

# PROCUREMENT SERVICES POLICY 14 CONTRACTED PERSONAL SERVICES

The University of North Carolina at Greensboro

Approved by Paul Forte, Interim AVC for Finance, August 4, 2021

Revised August 4, 2021

## 1. Purpose

This policy outlines the requirements when hiring for contracted personal services.

## 2. Scope

This policy applies to all academic units, organizations, affiliates, and employees of UNCG.

## 3. Definitions and Roles and Responsibilities

### 3.1 Definitions

**PERSONAL SERVICES:** Services provided by a professional individual (person) on a temporary or occasional basis, including (by way of illustration, not limitation) those provided by a doctor, dentist, scientist, or performer of the fine arts and similar professions; the exemption applies only if the individual is using his/her professional skills to perform a professional task; a personal service may also be a consultant service, in which case consultant contracting procedures shall be followed.

**CONSULTANT SERVICE:** Work or task performed by State employees or independent contractors possessing specialized knowledge, experience, expertise, and professional qualifications to investigate assigned problems or projects and to provide counsel, review, analysis or advice in formulating or implementing improvements in programs or services. This includes, but is not limited to, the organization, planning, directing, control, evaluation, and operation of a program, agency, or department.

**CONTRACTUAL SERVICE:** When an independent contractor performs services requiring specialized knowledge, experience, expertise, or similar capabilities for a State agency for compensation from agency funds. The services may include (by way of illustration, not limitation) services such as, maintenance of buildings or equipment, auditing, film production, employee training and food service, provided that the service is not primarily for review, analysis or advice in formulating or implementing improvements in programs or services (in which case rules relating to Consultant Contracts shall be applicable).

## 4. Policy

Contracted Personal Services is defined as when an independent contractor performs services requiring specialized knowledge, experience, expertise, or similar capabilities for a State agency for compensation from agency funds. These services may include (by way of illustration, not limitation) services such as, maintenance of buildings or equipment, auditing, film production, performer of the fine arts or similar professionals, employee training and food service, provided that the service is not primarily for review, analysis or advice in formulating or implementing improvements in programs or services (in which case rules relating to Consultant Contracts shall be applicable). The authority to legally bind the University via a contract is addressed in the [University Policy Manual](#). UNCG departments are permitted to acquire contracted personal services or consultant services only if such services cannot be reasonably accomplished by UNCG employees, or other employees of the state of North Carolina.

Employees of UNCG or other state agencies cannot be paid for personal services. Instead, in accordance with [Policy 2 Financial Planning & Budgets Dual Employment](#), such payments are subject to the Dual Employment policy.

Retired state employees who provide personal service are subject to requirements of [N.C.G.S. 135-3\(8\)c](#). If contractor status is determined, the Controller must be notified to ensure UNCG complies.

Conflict of Interest. No university employee may benefit from any contract with the university, and no current or prior personal/professional relationship shall exist with the service provider that would constitute a conflict of interest or nepotism.

Exceptions: All contract services documents are to be forwarded to Purchase and Contract Management with the exception of the following:

- **Real Property**  
Contact the [Property Office in Campus Enterprises](#)
- **Construction**  
Contact [Facilities, Design and Construction](#)
- **Appointment of Personnel**  
Contact [Human Resources](#)
- **Personal/Professional Services**  
Services that are exempt from review by Purchase and Contract Management include:
  - All Contracts less than \$5,000 per fiscal year
  - Personal services provided by doctors, dentists, architects, professional engineers, scientists (a personal service shall be interpreted to be the occasional or temporary use of an individual's professional skills to perform a professional task.)
  - Performing Arts – includes, but is not limited to musicians, artists, dancers and speakers

- Services provided by individuals by direct employment contracts with the State
- Academic Services, including instructors and guest speakers
- Sponsored Programs
- Federally funded grants
- Any other service designated to be exempt by the State Purchasing Officer or his/her authorized representative

### **Required Approvals**

The authority to execute contracts has been delegated to individual Provost/Vice Chancellors and others for specific matters and/or types of contracts for which their station should have knowledge and responsibility. For a list of individuals with **contract signature authority**. In carrying out the responsibilities for review and execution of contracts, by endorsing, the signer accepts full responsibility for due diligence to assure compliance and value for the University.

## **5. Compliance and Enforcement**

The Director of Procurement Services is responsible for ensuring compliance with this policy.

## **6. Additional Information**

### **6.1 Supporting Documents**

[State of NC Procurement Manual](#)

[N.C.G.S. 135-3\(8\)c](#)

### **6.2 Approval Authority**

This policy will be approved by the Interim Associate Vice Chancellor for Finance.

### **6.3 Contacts for Additional Information and Reporting**

- Responsible Executive: Michael Logan, Director of Procurement Services, (336)334-4104, [mflogan@uncg.edu](mailto:mflogan@uncg.edu)
- Responsible Administrator: Richard Fleming, Assistant Director of Procurement Services, (336)334-3078, [rflemin@uncg.edu](mailto:rflemin@uncg.edu)