

**CERTIFICATION STATEMENT OF CONTRACTOR
WORKING AS AN "INDEPENDENT CONTRACTOR" or
"OWNER OPERATOR" or "SOLE PROPRIETOR" or "LEASED WORKER"**

State of California Standard Agreement #: _____

Project Name: _____

Project Address: _____

I, _____ certify under penalty of perjury that the following statements are true:

- 1** I am licensed and authorized to do business in the State of California for the services I provide and I'm responsible for obtaining all necessary licenses or certificates for my services.
- 2** My California contractor license number is: _____
- 3** I am not required to follow, nor am I furnished with, detailed instructions in the manner in which my services are to be provided. (The Prime and/or Subcontractor may provide job specifications and retains the right to specify, control, and direct the desired results.)
- 4** I am not receiving any employee benefits such as, but not limited to: vacation, sick leave, insurance, workers' compensation, pension and retirement benefits.
- 5** I am responsible for all federal, State, and local taxes and fees applicable to payments for services which I render, including but not limited to: income tax, self-employment tax, workers' compensation insurance, unemployment tax, and Social Security.
- 6** I am customarily engaged in providing my services as an independent business and maintain a separate set of books and records that reflect the income and expenses for the business.
- 7*** I primarily carry out my services: a) at a location that is separate from my residence; or b) in a specific portion of my residence which is set aside as the business location.
 I bear the risk of loss related to the services that I provide.
 a) I provide my services to two (2) or more persons within a 12-month period; or b) I routinely engage in advertising (newspapers, yellow pages, etc.), solicitation or other marketing efforts (cards, brochures, hats, shirts, etc.) that are reasonably calculated to obtain new contracts for similar services.
 I have made a significant business investment in equipment, tools or required material.
 I have the authority to: a) hire additional persons to provide my services; and b) fire such persons.

***Note:** If you are unable to certify (check the boxes) to at least three (3) of the above items (as being applicable to the services which you provide) then, for purposes of this Contract you will be considered/treated as an employee.

Contractor Signature: _____ **Date:** _____

I, _____ certify under penalty of perjury that:

I have on file documentation that substantiates my reasonable basis for concluding that the behavioral control; financial control; and relationship between the Contractor listed above and the Project Prime and/or Subcontractor(s) is solely contractual and that there is no legal agency (power of attorney) or employment relationship between the two.

Prime Contractor Signature : _____ **Date:** _____
(or Prime Contractor payroll appointee)

Prime Contractor: _____ CSLB License #: _____

Note: There is a rebuttable presumption that where a worker performs services that require a license pursuant to Business and Professions Code § 7000, *et seq.*, or who performs services for a person who is required to obtain such a license, the worker is an employee and not an independent contractor (State of California Labor Code § 2750.5)

The original is to be submitted prior to, or concurrent with, the first payroll in which the Independent Contractor or Owner Operator or Sole Proprietor or Leased Worker commences work.