



BOISE STATE UNIVERSITY

GUIDE TO SPONSORED PROJECT FUNDED CONTRACT FOR SERVICES

DEFINITION: “Contracts for Services” may include, but are not limited to: consultants, translators, performers, software as a service, survey work, speakers, hotels, equipment repairs, equipment rental, etc. If you are unsure if you are purchasing a “service”, please contact Purchasing for guidance.

On July 1st, 2018, the Federal Government began requiring that all recipients of Federally Funded Sponsored Projects implement the procurement standards set forth in 2 C.F.R. §§ 200.317 – 200.326.

This guide describes the process for all sponsored project funded Contracts for Services, regardless of dollar amount or funding source, for both contracts with “vendors” and “Independent Contractors” (ICs) which are collectively referred to in this guide as “Contractors”.

You are required to use the “Boise State University Sponsored Project Contract for Services” template which can be found here: <https://research.boisestate.edu/osp/procurement/>

Depending on the funding source of your contract (federally funded, state funded, privately funded, etc.) various processes, bidding requirements, policies and regulations apply.

If your contract is federally funded, you are encouraged to contact Purchasing as early as possible to discuss required processes and regulations. You may contact Lori Farris or David Dickman with any questions (contact info. at top of this page).

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BIDDING REQUIREMENTS – “DO WE HAVE TO BID THIS OUT?”

Boise State University’s bid limit is 10K and therefore purchases of goods and services at or above 10K are subject to bidding. BSU’s *bidding exemptions* do **NOT** apply to **federally funded** purchases.

You are encouraged to contact Purchasing as early in the process as possible if you have a sponsored project funded contract at or above \$10K.

If you have not already contacted Purchasing, after receiving your standard purchasing requisition, with your contract attached, Purchasing will contact you regarding bidding requirements for contracts costing at or above 10K.

SOLE SOURCE CONTRACTS

If your **Contract for Services (i) is determined by Purchasing to be a sole source, (ii) is funded by a sponsored project, and (iii) requires negotiation**, an Office of Sponsored Programs (OSP) Contracting Officer (CO) will negotiate terms with the Contractor prior to obtaining the Contractor’s signature. Purchasing will transfer these contracts to OSP and you will be contacted by OSP. Purchasing will post all sole source contracts on its web page per BSU policy. Sole Source postings must remain on Purchasing’s web page for 5 full business days (appeal period) before the contract may be executed.

FEDERALLY FUNDED CONTRACTS

If your contract is **federally funded** and the cost of the contract is at or above \$10K, the services listed in the contract may need to be competitively bid. See “Purchasing Procedures for Federally Funded Sponsored Projects” located here, for more information:

<https://vpfa.boisestate.edu/purchasing/files/2018/09/BoiseStateUniversity-Purchasing-Procedures-for-Federally-Funded-Sponsored-Projects.pdf>

CONTRACTS NOT FEDRALLY FUNDED

For sponsored project funded contracts that are **not** federally funded (state funded, funded by private sponsor, etc.) Purchasing will review the project details and determine the purchasing method required, and if no special requirements exist, Purchasing will follow BSU’s policies to include BSU’s bid limits, exemptions to bidding, and other standard processes, which can be found here:

<https://vpfa.boisestate.edu/process/procurement/purchasingprocessquickref.pdf>

WHEN A VENDOR IS NOT AN INDEPENDENT CONTRACTOR

STEP 1

If your vendor/Contractor is not an IC, you will start the process by entering a **Standard Purchasing Requisition** and attach the **Boise State University Sponsored Project Contract for Services**. **DO NOT** sign the contract and **DO NOT** have the vendor sign the contract. Follow the instructions provided with the contract template and attach the contract to your Standard Purchasing Requisition

Boise State University Sponsored Project Contract for Services Template and the Template Guide can be found here: <https://research.boisestate.edu/osp/procurement/>

Job Aid for Standard Purchasing Requisition can be found here:

https://vpfa.boisestate.edu/process/UFS-training/OFC/Creating-Submitting-Standard-Purchasing-Requisitions_JOB_AID.pdf

STEP 2

Purchasing will add any required supplemental terms (dictated by the sponsored project sponsor, such as DOD, NSF, NIH, etc.) to the contract.

STEP 3

Once the required supplemental terms have been added to the contract, Purchasing will email the contract to the Contractor for signature. Purchasing will obtain the necessary BSU signature after the Contractor has signed and returned the contract to Purchasing. (The required BSU signature will be in accordance with signature authority documented by the Office of General Counsel).

STEP 4

Once the contract has been fully executed, Purchasing will create a PO from your Standard Purchasing Requisition and issue the PO and the fully executed contract to the Contractor via email. The enterer of the Requisition will be copied on this email so that they will have all of the final documents for their files.

WHEN A VENDOR IS AN INDEPENDENT CONTRACTOR

STEP 1

Complete the online IC Checklist found at: <https://secureforms.boisestate.edu/vpfa/employee-independent-contractor-classification-checklist/>

The following is *an example* of the email you will receive from AP, if your IC is approved:

John Smith, supplier # XXXX, is approved as an independent contractor for.....assignment and \$3,000 as per your Employee/Independent Contractor Classification Checklist.

You have indicated that you intend to enter into a contract with John Smith that will be partially or fully funded by sponsored project funds. A Blanket Purchase Agreement (BPA) number will NOT be created for this assignment.

