

## Instructions for BMCC Contracts

Submit contract packet to the Asset and Contracts Coordinator in the Business Office, M-113. Include name of BMCC employee that fully signed contract should be returned to. The packet should include:

- Contract signed by contractor and BMCC administrator (and HR if required).
- W-9 Form completed by contractor.
- Proof that contractor has completed Pay Equity Training by the State in the form of a "Certificate of Completion" (PEC) Required if Contractor has employees.
- Proof of Worker's Compensation insurance in the form of a Certificate of insurance (COI-WC) Required if Contractor has employees.
- Proof of other insurance requirements as indicated in the contract listing BMCC as additional insured in the form a Certification of Insurance (COI-GL). Required for 1.b, 2, and 3 below.
- Copy of Construction Contractor Board (CCB) license. If required for 2 or 3 below.
- Copy of competitive bid/quotes received to meet procurement requirements, if required.

For questions or assistance completing the contract, please contact Kristi Sewell, the Assets and Contracts coordinator at [ksewell@bluecc.edu](mailto:ksewell@bluecc.edu) or M-113. **No work may begin by the contractor until the contract is fully SIGNED by BOTH parties. Please allow up to 4 weeks for processing.**

1. **"Personal Services"** is a Public Contract that calls for specialized skills, knowledge, and resources in the application of highly technical or scientific expertise, or the exercise of professional, artistic or management discretion or judgment and designated as such by the College's Board pursuant to ORS 279A.055.3. If you are needing to hire professional services for the college, such as consultants, presenters, artists, or bands a personal service contract is needed. Please see CCR.250.
  - a) The **"Personal Service Contract, without employees"** form can only be used for a contractor that does NOT have any employees and will be completing the work without the help of others (may not hire subcontractors). This must be approved and signed by the Human Resource Department, verifying that the contractor does qualify as a contractor and NOT an employee.
  - b) The **"Personal Service Contract"** form can be used for any personal services.
2. The **"Service Contract"** means a contract that calls primarily for a Contractor's time and effort rather than for an end product. **"Services"** shall have the meaning as set forth in ORS 279A.010(kk) which means services other than Personal Services. If you are needing to hire contractors for lawn care, plumbing, electrical, repair work, cleaning services, etc. a general service contract is needed. Some services will also require a CCB license as indicated below in 4.
3. The **"Construction Services" or Public Improvement Contract** is a contract that is for any construction activity involving improvements to real property, such as roofing, siding, painting, carpentry, floor covering, concrete, heating, air conditioning, electrical, plumbing, tree servicing, fencing, repair of attached appliances, land development, and most construction or repair services. This does not include gutter cleaning, power/pressure washing for the purpose of cleaning, and debris clean up (yard or construction site). In addition to the items at the top, the following are also required with the contract packet:
  - Copy of Drug Policy
  - Weekly Certified Payroll reports if contract is \$50,000 or greater
  - Performance Bond if contract is \$75,000 or greater
  - Payment Bond if contract is \$75,000 or greater
  - Public Works Bond if contract is \$100,000 or greater

### **Key Steps when hiring an Independent Contractor:**

- 1) Review your situation to determine if the work to be performed qualifies as the type of work a contractor can perform or if it really should be a College employee. Check with Human resources for help in determination.
- 1) Review [College procurement policies](#). Complete actions required for the dollar level of the services you estimate to be hiring.
- 2) Complete the appropriate contract for your needs. Make sure to detail fully the scope of work, start and end dates, payment costs and any other pertinent information for the contract. If additional space is needed, please attach additional pages. or questions or assistance completing the contract, please contact Kristi Sewell, the Assets and Contracts coordinator at [ksewell@bluecc.edu](mailto:ksewell@bluecc.edu).
- 3) Submit contract to the contractor for signature, a W-9 form to complete and request a certificate of insurance per contract requirements and any other items listed. **If contractor has employees proof of Worker's Compensation Insurance and Pay Equity training is REQUIRED.**
  - a) Businesses with one or more employees must now provide proof that they are properly trained on Oregon's pay equity laws. DAS Procurements Services has a free online [Pay Equity training](#) for businesses. The training is provided through iLearn Oregon and includes a course quiz that yields a certificate. This certificate is the proof that BMCC needs before a contract is executed. To learn more, visit the [Pay Equity webpage](#) at <https://www.oregon.gov/das/Procurement/Pages/PayEquity.aspx>.
- 4) Once contractor has returned documents from 3 above, the BMCC Administrator shall then sign to demonstrate his/her approval and acknowledgement of his/her responsibilities required by the contract. If contractor does not have employees, HR must also sign to indicate that it meets the requirements of an independent contractor.
- 5) Submit the contract packet, as listed above, to the Asset and Contracts Coordinator in the Business Office, M-113.
- 6) Once authorized signature is obtained, the business office will provide copies of the fully executed contract to the contract administrator or designee. Per BMCC's Authorized Signatures policy (BO-01-2005-0020), only the President, VP of Admin Services, or AVP of Finance and Business Operations are authorized to obligate the College.
- 7) It is the contract administrator's responsibility to return copy of the executed contract to the contractor.
- 8) **No work may begin until the contract is fully executed (SIGNED) by BOTH parties.**

