NEW YORK STATE VENDOR RESPONSIBILITY QUESTIONNAIRE FOR-PROFIT BUSINESS ENTITY

You have selected the For-Profit Non-Construction questionnaire which may be printed and completed in this format or, for your convenience, may be completed online using the New York State VendRep System.

COMPLETION & CERTIFICATION

The person(s) completing the questionnaire must be knowledgeable about the vendor's business and operations. An owner or officer must certify the questionnaire and the signature must be notarized.

NEW YORK STATE VENDOR IDENTIFICATION NUMBER (VENDOR ID)

The <u>Vendor ID</u> is a ten-digit identifier issued by New York State when the vendor is registered on the Statewide Vendor File. This number must now be included on the questionnaire. If the business entity has not obtained a <u>Vendor ID</u>, contact the OSC Help Desk at <u>ciohelpdesk@osc.state.ny.us</u> or call 866-370-4672.

DEFINITIONS

All underlined terms are defined in the "New York State Vendor Responsibility Definitions List," found at www.osc.state.ny.us/vendrep/documents/questionnaire/definitions.pdf. These terms may not have their ordinary, common or traditional meanings. Each vendor is strongly encouraged to read the respective definitions for any and all underlined terms. By submitting this questionnaire, the vendor agrees to be bound by the terms as defined in the "New York State Vendor Responsibility Definitions List" existing at the time of certification.

RESPONSES

Every question must be answered. Each response must provide all relevant information which can be obtained within the limits of the law. However, information regarding a determination or finding made in error which was subsequently corrected is not required. Individuals and Sole Proprietors may use a Social Security Number but are encouraged to obtain and use a federal Employer Identification Number (EIN).

REPORTING ENTITY

Each vendor must indicate if the questionnaire is filed on behalf of the entire <u>Legal Business Entity</u> or an <u>Organizational Unit</u> within or operating under the authority of the <u>Legal Business Entity</u> and having the same <u>EIN</u>. Generally, the <u>Organizational Unit</u> option may be appropriate for a vendor that meets the definition of "<u>Reporting Entity</u>" but due to the size and complexity of the <u>Legal Business Entity</u>, is best able to provide the required information for the <u>Organizational Unit</u>, while providing more limited information for other parts of the <u>Legal Business Entity</u> and Associated Entities.

ASSOCIATED ENTITY

An <u>Associated Entity</u> is one that owns or controls the <u>Reporting Entity</u> or any entity owned or controlled by the <u>Reporting Entity</u>. However, the term <u>Associated Entity</u> does **not** include "sibling organizations" (i.e., entities owned or controlled by a parent company that owns or controls the <u>Reporting Entity</u>), unless such sibling entity has a direct relationship with or impact on the <u>Reporting Entity</u>.

STRUCTURE OF THE QUESTIONNAIRE

The questionnaire is organized into eleven sections. Section I is to be completed for the <u>Legal Business Entity</u>. Section II requires the vendor to specify the <u>Reporting Entity</u> for the questionnaire. Section III refers to the individuals of the <u>Reporting Entity</u>, while Sections IV-VIII require information about the <u>Reporting Entity</u>. Section IX pertains to any Associated Entities, with one question about their <u>Officials/Owners</u>. Section X relates to disclosure under the Freedom of Information Law (FOIL). Section XI requires an authorized contact for the questionnaire information.

