

**University of Oregon
Personal Services Contract
Instructions**

1. **Use of Personal Services Contract.** The Personal Services Contract Form should be used for all personal services and related travel expenses of non-University employees performing work in the United States. Please submit your matter through the UO Purchasing Portal if dealing with a previous University employee within the last two years, work will be performed outside the United States, or will have unsupervised access to minors.
2. **Signature Authority.** This form must be signed by an individual who has been Level 2 Delegated Contracting Authority (“L2CA”) from the Director of PCS. The Contract value needs to less than or equal to \$25,000.00. If you do not have L2CA, please submit your matter through the UO Purchasing Portal rather than filling out this form.
3. **Contractor:** 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.

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. 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. **Form Completion** (Make sure to remove any instructions or sample language or bracketed language in the form.
 - 4.1. **Contract Number.** Each contract should have a unique number for tracking that contract. Create a unique number and insert this into the “Contract No.” field.
 - 4.2. **Contractor Information.** Insert the Contractor’s complete, legal name. This is either the name of the individual if 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 it’s “doing business as” (dba) name, it may but the contract must list the Contractor’s full legal name then its dba. Insert the Contractor’s mailing address. Insert the Contractor’s email address. Insert the Contractor’s phone number.
 - 4.3. **Department Name.** Department Name is the department issuing the Personal Services Contract. No abbreviations or acronyms please.
 - 4.4. **Department Address.** Insert the Department’s mailing address. No abbreviations or acronyms please.

- 4.5. **Prepared by and Preparer's Phone Number.** Please insert the name and phone number of the department staff member completing the form.
- 4.6. **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.
- 4.7. **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."
- 4.8. **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.
- 4.8.1. **Fixed Fee.** If Contractor will be paid a fixed amount, check the "Fixed Fee" box and insert the fixed fee amount in the box.
- 4.8.2. **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.
- 4.8.3. **Expenses.**
- 4.8.3.1. **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.
- 4.8.3.2. **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.
- 4.8.3.3. **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).

4.8.3.4. 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.

4.8.4. **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.

4.9. Additional Terms and Attachments.

4.9.1. **Attachment A. University Standard Terms and Conditions:** 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.

4.9.2. **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 4.7 above.

4.9.3. **Attachment C. Compensation:** Required if the instructions in Section 4.8.3.3 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.

4.9.4. **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.

4.9.4.1. 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.

4.9.4.2. 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.

4.9.4.3. 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.

4.9.5. **Attachment E. Photography Contract Provisions:**

4.9.5.1. **Photography and Videography Services**

Required if hiring a photographer or videographer. 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).

4.9.5.1.1. **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.

4.9.5.1.2. **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.

4.9.5.2. **Photograph and Appearance Release**

Required if University will have Contractor's participation videotaped, filmed, or recorded. Check Attachment E on the PSC cover sheet. Complete Attachment E with Contractor's name and dates of contract period.

4.9.6. **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.

4.9.7. **Other.** Mark this box if another attachment is needed and will be used. Provide a unique title.

4.10. **Approvals.** Please see Approvals List (<https://pcs.uoregon.edu/content/forms>) to ensure you have received all necessary internal approvals required for the PSC.

4.11. **PCS Signature.** The Personal Services Contract Form may be signed by any University faculty or staff with Level 2 Contracting Authority (L2CA).