### **Key Steps to Pay an Independent Contractor:**

- 1) Prepare a purchase order in RaPs. In the "comment" section of the purchase order, indicate "Contract on file" and attached copy of executed contract in the quotes section. Include a short summary of work to be completed and payment information in the description area.
- 2) Request contractor to submit an invoice. Payment cannot be rendered without an original invoice, or in lieu of invoice, contract administrator may request payment be sent when job is finished by contacting Susan Thomas, Accounts payable.
- 3) Every fiscal year, July 1 – June 30, a new contract or written amendment must be submitted and approved before any service obligations are made to the contractor, with the exception of construction contracts.



Personal Services Contract (Only for Contractors without Employees)

2411 NW Carden Ave. PO BOX 100 Pendleton, OR 97801

BLUE MOUNTAIN COMMUNITY COLLEGE, hereafter referred to as COLLEGE, and hereafter referred to as CONTRACTOR, agree to the following terms and conditions for the purpose of rendering the following services:

- 1. The term of this Contract shall be from through.
2. Total compensation for this contract shall not exceed \$ Contractor shall submit invoice and summary of activities performed to the COLLEGE for payment within thirty (30) days after services have been rendered.
3. Contractor must submit a completed 'Request for Taxpayer Identification Number and Certification' (IRS Form W-9) with this signed contract.
4. The undersigned CONTRACTOR certifies by its signature on this Contract, that:
a. The service or services to be performed under this Contract are those of an independent contractor as defined in ORS 670.600, and that Contractor is solely responsible for the work performed under this Contract.
b. Contractor represents and warrants that Contractor has complied with the tax laws of Oregon and any applicable political subdivision thereof, including but not limited to ORS 305.620 and ORS chapters 316, 317, and 318.
c. The services provided are not supervised by the COLLEGE. The only demand on time is faithful performance and delivery of described services by specified deadline.
d. Contractor is is not licensed by the State or other political subdivisions to provide similar services for other customers and my license number is.
e. Contractor will be performing the work on this contract without the help of others, nor does contractor have other employees working for contractor.
5. CONTRACTOR agrees to indemnify and hold harmless COLLEGE for any damages, expenses, costs and attorney's fees incurred by COLLEGE as a result of CONTRACTOR's actions.

CONTRACTOR

Blue Mountain Community College

Name:

BMCC Administrator Signature Date

Address:

BMCC HR Dept. Signature Date

Phone Number:

Signature Date

Celeste Tate, AVP Finance & Business Ops Date

# Request for Taxpayer Identification Number and Certification

**Give Form to the  
 requester. Do not  
 send to the IRS.**

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

<b>Print or type.</b> <b>See Specific Instructions on page 3.</b>	<b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.		
	<b>2</b> Business name/disregarded entity name, if different from above		
	<b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.		<b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <i>(Applies to accounts maintained outside the U.S.)</i>
	<input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate		
	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.		
	<input type="checkbox"/> Other (see instructions) ▶ _____		
	<b>5</b> Address (number, street, and apt. or suite no.) See instructions.		Requester's name and address (optional)
<b>6</b> City, state, and ZIP code			
<b>7</b> List account number(s) here (optional)			

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number											
				-			-				
or											
Employer identification number											
				-							

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
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## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*