Please complete a Standard Purchasing Requisition and attach the Boise State University Sponsored Project Contract for Services Template to the requisition. The contract template is located here:

<https://research.boisestate.edu/osp/procurement/>). *NOTE: DO NOT obtain any signatures on the contract.*

Purchasing will obtain IC signature and BSU signature on the contract after all supplemental terms have been added by Purchasing to the contract template. Purchasing will send you an email copy of the PO and the fully executed contract.

*When creating your **Standard Purchasing Requisition**, select the Item Type = Goods or services billed by amount and the Category Name = ALL ITEMS.*

If you need assistance please feel free to contact David Dickman, 426-3702.

Here is a link to the Job Aid for Standard Purchasing Requisitions: [Creating & Submitting Standard Purchasing Requisitions](#)

STEP 2

Once you have received email notification from AP, confirming your IC has been successfully set up, complete a **Standard Purchasing Requisition** and attach the **Boise State University Sponsored Project Contract for Services**.

Do NOT obtain ANY signatures on the contract. Purchasing will obtain the contractor's signature and the required BSU signature, based on documented signature authority.

Job Aid for Standard Purchasing Requisition can be found here:

https://vpfa.boisestate.edu/process/UFS-training/OFC/Creating-Submitting-Standard-Purchasing-Requisitions_JOBAID.pdf

Boise State University Sponsored Project Contract for Services Template can be found here:

<https://research.boisestate.edu/osp/procurement/>

STEP 3

Purchasing will add all necessary supplemental terms to the contract (dictated by the sponsored project sponsor, such as DOD, NSF, NIH, etc.).

STEP 4

Once the required supplemental terms have been added to the contract, Purchasing will email the contract to the Contractor for signature. Purchasing will obtain the necessary BSU signature after the Contractor has signed and returned the contract to Purchasing. (The required BSU signature will be in accordance with signature authority documented by the Office of General Counsel).

STEP 5

Once the contract has been signed and returned (fully executed contract), Purchasing will create a PO from your Standard Purchasing Requisition and issue the PO and the fully executed contract to the Contractor via email. The enterer of the Requisition will be copied on this email so that they will have all of the final documents for their files.

VENDOR FORM CONTRACTS – “CONTRACTOR WILL NOT ACCEPT BOISE STATE UNIVERSITY’S SPONSORED PROJECTS CONTRACT FOR SERVICES”

STEP 1

If your Contractor will not accept Boise State University’s Sponsored Project Contract for Services and wants to use *their own contract form*, you will enter a **Standard Purchasing Requisition** and attach the vendor’s contract (**do NOT sign the vendor’s contract**).

Boise State University Sponsored Project Contract for Services Template and Guide can be found here: <https://research.boisestate.edu/osp/procurement/>

Job Aid for Standard Purchasing Requisition can be found here: https://vpfa.boisestate.edu/process/UFS-training/OFC/Creating-Submitting-Standard-Purchasing-Requisitions_JOBAID.pdf

STEP 2

Purchasing (or the OGC) will negotiate with the Contractor regarding contract terms, including adding the required supplemental terms (dictated by the sponsored project sponsor, such as DOD, NSF, NIH, etc.). Note: OSP will negotiate sponsored project funded contracts, at and above 10K, and determine to be a sole source. If negotiation is not successful, you will be contacted regarding next steps.

STEP 3

Once the terms negotiation is complete with the vendor, Purchasing, OGC or OSP will email the contract to you for signature. If your area does not have the necessary signature authority, the contract will be routed to the VPFA for signature.

STEP 4

After BSU has signed the contract, Purchasing will obtain the Contractor’s signature.

STEP 5

Once the contract has been signed and returned (fully executed contract), Purchasing will create a PO from your Standard Purchasing Requisition and issue the PO and the fully executed contract to the Contractor via email. The enterer of the Requisition will be copied on this email so that they will have all of the final documents for their files.

CONTRACT REVIEW AND NEGOTIATION – WHEN IS IT NEEDED?

Contract review and negotiation will be required in the following situations:

- Contractor (Vendor or IC) will not agree to accept Boise State University's Sponsored Project Contract for Services and requires *their own contract form* (all dollar amounts). Vendor contract forms may require review and negotiation by the Office of the General Counsel. You will need to complete the OGC's contract routing form found here:
<https://generalcounsel.boisestate.edu/submitting-a-contract/>
- Sponsored project funded contracts, costing at or above \$10K, *and determined to be a sole source*, will be negotiated by the Office of Sponsored Projects, if necessary. Purchasing will post all sole source contracts to their web page per BSU's published sole source process.
- If a Contractor will not accept BSU's Sponsored Project Funded Supplemental Terms & Conditions (as applicable), Purchasing, in conjunction with the OGC and OSP, will determine if the University is able to enter into a contract with that Contractor.

PAYMENTS – HOW TO PAY INVOICES AGAINST PURCHASE ORDERS RELATED TO CONTRACTS FOR SERVICES

If you receive an invoice:

When you are ready to pay an invoice submitted to you by the Contractor, you will complete the AP Smartsheet “Standard Requisition Payment Approval” found here:

<https://app.smartsheet.com/b/form/505a0dec63e34dc49c7357edcafeeb4e>

Per the instructions at the bottom of the form, you will attach your invoice.