



SCHOOL OF LAW
UNIVERSITY OF CALIFORNIA, BERKELEY

How to Obtain Professional Services

The University has defined three categories of services - this flyer explains how to obtain "professional services":

- **Common Services** – standard commercial services that support a product or function and that are readily available through conventional commercial marketing channels. These include caterers, building and maintenance contractors, janitorial services, photographers and security guards.
- **Professional Services** – independent contractor services that require technical or specialized expertise which is not available on the campus. These include trainers, fundraisers, focus group facilitators, data analysts, and experts in their fields.
- **Consultants** – a special category of independent contractor providing analysis and advice to solve a problem(s) related to University administration or management.

How to request professional services:

- Tell us about your needs in an e-mail message to orders@law.berkeley.edu. Include any relevant attachments.
- Business Services will work with you to prepare the required documentation and to identify appropriate service providers:

Statement of Work - describes the scope of the desired services, any preferred approach, technical specifications, project limitations, questions requiring answers, project deliverables, firm or estimated time schedule including dates for commencement of performance and completion of service, any equipment or supplies to be provided by the University, and the location where services will be performed, among other details. We can provide sample statements and a template to assist you in preparing this document.

Price Quote Solicitations – required for projects with an estimated value greater than \$5,000. We are required to demonstrate that we have attempted to obtain the best price for the desired services. We will work with you to develop the questions to ask of prospective service providers. We will process the solicitation and receive and communicate vendor responses to you for selection. Projects with an estimated value of \$50,000 or more require a formal solicitation process that is administered by our designated central campus Buyer.

Independent Contractor Pre-hire Worksheet – this template guides the decision-making process to determine if the selected vendor meets eligibility requirements for a professional service provider as defined by the Internal Revenue Service.

Sole Source Justification – in some cases, there may be only one source that can meet the requirements of your project or only one acceptable source even though others may exist. A sole source justification statement explains in specific detail the basis for your determination that the selected vendor is uniquely qualified to meet the needs of your project. This statement must be reviewed and accepted by Procurement Services before a purchase order can be established.

Chartstring – the source of funding for these services. Chief Financial Officer Thomas Cunningham can provide this information (tcunningham@law.berkeley.edu).

Purchase Order – Business Services has a delegated authority to prepare purchase orders for services valued at \$10,000 or less. Requisitions are prepared for services valued above this authority and Business Services works in partnership with our designated campus Buyer to prepare the purchase order. Purchase orders are prepared only when all of the required documentation has been assembled and, when appropriate, reviewed and approved by campus Procurement Services. Once a purchase order has been established, Business Services works directly with the service provider to expedite prompt payment of invoices.



It is important for you to know that “professional services” represent taxable income to the individual performing the services. **If you choose to pay a service provider directly and then request reimbursement**, be prepared for the possibility of two unpleasant surprises:

1. You may be denied reimbursement for an unauthorized expenditure, or
2. You may be reimbursed through the payroll system, in which case you will have paid the federal and state taxes due on the service provider’s income.

It is also important for you to know that **a sole source justification should never be used to rationalize an unauthorized purchase**, where the services were provided in advance of a properly documented request. Purchases of goods and/or services by individuals without a written delegation of purchasing authority are defined by UC policy as “unauthorized.” Part 3 of [Business and Finance Bulletin 43](#) describes the policies and requirements for the purchase of goods and services by the University. According to Part 3, Section VIII, you could be held **personally liable for payment** of all or part of your unauthorized purchase.

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