



Town of Ludlow Select Board

Contract Signatory Authority Policy

Purpose: The purpose of this Contract Signatory Authority Policy (the “Policy”) is to set forth the general signatory authority for Town contracts, as determined by statute, special legislation and the Town’s bylaws.

Pursuant to M.G.L. c. 4 § 7, the Select Board is the Chief Executive Officer of a Town and has inherent authority to sign contracts on behalf of the Town. Pursuant to the Town’s bylaws at Section 11-39, “the town administrator shall be the administrative officer of the town and shall be responsible to the board of selectmen for the proper operation of town affairs for which the town administrator is given responsibility under this chapter.” Boards and commissions may also be delegated authority by statute, Town Meeting or the Select Board to sign certain contracts. However, contracting authority is limited by Massachusetts procurement laws and M.G.L. c. 44 Section 31, which states “no department financed by municipal revenue, or in whole or in part by taxation, of any city or town, except Boston, shall incur a liability in excess of the appropriation made for the use of such department...” while applies to all contracts by a municipal body.

Applicability: This Policy shall apply to all contracts executed by the Town.

Policy, Rules, & Regulations:

1. The Select Board shall have the authority, as permitted by statute, to execute all Town contracts as part of their inherent authority as Chief Executive Officer of the Town, unless otherwise set forth by statute or Town bylaw.
2. The Town Administrator serves as the chief procurement officer and is responsible for the purchase of all supplies, materials, and equipment, except books and other educational materials for schools, and approves the award of all contracts for all town departments. For contracts awarded pursuant to c. 30B, the Town Administrator may execute contracts without prior approval from the Select Board, subject to appropriation and availability of funding. *Town Bylaws, Section 11-39(h)*.

Notwithstanding, the Town Administrator may consult with and/or defer to the Select Board when in his or her professional judgment it is appropriate to do so given the circumstances, costs or nature of the contract.

3. The Town Administrator is responsible for the negotiation of all contracts with town employees over wages, and other terms and conditions of employment, except employees of the school department, subject to the approval of the Select Board. *Town Bylaws, Section 11-39(k)*
4. The Municipal Golf Course Commission is authorized to make all contracts and agreements for a term of not more than three years necessary or incidental to the performance of its duties and the execution of its powers under this act, to employ such agents and employees as may be necessary in its judgment, and to fix their compensation, and to do all acts and things necessary or convenient to carry out the powers expressly granted in this act; provided, that the provisions of Chapter thirty-one of the General Laws shall not apply to any such employees. *Special Acts of 1974, Chapter 600.*
5. No board or officer shall make any contract on behalf of the Town, the execution of which shall necessarily extend beyond three years from the date thereof, except as otherwise. *Town Bylaws, Section 11-15.*
6. This policy shall not affect or preclude any Town officer, board or committee or commission from entering into a contract where such authority is explicitly provided by law or where such authority has been explicitly delegated in writing where permitted by law.

Dated:

Approved/Adopted:





