Engaging a Consultant at Boston University

Contract Request Form

Evaluation of Risks

& Contracting
Vehicle

Consultant Registration

Worker Classification

Contract

Purchase Requisition (PR)

Requisitioner submits the Contract Request Form Ariba **Guided BUying** including key details in

- Title and requester department
- Account category to be charged (Cost Center; I/O; WBS element/Project)
- Contract description
- Contract Amount/Cost
- Commodity Code
- Consultant's (supplier) name and contact information
- Indication of whether we will engage the consultant in the future
- Desired start date
- Document with detailed proposal/Description of Services (DOS) that includes a clear set of deliverables and length of engagement
- Stipulation of FERPA, HIPAA, or PII information involvement/accessibility by consultant
- Additional details/comment providing insight into engagement

Procure to Pay 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, Procure to Pay 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)

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

Accounts Payable considers several factors to determine if the consultant is an Independent Contractor or Employee. Factors under consideration include:

- 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

As the registration is being completed, Procure to Pay 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.***

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

- A Buyer sends the executed contract to the Requisitioner through DocuSign.
- Requisitioner creates a PR in <u>Guided BUying</u> 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 may a consultant begin work on the new engagement.
- The consultant transmits the invoice through the Ariba Network when the engagement is completed.

Independent Contractor:

 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.

^{*} 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