

# Authority to Approve Independent Consultant Agreements

(Delegation of Authority SCDA-BUS0001)

## I. Delegation Summary

**Delegated To:** Vice Chancellors, Associate Chancellors, and Assistant Chancellors (as Program Review Officials), and Director, Materiel Management (as Responsible Administrative Official)

**Scope of Delegation:** A contract to secure the services of an independent consultant may be entered into only when a determination has been made that the services are so urgent, special, temporary, or highly technical that they cannot be performed economically or satisfactorily by existing University staff during the course of their normal University responsibilities or duties. This delegation provides the authority for authorizing and approving independent consultant agreements and subsequent amendments.

**Delegated By:** Chancellor

**Effective Date:** August 7, 1997

## II. Detailed Delegation

### A. Detailed Delegation Statement

Effective immediately, in accordance with Business and Finance Bulletin BUS-34, Vice Chancellors, Associate Chancellors, and Assistant Chancellors are authorized to act as Program Review Officials to authorize and execute independent consultant agreements and amendments within their respective areas of responsibility, after reviewing the proposed agreement or amendment for consistency with organizational programs and objectives. This authority extends to withholding final payment until evidence is received that the terms of the agreement have been completed.

The Director, Materiel Management, is authorized to act as Responsible Administrative Official, with responsibility for establishing and implementing procedures necessary to fulfill the requirements of Bulletin BUS-34, and to co-sign, with the Program Review Officials, campus independent consultant agreements on behalf of The Regents of the University of California.

All agreements must be approved as to legal form by the General Counsel and Vice President for Legal Affairs prior to execution unless previously approved by that office and issued without revision.

## **B. Restrictions/Exceptions**

None

## **C. Authority to redelegate**

The authority to act as Program Review Official may be redelegated by a Vice Chancellor, Associate Chancellor or Assistant Chancellor, to one or more officials reporting directly to him or her. This redelegated authority, as Alternate Program Review Official, may be exercised only in the case of urgent need arising during the Program Review Official's absence from campus. Any redelegation must be in writing and must be at least as restrictive as this delegation. Additional restrictions may, however, be included.

The Responsible Administrative Official may redelegate his/her responsibilities to one or more officials reporting directly to him/her for agreements and amendments up to \$100,000. Redelegation should align authority with effective organizational assignments of responsibility. Any redelegation must be in writing and must be at least as restrictive as this delegation. Additional restrictions, however, may be included. See UCSC Policy MSC0001: *Delegations of Authority*.

## **D. Definitions**

**Independent consultant:** an individual or organization outside the University, of recognized scientific, professional or technical competence, who provides primarily written and/or oral professional or technical advice in an independent contractor relationship.

## **III. "Supersedes" Notification**

This delegation of authority supersedes all previous campus delegations on this subject, including but not limited to:

UCSC Delegation, Chancellor to Vice Chancellors, et al., dated October 15, 1996.

UCSC Delegation, Chancellor to Director of Accounting and Business Affairs, dated August 15, 1990.

UCSC Delegation, Chancellors to Deans, et al., Appointment as Alternate Authorizing Official, August 15, 1990.

## **IV. Getting Help**

The campus Business Contracts Office can respond to questions about this delegation of authority.

**AUTHORITY TO APPROVE INDEPENDENT CONSULTANT**

**AGREEMENTS: SCDA-BUS0001**

Issue Date: August 7, 1997

Page 3 of 4

---

---

<b>If you need help with ...</b>	<b>Contact ...</b>
...determining the appropriate Program Review Official	Purchasing and Business Contracts Office, x94533.
...determination of contractor vs. consultant relationship	See UCSC Policy MM0004: Purchasing Personal and Professional Services; also, see UCSC Policy MM0005: Determination of Employer-Employee vs. Independent Contractor Relationship.
...confirming that a proposed agreement is a consultant agreement	Purchasing and Business Contracts Office, x94533.
...other business contracts	Purchasing and Business Contracts Office, x94533.
...payment of independent consultants	Accounts Payable Help Desk, x92909.

**V. Authority/References**

Authority to make this delegation is documented as follows:

Business and Finance Bulletin BUS-34, Securing the Services of Independent Consultants

*References*

UCSC Procedure BUS0003: Engaging the Services of Independent Consultants

UCSC Policy MM0002: Purchasing Conduct and Ethics

UCSC Policy MM0003: Employee-Vendor Relationships and Conflict of Interest

UCSC Policy MM0004: Purchasing Personal and Professional Services

UCSC Policy MM0005: Determination of Employer-Employee vs. Independent Contractor Relationship

Business and Finance Bulletin BUS-34, Securing the Services of Independent Consultants

Business and Finance Bulletin BUS-43, Materiel Management

Business and Finance Bulletin BUS-76, Engagements with the Regents' Audit Firm

Academic Personnel Manual Section 664.

*Related Delegations of Authority*

SCDA-BUS0002: Authority to Approve Certain Business Contracts and Agreements, Chancellor to Vice Chancellors.  
(under construction)

**VI. Copies**

**AUTHORITY TO APPROVE INDEPENDENT CONSULTANT**

**AGREEMENTS: SCDA-BUS0001**

Issue Date: August 7, 1997

Page 4 of 4

---

*The following individuals/offices were provided copies of this delegation*

Special Assistant -- Coordination and Review  
Senior Vice President -- Business and Finance  
Secretary of the Regents  
General Counsel and Vice President for Legal Affairs  
Director, Materiel Management