Contract for Services Policy

Policy Number	500.04.03	**Custodian**	Director of Finance
Approved Date	07/25/2024		
Effective Date	07/25/2024	**Review Date**	2/21/2024

1. **Purpose**
   White Earth Tribal and Community College (WETCC) is committed to a formal process for the acquisition of goods and services for all WETCC programs, which ensures that federal, state, and WETCC procedures are followed.

2. **Persons Affected**
   2.1. Board of Trustees (BOT)
   2.2. Employees (Faculty and Staff)

3. **Policy**
   This policy is to ensure the following:
   3.1. The nature of an engagement for future services between WETCC and a service provider.
   3.2. All external contractual undertakings are transparent throughout the organization and available to the BOT at regular meetings.

4. **Definitions**
   4.1. Contract. A written agreement with specific terms between WETCC and a person or business in which there is a promise to supply goods or services at a fixed price and schedule.
   4.2. Finance Department. The Director of Finance or any employee of the Finance Department designated by the Director of Finance.
   4.3. Vendor/Contractor. An independent contractor if the payer has the right to control or direct only the result of the work and not what will be done and how it will be done.
   4.4. Volunteer. Person who voluntarily offers himself or herself for a service or undertaking and performs willingly and without pay.

5. **Procedures**
   A contract agreement is needed when a service will be performed in the future, often for a multiple set of dates, with payment to be disbursed after the agreement is complete or as agreed upon in the contract agreement. The agreement requires both the signature of the service provider and the WETCC Representative as stated below. A W-9 (Request for Taxpayer Identification Number and Certification) forms will need to be filled out and submitted to the Finance Department with the Contract.

   WETCC Representative/s must approve contract prior to issuance to service provider. This approval is as per the following:

   - Cabinet Members are the only staff authorized to enter into an external contract for services under $1,000.

- The President has the authority to approve and sign external service provider contracts in instances when the total contractual fees amount is between $1,000 and $19,999 in total for all expenditures related to external fees for services. No contract with the dollar amount between $3,000 and $19,999 is valid without the President's signature.
- Any vendor contract exceeding $20,000 in a calendar year must also be approved by the BOT.
    - If exceeding $25,000 AND federal funds are to be used to finance the purchased good(s) or service(s), prior to submitting the request to the BOT, the requestor will review the electronic roster of debarred companies and individuals within the federal System of Award Management (SAM) to document that the company or individual receiving the bid is eligible to receive federal contracts.

Any honorarium paid to a volunteer shall be approved consistent with the process outlined above, including verification by the grant manager that such payment complies with grant requirements. A W-9 must also be filled out and submitted to the Finance Department for such a payment.

Board of Trustees (BOT)

5.1. The BOT is granted the power and authority to enter into agreements and to incur liabilities including contracts for services with the United States Federal Government, the State of Minnesota, or other public or private entities in connection with, or incidental to, the accomplishment of any one or more of the purposes of the College.

Finance Department Responsibilities

5.2. The Finance Department is required to review the contract request to ensure funds are available. Written requirements of the contract must be provided to the contractor/vendor from the College prior to approval.

5.3. The Finance Department is responsible for monitoring the contracted services to the approved yearly budget.

5.4. Contract and all supporting documents need to be in the Cabinet Members monthly report to the president in the month the contract becomes effective.

5.5. The President and the Director of Finance are responsible for reporting all approved contract for fees expenditure payments under $20,000 to the BOT during regular meetings.

Human Resources Responsibilities

5.6. When requested by the Finance Department, Human Resources will review a contract to ensure the individual is appropriately classified as an independent contractor.

Cabinet Responsibilities

5.7. Cabinet Members are granted the power and authority to enter into agreements and to incur liabilities under $1,000, including contracts for services with the United States Federal Government, the State of Minnesota, or other public or private entities in connection with, or incidental to, the accomplishment of any one or more of the purposes of the College.

President Responsibilities

5.8. The President is granted the power and authority to enter into agreements and to incur liabilities under $19,999, including contracts for services with the United States Federal Government, the State of Minnesota, or other public or private entities in connection with, or incidental to, the accomplishment of any one or more of the purposes of the College.

5.9. Any contract in the amount of $20,000 or more, must also be approved by the BOT.

Revision History

Rev. Date	Rev. No.	Revision
7/9/2024	2	Housekeeping: - Pursuant to the FY23 financial audit (for contracts greater than $25,000), incorporate language to ensure that the vendor/contractor is eligible to receive federal funds. Other changes: - Change in contracting procedures requiring BOT approval for contracts greater than $20,000
2/21/2024	1	Housekeeping: - Format and titles. - Clarity in purpose, persons affected, individual and finance department responsibility, and procedure.
2/11/2020	Original	Original