

# BMP Contract Updates

Procurement & Payment Services | April 2024



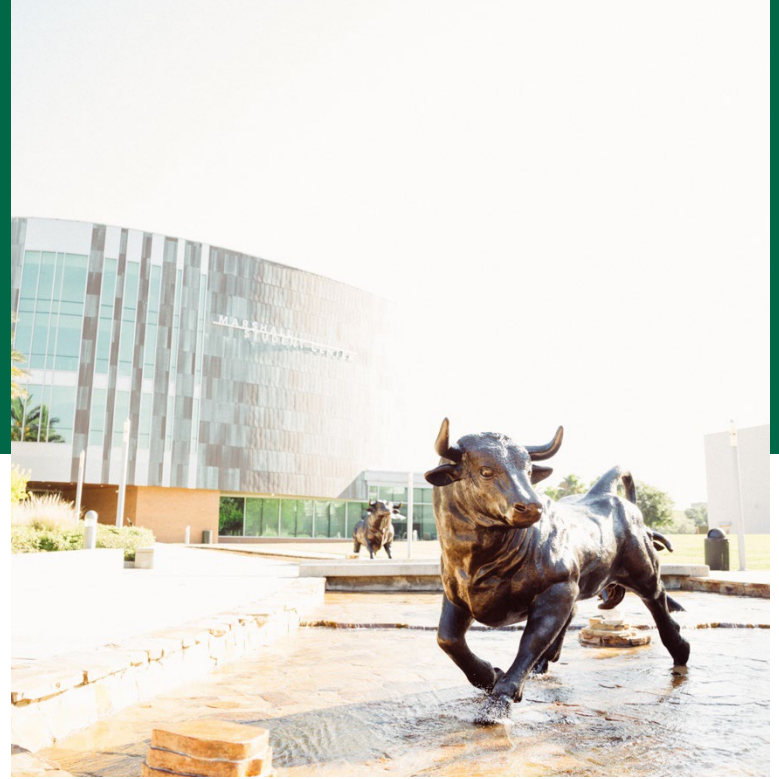
# Our Team

Audie Murphy, Contract Administrator

Robert Robinson, Contract Administrator

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Brie Matier, Director of Procurement



