Consultant Policies and Guidelines

Independent Consultant: Individuals not employed by, or organizations not part of, the University (at any UC Campus) who provide primarily professional or technical advice. Services provided are generally urgent, special, temporary and highly technical. Services are short-term and have a highly focused effort. The University does not control either the manner of performance or the result of the service. Generally, an independent consultant provides management advice or recommendations, typically in the form of a report, whether written or verbal.

Independent Contractor: An independent contraction relation exists when the University has the right to control only the result of the service, not the manner of performance. Independent consultants are a special type of independent contractor. In other words, the University has the right to control only the result of the service (i.e., the end product) not the manner of performance (i.e., time, place, and methods). Generally, an independent contractor performs tasks to execute the work.

Work should not be performed without a signed P.O. or agreement issued by a Campus Purchasing buyer, because Accounts Payable Department is allowed to make payments to a consultant or contractor against an executed P.O. and/or agreement ONLY.

Consultant/contractor is required to have insurance coverage. Please find the details [here](https://ucla.app.box.com/pur-pdf-insurance-waiver). Insurance certificate should list “The Regents of the University of California” as an additional insured under the GL coverage and Business Auto

Independent contractors and consultants may be eligible for a UC Insurance product covering General Liability and professional liability exposure for $500 a 12 month period. The University’s insurance broker has arranged an insurance program to cover non-University parties.

After the fact request: if the work took place before the requisition is issued, the department must complete the Justification Form for After-the-Fact Purchases, obtain required approvals, and forward the form to Campus Purchasing. Payment cannot be guaranteed until Purchasing has approved the P.O. Additionally, a sole service justification form may also be required.

Steps to hiring an independent contractor/consultant:

1. Determine the nature of the work relationship by completing the Independent Contractor Pre-Hire Worksheet
2. Determine if there is a potential conflict of interest
   1. It is the University policy to keep separate an employee’s University and private interests, and to safeguard the University and its employees from charges of favoritism in the acquisition of goods and services
   2. If the proposed consultant or contractor is a current or former UCLA (or UC) employee, departments are strongly encouraged to acquire the services through the payroll/human resources method.
   3. If the proposed consultant or contractor is a near relative to a current UCLA employee, and the employee had any involvement in the contracting decision, Campus Purchasing must make the determination that the goods or services to be acquired are not available commercially or from within the University bore proceeding. The Political Reform Act of 1974 requires UC employees to disqualify themselves from participating in the making of decisions in which they have a financial interest, including contracts involving spouses or domestic partners.
   4. For more details, please refer to the following policies for definitions and guidelines:
      1. G-39, Conflict of Interest Policy and Compendium of Specialized University Policies, Guidelines and Regulations Related to Conflict of Interest
      2. BUS-43, Part 7, Employee-Vendor Relationships
3. Determine the funding to pay for the services
4. Insurance Coverage
5. Basic Requirements and other considerations
6. High-value requisitions
7. Issue a Purchase Order and/or an agreement