Engaging a Consultant at Boston University

Contract Request Form → Evaluation of Risks & Contracting Vehicle → Consultant Registration → Worker Classification → Contract → Purchase Requisition (PR)

Contract Request Form

Requisitioner submits the Contract Request Form including key details:

- Consultant's name and contact information
- Detailed proposal or Description of Services (DOS) with a clear set of deliverables and length of engagement
- Indication of whether we will engage the consultant in the future
- Cost
- Account category to be charged: cost center; I/O; WBS element
- Stipulation of FERPA, HIPAA, or PII information involvement or accessibility by consultant
- Additional details providing insight into engagement

Evaluation of Risks & Contracting Vehicle

Sourcing & Procurement evaluates Contract Request Form and determines how to contract the engagement:

- Possibility of using consultant in the future
- Access to sensitive information including FERPA, HIPAA, or PII
- Cost of engagement
- Special risks as defined by General Counsel
- Length of engagement

Based on information gathered, Sourcing & Procurement decides on the contracting vehicle:

- Consulting Agreement
- MSA with Statement of Work (SOW) or DOS
- Service Order
- External Service Provider (ESP) Form*
- Registration and Contract for Individual Consulting on Research (RCICR)*
- BU's standard terms & conditions on PO
- Other agreements (e.g., Performance Agreement, Speaker Agreements)

Consultant Registration

In all cases, except for the ESP and RCICR processes, the consultant will receive an invitation to register as a supplier:

- Consultant registers with Boston University and on the Ariba Network
- Individuals and sole proprietors answer additional questions to determine worker classification according to IRS guidelines (See next step)
- All suppliers answer Conflict of Interest questions and if a conflict is identified, the Compliance Committee reviews the engagement and determines allowability

Worker Classification

Accounts Payable considers several factors to determine if the consultant is an Independent Contractor or an Employee, some of which are:

- The worker is free from the control and direction of the hiring entity in connection with the work being performed
- The worker does not solely rely on the hiring entity's business as its sole source of income
- The worker is customarily engaged in an independently established trade, occupation, or business of the same nature of the work performed by the hiring entity

Independent Consultant:

- The Contract Request Form is approved and the supplier is asked to agree to BU's standard terms & conditions or upload a superseding agreement

Employee/Student:

- The Contract Request Form is denied with a note stating the consultant was deemed an employee or student and should be paid on BU payroll

Contract

*As the registration is being completed, Sourcing & Procurement negotiates a contract in conjunction with the stakeholders**:*

- A Buyer prepares the appropriate contract and works with the consultant to facilitate a mutually beneficial contract to both parties
- Stakeholders review edits proposed, provide feedback, and approve the final draft of the contract
- The finalized contract is sent for signature***

Purchase Requisition (PR)

Once the consultant is registered and the contract is executed, the Requisitioner is asked to submit a PR:

- A Buyer sends the executed contract to the Requisitioner through DocuSign.
- Requisitioner creates a PR in **Guided BUying** and attaches the executed agreement
- Once the PR is fully approved, a PO is generated and sent to the consultant through the Ariba Network. Only after the PO is issued, a consultant may begin work on the new engagement.
- The consultant transmits the invoice through the Ariba Network when the engagement is completed.

** Available from the Accounts Payable website*
***Contract negotiations can take up to two weeks and are largely dependent on the responsiveness of the suppliers and the complexity of the engagement*
****Contracts can only be signed by Trustees of the University or individuals with delegated authority*