

CONSULTANT AGREEMENT GUIDELINES



CONSULTANT AGREEMENTS

FREQUENTLY ASKED QUESTIONS

❖ Who is a consultant?

A consultant is a person who performs a service for the District.

❖ What is a consultant service?

It is a service provided by a professional. Examples are artistic services; speakers, trainers, and educators.

❖ When is form 1420 used?

Any time a consultant performs an educational or professional service at your school.

❖ When is the form not used?

The form is not used for supplies, catering for food, prom or rental agreements. Food trucks fall under special events.

FAQ's continued

❖ Can District employees be consultants?

- Employees with District wide responsibilities ***cannot*** consult for the District.
- Teachers, Assistant Principals and Principals assigned to one specific school ***can consult at any school other than the school that they earn their paycheck from*** during nonworking hours. Example: Mr. Jones is a teacher at Boca High and has a side business as a DJ. Mr. Jones can DJ after regular work hours at any school except Boca High. Mr. Jones cannot take a sick or vacation day to consult at a school. (See District Code of Ethics Policy for additional information).
- Substitutes, departmental employees and employees that work at numerous schools ***cannot consult for the District.***

More FAQ's

What about Vendor Badges from School Police?

- ❖ Page 2, item 8 of the Consultant Agreement details background check and fingerprinting requirements.
- ❖ School Police has stated that if a consultant is in plain view of a District employee at all times, including restroom visits, they do not need a badge.
- ❖ It is the sole decision of the Principal to allow a consultant on campus without a badge but it is **strongly recommended by the Purchasing Department that one is issued.**

Insurance and Loss Prevention

- ❖ Always review Risk Management's Special Event Risk Planning Guide to determine if insurance certificates or other additional documentation is required.
- ❖ The Guidelines are available on the Risk Management webpage.

Consultant Agreements - The Forms

- ❖ Forms 1420 and 1843 are not available to the general public. Logins are required to obtain the forms.
- ❖ **Always use the latest version of the forms, do not save the forms to your desktop.**
- ❖ It is the School/Department's responsibility to fill out the agreement, not the consultant. ***Type the agreement in PDF and complete all fields.*** Handwritten agreements and those with handwritten corrections will be returned.
- ❖ ***Submit all seven pages*** of the agreement. Your agreement will be returned if it is received incomplete.

Consultant Agreements - The Forms

Beneficial Interest and Disclosure Form 1997

- ❖ This form is included in the 1420 agreement and **must be submitted** with the contract.
- ❖ Form 1997 allows the District to verify who they are doing business with and it is required by the Board.
- ❖ **If a contract is made out to an individual**; 'Joe Smith', (an individual using his Social Security Number - SSN as the tax ID number) then the form does not apply and **does not require notarization**, but **must be submitted** with '**N/A Individual**' on it.
- ❖ Any corporation, company, LLC or Not for Profit; 'Crafting made Simple', **must** fill out the form so we can verify who owns the business. It **must be notarized** as well.
- ❖ If the contract is with a Government Agency or State/County College or University the form does not apply and **does not need to be notarized**. It **must be submitted** with '**N/A Government Agency**' on it.

Consultant Agreements – The Process

- ❖ **When using INTERNAL school funds:**

Authority is delegated to the Principal of each school center (or the Director of each District department) to Purchase contractual services, including Professional Services (Consultant Agreements), in an amount not to exceed \$5,000 per vendor per fiscal year per location;

- ❖ Once the consultant has reached the cumulative total of \$5,000+ per vendor per fiscal year per location send copies of all agreements as back up for the signature process for the agreement(s) beyond the principal's delegated authority.
- ❖ **Agreements should be fully executed prior to services being provided.**

Consultant Agreements – The Process

- ❖ **When using BUDGETED funds:**

Agreements under the \$5,000 threshold per vendor per fiscal year per school/department will be signed by the consultant and Principal or Department Head/Director ***and attached to the PeopleSoft requisition.***

- ❖ When a vendor exceeds the \$5,000 cumulative total per vendor per fiscal year per school/department, please obtain signatures of the consultant, principal and area superintendent and route to purchasing (scan and email) or via PONY immediately after. Purchasing will complete the process.
- ❖ **Some Professional Services do not qualify as bid exempt.** If you are purchasing a service that is not bid exempt, then quotes or bids must be obtained. **(See Purchasing Manual, Chapter 4)**
- ❖ **Submit all agreements timely. No services should begin prior to the issuance of a District Purchase Order.**

SIGNATURES

Signatures required:

Under \$5,000: Consultant

Principal or District Department Director

\$5,001-\$25,000: Consultant

Principal or District Department Director

Area/Assistant Superintendent

Purchasing will obtain the remaining signatures necessary for a complete agreement

Over \$25,000 Consultant

(go to the Board) Principal

Area/Assistant Superintendent

Purchasing will prepare an agenda item for board meeting and obtain the remaining signatures necessary for a complete agreement

Contracts going to Board

- ❖ Please allow a minimum of six weeks for contracts requiring Board approval. Contracts must be sent to Purchasing by the deadlines listed on the Purchasing website:
palmbeachschools.org/purchasing/bids/purch/consulta
- ❖ Each Academic contract going for Board Approval must have a Data Panel.
- ❖ A Data Panel shows the need for the services that will be provided. Example: If the service is to improve test scores in reading, your Assistant Principal can obtain the latest FCAT scores for your school through EDW. **Do not send Data Panels that identify students by name.**

ADDITIONAL SUPPORT

- ❖ Additional support is available on our webpage:

palmbeachschools.org/purchasing

Click on Purchasing Links then Consultant Contracts

- ❖ Chapter 13 of the Purchasing Manual:

palmbeachschools.org/purchasing

click on Purchasing Links then Purchasing Manual tabs.

- ❖ Contact: **Michelle Thissell, Purchasing Agent**

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