

**University of Oregon
Personal Services Contract
Instructions**

1. **Submission.** Submit the completed Personal Services Contracts (“PSC(s)”), all required attachments and PCS Intake Sheet to contract@uoregon.edu. The PCS Intake Sheet and accompanying instructions can be found at <http://pcs.uoregon.edu/>. If submitting hard copies of the PSC through campus mail, send them to: Purchasing and Contracting Services, Attn: PSC Intake. Electronic submittal is preferred. The PCS Intake Sheet must always be sent electronically regardless of whether all other documents are otherwise sent through campus mail.
2. **Processing.** Purchasing and Contracting Services (“PCS”) will insert a unique identification number and review the PSC and accompanying documentation and will communicate any questions, revisions or concerns to the submitting department. If negotiations are required with the vendor, PCS is available to discuss the changes with Contractor or the department may maintain exclusive contact with Contractor at its discretion.
3. **Contractor Information.** If Contractor is a new vendor (not previously set up in Banner), follow the instructions set forth at <http://ba.uoregon.edu/staff/vendor-setup> for the new vendor set-up procedures and to obtain a copy of the UO Substitute W-9 instructions. **DO NOT SUBMIT UO SUBSTITUTE W-9 TO PCS.**

Additionally, if Contractor is a non-resident alien individual or entity, regardless of whether Contractor is a new vendor, follow the instructions set forth at <http://ba.uoregon.edu/staff/payment-process-for-international-visitors>. Complete all required documents and submit the original documents directly to Accounts Payable in Business Affairs Office. **DO NOT SEND COPIES OR ORIGINALS OF THE W-8, FORM 8233, OR ANY OTHER REQUIRED NON-RESIDENT ALIEN DOUMENTS TO PCS.** If Contractor is a resident alien, Contractor does not need to submit documentation of Contractor’s status. If you have any questions regarding vendor set-up, resident alien, or non-resident alien requirements, please contact Accounts Payable at 346-3143.

4. **Signatures.** Once approved by PCS, the approved PSC will be emailed to the department with instructions that the department obtain Contractor’s signature. After all required signatures are obtained, PCS will execute the agreement. However, if the PSC is below \$25,000, PCS will sign first unless otherwise requested by department. If PCS signs the agreement last, a final fully executed electronic copy of the agreement will be returned to the department via email with instructions that the department forward a copy of the fully executed agreement to Contractor (PCS can send a copy of the fully executed agreement to Contractor if the department wishes). If Contractor wishes to receive hard original copies of the agreement with blue ink signatures, PCS will be happy to oblige.
5. **Form Completion**
 - 5.1. **Contractor Information.** Insert the name of the entity or individual with whom we will be contracting. Please be sure to use the full legal name of the entity or individual. This is either the full name of the individual if the contractor is a sole proprietorship or the name published on the website of the Secretary of State in the state in which the company is incorporated or organized. **Do not use abbreviations.** If the Contractor

would like to provide a “doing business as” (dba) name, please include the dba name following the full legal name (e.g. “Oregon Coachways, Inc. dba OC&W Coachways”). Please note that the full legal name is still required even if a dba name is present. Please complete all contact information for Contractor.

5.2. **Department Name.** Department Name is the department submitting the PSC for processing. No abbreviations or acronyms please.

5.3. **Prepared by and Preparer’s Phone Number.** Please insert the name and phone number of the department staff member completing the PSC.

5.4. **Contract Term.** Dates the services will begin and end under the Contract. If the effective date field is left blank, date of last signature is the effective date. The Contract expiration (end) date must be entered and may not be left blank. A contract does not exist and services should not be provided until all signatures are secured. Please instruct Contractor that services may not begin until this happens.

5.5. **Statement of Work.** Provide a complete description of the agreed upon services that will be rendered including specific work elements, tasks, deliverables and associated timeline. Use consistent terminology for defined terms (i.e. University of Oregon is defined as “University” not “UO” or “Oregon”). The Statement of Work should be drafted with enough detail and specificity so that an independent third party can read and understand what is expected under the contract without being required to obtain additional information from outside sources. For further instruction on writing a Statement of Work, see the following documents: “Writing an Effective Statement of Work”, “Statement of Work Worksheet.”

5.6. **Contract Fee/Honorarium.** If you need additional space for the rate structure information in the form-fill fields on the cover page (if the PSC cover page expands to include two pages) type “See Exhibit C” in the Variable Fee form-fill field. Check Exhibit C and fill out the Variable Fee section in Exhibit C.

5.6.1. **Fixed Fee.** If Contractor will be paid a fixed amount, check the “Fixed Fee” box and insert the fixed fee amount in the box.

5.6.2. **Variable Fee.** If Contractor will be paid on a variable rate basis (i.e. hourly rate, based on deliverables accepted by University, etc.), check the “Variable Fee” box and insert the rate structure in the adjacent form-fill field.

5.6.3. **Expenses.**

5.6.3.1. **Contractor’s Expenses Including Travel.** If University will be reimbursing any of Contractor’s expenses, including travel expenses, check the first box in the **Expenses** section and insert the total not to exceed amount for all expenses. If this box is not checked, Contractor will not be reimbursed for expenses. Please note, any reimbursements will be reported as income on a Form 1099 unless Contractor is an individual.

5.6.3.2. **Direct Payment of Contractor’s Expenses.** If University will be paying

any of Contractor's expenses directly, check the second box in the **Expenses** section and insert the total not to exceed amount for all direct payments. If this box is not checked, University will not directly pay any expenses on behalf of Contractor.

5.6.3.3. **Interim Payments.** If University will be making interim payments during the term of the PSC, check the fourth box in the **Expenses** section and refer to the Interim Payments section in Attachment C (See Section 5.6.3 below).

5.6.3.4. If the expense data imputed into the fields in the Expenses section causes the PSC cover page to wrap to two pages, check Attachment C in the **Attachments** section and fill out Attachment C.

5.6.4. **Contract Maximum Compensation.** Insert the maximum dollar amount that may be paid to Contractor *including* all financial considerations such as reimbursements, travel, per diem, etc. Expenses paid to third party contractors on behalf of Contractor are also included.

5.7. Additional Terms and Attachments.

5.7.1. **Attachment A. Personal Services Contract Standard Contract Provisions:** Required. Attachment A is found on our website at: <http://pcs.uoregon.edu/content/forms> and should not be physically attached to the contract. Departments may not make changes to Attachment A. If the department or Contractor wants to change any of the terms and conditions in this attachment, such request changes must be submitted to PCS for review and approval. Such a submission will be treated as a custom contract. Department personnel may not sign a Contractor's contract or terms and conditions.

All additional attachments below, whether added by the department or Contractor, must be uniquely labeled and referenced in the Contract.

5.7.2. **Attachment B. Statement of Work:** Required if the statement of work will not fit in the space provided on page 1 of the PSC. See Section 5.5 above.

5.7.3. **Attachment C. Compensation:** Required if the instructions in Section 5.6.3 above so indicate. Includes fees, travel expenses if applicable, and payment information. Please refer to <http://ba.uoregon.edu/travel-independent-contractors>.

If there is an interim payment schedule, enter it in the section marked "Interim Payments." If making interim payments, at least 10% of total payment may not be paid until all work under the PSC is completed. NOTE: Payment(s) need to be related to and dependent upon deliverables provided or services performed.

5.7.4. **Attachment D. Insurance Requirements:** Required if insurance is required. The department must assist in assessing the risk potential of each contract. The risk associated with the contract is not solely dependent on the dollar amount of the PSC.

- 5.6.4.1 General Liability Insurance is the most common type of insurance policy when insurance is required. This is most often required when there is a risk of bodily or property damage.
 - 5.6.4.2 Auto liability, including business use, is required if Contractor will be driving on campus or other University of Oregon property or if Contractor will be transporting individuals in the scope of Contractor's work.
 - 5.6.4.3 Professional Liability Insurance is required whenever the University is relying on the professional judgment of Contractor and Contractor's errors and omissions could subject the University to undue risk.
 - 5.6.4.4 Note any questions regarding insurance coverage on the PCS Intake Sheet.
- 5.7.5. **Attachment E. Photography Contract Provisions:** Required if hiring a photographer. Check Attachment E on the PSC cover sheet. Provide dates, times, locations and subject matter of Contractor's work in either in the Statement of Work section on the cover page of the PSC or on Attachment B (Statement of Work).
- 5.7.5.1. Hourly Rate. If Contractor will provide services on a variable basis (i.e. hourly), detail such terms in the Variable Fee portion on the PSC cover page or Attachment C.
 - 5.7.5.2. Rate Sheet. If Contractor will provide services based on a rate sheet, label and attach such rate sheet as Attachment C-1. Check the "Other" item box in the Attachments section of the PSC cover page and type "Attachment C-1" in "Other" field. Check the Variable Fee section of the PSC cover page and type "See Attachment C-1" in the Variable Fee field.
- 5.7.6. **Attachment F. Independent Contractor Certification Statement.** If the Contractor is an individual, the Independent Contractor Certification Statement must be completely filled out and signed by the Contractor. The Independent Contractor Certification Statement must then be signed by the Department.
- 5.7.7. **SPS Contract Provisions.** Required if ARRA grant funds are paying for the services in whole or in part provided under the PSC. May also be required if the Sponsored Projects Services has indicated that grant requirements dictate that special terms and conditions be added to the PSC.
- 5.7.8. **Other.** Mark this box if another attachment is needed and will be used. Provide a unique title.
- 5.8. **Approvals.** Please see Approvals List (<https://pcs.uoregon.edu/content/forms>) to ensure you have received all necessary internal approvals required for the PSC.

Unless PCS has approved Level 2 Contracting Authority, PCS will obtain SPS's approval of the Contract as required. If the department is exercising Level 2 Contracting Authority they will need to insert the approval information.

If special terms are required by SPS, please select the “Other” box in the Attachment List on the front of the Contract and type in the Attachment Title in the space. Please submit the special terms to PCS with the PCS intake sheet and PCS will attach them to the Contract.

5.9. **PCS Signature.** Unless PCS has approved Level 2 Contracting Authority, PCS execution of the Contract must be obtained prior to the start of services (See Section 4 above).