# Outline

1. Role of Procurement
2. Review of Definitions
3. New Form Introduction
4. Live Demonstration
5. Other Reminders
6. Q&A



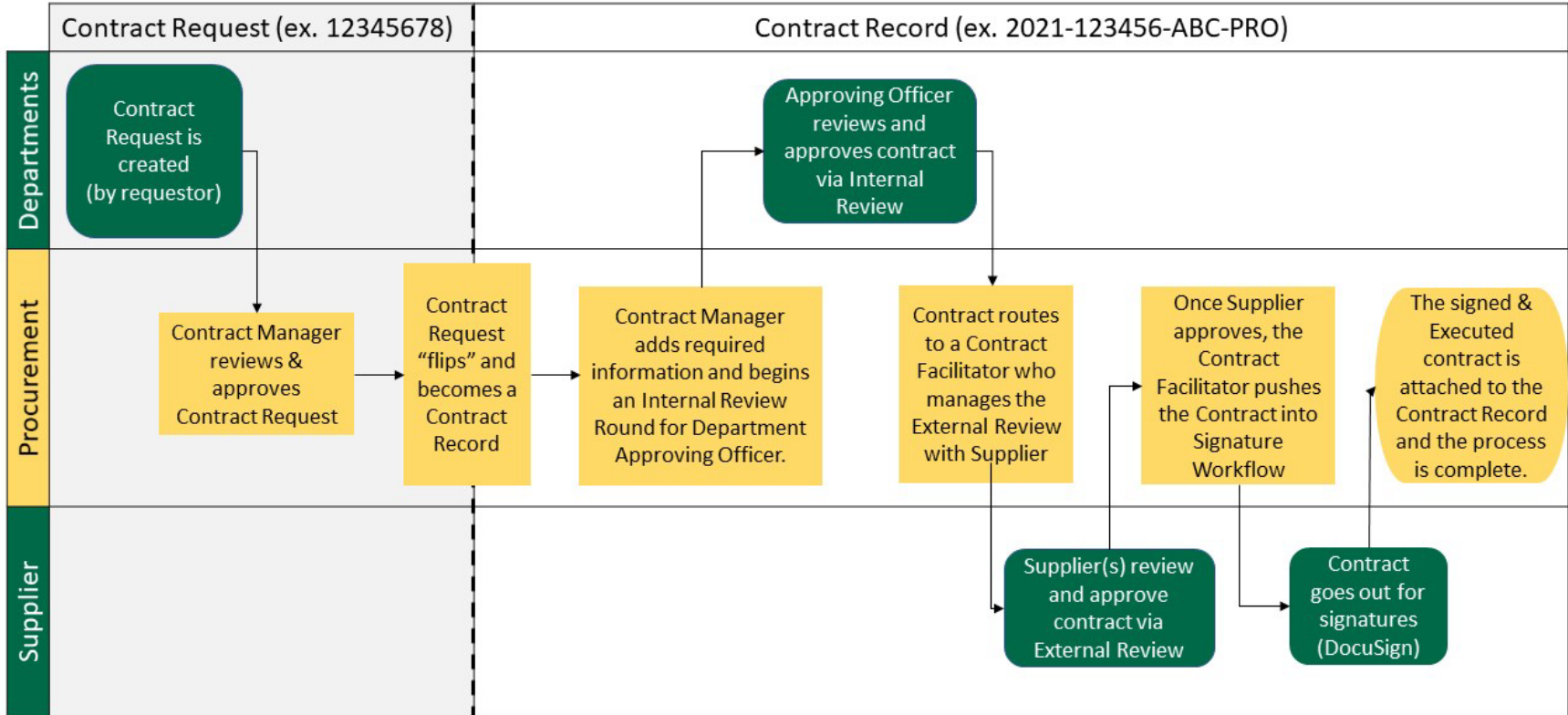
# Role of Procurement

USF Procurement is responsible for the legal review and execution of almost all purchase contracts between USF and external parties (including DSO's).

It is our responsibility to ensure that risk to USF is minimized through the correct application of legal terms and that expenditures are in accordance with our policies around competition.

We are NOT responsible for the review of “Business Terms” such as the deliverables, price, expectations etc. (although we do our best to point out areas of concern and risk)

# Contract Workflow Process



# After Execution...



Management of most\* Contracts transfers to the Department.

Management involves:

- Ensuring both parties are delivering on expectations.
- Costs are managed & payments made.
- Expiration dates are tracked.
- **Renewals / Amendments** are requested and processed in a timely manner.

Procurement is always available to support you in the event of dispute, conflict or to help interpretation of contractual responsibilities.

# CONTRACT DEFINITIONS

## What is a Contract?

A Contract is an agreement between two parties that creates an obligation to perform (or not perform) a particular service.

## When is a Contract needed?

A Contract is executed at the request of either party, or when the deliverables are complex, of high value, span a longer length of time or there are potential risks/liabilities.



# Renewals

A renewal is when a contract is extended beyond the original end date in a way that was defined in the original contract.

It is important to request a renewal before the term of the contract expires to ensure continuity of services.

A renewal should be requested when both parties are happy with the original terms of the contract and wish to extend them for a specified period.

A renewal is not appropriate if there are significant changes to the terms and conditions of the original contract. (however, rate increases may be incorporated)

# How do I know my contract has renewals?

Look for a section that says “Term”

Look for language that says something like:

*“Subject to earlier termination as provided below, the Agreement is for the term specified in the Order Form and will automatically renew for additional periods of the same duration (collectively, the “Term”), unless sooner terminated as set forth in the Order Form or these Terms.”*

*“The initial term of this Agreement will begin on the Effective date of this agreement, and continue for three (3) years. Customer may renew the Agreement for up to two (2) one-year periods.”*



# How do I know my contract has renewals?

Look for a section that says “Term”  
Look for language that says something like:

*“Subject to earlier termination as provided below, the Agreement is for the term specified in the Order Form and **will automatically renew** for additional periods of the same duration (collectively, the “Term”), unless sooner terminated as set forth in the Order Form or these Terms.”*

*“The initial term of this Agreement will begin on the Effective date of this agreement, and continue for three (3) years. Customer may renew the Agreement for up to two (2) one-year periods.”*

Note, in \*most cases a Contract Administrator will edit any language indicating automatic renewal to either A) clearly define renewal terms, or B) allow renewals only after review and signature.

