

VENDOR INFORMATION TRANSMITTAL

Vendor No.: _____

(Assigned by C.O.)

Please complete the following as the vendor's name and address is to appear on their checks / warrants.

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Alternate Phone # _____ Web or email site _____

Tax ID No. : **Complete attached IRS Form W-9** (Required for all vendors prior to issuing a P.O.)

Note: Tax – ID – No. is Social Security No. for Individuals

Important Notice --- Read Carefully

The following information will be used to help protect both our students and our financial assets. It is your responsibility, as the party requesting that this vendor be added to our list of approved vendors, to help ensure the safety of the children in our care by accurately completing this section.

Will this vendor perform repair, construction, remodel, staff training or assembly speaking, officiating, technical or other professional services on our premises or in the presence of our student?

Circle Yes or No

(This question must be answered or this form will be returned to the requesting party.)

If **Yes** is selected above the following information **must** accompany this form in order for it to be processed and the vendor added to our system.

1. Briefly describe type of labor or service that will be performed on our premises, including information regarding any direct contact this vendor will have with students. Date of service: _____

2. Affidavit of Nonemployment of Felony, Violent & Sex Offenders

3. An affidavit of independent contractor status (See attached).

Signature of Requesting Administrator *

School Site

Date

***Note: Vendor applications cannot be processed without the signature of the requesting Administrator.**

INDEPENDENT CONTRACTOR FACT SHEET

An independent contractor is defined by law as one who engages to perform certain services for another, according to his own manner, method, free from control and direction of his contractor in all matters connected with the performance of the service, except as to the result or product of the work.

Below are statements to help you decide if you are an independent contractor. No one statement is controlling, and your status is based on all the facts in your situation. If a statement describes your situation, then check the box. If at least six of the statements below do not describe your business, you should not sign the attached affidavit.

- 1. The nature of the contract between you and the contractor shows you are independent from the contractor. For example: Is there a written contract where you agree that you are an independent contractor? Are you a corporation or limited liability company? Do you maintain commercial general liability insurance or other business insurance?
- 2. The contractor exercises very little control over your work. For example: By the agreement, can the contractor exercise control on the details of the work or your independence? Do you exercise control over most of the details of the work? Do you create plans or specifications for the job? Do you set your own work hours?
- 3. You are engaged in a distinct occupation or business for others. For example: Do you work for companies or individuals other than the Contractor? Do you work for competitors or the Contractor? Does your business have a logo or uniform?
- 4. Your job is the kind of occupation where the work is usually performed by a specialist without supervision, and not under the direction of the contractor. For example: Is your work supervised by the Contractor?
- 5. Your occupation requires special skills, license, and education or training.
- 6. The contractor does not supply the things needed to perform your job such as the tools and the place of work. For example: Do you supply any of the materials or tools for the work? Do you operate a vehicle owned by the contractor? Was the work performed at your business or the contractor's business location or jobsite? Do you wear a uniform supplied by the contractor?
- 7. The length of the job and how long you have worked for the Contractor does not show that you are really an employee. For example: Is this a one-time job, or will you be doing this for the contractor regularly?
- 8. You are paid as a separate contractor, not as an employee. For example: Do you invoice the Contractor for your services? Are you paid by the job? Do you file a federal income tax return for you business? Do you expect to receive an IRS Form 1099 from the Contractor? Does the Contractor pay your expenses?
- 9. Your work is not the regular business or the employer. For example: Is your work customarily done in the Contractor's line of business or as part of the Contractor's daily work? Have you ever been an employee of the Contractor? Do you work with other people hired by the Contractor on the work you perform?
- 10. You do not consider yourself an employee of the contractor. For example: Will the Contractor withhold taxes or monies from your payment? Have you ever been an employee of the Contractor? Have you or your employees ever filed an insurance claim against the Contractor?
- 11. You do not have the right to terminate the relationship without liability. For example: If you quit before the job is finished, is there a penalty?

Based upon these factors, do you believe that you are an independent contractor?

WRITE YES OR NO

SIGNATURE

Any person who knowingly and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of any insurance policy containing false, incomplete or misleading information is guilty of a felony.

Edition 083105

AFFIDAVIT OF INDEPENDENT CONTRACTOR STATUS

STATE OF _____)
COUNTY OF _____)§

I, _____ state under oath as follows:

1. I, _____ (Name of individual) operating as _____ (independent contractor's business name), have agreed to provide services to Enid Public Schools (Contractor) during calendar year _____.
2. I have read the fact sheet on the back of this affidavit and understand that an Independent Contractor is one who engages to perform certain services for another, according to his own manner, method, free from control and direction of his contractor in all matters connected with the performance of the service, except as to the result or product of the work.
3. I understand that based upon the representations in this Affidavit of Independent Contractor Status, I am requesting Enid Public Schools to consider my business to be that of an independent contractor; **that I am not an employee under the Workers' Compensation Act** and the policy issued by Oklahoma School Assurance Group (OSAG); and that no premium be charged for the services performed by my business during the policy year.
4. **I am an independent contractor, not an employee of the contractor. I do not want workers' compensation insurance and understand that I am not eligible for Workers' Compensation benefits.**
5. I will obtain workers' compensation and employers' liability insurance for my employees if I have employees, unless they are otherwise exempt from the requirements of the Workers' Compensation Act.
6. I have read and signed the fact sheet describing what is an Independent Contractor on the backside of this Affidavit, and the information provided is not the result of force, threats, coercion, compulsion or duress.
7. I understand that any person who knowingly and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of any insurance policy containing false, incomplete or misleading information is guilty of a felony.

