

Approval Process For Service Providers

Based upon the requirements of administrative regulation 3323, this regulation is intended to specifically address the process of approving independent contractors that will provide services for a Fresno Unified School District site or department. Services typically to be provided include, but are not limited to, guest speakers, expert program consultants, personnel recruitment, and legal services.

Once an independent service contractor is identified, in accordance with Education Code, Public Contract Code, and/or district policy, the following process is to be followed to obtain authorized approval.

1. Independent contract services under \$15,000 must be approved via a purchase order in accordance with administrative regulation 3323. Authorized district personnel and the contractor shall be required to complete an Independent Contractor - Service Agreement which would accompany the initiating department's requisition for services (See exhibit 1).
2. Independent contract services equal to, or in exceed of, \$15,000 must be approved by the Board of Education via a formal written contract. The contract must include the following basic provisions unless otherwise modified by legal counsel:
 - a. Description of Services
 - b. Compensation Terms
 - c. Mediation Terms
 - d. District Responsibilities
 - e. Term of the Agreement
 - f. Termination Provision
 - g. Insurance Requirements for Contractor
 - h. Contractor Qualifications
 - i. Independent Contractor Declaration
 - j. Indemnification Clause
 - k. Assignment Clause
 - l. Compliance with Law Clause
 - m. Governing Law and Venue Clause

- n. Entire Agreement Declaration
- o. Amendments Provision
- p. Severability Clause
- q. Binding Effect Declaration
- r. Execution in Counterparts
- s. Attorney's Fees Clause
- t. Cooperation with State and Federal Authorities Clause
- u. Contractor Signature, Title, and Date of Execution
- v. Contractor Federal Tax Identification Number and/or Social Security Number
- w. Administrative Approval, Title and Date of Execution
- x. Board Approval, Title, and Date of Execution
- y. Fresno Unified Budget Classification that Contract Costs will be charged

Travel and incidental costs incurred by independent contractors will be reimbursed pursuant to the following provisions:

Generally independent contractors are responsible for bearing all costs incidental to the performance of their services to the district. However, in limited circumstances it may be appropriate for the district to pay incidental costs as a separately-stated item. Such an example is where it is the ordinary industry practice for the hiring firm to pay incidental costs, such as travel to and from various points of business, and such costs cannot reasonably be calculated in advance.

The reimbursement of transportation costs and allowance for per diem expenses is allowable. These costs shall be paid at rates established by the district so as to reasonably reimburse a contractor for traveling expenses necessarily incurred while performing work for the district. Such rates shall generally not exceed those amounts paid to the district's employees except as otherwise negotiated. The Director of Purchasing will enter into arrangements with local hotel/motel and automobile rental companies whenever advantageous for contractors to utilize.

Regulation FRESNO UNIFIED SCHOOL DISTRICT
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