**Contracted Services, Including UPPS No. 03.04.01**

**Consultants, Speakers, and Other Issue No. 6**

**Services Effective Date: 01/21/2020**

 **Next Review Date: 08/01/2024 (E4Y)**

 **Sr. Reviewer: Associate Vice President for Financial Services**

**01. POLICY STATEMENTS**

* 1. This policy describes the procedures to follow when using a contractor to provide contracted services to Texas State University.
	2. All requests, contracts, solicitations, and bids should be submitted to Procurement and Strategic Sourcing for compliance review prior to services being rendered. All contracts should follow university, federal, and state laws.
	3. All contract and agreement requests shall be submitted via the contract request portal in Texas State University System (TSUS) Marketplace Total Contract Manager (TCM) module (see the [TCM Contract Request Guide](https://www.txst.edu/procurement/contracts/tcm_contract_how_to-s.html) located on the Procurement and Strategic Sourcing website).
	4. When required, Procurement and Strategic Sourcing shall coordinate obtaining proper legal counsel review and approvals or signatures on contracts, purchases, or agreements, as outlined in the [TSUS Contract Management Handbook](https://www.tsus.edu/offices/finance/procurement.html).
	5. It is in violation of state and federal laws to hire someone as an independent contractor who would otherwise be hired as an employee of the university. Before hiring for the services it must be determined whether the contractor will be an independent contractor or university employee consistent with [UPPS No. 04.04.08](https://policies.txstate.edu/university-policies/04-04-08.html), Determining Contract Labor and Independent Contractor Status.

**02. PROCEDURE FOR PAYMENT TO FOREIGN PERSONS**

02.01 All payments to foreign persons will be in accordance with [UPPS No. 03.04.06](https://policies.txstate.edu/university-policies/03-04-06.html), Nonresident Alien – Honorarium and Contracted Services Payments. The director of Payroll and Tax Compliance should be contacted regarding payment to foreign persons invited by the university to perform services at least 30 days prior to their arrival on campus.

**03. PROCEDURE FOR PAYMENT OF UNIVERSITY EMPLOYEES OR FORMER UNIVERSITY EMPLOYEES**

03.01 Payments to university employees or former university employees will be in in accordance with [UPPS No. 04.04.08](https://policies.txstate.edu/university-policies/04-04-08.html), Determining Contract Labor and Independent Contractor Status and [UPPS No. 04.04.12](https://policies.txstate.edu/university-policies/04-04-12.html), Pay Above Base Annual Salary for Staff.

**04. PROCEDURE TO REQUEST A UNIVERSITY VENDOR IDENTIFICATION NUMBER**

04.01 Vendor setups and updates will be done through the online vendor portal (PaymentWorks). The department will initiate the set up by sending an invitation through PaymentWorks to the vendor. Instructions for sending vendor invitations can be found on the [Vendor Self-Service website](https://www.txstate.edu/procurement/resources/VENDOR-Self-Service.html).

**05. PROCEDURE FOR PROCESSING CONTRACTS**

05.01 All contracts will be processed in accordance with [UPPS No. 03.04.04](https://policies.txstate.edu/university-policies/03-04-04.html), Processing, Approving, and Executing Contracts, Purchases, and Agreements.

**06. PROCEDURES TO REQUEST PAYMENT FOR CONTRACTED SERVICES**

06.01 The university will pay a contractor using the [Contracted Services Payment Voucher (Form FS-03)](https://www.txstate.edu/gao/ap/forms.html), or an invoice from the vendor. All contracted services should have either a purchase order or should be submitted vie eNPO.

06.02 The university may not reimburse a university employee who pays an out-of-pocket payment to an independent contractor.

06.03 Texas State’s standard terms of payment are net 30 days in accordance with the Texas Prompt Payment Act (see [Texas Government Code Chapter 2251, Payment for Goods and Services](http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.2251.htm)).

**07. REVIEWERS OF THIS UPPS**

07.01 Reviewers of this UPPS include the following:

Position Date

Associate Vice President for August 1 E4Y

Financial Services

Director, Accounting August 1 E4Y

Director, Procurement and August 1 E4Y

Strategic Sourcing

**08. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedure from the date of this document until superseded.

Associate Vice President for Financial Services; senior reviewer of this UPPS

Vice President for Finance and Support Services

President