

BP 3312 CONTRACTS/MEMORANDA OF AGREEMENTS

The Superintendent, or his/her designated certifying officer(s), shall be empowered to enter into and execute a Memorandum and Contractual Agreements (MOA).

MOA's in amounts of \$50,000 or less shall be authorized by the Superintendent, or his/her designee. All agreements over \$50,000 and/or where implied liability cannot be determined will be brought to the Board for prior approval.

To determine if Board approval is needed for a specific project, all associated costs, not limited to fees and reimbursable expenses, must be included in the MOA.

Contracts for services under the following provisions are exempt from this policy:

1. in an emergency (health-life, safety);

MOA's that have been exempted from this policy will be reported to the Board at the next regular Board Meeting.

(cf. 3300 - Expenditures/Expending Authority)

Contracts between the district and outside agencies shall conform to standards required by law and shall be prepared under the direction of the Superintendent or designee. Contracts, where appropriate, shall be submitted to the legal advisor of the district for review and approval.

A contract for professional and technical services or other purchased services or any amendment to a professional and technical services or other purchased services contract may not be enforced against the District unless its terms have been approved in accordance with Board Policy and Administrative Regulations and unless the contract or amendment(s) to the contract has been verified in writing that there are sufficient funds for the term of the contract.

All contracts, leases, and agreements shall be signed by the Superintendent or designee. The District shall execute all contracts, leases, and agreements.

The district shall not enter into any contract with a person, agency, or organization if it has knowledge that such person, agency or organization discriminates on the basis of race, color, creed, sex, religion, ancestry, national origin, age or nonjob-related handicap or disability, either in employment practices or in the provision of benefits of services to students or employees.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Legal Reference:

ALASKA STATUTES

[14.08.101](#) Powers

ALASKA ADMINISTRATIVE CODE

[4 AAC 27.085](#) Competitive pupil transportation proposals

[4 AAC 27.100](#) Contractor's duties

[4 AAC 31.065](#) Selection of designers and construction managers

[4 AAC 31.080](#) Construction and acquisition of public school facilities

CODE OF FEDERAL REGULATIONS

[2 C.F.R. 200.317-326](#), Procurement Standards

Adopted: February 25, 1994

Revised: June 09, 2015

Revised: March 30, 2018

Revised:

Northwest Arctic Borough School District