

April 2021
Office of General Counsel

Minnesota State Standard Contract Templates

Minnesota State has approved standard contract templates to accommodate most of the contracting needs of the system office, colleges and universities. Below you will find the most commonly used templates, what they can be used for and additional information. Contact your business office if you have any questions about which template you should be using.

What Standard Contract Template Should I Use?

Template	Use	Helpful Tip(s)
Guest Lecturer/Presenter Agreement	This template is used to compensate guest speakers and entertainers including expense reimbursement, up to \$3,000 if the campus determines there is low risk of injury or other liability arising from the contract.	If the amount is over \$3,000 you must use the Professional/Technical template.
Hotel Contract	This template is used to reserve space and/or catering at a hotel. Often used when meetings and conferences are held at hotels.	Do not sign both our hotel contract template and the hotel's contract. If the hotel has separate terms, please send those to legal counsel for review.
Services Contract	This template should be used for contracting services such as elevator maintenance, equipment maintenance, snow removal, lawn care, window washing, security, sign language, food service, etc.	This template should only be used for non-construction related services. If changes are made to the insurance section Risk Management will need to review the changes and approve them.
Income Contract	This template should be used if the college or university is providing a service or training to another party for money.	If both parties have duties, contact legal counsel for assistance.

Template	Use	Helpful Tip(s)
Professional/Technical (PT) Services Contract	<p>This template is for services that require specialized intellectual, educational, or creative expertise. Such services may include analysis, planning, consultation, evaluation, recommendations, reports, etc. Examples include: graphic design services, editorial services, technology related services, research services, and consultants. P/T contracts generally do not include the provision of supplies or materials.</p> <p>Must also be used for speakers/entertainers above \$3,000.</p>	<p>Remember when a contract goes over certain dollar amounts and/or exceeds 5 years there are additional requirements (RFP/RFP, Board Approval, Equal Pay, Affirmative Action, VC Approval).</p> <p>NOTE: Construction-related projects must use a facilities contract template. Contact Facilities if you have questions.</p> <p>If changes are made to the insurance section Risk Management will need to review the changes and approve them.</p>
Professional/Technical (PT) Services Contract Amendment		You can modify this template to amend any of our templates.
Maintenance/Service Master Contract	<p>Used when you expect to use a vendor repeatedly or intermittently over the course of a year or other defined period of time.</p> <p>It will often contain a work order or purchase order.</p> <p>Most frequently used for providing facilities services. E.g., periodic rug cleaning, snow removal or lawn care, electricians, plumbing, etc.</p>	If changes are made to the insurance section Risk Management will need to review the changes and approve them.

Template	Use	Helpful Tip(s)
Joint Powers Agreement	Used for agreements with other governmental entities (e.g., cities, counties, or tribal nations) when they are jointly sharing their powers or resources (not creating new powers). Used when both parties have shared responsibilities and obligations (as opposed to only one party performing the duties).	<p>If you are contracting with a Minnesota state agency, use an inter-agency agreement. A JPA may be used with other governmental units as defined in Minn. Stat. § 471.59</p> <p>Do not use a JPA to create a board.</p>
Income Contract for Customized Training	<p>Used by Continuing Education/Customized Training programs to contract with a company, government, or other party for Minnesota State to offer training for the employees of a third party, either on site or at a campus.</p> <p>e.g., a campus is providing Microsoft Word training at Walmart – use this contract with Walmart.</p>	<p>The training may be provided by Minnesota State or through another vendor or consultant.</p> <p>If both parties have duties, or there are questions about use or ownership of intellectual property, contact legal counsel for assistance.</p> <p>If the training will involve any physical activity, consult risk management for insurance language.</p>

Template	Use	Helpful Tip(s)
Continuing Education and Customized Training (CE/CT) Professional/Technical Consultant Contract **NEW IN 2021**	Used by Continuing Education/Customized Training programs to hire an individual, consultant, or company to provide training to a third party. e.g., a campus agrees to provide training to ABC Company for OSHA compliance, and then uses this contract to hire a consultant to provide the training.	If both parties have duties, or there are questions about use or ownership of intellectual property, contact legal counsel for assistance. If the training will involve any physical activity, consult risk management for insurance language.

When Do I Need Legal Review?

Legal review of Minnesota State standard contract template is required in two situations:

- 1) If substantive changes have been made to a contract template. Substantive changes include the addition or deletion of provisions in a standard contract template or additions of attachments or addenda to a standard contract template that contain additional terms and conditions.
- 2) Legal review is also required by board policy and procedure for all contracts not on Minnesota State standard contract templates.

There may be other times when legal review is not required but may be a good idea due the nature of the agreement, policy implications, business risk, data or security concerns, etc.

Why Should I Use the Minnesota State Standard Contract Templates?

The standard contract templates provide appropriate protection to Minnesota State and the templates have already been approved for legal sufficiency. Also, using the standard contract templates generally results in a shorter review time by system legal counsel. Always use standard templates first in negotiation with contractors/vendors.

What If the Contractor Will not Use Our Template?

Some contractors prefer to use their contract for a transaction. If a system contract template will not be used for a transaction, then the contract must be routed to system legal counsel for review. Please obtain a Word version of the contractor's contract and send to system legal counsel for review.

Can I Use a Purchase Order (PO) Instead of a Contract?

Purchase Orders can only be used when buying off the shelf items or widgets that don't involve services. An example would be buying copier paper. A question to ask yourself is "can this be returned?" If yes, then you can use a purchase order. If no, then you should use a contract.