

## Western Illinois University Foundation, Inc.

### Contract Policies

Effective Date: 12/10/2014

Responsible Departments: WIU Foundation Office

### Contracts

Important reminders about contracting for professional services:

- Always use the most current version posted on the WIU Foundation's website. The agreement can be found here:  
[http://www.wiu.edu/vpaps/foundation\\_and\\_development/forms.php](http://www.wiu.edu/vpaps/foundation_and_development/forms.php)
- The contract must be fully signed before services begin, and all appropriate Vice President approvals should be attached at that time. Please allow at least two weeks for signatures to be obtained. Late contracts require that a justification for late submission be submitted to the Foundation Office.
- Any contract over \$1500 must be submitted with a Request for Purchase to the Purchasing Office prior to the beginning date of the contract.
- A fiscal agent cannot sign WIU's Agreement for Professional Services on behalf of the WIU Foundation. Per WIU Foundation bylaws, the Executive Officer of the WIU Foundation is the only WIU employee legally authorized to sign contracts and other legal documents on behalf of the WIU Foundation.
- If a vendor has their own contract (including hotel and advertising agreements, performance contracts, maintenance agreements, etc.) – regardless of dollar amount - please call Foundation Accounting for further instructions. The Foundation Accounting area will review and modify the contracts as necessary to minimize risk exposure prior to the vendor signing.
- Departments should contact the Purchasing Office when: the contract is \$20,000 or more before sending an agreement to the vendor (must be competitively bid or determined to be a sole source); there is a known conflict of interest; or the contract is with a foreign individual

### Employee or Independent Contractor?

If a contractual relationship is determined to be an employee relationship, a lump sum payment form is processed through the Human Resources department and payment is made through the payroll process. The lump sum payment form should be submitted to Human Resources.

### Independent Contractors

- Are not otherwise employed by the University or Foundation
- Pursue outside work or provide a service to multiple customers/clients and advertise such services
- Take a "risk" for not completing the conditions of the contract

- Contract for a set price to provide an identifiable service which covers a specified time frame
- Have the flexibility to assign the service to other individuals
- Are not directed as to methods of accomplishment, time restraints (other than contract period), etc.
- Have a short-term relationship with the Foundation
- Contract is to be all inclusive, the Foundation does not reimburse for items such as lodging, travel and meals.

Date 12/10/2014



Marlin France, Secretary

Review schedule: Every Three Years

Revision history: 12/2014 original policy