

The Contract Review Checklist

Use this checklist to guide you in reviewing your contract. Each item is described further in the "Guide to Contracting at Smith College."

Clause Title	Notes and Descriptions	Is this clause included?		Was approved clause used?		If pre-approved clause was not used who approved change?
		Yes	No	Yes	No	
Name of Parties	"The Trustees of the Smith College"					
Recitals	Used to describe why this agreement is being made					
Term	The dates, or term of the agreement, any intent to renew					
The "deal"	The responsibilities and obligations of the parties A) Responsibilities and Obligations of Smith B) Responsibilities and Obligations of Other Party					
Payment	Terms of payment, if any					
Early Termination	Procedure for early termination of the agreement, if any					
Indemnification	Must be approved by Risk Manager if pre-approved language is altered					
Insurance	Must be approved by Risk Manager if pre-approved language altered					
State law	Only agree to MA law					
Assignment	Usually prohibits assigning					
Severability	Says that the whole agreement remains effective even if one clause is not					
Relationship of the Parties	Usually says no agency or employment relationship created					
Force Majeure – Act of God	Makes clear that events outside the control of the parties will suspend the agreement					
Non-waiver	If a party fails to enforce one paragraph others are not waived					
Notices	Lists who gets notices as required under the Agreement					
Entire Agreement	Clarifies that all agreements are in this writing and no telephone conversations or information in letters or e-mail is effective unless included here					
Signature Block	Signature line for the <u>authorized individuals</u> executing the agreement					