

See Also  
Resolution#: 2015-16-6

**PORT OF HOOD RIVER  
RESOLUTION NO. 2005-06-2**

**Establishing Procedural Rules For Personal Services Contracts**

**WHEREAS**, under ORS 279A.070 the Port of Hood River ("Port") wishes to establish its own rules of procedure governing Port personal services contracts;

**THEREFORE, IT IS RESOLVED THAT:**

Personal services contracts, as defined hereafter, entered into by the Port will be governed by the following procedures for the screening and selection of persons to perform personal services:

1. Personal Services Contracts Definition:

A contract for "personal services" is a contract that calls for specialized skills, knowledge and resources in the application of technical or scientific expertise, or the exercise of professional, artistic or management discretion or judgment.

(a) Personal services contracts shall include, but are not limited to, the following: (a) Contracts for services performed in a professional capacity including services of an accountant, attorney, insurance agent of record, physician or dentist, information technology consultant, environmental consultant, or broadcaster;

(b) Contracts for services of a surveyor, engineer, or architect;

(1) These procedures for screening and selection of a surveyor, engineer, or architect, or for related services, shall apply for a new project, or continuation of a project as provided in ORS 279C.115, if the project amount is less than \$10 million, subject however to the provisions of subparagraph (2) below.

(2) The procedures which apply to a local contracting agency in ORS 279C.110 shall apply to a contract for services of a surveyor, engineer, or architect, or for related services if the Port will receive grants, loans or moneys from the State Highway Fund and the value of the project exceeds \$400,000, as provided in ORS 279C.110(2), or if other government grants or loans require compliance with 279C.110 provisions. In such cases the procedures set forth in ORS 279C.110, 279C.115 and 279C.120 for screening and selection shall be used, unless the Port modifies such procedures as allowed under those sections for a particular contract.

(c) Contracts for services as an artist; photographer, film maker, weaver, or sculptor;

(d) Contracts for services that are specialized, creative and research oriented;

(e) Contracts for services as a consultant;

(f) Contracts for educational services.

The Port shall have discretion to determine whether a particular type of contract or service is a personal services contract.

2. Screening and Selection Procedures for Personal Services Contract:

The Port may select a person, firm or group to perform a personal services contract on the basis of availability, cost or qualifications to perform the type of service required, or a combination of those factors, in the Port's discretion. When entering into a personal services contract the Port shall describe the scope of work, work schedule, and cost parameters. Screening and selection procedures may include a consideration of the following factors:

- (a) Specialized experience, capabilities or technical competence available to meet project requirements;
- (b) Resources available to perform the work, including any specialized services, within the applicable time limit;
- (c) Record of past performance, including but not limited to price and cost experience from previous projects, quality of work, ability to meet schedules, cost control and contract administration;
- (d) Availability to perform the work in a timely manner;
- (e) Familiarity with the project locale;
- (f) Proposed project management techniques.

The Port may select an individual, firm or group satisfactory to the Port without considering more than one personal services contract provider, in the Port's discretion. In such case, the compensation level paid must be reasonable and fair to the Port, as determined solely by the Port.

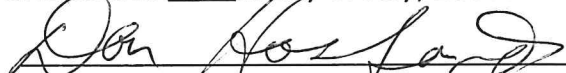
If competitive proposals are received for personal services contracts, qualifications to perform the contract shall be of primary importance. If the Port determines that the services offered by two or more individuals or firms are equally able to meet the Port's needs and are of equal value, the Port should award the contract to the individual or firm offering the service at the lowest price.

The Port may solicit proposals by personal service providers by any method the Port deems appropriate, including soliciting requests for qualifications or requests for proposals, either formally or informally.

These rules replace and supersede any prior rules adopted by the Port for award of personal services contracts.

**ADOPTED BY THE BOARD OF COMMISSIONERS** this 19 th day of July, 2005.

  
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