Contract – Personal Services Contract

GENERAL DESCRIPTION: This procedure applies to purchasing services from an independent contractor.

PRIMARY RESPONSIBILITY: Chief Financial Officer

REFERENCE OR AUTHORITY: Board Policy DJ – CESD Purchasing, Board Policy DJC – Bidding Requirement and District’s Public Contracting Model Rules

OVERVIEW: An independent contractor is hired to provide a service or skill not available within the CESD workforce. The independent contractor determines the manner and means of completing the contract, provides the required supplies and equipment to complete the service, has no regularly scheduled hours of employment, and conveys to the public that said labor is provided by an independent contractor. All independent contractors must have completed the CESD required forms before the contractor will be allowed to perform any service for CESD.

Prior to hiring and through the approval process, the director of Human Resources will ensure the contractor meets the definition by statute and law of an independent contract. The Chief Financial Officer will ensure the selection of the independent contractor has complied with the District’s Public Contracting Model Rules and budgeted appropriations are available to support the requested service. If a service is not exempt from seeking quotes or bids and the estimated cost is greater than $5,000 and less than $150,000, three competitive quotes, if available, will be required. Services with an estimated cost greater than $150,000 will require formal competitive bids.

PROCEDURAL STEPS:

1. The requesting manager will request approval according to department procedures.

2. If approved by the department director, the requesting manager will work with the director of Human Resources to determine if the service provider is an independent contractor.

3. If the service provider is determined to be an independent contractor and the estimate cost is $25,000 or more, the requesting manager will work with the Fiscal Service Director to determine whether the service is exempt from seeking quotes or formal bids. If formal bids or quotes are required, the Fiscal Service Director will work with the manager on developing the required documents and advertisements.

4. After complying with the District’s Public Contracting Model Rules, the requesting manager will complete either the Personal Service Contract or submit a Personal Service Contract request form, along with all supporting documentation, to Fiscal Services.

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5. The Fiscal Services designee will create a requisition in CESD’s finance system with the appropriate program accounting information, scan and attach to the requisition all supporting documents, and release for approval according to the electronic approval process flow. The electronic approval process flow includes the program director, director of Human Resource Services, Chief Financial Officer, and superintendent. All approvals will be encrypted in the finance system. If either director denies the request, the director will notify the department designee who will notify the manager.

6. Once approved by all appropriate individuals per the process flow, the requisition will be converted into a purchase order. CESD is not obligated for any commitments made prior to the generation of a purchase order. Requisitions approved by 4:30 p.m. will be converted into a purchase order the next working day.

7. Electronic notification will be sent to the department designee at the time the requisition is converted to a purchase order reflecting the requisition number and corresponding purchase order number.

8. The department designee will send the Personal Service Contract form to the independent contractor for signature and instructions.

9. After receiving the signed contract from the independent contractor, the department designee will send the contract to the superintendent for signing.

10. The superintendent or designee will send the completed Personal Service Contract form to the accounts payable clerk.

11. The accounts payable clerk will attach the signed contract to the supporting documents previously attached in Step 5.

12. The accounts payable clerk will pay invoices after receipt of all required documents.