

CONTRACTED CONSULTING AND PROFESSIONAL SERVICES

Background

The District recognizes, that from time to time, specialized professional services may be required that cannot be provided by District employees.

Definition

Contracted consulting and professional services are defined as the provision of unique, technical and/or infrequent services or advice by an independent contractor qualified by education, experience and/or technical ability to provide such services. The contractor may not be required to be licensed. In most cases these services are of a specific project nature, and are not a continuing, on-going responsibility of the District. Contracted consulting and professional services engagements may involve partnerships, corporations, or individuals.

Examples of consulting and professional services contracts include: accountants, actuaries, appraisers, attorneys, brokerage firms, business consultants, copywriters, engineers, law firms, physicians, public relations professionals, recruiters, researchers, translators, software engineers and web designers.

Procedures

1. This Administrative Procedure applies to all District contracted consulting and professional services, regardless of the ultimate source of funding.
 - 1.1. This Administrative Procedure does not apply to contracted on-going services (e.g. school bus services, contracted cafeteria services), facilities maintenance or capital construction project contracts.
 - 1.2. Architectural services, engineering services, construction managers and any specialized consultants related to the planning, design and construction of District facilities are to be acquired consistent with Administrative Procedure 542 Appendix - Selection of Architect.
2. Formal approval must be obtained prior to entering into a contract for consulting and professional services as defined in this Administrative Procedure.
3. If a circumstance arises that is not specifically covered in the procedures below, the most conservative course within the "spirit" of this Administrative Procedure must be adopted or the responsible person is to consult the Superintendent, the Secretary Treasurer or the Assistant Secretary Treasurer.
4. Responsibility
 - 4.1. The District is responsible for maintaining appropriate internal controls as part of its accountability.

- 4.2. The authorized approving officers are responsible for ensuring that requests and agreements for consulting and professional services meet the conditions of this Administrative Procedure, there are sufficient funds available to cover the contract value, and the costs are being charged to an appropriate expenditure account. Outlined in section 5 are the authorizations required when entering into a professional services agreement.
- 4.3. The Manager, Purchasing and Material Services is responsible for developing and maintaining administrative processes relating to procurement of consulting and professional services and ensuring that consulting and professional service agreements are in compliance with this Administrative Procedure.
- 4.4. The Secretary Treasurer is responsible for developing and maintaining administrative processes relating to processing consulting and professional services invoices in a timely manner and ensuring that consulting and professional service agreements and invoices are in compliance with this Administrative Procedure.

5. Authorizations

- 5.1. All requests for consulting and professional services must be approved by an authorized approving officer as outlined below.

5.1.1.

Amount	Authorization Required
Over \$25,000	Secretary Treasurer or Superintendent
0 - \$25,000	Division Head or Associate Superintendent

- 5.2. All agreements for contracted legal services must also be approved by District Legal Counsel.

6. Purchasing of Consulting and Professional Services

- 6.1. All purchases done on behalf of the District must be made in accordance with Administrative Procedure 515 - Purchasing. Whenever practicable, consulting and professional services are to be ordered through the Manager, Purchasing and Material Services, invoiced to the District and paid by cheque issued by the Secretary Treasurer.

7. Contract Format

- 7.1. All consulting and professional services agreements must be in writing in a format approved by the Manager, Purchasing and Material Services. The Manager, Purchasing and Material Services will seek advice from District Legal Counsel if required.

8. Employee or Independent Contractor

- 8.1. An employer/employee relationship exists where a person providing a service is deemed, for Revenue Canada purposes, to be an employee of the District. In this case, the District is required by law to provide statutory benefits and make specific source deductions from payments. Please refer to Administrative Procedure 485 for more details.

- 8.2. When an employer/employee relationship exists, standard District hiring procedures must be followed. The individual will be paid through the payroll system, the payments will be subject to source deductions for income tax, CPP and EI , and will be reported on a T4 slip.
- 8.3. Generally, the hiring of retired employees as backfill for permanent employees on leave is to be treated as temporary employment and not as contracted consulting.

9. Method of Payment

- 9.1. All invoices for consulting and professional services must be submitted to the Secretary Treasurer for processing and payment. All invoices must be consistent with the authorized Consulting and Professional Services Agreement.

10. Filing

- 10.1. A copy of all approved professional services contracts will be provided to the Secretary Treasurer and the Manager, Purchasing and Material Services.

Reference: Sections 22, 23, 65, 85 School Act
Financial Information Act

Adopted: December 2009.
Revised: September 24, 2018