Special Use Permits; - Guidance that placement of Clothing Bins in parking lots requires a Zoning Compliance Permit; -Further explanation of Front Yard Parking Exceptions; -Interpretation of "all weather" surface; and -Variances Granted by the Board of Adjustment	Executive Director/ Department Head
Special Use Permits	Executive Director/ Department Head
Subordination Agreements	Executive Director/ Department Head
Notices of Satisfaction	Executive Director/ Department Head
Authorization to access federal grant reporting systems (HUD)	Executive Director/ Department Head