**Independent Contractor Preliminary Agreement**

**$1.00 to $5,000.00**

*[The San Joaquin Delta College District Purchase Order will serve as the legal Contract]*

Departments and TrAC offices who intend to employ an **entity/individual** worker, as an independent contractor for the District, **MUST** submit this complete independent Contractor Preliminary Agreement with their Oracle requisition.

Today Date:

Independent Contractor Name:

Independent Contractor Email:

Not to Exceed Amount:

Term of Agreement:

Purpose/Statement of Work Describing Service Being Performed:

Work Location: (example, main campus, remote only, etc.)

Department/TrAC Name:

District Staff Member Name Completing This Form:

Note: New Independent Contractors to the District will need to complete a Supplier Information Form W9 located at:

<https://www.deltacollege.edu/campus-offices/administrative-services/purchasing/purchasing-resources>. Please attach the Supplier Registration Form to the requisition.

**Mandatory Independent Contractor Evaluation [To be completed by Department or TrAC Staff]**

Review the following CA Supreme Court “ABC” test standards and select the correct response below.

|  |  |  |
| --- | --- | --- |
|  | YES | NO |
| 1. The worker is **free from the control and direction** of the hirer in connection with the performance of the work, both under the contract for the performance of such work and in fact; |  |  |
| 1. The worker performs **work that is outside the usual course** of the hiring entity’s business; and |  |  |
| 1. The worker is customarily **engaged in an independently established trade, occupation, or business** of the same nature as the work performed for the hiring entity. |  |  |

If you have selected **YES** to **ALL** statements above, you have confirmed your department or TrAC office is employing an independent contractor.

If you have selected **NO** to **ANY** of the statements above, then the individual is **NOT** an independent contractor.

**REMINDER:** A District employee **cannot** be employed as an independent contractor. If a District employee is hired to perform a service outside the scope of his/her normal duties, he/she **MUST** be paid through the payroll process.

|  |  |  |
| --- | --- | --- |
| **Is the entity/individual a current District Employee?** | **YES** | **NO** |

**Department/TrAC office Manager Approval Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**HR Approval Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**For Human Resources Use: Live Scan and TB Test Required (Y/N) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Completed \_\_\_\_\_\_\_\_\_\_\_\_\_\_**