Office of Administrative Responsibility: director, Procurement and Contract Services

1. Overview

The following information is provided to assist faculties, schools, and business units of MacEwan University (the "University") to engage individuals as Independent Contractors in a consistent and accurate manner through the use of standard Contracts that contain relevant terms and conditions for specified services.

2. Scope

In accordance with the definition of Independent Contractor, this guideline applies only to contractual engagements with individuals, sole proprietors, partnerships, or small firms that are determined to be providing specific services outside of an employment relationship. Further, the threshold of spend (i.e., dollar value) associated with the services is not to exceed the competitive bidding thresholds as defined by policy *D4000 Procurement*. If the dollar value exceeds these amounts, contact Procurement and Contract Services (PACS) staff for assistance.

2.1 Inclusions:

Attached to this guideline is a fillable contract template in .pdf format for academic/non-academic course services, which has been identified as common across the organization.

Academic/non-academic course services include**:**

- course design
- course development
- course editing

For engagements other than those provided for by these standard contract templates, contact PACS@macewan.ca for assistance in developing an appropriate contract that addresses the specific requirements of the engagement**.**

Note: **All** consulting service engagements require a customized contract. PACS staff will assist the area to develop the contract upon request.

2.2 Exclusions:

Services of Independent Contractors that **do not** require a University contract include:

a) Services for event guest speakers or presenters (normally the speaker/presenter will provide own engagement letter).

b) Services for which fees of less than $500 will be paid.

c) Services of a temporary nature provided from an independent placement firm to support outsourced back-fill for short-term vacancies, e.g., administrative support resources from a services placement firm (normally the firm will provide own contract).

3. Accountability for Contract Development and Sign-off

The positions accountable for determining the type of contract to be used, defining the scope and fees of the contract and executing the contract are the Accountable Individuals as defined in the policy. Examples of these include (but are not limited to):

3.1 Academic faculties/schools – assistant deans, associate deans, or deans

3.2 Non-Academic Divisions/Departments - managers responsible for divisional financial management or directors

Note: Refer to policy *D3700 Delegation of Responsibilities and Authorities* for guidance on delegated financial authority related to total contract value and/or contractual liability commitment.

3.3 System Access Requirements

If the Independent Contractor will require access to the University's network to perform their services, the "*Independent Contractor Information Confidentiality Undertaking*" form must be completed before access will be granted. The form identifies the confidentiality obligations for the Independent Contractor and the instructions for action and routing of the form. A copy of the form is attached.

3.4 Contract Template and Contract Payment Procedure

a) All fields of the contract template must be completed.

b) The completed contract must be signed in duplicate by both parties, with the University representative authorized to sign as identified by University policy.

c) One copy of the original contract is to be sent to PACS where it will be retained in the procurement contract repository, the other original is to be provided to the Independent Contractor.

d) For **all** contracted engagements, except those excluded under Section 2.2 above, a service purchase requisition must be issued in PeopleSoft by an authorized requester and an electronic copy of the contract should be attached to the requisition. Once the approved requisition is received by PACS, a purchase order will be issued to the Independent Contractor.

e) The Independent Contractor may only invoice for all fees upon the completion of the deliverables identified in the contract or in accordance with provisions related to interim or progress billing requirements. All invoices shall include the purchase order number.

FACT SHEET

Relevant Dates:

Approved:	2014.09.24
Effective:	2014.09.24
Next review:	2018.09

Source

Modification history:

2014.07.14 This is a new procedure to support policy D4020 – Contracting for Services with Independent Contractors.

References and acknowledgements:

Accountability

Office of Accountability:	director, Procurement and Contract Services
Office of Administrative Responsibility:	director, Procurement and Contract Services
Approved by:	director, Procurement and Contract Services
Contact Area:	Procurement and Contract Services
Authority:	

Related Matters

Related Procedures:

Related guidelines/ manuals, forms:	*Independent Contractor Information Confidentiality Undertaking Form*
Related topics:	