

The Purchasing Post

Hiring a Consultant

Need to hire a third-party company to assist in completing a project? Here are some guidelines to consider when composing a contract for a consultant.

What is the scope / overview of project? Identify focus groups.

Term of agreement. Include any options to renew, if desired.

Specific assignments/methodology

Fee for services. Will compensation be lump sum or hourly rate? Hourly rate may vary depending on the position of the person doing the work, e.g. a manager or a clerical. Are expenses in fee or invoiced separately? Expenses could include travel, phone, printing, meals, etc.

What is the expected deliverable and when is the delivery date. Will there be frequent reviews and progress updates?

How will payment for services be made? The State/University does not make complete payment in advance, but a down payment with partials thereafter is possible. Final payment is generally 30 days after completion of project and receipt of proper invoice.

Work products/results/and documentation, etc are owned by University.

Contract needs to include clauses on cancellation, termination, & dispute resolution. Liability issues (personal or intellectual) and proprietary issues should also be addressed. What happens if consultant fails to deliver a work product acceptable to the University. Is University providing any support? If so what type & frequency? Who are the primary contacts? Need to identify lead persons from consulting firm and University. Changes to scope/project are to be occur only in writing and between the primary contacts.

Things to look for in a consultant: comparable experience to the work required, good references, unique contributions to the industry.

And finally be aware the consultant is an independent contractor, not an employee of the University. The University does not control the manner of service, just results.



Independent Contractor Vs. Employee

What to know more about whether the contractor is independent or an actual employee? The differences can be subtle but the repercussions huge.

Check out K-State Division of Human Resources website: www.k-state.edu/hr/ped/contractors.html .

It addresses the relationship between the worker and the business (University). This site has additional links to gather even more info about the topic.