Independent Contractor Signature

Date _____ Name _____ Title _____

Signature _____ Business _____

Notary Public

Signed and sworn to before me on this _____ day of _____, 20____ by _____.

_____ My Commission Expires: _____

Notary Public

This form is to be signed and notarized at the start of a job/project for this contractor and is good for the job/project or any similar job/project performed for the contractor for one year from the date of notary.

Any person who knowingly and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of any insurance policy containing false, incomplete or misleading information is guilty of a felony.

Edition 083105

AFFIDAVIT OF NONEMPLOYMENT OF FELONY, VIOLENT & SEX OFFENDERS

STATE OF _____)
COUNTY OF _____)§

I, _____ on behalf of _____, hereby subscribe and swear that no employee performing work on a full-time or part-time basis that would otherwise be performed by school employees under the authority and control of this business or company has been convicted of a felony within the past ten (10) years in this state, the United States or any other state. I further subscribe and swear that no employee of this business or company working with children, providing services to children, or working on school premises at any time has been convicted in this state, the United States, or any other state of any sex offense subject to the Sex Offenders Registration Act in this state, or subject to another state's, or the federal sex offender registration provisions or the Mary Rippe Violent Crime Offenders Registration Act.

OKLAHOMA SEX OFFENDERS REGISTRATION ACT

The provisions of the Oklahoma Sex Offenders Registration Act ("Act") apply to any person who, after November 1, 1989, has been convicted, whether upon a verdict or plea of guilty or upon a plea of nolo contendere, or received a suspended sentence for a crime or an attempt to commit one of crimes listed below. The provisions of the Act apply to anyone who enters Oklahoma after November 1, 1989, and who has been convicted or received a suspended sentence for a crime or attempted crime, which, if attempted in this state, would be a crime or an attempt to commit a crime provided for in any of said laws. In addition, the provisions of the Act apply to anyone who enters Oklahoma after September 1, 1993, and who has received a deferred judgment for a crime or attempted crime, which if committed or attempted in this state, would be a crime or an attempt to commit one of the crimes listed below.

1. Abuse or neglect of a child if that crime involves either sexual abuse or sexual exploitation.

"Sexual Abuse" includes, but is not limited to, rape, incest, and lewd or indecent acts or proposals, by a person responsible for the child's health or welfare.

"Sexual Exploitation" includes, but is not limited to, allowing, permitting, or encouraging a child to engage in prostitution by a person responsible for the child's health or welfare or allowing, permitting, or encouraging, or engaging in the lewd, obscene, or pornographic photographing, filming, or depicting of a child in those acts by a person responsible for the child's health or welfare.

2. Kidnapping - without lawful authority, forcibly seizing and confining another, or to lure, entice, or lead astray, by false representation or promises, or other deceitful means or to cause another to be sent out of state against their will.

SEX OFFENDERS/VIOLENT OFFENDERS REGISTRATION ACT (Cont.)

3. Trafficking in Children.
4. Incest.
5. Forcible Sodomy.
6. Child Stealing.
7. Indecent exhibitions - procuring, counseling, or assisting any person to expose such person, or to make any other exhibition of such person to public view or to the view of any number of persons for the purpose of sexual stimulation of the viewer.
8. Obscene or Indecent Writings - writing, composing, stereotyping, printing, photographing, designing, copying, drawing, engraving, painting, molding, cutting or otherwise preparing, publishing, selling, distributing, keeping for sale, or exhibiting any obscene or indecent writing, paper, book, picture, photograph, motion picture, figure, for of any description or any type of obscene material.
9. Making, prearranging, cutting, selling, giving, loaning, distributing, keeping for sale, or exhibiting any disc record, metal, plastic, or wax, wire or tape recording, or any type of obscene material or any other kind of sound recording of any obscene or indecent language, poetry, or songs, or speaking any words by means of a telephone to any person which are offensive to decency or are calculated to excite vicious or lewd thoughts or acts or speaking any other communicable words which are offensive to decency or are adapted to excite vicious or lewd thoughts or acts.
10. Solicitation of Minors - willfully soliciting or aiding a child to perform or show, exhibit, loan or distribute to a minor child any obscene or indecent writing, paper, book, picture, photograph, motion picture, figure, or form of any description or any type of obscene material for the purpose of inducing any minor to participate in any act described in 7, 8, or 9.
11. Procuring or causing participation of a minor, under the age of 18, in any film, motion picture, videotape, photograph, negative, slide, drawing, painting, play, performance or any type of obscene material wherein the minor child is engaged in or portrayed, depicted, or represented as engaging in any act of sexual intercourse.
12. Any parent, guardian, or individual having custody of a minor who allows the minor to participate in any act specified in 11.
13. Facilitating, encouraging, offering, or soliciting sexual conduct with a minor.
14. Showing acts of sexual intercourse or unnatural copulation.
15. Procuring child under eighteen years of age for prostitution, lewdness or other indecent act.
16. Inducing, keeping, detaining, or restraining a child, under eighteen years of age for prostitution.
17. Rape by instrumentation.

