

Category: 100
Number: 123

Subject: **AUTHORITY TO SIGN CONTRACTS POLICY**

1. PURPOSE: The purpose of this policy is to:
 - 1.1 Formulate a written County policy regarding which official is appropriate to sign contracts;
 - 1.2 Assure that each contract is approved by the Board of Commissioners;
 - 1.3 Assure that the County Civil Counsel has reviewed all contracts prior to signing to protect the County's interest;
 - 1.4 Assure that the Controller has reviewed all contracts to ascertain that there are appropriately budgeted monies; and
 - 1.5 Communicate to County Elected Officials, Department Heads and the public the formal County policy on what constitutes authorized contracts.
2. AUTHORITY: Saginaw County Board of Commissioners.
3. APPLICATION: This policy applies to all Department Heads, Elected Officials and Agencies of Saginaw County.
4. RESPONSIBILITY: The Controller/CAO shall be responsible for the implementation of this policy. The Chairman of the Saginaw County Board of Commissioners shall have the responsibility of administering this policy.
5. DEFINITION(S): NONE
6. POLICY:
 - 6.1 The general policy is that all contracts, which are executed, must be within budgetary limits after following appropriate purchasing policy and procedures and signed by the Chairman of the Board and/or an appropriate elected official based on statutory or case law authority. No non-elected department head has the authority to sign or bind the County of Saginaw without express permission by the County Board of Commissioners. Only the Board of Commissioners of Saginaw County can authorize multi-year contracts, which affect two or more budget years.

- 6.2 All contracts must be approved by the County Civil Counsel as to legal content and all contracts must be approved by the County Controller with respect to substance and availability of funds prior to execution.
- 6.3 If any Elected Official, Department Head or other County employee or agent signs a contract which is contrary to public policy, forbidden by statute or otherwise disallowed, the County Board of Commissioners reserves the right to set aside such contract and hold the person signing such contract personally liable for any damages caused by entering into an unauthorized contract.
7. ADMINISTRATIVE PROCEDURES: The Controller/CAO shall provide for the administration and processing of County contracts.
8. CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

APPROVED AS TO SUBSTANCE:
Saginaw County Controller/CAO

APPROVED AS TO LEGAL CONTENT:
Saginaw County Civil Counsel

ADOPTED: November 23, 1999