

PERSONAL SERVICES CONTRACTS

1. **Personal Services Contracts - Defined.**

- a. Personal services contracts include, but are not limited to, a contract or member of a class of contracts that the Local Contract Review Board (LCRB) has designated as a personal services contract pursuant to Oregon Revised Statute (ORS) 279A.055. Personal services include but are not limited to the following:
 - i. Contracts for services performed as an independent contractor in a professional capacity (e.g., services of an accountant, attorney, data processing consultant, etc.);
 - ii. Contracts for services as an artist in the performing or fine arts (e.g., photographer, painter, etc.);
 - iii. Contracts for services that are specialized, creative and research oriented;
 - iv. Contracts for services as a consultant;
 - v. Contracts for educational consulting services.
- b. Personal services contracts may include:
 - i. Public contracts for architectural, engineering and land surveying and related services.
 - ii. Other public contracts for non-construction services.

2. **Personal Services Contracts – Thresholds for the procurement for all personal services (other than the services of an architect, engineer, land surveyor or related services).** Personal Services Contracts shall be formally solicited by request for proposal (RFP) pursuant to Oregon Administrative Rule (OAR) 137-047-0250 through 137-047-0290 except:

- a. **Small Procurements.** Personal services contracts with an estimated price/fee less than or equal to \$75,000 within a fiscal-year period may be procured through direct negotiations with the contractor.
- b. The District has, through a request for qualifications (RFQ), established a list of qualified contractors for the particular project or class of project.
- c. The nature of the contract work requires an ongoing, long term relationship of knowledge and trust. Examples include, but are not limited to, legal services and audit services.
- d. **Intermediate Procurement.** Personal services contracts with an estimated price/fee greater than \$75,000 but less than or equal to \$150,000 within a fiscal-year period may be procured through an informally solicited process (quote, bid or request for proposal).
- e. **Sole Source.** The district may award a contract for personal services without competition pursuant to the requirements of OAR 137-047-0275.

3. **Personal Services Contracts – Thresholds for the procurement and amendment for personal services contracts of an architect, engineer, land surveyor or related services (as defined in ORS 279C.100).** Personal Services Contracts shall be formally solicited by RFP pursuant to OAR Chapter 137 Division 48 except as allowed in OAR Chapter 137 Division 48.

4. **Amendments.** Personal Services Contracts may be amended in accordance with OAR 137-047- 0800.
5. Additional procedures, including forms and solicitation templates, for personal services contracts are delineated in the Purchasing Manual located on the BSDnet Portal.
6. **Special Procurements - Authority.** Pursuant to ORS 279A.055, the Board may designate certain service contracts or classes of service contracts as personal services contracts. In addition to the special procurements designated in 7 below, the Board delegates to the Superintendent, or designee, the authority and discretion to decide whether a particular type of contract or service falls within the definition of a personal services contract.
7. **Personal Services - Designated.** The Board designates the following classes of service contracts and service contracts as personal service contracts:
 - a. Classes of service contracts:
 - i. Contracts for services performed in a professional capacity, including services of an accountant, attorney, architect, land-use-planning consultant, engineer, appraiser, surveyor, medical professional (e.g., doctor, dentist, nurse, counselor), information technology consultant, or broadcaster;
 - ii. Contracts for services as an artist in the performing or fine arts, including any person identified as a photographer, filmmaker, actor, director, painter, weaver, or sculptor;
 - iii. Contracts for services that are specialized, creative, or research-oriented;
 - iv. Contracts for services as a consultant;
 - v. Contracts for educational services; and
 - vi. Contracts for human custodial care, child care, mental health care, health services, social and emergency services, and other human services.
 - b. Service contracts:
 - (1) Accountant / Auditor / Investment Advisor;
 - (2) Agent of Record;
 - (3) Artist / Performer / Producer / Announcer;
 - (4) Athletic Official;
 - (5) Auction Server;
 - (6) Author;
 - (7) Catering with Service;
 - (8) Child Care Provider;
 - (9) Choreographer / Dance Instruction;
 - (10) Conference Planning / Employee Assistance;
 - (11) Consultant / Evaluator;
 - (12) Dental Services;
 - (13) Environmental Services;
 - (14) Exam Preparation / Grading / Proctor;
 - (15) Facilitation;
 - (16) Financial Advisor;
 - (17) Grant-Related Services;
 - (18) Health Care Provider;
 - (19) Hearings Officer;
 - (20) Higher Ed / Extended Studies / Internet-Based Learning;
 - (21) Insurance Adjuster / Appraiser;
 - (22) Interpreter

- (23) Investigator;
- (24) Lecturer / Presenter;
- (25) Legal Services / Mediator / Adjudicator
- (26) Medical / Nursing Services;
- (27) Music Instructor;
- (28) Musician / Disc Jockey / Musical Scores;
- (29) Painter / Sculptor
- (30) Personal Development Training;
- (31) Photographer, Photography;
- (32) Print / Graphic Services / Embroidery / Screen Printing / Book Binding;
- (33) Real Estate Services;
- (34) Special Education Services;
- (35) Story Teller;
- (36) Student Teachers;
- (37) Technical Writer: Grants / Manuals / Speeches;
- (38) Technology / Software / Related Services;
- (39) Training / Instruction: Community, Staff, Students;
- (40) Video / Audio Recording or Productions;
- (41) Wellness.