

Independent Contractor Agreement (ICA)

How To Hire a Consultant



What is an ICA



- A legal document to engage consultants when there are no qualified college employees available to provide the services needed.

Requirements to Engage a Consultant

- Department must have a clear and concise Scope of Work (SOW)
- If under \$5,000, department may suggest vendor, subject to Purchasing approval
- If over \$5,000, a solicitation must be done by the Purchasing Office. Department may also suggest consultant during this process.
- All CUNY/NYS/NYC rules apply

How Do I Start the ICA Process?

- Before you begin the process of ascertaining consultant services, contact Purchasing at x5525 or send an email detailing what services you are looking for.
- Purchasing will send you the latest version of the document to avoid processing delays.
- If under \$5,000, the end-user department can fill out the ICA document and submit to Purchasing for review/approval (Before sending to Vendor/Consultant for signature)

How to Become a CUNY Vendor

- Vendor must register with NYC FMS:

<https://a127-pip.nyc.gov/webapp/PRDPCW/SelfService>

- Must complete and submit the CUNY Vendor Payee Registration form after receiving FMS vendor number.
- It is the sole responsibility of the consultant to execute/complete the registration process.
- **THE COLLEGE CANNOT DO BUSINESS WITH A VENDOR THAT IS NOT ACTIVATED IN NYC AND CUNY.**

How Do I Fill Out the ICA Document?

- End-user department must fill out the document, Page 1, Claim for Payment (Exhibit 1), SOW, and Payment Terms (Exhibit 3).



ICA Document – Page 1

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement ("Agreement") is entered into as of the 32 day of June-uary, 2010, by and between The City University of New York on behalf of LaGuardia Community College ("University"), located at 31-10 Thomson Avenue, Long Island City, New York 11101, and Walt Disney Enterprises ("Contractor"), located at 123 Neverland Street, Neverland, FL, 12345.

1. The University engages Contractor to provide the services set forth in the Scope of Work in Exhibit 3 attached (the "Services"), and Contractor agrees to perform the Services as directed by the University and to provide all necessary staff support and administrative services connected therewith in accordance with the terms and conditions herein, including New York State Appendix A. The term of this Agreement is July 1, 2016 through June 30, 2017.

2. In return for satisfactory performance of the Services, Contractor shall receive up to the following sum in consideration: \$ 2500, to be paid according to the Payment Terms in Exhibit 3 attached hereto. In order to be paid, Contractor shall complete, sign, and submit the Independent Contractor Service Claim for Payment attached hereto as Exhibit 1, together with each invoice, to the address set forth in Exhibit 3. Exhibit 3, attached, is ? pages.

3. Contractor is obligated to submit New York State-required forms described in Exhibit 2 if it is receiving payment of at least \$20,000 from the University. See paragraph 15 of Terms and Conditions (page 5).

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have executed this Agreement as of the day and year first written above.

CONTRACTOR EIN (leave blank if SSN): _____	THE CITY UNIVERSITY OF NEW YORK on behalf of _____
By: _____ (signature)	By: _____ (signature)
Name: _____ (print name of authorized representative)	Name: _____ (print name of authorized representative)
Title: _____ (print title of authorized representative)	Title: _____ (print title and College of authorized representative)

* * * * *

This Agreement was prepared and submitted to the Purchasing Department by:

End User Name and Signature
print name and title of preparer signature

and processed by the following individual in the Purchasing Department:

Purchasing Staff Member Name and Signature
print name and title of Purchasing Department processor signature

This agreement contains this cover page, a notary page, eight pages of terms and conditions, and the following exhibits:
Exhibit 1 – Independent Contractor Service Claim for Payment
Exhibit 2 – Disclosure of Employment and Annual Employment Report
Exhibit 3 – Scope of Work and Payment Terms

Certificate of Acknowledgement – Page 2 (For Consultant to Get Notarized)

Independent Contractor Agreement

CERTIFICATE OF ACKNOWLEDGMENT OF THE CONTRACTOR - INDIVIDUAL, CORPORATION, PARTNERSHIP, or LIMITED LIABILITY COMPANY:

STATE OF _____)
) ss:
 COUNTY OF _____)

On the ___ day of _____ in the year 201_, before me, the undersigned, _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in her/his capacity, and that by her/his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument; and further that:

[Mark an X in the appropriate box and complete the accompanying statement.]

- (If an individual): _he executed the foregoing instrument in his/her name and on his/her own behalf.
- (If a corporation): _he is the _____ of _____, the corporation described in said instrument; that, by authority of the Board of Directors of said corporation, _he is authorized to execute the foregoing instrument on behalf of the corporation for purposes set forth therein; and that, pursuant to that authority, _he executed the foregoing instrument in the name of and on behalf of said corporation as the act and deed of said corporation.
- (If a partnership): _he is the _____ of _____, the partnership described in said instrument; that, by the terms of said partnership, _he is authorized to execute the foregoing instrument on behalf of the partnership for purposes set forth therein; and that, pursuant to that authority, _he executed the foregoing instrument in the name of and on behalf of said partnership as the act and deed of said partnership.
- (If a limited liability company): _he is a duly authorized member of _____ LLC, the limited liability company described in said instrument; that _he is authorized to execute the foregoing instrument on behalf of the limited liability company for purposes set forth therein; and that, pursuant to that authority, _he executed the foregoing instrument in the name of and on behalf of said limited liability company as the act and deed of said limited liability company.

Notary Stamp

 Notary Public or Commissioner of Deeds

 Registration No.

Exhibit 1 – Page 13

- End-user may fill out sections I & II for the Consultant.
- Consultant must submit this form each time they submit an invoice.
- Section V and V1 must be signed by consultant and end-user prior to submitting for payment.

Exhibit 3

- Scope of Work – To Be Inserted
- Payment Terms/Address for Invoices* – Pg. 15

*31-10 Thomson Ave., E-413, Accounts Payable
ap@lagcc.cuny.edu

What is a Scope of Work?

- The Scope of Work (SOW) describes the work to be performed. The SOW should contain any milestones, reports, deliverables, and end products that are expected to be provided by the consultant. The SOW should also contain a time line for all deliverables.
- NOTE: The SOW should be in the department's own verbiage. Not the prospective consultant/vendor's language.

What do **YOU** want the consultant/vendor to do?

How Do I Create a SOW?



1. Introduction

Introduce the SOW and then provide an outline of the objectives and accomplishments to be achieved with this project. Provide a brief background of any information that is important to understand in order to accomplish the project goals. What is needed to know in order to make understanding of project more complete? Overview of need and desired outcomes.

2.SOW

- Provide a general description of the project. What do you hope to accomplish? What are your overall goals and objectives (provide a bulleted tiered listing. Estimated timeline to complete each objective (if applicable). Clarify where, how and under what circumstances project is applicable, relevant and significant.

3. Required Attachments

- Resume
- License/Certifications
- Business References (at least 3)

Purchasing Staff Information

Purchasing Office

Location: E405

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718.482.5525 / 718.609.2166

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