



## Contracting Process

RE: The following guidelines should be followed in obtaining **Professional Service Agreements** and **Independent Consultant/Contractor Agreements** approvals.

If you're contracting with an individual, the first step is to have the PERS classification checklist completed and signed by HR. This verifies that the consultant/contractor is an independent contractor verses a contract employee. The classification check list is good for one year (from the date signed by HR). Once you have the Classification Checklist back from HR (please black out the Social Security Number), and the individual has been appropriately classified, complete the relevant parts of the Professional Service Agreement or Independent Consultant/Contractor Agreement. A professional Service Agreement will be used if the individual's classification is contract employee, and if classified as an Independent Contractor, the Independent Consultant/Contractor form will be used.

If the contractor will accept ASU's contract, it will greatly reduce the time and effort involved in gaining approval. The PI should check Banner to see if the contractor is listed as a vendor and confirm that their information is correct. If they are either not listed or something in Banner needs to be changed, then the PI will need to send the contractor a blank W-9 and vendor maintenance form. The contractor will send their completed W-9 and vendor maintenance form back to the PI (the department) to send to the Office of Procurement (this step is when a vendor number is issued and obtained). Forms with Social Security numbers cannot be emailed. If the contractor requires Alcorn to use their standard terms and conditions, we must conduct a great deal of additional legal review. If the contractor's proposed contract is in substantial agreement with ASU service contract, it is easiest to use our standard contract and have the contractor modify the specific clauses that may cause problems and provide alternative language. If the contractor insists on using their own contract form, the same process should be used but you must keep in mind the review process will take longer and there is a higher likelihood that changes will be required prior to approval. A contract can be amended providing the contract is current and has not expired. Depending on the complexity of the contract and the requested addendum, certain changes may take more time to process and may need additional approvals.

In the event the contractor refuses to accept ASU's standard contract, send the contractor a copy of the Standard Addendum and ask the contractor to incorporate it into their contract. Have the contractor submit its proposed contract to the department, who may then submit it to University Compliance for review. We will conduct the required review and will determine if the contract is acceptable. If appropriate the contract will be forwarded to the Attorney General's University Division to obtain a review for legal sufficiency. Upon completion of the review, University Compliance will work with the department to make the required changes, and return the contract to the department. The department should have the contractor initial the changes, sign the contract, and follow approval routing processes.

Contracts and purchases related to Information Technology equipment, software and services will be reviewed by the Chief Information Officer or designee prior to processing by University Compliance.

University Compliance will be responsible for forwarding appropriate documents to Human Resources and the Chief Information Officer upon receipt from the various departments.