Purpose

The purpose of this procedure is to outline the process for the issuance of Other Personal Services Agreements (OPS).

Procedure

A. Definition of Eligibility - An OPS Agreement is an agreement with independent contractors or individuals contracted by the College to provide unique professional services of a temporary nature. An individual providing such services as an independent contractor shall not be considered an employee of the College. Jacksonville Sheriff's Officers or other emergency personnel are exempt and are not required to utilize an OPS agreement to provide services to the College as other arrangements have been made for these temporary service providers. In other cases, unless exempted by the Executive Director of Purchasing, an OPS Agreement shall be used if:

1. The individual provides a specialized service such as a lecture or conducts or participates in a seminar, workshop, grant/contract compliance or other educational activity.

2. The individual teaches continuing workforce education, avocational or recreational courses (self-supporting classes) in which all expenses are paid by class enrollment.

B. Conditions applying to the management of OPS Agreements are as follows:

1. College does not provide direct supervision of the individual.

2. Service cannot be provided under any of the College's job classification descriptions and related Pay Plan placement.

3. Individual is not currently employed with the College in any capacity.

4. Service is to be contracted for a flat amount, with progressive payments permissible after satisfactory completion of pre-defined deliverables contained in the OPS Agreement.

5. Any services that begin prior to the OPS start date and/or prior to the date executed by all required parties may be considered as unauthorized.

C. Funding of OPS Agreement

1. OPS agreements shall not include subcontracting and those greater than $7,500/project should follow the purchasing policies pursuant to College APM 05-0501 Dollar Limits for Informal Biding, Requisition Preparation Funding and Processing, APM 05-0602 Purchases from Federal Grants/Contracts or a justification for sole source purchase. In order for a Sole Source to be approved a Sole Source Justification Request Form must be completed in PeopleSoft and

approved prior to engaging a sole source supplier and prior to entering a requisition. For details regarding Sole Source requests see APM 05-0302 Purchases Exempt from Solicitation (Non-Competitive Bid Purchases) and Sole Source Procedures.

2. Proposals for OPS Agreements greater than $7,500 which are being awarded on a sole source basis must include a rationale for the total payment to be made. Such rationale shall include an estimate of the hours of work required, the comparable hourly rate implicit in the proposed agreement, the basis of the implicit hourly rate, and an estimate of the contractor's other expenses.

D. OPS Agreement Documentation

1. To initiate an OPS contract, the following must be completed:

   a. An OPS Agreement signed by the contractor
   b. Supplier set up in PeopleSoft
   c. Completed and fully signed Sole Source Request Form, if applicable
   d. OPS Form completed in PeopleSoft and fully approved through the workflow
   e. If the contract is over $7,500, a requisition needs to be entered into PeopleSoft and include the OPS form sequence number.

2. Once a deliverable is complete:

   a. If the contract is not greater than $7,500, submit a voucher for payment and include copy of the contract. Add a comment to the voucher with the OPS form sequence number.
   b. If the contract is greater than $7,500, submit an invoice to accountspayable@fscj.edu with a signature from the budget manager to indicate services have been completed, a PO number, and the OPS form sequence number.

REFERENCES: F.S. 1001.64, 1001.65, 1010.04, 1012.83, SBE Rule 6A-14.041, 6A-14.0734

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