McMinnville School District #40

Code: DJCA
Adopted: 1/08/07
Revised/Readopted: 6/08/15
Orig. Code: DJCA

Personal Services Contracts

The district may enter into personal services contracts with qualified professionals as provided by ORS 279A.055. Personal services contracts, as used in this policy, means contracts for services that require specialized technical, creative, professional or communication skills or talents, unique or specialized knowledge, or the exercise of discretionary judgment, and for which the quality of the service depends on attributes that are unique to the service provider. The district may enter into a personal services contract with a current district employee only when the individual meets independent contractor status in accordance with state, Public Employees retirements System (PERS) and Internal Revenue Service (IRS) requirements.

Selection of a personal services contractor will be based primarily on qualifications and performance history, expertise, knowledge and creativity and the ability to exercise sound professional judgment.

All personal services contracts shall be based on demonstrated qualifications and competence to perform the required services, encourage competition, discourage favoritism and obtain services at a fair and reasonable price.

Personal services contracts will be subject to competitive bidding requirements in accordance with competitive procurement provisions of Oregon Revised statutes and the district's adopted public contracting rules.

END OF POLICY

Legal Reference(s):

ORS Chapters 279
ORS Chapters 279A, 279B and 279C
ORS 332.107
ORS 670.600
OAR 459-010-0030

INTERNAL REVENUE SERVICE, PUBLICATION 1779: INDEPENDENT CONTRACTOR OR EMPLOYEE (2005).

Cross Reference(s):

DJC - Bidding Requirements