



Procedure 202-08 Independent Contractors and Entertainers

Sponsor: Purchasing and Auxiliary Services

Purpose

Assist faculty and staff through the process of hiring Independent Contractors and Entertainers when specialized skills, knowledge, resources and experience are needed.

Definitions

None

Procedure

Independent Contractors

When specialized skills, knowledge, resources, and experience are needed and an existing staff or District service department cannot provide that reasonably, such services may be obtained from firms or individuals outside the District on a fee-for-service or Personal/Professional Services Contract basis.

The contract should require the performance of a task, project or study to be completed within a given time frame. The relationship with the District is that of an independent contractor, and the District has no right to supervise or control how the work required by the contract is done. The independent contractor is solely responsible for the results specified by the contract.

Examples of Independent Contractor Services include but are not limited to:

1. Auditing, accounting, financial services
2. Legal services
3. Medical and health services
4. Appraisals
5. Research
6. Grant writing
7. Consulting services
8. Surveys and studies

The requisitioning department may select the firm or individual to perform the services. Selection should be on the basis of the best qualified at a fair and reasonable price. Written documentation, identifying the necessity for selection of a particular Contractor, absent of competition, shall be supplied by the requisitioning department and become part of the procurement package. However, the Director or Purchasing and Auxiliary Services shall reserve the final decision in determining the need for competitive bidding and type of contract used.

The Independent Contractor's contract must be approved and signed by the Executive Vice President or designee, except for those contracts of \$50,000 or more, which will require signature by the President. The District Governing Board must approve contracts of \$100,000 or more in value and will require

signature by the President. It is recommended, but not mandatory, that contracts with Independent Contractors be reviewed and approved by the District's legal counsel.

Entertainer Fees

A properly executed contract shall authorize payment for entertainer fees. In order to expedite payment to the entertainer (to meet many entertainers' requirements for payment immediately after the performance), contracts shall be approved and signed by the Executive Vice President or designee at least 10 days prior to the performance. This applies to all contracts less than \$50,000. Contracts of \$50,000 or more will require signature by the President. The District Governing Board must approve all contracts of \$100,000 or more in value and will require signature by the President.

References

A.R.S. § 41-2513

Procedure History

10/25/2019 New and Adopted by Executive Leadership Council

Legal Review

None (the contents of this procedure are substantially from state laws and procurement codes)