**What are some examples of when renewals are used?**

- Equipment maintenance agreements
- Software license agreements
- Trades agreements

**What are some examples of when renewals are not appropriate?**

- Annual marketing campaigns
- Hotel/Event agreements
- Combining purchase of hardware with service agreement

# Amendments

An amendment is a change to the existing terms and conditions of a contract.

It is important to request an amendment before the change takes effect.

An amendment should be requested when there are significant changes to the original contract that may affect the delivery of services, or legal responsibilities of either party.

An amendment may involve changing the scope of work, price or delivery schedule, or legal terms.

# How do I know my contract allows amendments?

Look for a section that says “Amendments”, “Modifications”. Amendments language can also be found in “General Terms” or “Miscellaneous Terms” sections.

Almost all agreements allow for change, so long as the changes are agreed on by both parties.

Changes must be signed to take effect, we will not agree to posted, or verbal changes.



**What are some examples of when amendments are used?**

**What are some examples of when amendments are not appropriate?**

- Amending the scope of work for unexpected changes.
  - Amending the delivery schedule.
  - Reducing the cost of a contract because a deliverable was not required.
- 
- When the original contract allows for renewals and you are using an amendment to renew services.
  - When the agreement has expired.
  - When the amendment document does not directly reference the contract you are seeking to modify.

**NEW FORMS**



# Current Form

Amendments, New Contracts and Renewals are all requested using the same form.

Renewals and Amendments are often requested the same way and the definitions of each process are muddled.

Each time you fill in a request you have to type in all of the information – using a lot of time.

You have to tell us what contract you are amending or renewing and there is no way to easily track the progress once the request is approved.

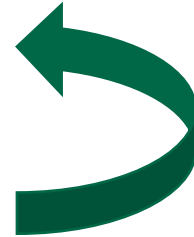
# Why Change the Process?



Tracking amendments back to the original request was too complicate.



Amendments were too manual – and left too much room for error.



Auto-renew functionality created confusion and duplicate requests.

# NEW Forms

Contracts, Amendments and Renewals now each have their own request form

You can search for and select the Contract you are trying to Renew or Amend directly from the request page

## Create Contract Request ×

Contract Request Type ★

Create Contract  
 Amend Contract  
 Renew Contract

Contract Request Name ★

Select a Contract Request Template ★  ×

Select Contract ★

★ Required

Clear form instructions help you to understand if you are selecting the correct form for your needs

## Instructions

 Print Request | History | ?

### To use this form for a Contract AMENDMENT the following must be true:

1. Contract you are amending must have a status of either Executed:Future or Executed:In Effect
2. Amendment document references the original Agreement and indicates a change.
3. Expired contracts may ONLY be amended if:
  - Agreement's end date was dependent on project completion or production of deliverables and actual calendar end date was unclear or undefined.
  - Agreement expired less than 30 days ago.

Amendments may be processed for changes to scope, terms, price, length and may be used to introduce renewal terms.

### This form should NOT be used for:

1. Renewing Agreements that already have renewal terms. A renewal defined in the original Agreement should be requested with a Contract Renewal Form.
2. Processing a new year of a service where the quote does not reference the original agreement. These situations are processed through a new contract request.

Next >

# BUT HERE IS THE BEST PART...

All the contract information for the contract number you provided will already be pulled into the request for you – so all you need to do is review for accuracy and make the necessary changes

Questions - Header Information [Print Request](#) [History](#) [?](#)

▼ On This Page

- Header Information (5)
- Contract Summary (1)

▼ Header Information

Please review the information below and update the Start and End date. The Start Date will be the Start Date of the Amendment and has no impact on the start date of the original agreement. The End Date should only be modified if the Amendment indicates that the End date of the original agreement will change. End Date should align to the original agreement.

