

## Personal Services Contracts

The district may enter into personal services contracts with qualified professionals according to these policies. Personal services contracts, as used in this policy, means contracts that require 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. Such services shall include, but are not limited to: Architect; engineer; surveyor; attorney; accountant; auditor; computer programmer; artist; designer; consultant; trainer; facilitator.

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.

A personal services contract totaling, or estimated to total, less than \$50,000 in the aggregate in either a calendar year or a fiscal year may be awarded by direct appointment, without competitive bidding.

A personal services contract totaling, or estimated to total, between \$50,000 and \$150,000 in the aggregate may be awarded after obtaining at least three informal quotes, according to the procedures for Intermediate Procurement described in ORS 279B.070.

A personal services contract totaling, or estimated to total, more than \$150,000 in the aggregate shall be awarded using competitive sealed proposals as provided in ORS 279B.060, unless exempted from competitive bidding by resolution of the Local Contract Review Board according to the requirements of ORS 279B.085.

Personal service contracts exempted from competitive proposal processes may be awarded in any manner authorized by the Local Contract Review Board.

A contract for Architectural, Engineering and Surveying services may be entered into by direct appointment regardless of dollar amount if the project described in the contract consists of work that has been substantially described, planned or otherwise previously studied or rendered in an earlier contract with the consultant that was awarded under these rules, and the new contract is a continuation of that project.

All contracts for architectural, engineering, surveying and related service shall be entered into consistent with ORS 279C.110.

Contracts for personal services in excess of \$25,000 shall require prior Board approval, or as otherwise specified in Board policy.

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 Retirement System (PERS) and Internal Revenue Service (IRS) requirements.

The superintendent will develop administrative regulations as necessary to implement this policy.

END OF POLICY

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**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.

**Cross Reference(s):**

DJC - Bidding Requirements