

Chapter 12

Consultant and Professional Services

In order to distinguish consultant and professional services from work performed as an employee, these services must be based on self-directed work towards an objective determined by the SIBCR member. Such services will be arranged by contractual agreement with SIBCR.

Certain IRS criteria distinguish an employee relationship from a contractor relationship. A member considering establishing an agreement for a consultant or other professional services should review the criteria with SIBCR staff. For informational purposes, the 20-point test that the IRS has promulgated to distinguish an employee from an independent contractor is available at www.sibcr.org under human resources forms.

If the consultant or independent contractor is a non-resident alien, payment may be prohibited or subject to tax withholding based on INS or IRS rules.

Acquisition and payment for any service to be provided by technical, consultative or professional individuals or groups in support of member research programs or educational activities must be authorized by SIBCR administration in advance of receipt of such services. The Executive Director's signed approval of the standard professional services agreement will provide authorization. Members may not commit the Institute to pay for such services without approval.

Members or their designees will certify such services have been received before reimbursement or payment to the vendor by SIBCR is initiated.

Additional details of the SIBCR policy and the template for a professional services agreement can be found below. The template is available on the web site www.sibcr.org under accounting forms.

Contractual Services Detail Information

In order to obtain the written purchase agreement for individual professional/technical contractual services, a request to SIBCR administration should be submitted in writing and should contain sufficient information for review and processing. The following list highlights the details needed to complete a service or contractor agreement. The agreement form or an equivalent one covering all the pertinent information should be completed before services are initiated.

1. Contractor's name, address and phone number.
2. Contractor's social security number.
3. Contractor's State of Washington UBI or other relevant licenses.
4. Description of contractor's qualifications (a CV or resume may be used where appropriate).
5. Period of the agreement.
6. Cost basis and rate of pay (cost reimbursement basis or fixed fee), for example: \$ ___ per hour x ___ hours = \$ ___ total cost, or 1 job @ \$ ___.
7. A "not to exceed" amount, if other than the total cost above. This is particularly important if estimates are involved.
8. Description of work to be performed. This should be specific and should include end results or product desired; where work is to be performed; any technical requirements; a

description of what measures will be used to determine the degree of completion by the contractor. A statement indicating that "the contractor's work will be self-directed to meet the goals and objectives as set by the Principal Investigator" should be included.

9. Justification of the use of the contractor, including (a) a certification by the member that such services are not available through existing R&D Cores, and (b) how this work is related to the principal investigator's VA-approved R&D program, citing specific studies by title and RDIS number where possible.
10. Delivery and invoice/payment schedule. The requesting member must certify invoices before payment will be made.

The independent consultant/professional service agreement can be found at www.sibcr.org under accounting forms.