SEX OFFENDERS/VIOLENT OFFENDERS REGISTRATION ACT (Cont.)

18. Rape in first or second degree.
19. Lewd or indecent proposals or acts as to a child under sixteen.

MARY RIPPY VIOLENT CRIME OFFENDERS REGISTRATION ACT

On and after November 1, 2004, the provisions of the Mary Rippy Violent Crime Offenders Registration Act shall apply to any person residing, working, or attending school in this state who is subsequently convicted of, or who receives a deferred judgment or suspended sentence for, any crime or attempted crime listed below by any court in this state, another state, the United States, a tribal court, or a military court. In addition, the provisions of this Act apply to any person who subsequently enters this state for purposes of residence, work, or to attend school and who has been previously convicted of or is subject to a deferred judgment, suspended sentence, probation, or parole from any court of another state, the United States, a tribal court, or a military court for any crime or attempted crime which, if committed or attempted in this state, would be a crime substantially similar to any crime listed below.

For purposes of this Act, "convicted of" means an adjudication of guilt by a court of competent jurisdiction whether upon a verdict or plea of guilty or nolo contendere.

The following crimes and attempts to commit such crimes shall be registered under the Mary Rippy Violent Crime Offenders Registration Act:

1. First degree murder as provided for in Section 701.7 of Title 21 of the Oklahoma Statutes;
2. Second degree murder as provided for in Section 701.8 of Title 21 of the Oklahoma Statutes;
3. Manslaughter in the first degree as defined by Section 711 of Title 21 of the Oklahoma Statutes;
4. Shooting or discharging a firearm with intent to kill, use of a vehicle to facilitate the intentional discharge of a firearm, crossbow or other weapon, assault, battery, or assault and battery with a deadly weapon, or by other means likely to produce death or great bodily harm, as provided for in Section 652 of Title 21 of the Oklahoma Statutes;
5. Assault with intent to kill as provided for in Section 653 of Title 21 of the Oklahoma Statutes;
6. Bombing as provided for in Section 1767.1 of Title 21 of the Oklahoma Statutes; and
7. Any crime or attempt to commit a crime constituting a substantially similar offense as stated in paragraphs 1 through 6, above, adjudicated by any court of another state, the United States, a tribal court, or a military court.

The registration requirements of the Mary Rippy Violent Crime Offenders Registration Act shall not apply to any person while the person is incarcerated in a maximum or medium correctional institution of the Department of Corrections, a private correctional institution, or another state, federal, tribal or military facility, but shall apply to deferred, suspended, probation, parole, and discharges.

SEX OFFENDERS/VIOLENT OFFENDERS REGISTRATION ACT

IT IS UNLAWFUL FOR ANY PERSON REGISTERED PURSUANT TO THE SEX OFFENDERS REGISTRATION ACT OR THE MARY RIPPY VIOLENT CRIME OFFENDERS REGISTRATION ACT TO WORK WITH OR PROVIDE SERVICES TO CHILDREN OR TO WORK ON SCHOOL PREMISES, OR FOR ANY PERSON OR BUSINESS WHO OFFERS OR PROVIDES SERVICES TO CHILDREN OR CONTRACTS FOR WORK TO BE PERFORMED ON SCHOOL PREMISES TO KNOWINGLY AND WILLFULLY ALLOW ANY EMPLOYEE TO WORK WITH CHILDREN OR TO WORK ON SCHOOL PREMISES WHO IS REGISTERED PURSUANT TO THE SEX OFFENDERS REGISTRATION ACT OR THE MARY RIPPY VIOLENT CRIME OFFENDERS REGISTRATION ACT. UPON CONVICTION FOR ANY VIOLATION, THE VIOLATOR SHALL BE GUILTY OF A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED ONE THOUSAND DOLLARS. IN ADDITION, THE VIOLATOR MAY BE LIABLE FOR CIVIL DAMAGES.

I have read and understand the provisions of this document.

Dated this _____ day of _____, _____.

VENDOR NAME (Print) _____

AUTHORIZED SIGNATURE _____

Subscribed and sworn to me this _____ day of _____, 20 _____.

(SEAL)

Notary Public

Return form to: **Enid Board of Education
Business Office
500 S. Independence
Enid, OK 73701-5693**

My commission expires: _____