Professional Services

Purpose

This procedure is issued to provide guidance on contracting for professional services.

Policy

This procedure is issued in accordance with The University of Texas at El Paso Procurement Operating Procedures and Texas Government Code Section 2254, Subchapter B.

Procedures

1. When requesting approval on a professional services, consider the following:
   - **Obtain clear description of the service.**
     Create a statement of work. This list of details defines the work required and assists in preparing the contract for services.
   - **Gather other necessary documentation.**
     This page includes guidelines for providing written justification when you don't obtain competitive bids.
   - **Get quotes/competitive bids.**
     Although obtaining quotes is not essential, it is highly recommended and may be useful in choosing the best provider. If obtaining quotes, attach documentation to the professional services form.
     - Ask the potential service provider to provide a quote that defines the services to be performed and what the provider will charge for those services.
     - Ask for the contractor's information; FEIN, address, telephone number, fax number, and e-mail address.
     - Ask for terms and conditions of service.
   - **Choose the best contractor which best suits the needs of the department.**
     Select the best provider based on the following criteria:
     - Experience
     - Referrals
     - Recommendations
     - Evaluation of past work
     - Cost of services
   - **Disclose Employee-Supplier relationship.**
     If an employee-supplier relationship exists, please disclose this information.

2. To process a Professional Services form:
   - Complete the electronic Professional Services Form available in Miner Mall regardless of the total cost of services.
   - Include and attach any of the following for Purchasing to review:
     - Quotes
     - Service agreements
     - Engagement letters
     - Letters of Intent
   - Submit the Electronic Form so that it may route to the appropriate Department Approvers.
   - Form will then route electronically to the Purchasing Department for final approval.
   - If you have any questions regarding the use of this form, please contact your purchasing representative or call ext. 5601. To contact your Buyer, please see “Who's My Buyer?” [http://admin.utep.edu/Default.aspx?tabid=68363](http://admin.utep.edu/Default.aspx?tabid=68363)

Note: You must provide a thorough and complete response to all the considerations. Any Agreements must be forwarded to Purchasing for review, approval and signature.
Applicability

This administrative procedure applies to all University departments.

Definitions

- **Professional Services** - relationship exists when UTEP has the right to control only the end result of a service, not the way it is performed. They are performed by companies such as corporations, firms, partnerships, and sole proprietorships. Examples of such services include accounting, professional engineering, architecture, land surveying, medicine, optometry, real estate appraising. These contractors use a FEIN (Federal Employer Identification Number) for tax purposes.

- **Consultants** - offer advice or solve clearly delineated problems, but they don't direct or carry out solutions. A worker is a consultant when UTEP can't control either the result of the service or the way it is performed. A consultant can be an individual or company and requires no guidance to accomplish the task.

- **A Statement of Work** - should include, but is not limited to, all of the following:
  
  - Project scope: Describe the work being provided, including any work plan, required deliverables, milestones, performance standards, and due dates.
  - Period of performance: List the start and end date for the entire project.
  - UTEP Project Manager: Indicate the name of the designated UTEP employee who has authority over the work.
  - Title: Include the name of contract, grant or project, if applicable.
  - Physical Location: Describe where the work will be performed.
  - Supplies and Equipment: List the supplies and equipment that will be used.
  - Payment Rate: State the dollar amount computed by job, month, day or hour.
  - Total not to exceed: State the total dollar amount that the purchase order can't exceed.
  - Payment Terms: Provide any special terms of payment requested by the worker.
  - Employee-Supplier Relationship: Disclose the relationship on Form.
  - Worker’s citizenship: Provide country and visa status if worker is not from the United States.

- **Miner Mall** - Miner Mall is an electronic procurement marketplace that is the University’s tool for the issuance, approval and payment processing of all University Purchase Orders.

Responsible Party

Director, Purchasing & General Services

Last updated: October 1, 2012