Contract Number you are requesting to Amend \* [?](#)

2020-000067-SPA-PRO

Supplier \* [?](#)

BEST BUY STORES LP

Additional Second Parties [?](#)

Type to filter...

Start Date \* [?](#)

04/23/2021

mm/dd/yyyy

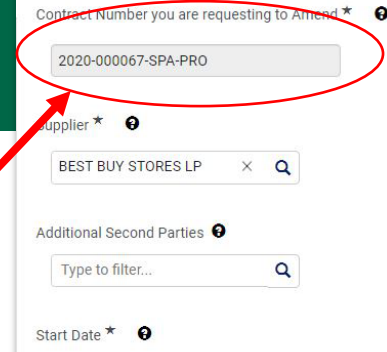
Update Start Date Upon Execution [?](#)

End Date \* [?](#)

Expires On  No Expiration  Term

04/23/2022

mm/dd/yyyy



Since these NEW forms pull information directly from the contract system – you only need to supply NEW attachments, there is no need to provide duplicates or copies of fully executed agreements.

The number of questions are also reduced! Saving you time!

▼ Request Attachments

Attachment

[↓ GeoSciences Field Station Construction Funding MOU Amend 2 stamped 27Mar2024.pdf](#)

~~[↓ GeoSciences Field Station Construction Funding MOU Amend 1.pdf](#)~~

~~[↓ GeoSciences Field Station Funding MOU.pdf](#)~~

You'll also be able to easily track and toggle between your request and the contract using the embedded hyperlinks

The image shows two side-by-side screenshots of a web application interface. The left screenshot displays a 'Completed' contract request for 'Amendment 1' with a form number of 920695. The right screenshot shows the details for the contract '2020-000067-SPA-PRO', which is a 'Supplier Paper Agreement' for 'BEST BUY STORES LP' with dates from 4/23/2021 to 4/23/2022. Red arrows and circles highlight the contract ID '2020-000067-SPA-PRO' in both views, demonstrating the link between the request and the contract details.

Contract Request Details	
Form Number:	920695
Request Status:	Completed
Contract:	2020-000067-SPA-PRO

Contract Details	
<b>2020-000067-SPA-PRO</b>	
GC Test 032320 Contract	
Type:	Supplier Paper Agreement
2nd Party:	BEST BUY STORES LP
Dates:	4/23/2021 - 4/23/2022
Version:	Renewal 0, Amendment 4
Contract Request:	920695

A woman with glasses and a striped shirt is looking at a laptop screen in a classroom setting. The image has a teal overlay. The word "DEMONSTRATION" is written in white capital letters across the center of the image.

