

GUIDELINES FOR USE: LIMITED ENGAGEMENT SERVICES AGREEMENT

The Limited Engagement Services Agreement (LESA) template must be used consistent with these Guidelines. Any other use outside the scope of these guidelines must be approved by Sourcing/Procurement. Service Providers who meet the following criteria may be determined to be “limited engagement” service providers, using the Limited Engagement Services Agreement, subject to these Guidelines, as long as they are not performing the excluded Services listed below.

“Limited engagement” is intended to apply to: (i) limited scope of engagement/services/activities, such that the engagement is a one-time service/project or no more than 5 occurrences of the same engagement in a 12-month period; and (ii) a short period of time, for example less than 5 business days concurrently or 5 one-day occurrences, for the Services to be performed, and the Service(s) will not be repeated/extended by amendment after completion.

APPROPRIATE USES

The following category of vendor/service provider/engagement may be used for the Limited Engagement Services Agreement:

- Speaker
- Artist
- Performer
- Creative services as for a theater production or similar event, such as: Costume design; Choreographer; Light design; Set design

- Grant writer
- Executive coach
- Freelance writer
- Graphic Designer (**must also add** current [LESA Addendum](#), available from Procurement)

- Photographer (**must also add** current [LESA Addendum](#), available from Procurement)
- Caterer (**must also add** current [Catering Addendum](#), available from Procurement)
- Other Limited Use Service Provider if the engagement/services are similar to those listed above and are not excluded in the below guidance. **Procurement must approve use of the LESA for situations not identified above as specifically approved.**

NOTE FOR SPECIFIC SITUATIONS

General:

- Exemption from Tax Office’s Certification of Independent Contractor Status (“Tax IC Certification”) process for any individual or sole proprietor if **all** the following criteria are satisfied:
 - The services/engagement is specifically listed above; and
 - The services/engagement does not exceed 5 consecutive business days or no more than 5 single occurrences (e.g., one-day occasions) of the same services/engagement over a 12-month period; and
 - The fee for the services/engagement does not exceed \$1,000 per transaction; or \$5,000 total in a 12-month period.

- **NOTE: if the engagement does not satisfy the foregoing criteria, the department must comply with the Tax IC Certification process before initiating the contracting process and before the service(s)/engagement begins.**
- If the Services will take place or be performed in leased, rented or other external facility(ies), this Agreement must be approved by Procurement after a review of the lease/rental or outside facility use agreement to be sure the Services can be provided or to take additional steps as are required for the Services to be provided.
- Even if Services exceed the \$1,000/\$5,000 threshold for complying with the Tax IC Certification process, this LES Agreement template may still be used if appropriate, particularly for the specific services listed above, and if not excluded in the list of Specific Exclusions below. The Tax IC Certification process can be accessed from the following link:
<https://drexel.edu/tax/independent-contractors>

Engagements Involving Direct Contact With Minors

- Any engagement/services/activities requiring direct contact with minors (children under 18 years old) even if parent/guardian is required to, or may, be in attendance, may require additional internal review and requirements, including additional insurance. These engagements are subject to review by the Minors Coordinator and Risk Management. Please be sure to note this in the requisition so that the appropriate action can be taken before Drexel commits to the engagement.
- If the LESA is used for any of these engagements, the LESA Addendum must be included in the Agreement.

SPECIFIC EXCLUSIONS

The following is a non-exhaustive list of services or engagement types that are not to be contracted on the Limited Engagement Services Agreement:

- Transportation services (bus, trolley, limousine, etc.)
- Research-related services or services that are externally funded, or services that relate to the research enterprise:
 - Contact the Office of Sponsored Programs for the appropriate review and contractual document at ResearchContracts@drexel.edu
 - For matters involving Participants on a grant-funded advisory board: Follow ORI-201 Community Advisory Board Member Guideline at <https://drexel.edu/research/compliance/guidelines-procedures/>
- External Peer Review/Advisory services: peer review of grant proposals, advising faculty on their research proposals/grant application, and similar activities. Contact Procurement for Peer Review/Advisory Services Agreement. **
** if activity qualifies, or is approved, as an honorarium payment under the criteria set forth in the [Purchasing Guidelines](#), follow instructions on the Procurement website at the following link: <https://drexel.edu/procurement/makingPurchases/purchasing-guidelines/>
- Hiring of any kind or related to hiring, including student workers or temporary staffing services – contact HR for guidance and assistance

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- Services that relate to facilities, property and/or maintenance (e.g. plumber, electrician, elevator, window washer, janitor, snow/ice removal, landscape/tree services, etc.)
- Services involving hazardous waste, hazardous materials or environmental services (such as, asbestos remediation/removal, use of chemicals or other potentially hazardous materials) or flood/water damage clean-up. Environmental Health & Safety (EHS) has a template agreement for these services. Contact EHS at safeheal@drexel.edu
- Any service excluded by the Purchasing Policy, available at <https://drexel.edu/compliance-policy-privacy/policy/Policy-Directory/>
- Any services that require use of dangerous equipment and/or dangerous methods, such as working at a height greater than 5 feet, requiring use of a ladder, scaffolding, bucket truck, crane, scissor lift or similar equipment.
- Drones
- Services to be performed outside of the United States
- Services involving access to or receipt of information that is confidential, sensitive and/or protected health information (e.g. financial or medical records)
- Services related to teaching, curriculum design/development or academic instruction
- Services related to delivery of healthcare or clinical operations (e.g. by a professional healthcare provider)

NOTE: This is not an exhaustive list of excluded services - other situations may not be appropriate for the Limited Engagement Services Agreement – please consult Procurement.