**Instructions**

**for**

**Amendment to Service Agreement**

***Background & Intent***

The Office of the General Counsel (OGC) has created a standard Amendment to Services Agreement (*see OGC standard form* (OGC-SC112). Always take a copy of the latest contract version from the OGC standard contracts library.

Contracts in this department must be identified as contracts that can be amended. An amendment can change the description of work, compensation or term sections of the Services Agreement. This is an easy way to increasing the compensation, add services or extending the term of an agreement without having to start a new agreement.

* Once an agreement has expired it can no longer be amended except in certain limited cases and then only if specifically approved by the Office of the General Counsel.
* A*Services Agreement*can be amended to extend the term for up to a total of five years and can be amended multiple times.
* When using an amendment the department should consider collection issues or if the current level of services can be provided throughout the term.
* Any terms and conditions that were agreed to in the original agreement will be included in the amendment. The department, OGC and External Sales will consider if these terms are still acceptable.

***Primary Purpose***

In general, an agreement (or contract) has two primary purposes:

* Defines a mutual written understanding with the customer. The understanding includes the University's obligations to the customer and the customer's obligations to the University. The intent of the agreement is both parties have a clear understanding of their individual obligations and who to contact if there are changes to the agreement.
* Mitigate risk to the University by clearly stating or disclaiming provisions such as warranties, termination, use of University name or logo, limitation of liability, indemnification, and export controls.

***How to fill out the Amendment***

The department making the amendment completes the gray-shaded areas of the Amendment, to include:

* + **Enter the amendment number** (1, 2, 3, etc.) An agreement can be amended multiple times.
	+ **Enter date of the original agreement**
	+ **Enter Customer name per original agreement**
	+ In Section 1 (Description of Services):
* **Enter the changes to the Description of Services here. If no change, enter "N/A"**
* In Section 2 (Compensation):
	+ **Enter the additional dollars to the Compensation here. If no change, enter "N/A"**
* In Section 3 (Term):
	+ **Enter the start date of the original Sevices Agreement and the new expiration date. If no change, enter "N/A". (the extented term can be as long as five years)**
* **Enter the Company name**
* **Enter U of MN and Customer signer name**
* **Enter U of MN Customer signer title**
* **Send to the customer for signature**