**DEMONSTRATION**



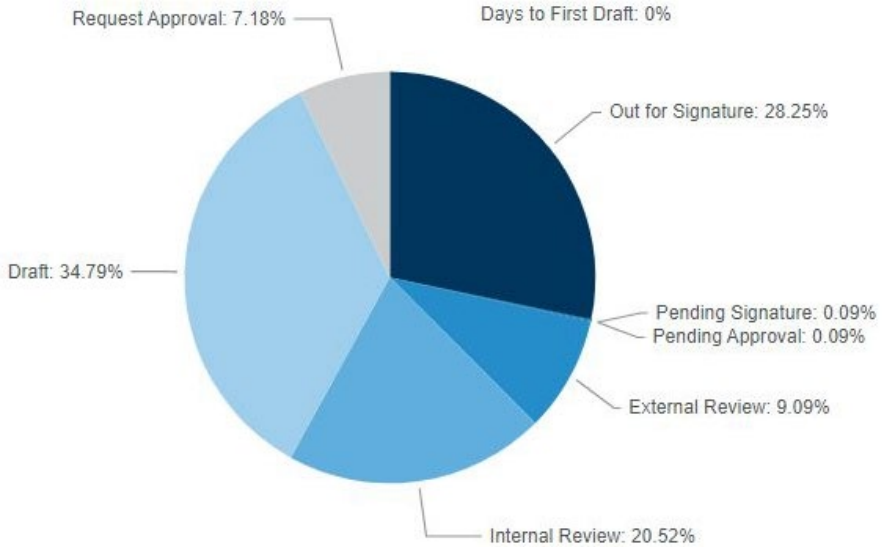
In effect  
**May 6<sup>th</sup>**

Job aids and a training  
recording will be on our  
website



# a few other reminders....

- 1. Please make sure supplier contact information is accurate and complete. Especially signatory information as this drastically increases time to signature.
- 2. Typical turnaround AFTER the internal review is complete is 3-7 business days for uncomplicated agreements.



# a few other reminders....

3. The more information you provide in the Summary section, the easier it is for us to understand the purpose of the contract, which helps for faster review and better protection.
4. Take care naming your attachments – help us understand what should be used in the agreement and what is additional supporting information

Schindler_Amend_#9.pdf
Previous Fully Executed Contract PDF SCHINDLER ELEVATOR CONTRACT- RENEWAL.pdf
Schindler_Amend_#8.pdf
Schindler_Amend_#7 (1).pdf
Amend 5_FE.pdf
Amend 4 _FE.pdf
Schindler+Amend+3_FE.pdf
Schindler Amend # 2 ITN 15-008-PPB updated gc.initialed (0012135) FE.pdf
Schindler Elevator Amend#1-FE(12135).pdf
Schindler ITN 15-008-PPB ELEVATOR MAINTENANCE Agreement.FE-1.pdf

Complete_with_DocuSign_Independent_Contract o-1.pdf
Meloira Statement of Work-Proposal.pdf
ExecuCoach 360 Strategic Planning Proposal.pdf
Proposal - SBJ USF CoN 2.27.24_.pdf
January_2024_SOW_Updated_3_1_24_ (1).pdf

# a few other reminders....

- 5. When using the communication center, be sure to add your Contract Facilitator if you want the system to email them – you can also then request a response

### Internal Communication ✕

Subject \*

Body \*

Format - Size - **B** *I* U ~~S~~ x<sub>0</sub> x<sup>0</sup> A<sup>-</sup> A<sup>-</sup> Ix | :|:|:| -|E -|E | ☰ | Placeholders

---

-----  
Internal use only below line - **Do Not Modify!**

Contract Number: \${CONTRACT\_NUMBER}  
Contract Name: \${CONTRACT\_NAME}  
Secondary Party: \${CONTRACT\_PRIMARY\_SECOND\_PARTY}

---

body 49712 characters remaining

▼ **Recipients (Optional)**

User Recipients  Q

▶ **Attachments (Optional)**

\* Required

Create Close

**From:** Jeffrey Honker    **Sent On:** 4/5/2024 2:33 PM

**Sent To:** -

**Subject:** New version of Amendment with slight change - please substitute 2024 26th Amendment (Journals Ba...

## **a few other reminders....**

6. Be sure business negotiations have concluded before submitting to us for legal review

# Road Map

A road map diagram on a dark green background. The title "Road Map" is at the top center in white. A large, light beige arrow curves from the bottom left towards the top right. Three green circles are placed along the curve, each with a corresponding text label below it. The labels are: "Amendment & Renewal Request Forms" (under the first circle), "Encouraged use of USF agreement templates" (under the second circle), and "Enhanced dashboards for contract & performance management" (under the third circle).

Amendment &  
Renewal  
Request Forms

Encouraged  
use of USF  
agreement  
templates

Enhanced  
dashboards  
for contract &  
performance  
management

**Thanks for attending!  
New forms will take effect**

**May 6**

**Be sure to attend our monthly PPS Q&A sessions  
for continuous contract support.**

**YEAR END IS COMING – GET  
AMENDMENTS/RENEWALS OR NEW CONTRACTS  
FOR JUNE/JULY IN SOON**



**UNIVERSITY of  
SOUTH FLORIDA**