



Procurement Services

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INSTRUCTIONS ON PREPARING CONTRACTS FOR PROFESSIONAL SERVICES

These services have been in the past variously identified as consultant, evaluator, speaker, lecturer, performer, guest designer, guest conductor of "honorariums" and have normally been contracted on a Fee basis with travel, lodging and subsistence expenses, and where applicable, reimbursed under the Travel Regulations. Basically, this type of service is rendered from a platform of unusual experience or expertise in a particular field. Such expertise has usually been gained by education, training, hands-on experience, certification, licensing, publication, public acclaim, election or appointment. Often times the professional is *uniquely* qualified to provide the requested service in the context of background, style and/or time which we require.

These procedures are not applicable to professional services for Business/Operational or Management evaluation/services; Architect/Engineer services; Land Surveying services; or services to be obtained where an employer-employee relationship exists, as defined in IRS regulations. Requests to fill a position where an employer-employee relationship exists are to be processed by completing a Personnel Action Form and obtaining the required signatory approvals. Requests for other procurement actions are to come to the Purchasing Office.

When personal, professional services are to be obtained under an INDEPENDENT CONTRACTURAL RELATIONSHIP, wherein the University elects away the RIGHT to DIRECT or CONTROL the professional in the method of performance or the end results of his/her efforts as defined in IRS regulations, then procurement must be accomplished as directed in the Consolidated Procurement Code 11-35-1270 and ensuring Regulation 19-445.2025. This contractual relationship must be proposed on CONTRACT FOR PROFESSIONAL SERVICE ON A FEE BASIS *at least 14 days in advance* of actual performance to the attention of the Director of Procurement, 307 Tillman Hall. NO CONTRACT in which the fee exceeds \$10,000 may be officially "OFFERED" except by the Vice President of Finance and Business.

Departments/Activities requiring the services of a professional under a contractual relationship will specify the scope of the professional service needed, identify the individual required, explore the financial arrangements necessary to acquire the service, prepare "CONTRACT" and process for required approvals.

Professionals with fees over \$10,000 who are *unique* in the applicability to University goals/programs may qualify for "Sole Source" procurement action. Such determination can only be made by the Vice President for Finance and Business. The proposed "CONTRACT" in its approval process must be accompanied by full details in memorandum form, of the unique qualities of the proposed individual which qualify him/her to best perform the services required, and routed to the Director of Procurement for compliance to the Procurement Code. Proposed "CONTRACTS" which do not qualify as "Sole Source" will require competitive bidding as required by Regulation 19-445.2025. Proposed "CONTRACTS" with a fee of \$10,000 and UNDER will require approval of the Department Chair/Head. Proposed "CONTRACTS" with a fee of over \$10,000 require the same approval signatures but the official "OFFER" CAN ONLY BE EXECUTED BY THE VICE PRESIDENT OF FINANCE AND BUSINESS.

The "Contract Administrator" will be responsible to see that the contract is complied with and that the fee is paid in a timely manner. An approved/original contract will be honored by Accounts Payable when signed by the Fund Manager. Settlement of the travel expense may be accomplished between the Contractor and Accounts Payable or the Contract Administrator may assist the Contractor in settlement with Accounts Payable, i.e. forms, receipts, etc.

EACH CONTRACT MUST BE TYPED AND COMPLETED ENTIRELY BEFORE SUBMITTING TO ACCOUNTS PAYABLE FOR PAYMENT.