NEW YORK STATE R RESPONSIBILITY OUESTIONNAIR

VENDOR RESPONSIBILITY QUESTIONNAIRE FOR-PROFIT BUSINESS ENTITY

I. LEGAL BUSINESS ENTITY INFORMATION							
Legal Business Entity Name*				EIN			
Address of the Principal Place of Business (street, city, st		t, city, state, zip c	ode)	New York State Vendor Identification Number		ification Number	
						Fax	
Email			Website		ext.		
Elliali			WCDSITC				
	Business Entity Identities: If apply (5) years and the status (activ		other DBA, Trad	e Name, Forn	ner Name, Other Io	dentity, or EIN	
Туре	Name		EIN		Status	-	
1.0 Legal Busine	ss Entity Type – Check appropr	riate box and pro	vide additional inf	formation:			
Corporati	on (including PC)	Date of	Incorporation				
Limited Liability Company (LLC or PLLC) Date of Organization							
Partnership (including LLP, LP or General)			Date of Registration or Establishment				
Sole Proprietor			How many years in business?				
Other	Other Date Established						
If Other, explain:							
1.1 Was the Lega	al Business Entity formed or inc	corporated in Nev	v York State?			☐ Yes ☐ No	
If 'No,' indicate jurisdiction where <u>Legal Business Entity</u> was formed or incorporated and attach a <u>Certificate of Good Standing</u> from the applicable jurisdiction or provide an explanation if a <u>Certificate of Good Standing</u> is not available.							
United St	ates State						
Other	Country						
Explain, if no	ot available:						
1.2 Is the Legal I	1.2 Is the Legal Business Entity publicly traded?						
If "Yes," pro	vide <u>CIK Code</u> or Ticker Symb	ol					
1.3 Does the Leg	1.3 Does the Legal Business Entity have a DUNS Number?						
If "Yes," Ent	If "Yes," Enter <u>DUNS</u> Number						

^{*}All underlined terms are defined in the "New York State Vendor Responsibility Definitions List," which can be found at www.osc.state.ny.us/vendrep/documents/questionnaire/definitions.pdf.

NYS Vendor ID: 000000000

I. LEGAL BUSINESS ENTITY INFORMATION						
1.4 If the <u>Legal Business Entity</u> 's <u>Principal Entity</u> maintain an office in New Yor (Select "N/A," if <u>Principal Place of I</u>	☐ Yes ☐ No☐ N/A					
If "Yes," provide the address and telephone number for one office located in New York State.						
1.5 Is the Legal Business Entity a New York State certified Minority-Owned Business Enterprise (MBE), Women-Owned Business Enterprise (WBE), New York State Small Business (SB) or a federally certified Disadvantaged Business Enterprise (DBE)? If "Yes," check all that apply: New York State certified Minority-Owned Business Enterprise (MBE) New York State certified Women-Owned Business Enterprise (WBE) New York State Small Business (SB) Federally certified Disadvantaged Business Enterprise (DBE)						
1.6 Identify Officials and Principal Owners, if applicable. For each person, include name, title and percentage of ownership. Attach additional pages if necessary. If applicable, reference to relevant SEC filing(s) containing the required information is optional.						
Name	Title	Percentage Ov (Enter 0% if no	-			

NEW YORK STATE

VENDOR RESPONSIBILITY QUESTIONNAIRE FOR-PROFIT BUSINESS ENTITY

Note: Select only one. Legal Business Entity Note: If selecting this option, "Reporting Entity" refers to the entire Legal Business Entity for the remainder of the questionnaire. (SKIP THE REMAINDER OF SECTION II AND PROCEED WITH SECTION III.) Organizational Unit within and operating under the authority of the Legal Business Entity SEE DEFINITIONS OF "REPORTING ENTITY" AND "ORGANIZATIONAL UNIT" FOR ADDITIONAL INFORMATION ON CRITERIA TO QUALIFY FOR THIS SELECTION. Note: If selecting this option, "Reporting Entity" refers to the Organizational Unit within the Legal Business Entity for the remainder of the questionnaire. (COMPLETE THE REMAINDER OF SECTION II AND ALL REMAINING SECTIONS OF THIS QUESTIONNAIRE.) DENTIFYING INFORMATION				
 Legal Business Entity Note: If selecting this option, "Reporting Entity" refers to the entire Legal Business Entity for the remainder of the questionnaire. (SKIP THE REMAINDER OF SECTION II AND PROCEED WITH SECTION III.) □ Organizational Unit within and operating under the authority of the Legal Business Entity SEE DEFINITIONS OF "REPORTING ENTITY" AND "ORGANIZATIONAL UNIT" FOR ADDITIONAL INFORMATION ON CRITERIA TO QUALIFY FOR THIS SELECTION. Note: If selecting this option, "Reporting Entity" refers to the Organizational Unit within the Legal Business Entity for the remainder of the questionnaire. (COMPLETE THE REMAINDER OF SECTION II AND ALL REMAINING SECTIONS OF THIS QUESTIONNAIRE.) 				
Note: If selecting this option, "Reporting Entity" refers to the entire Legal Business Entity for the remainder of the questionnaire. (SKIP THE REMAINDER OF SECTION II AND PROCEED WITH SECTION III.) Organizational Unit within and operating under the authority of the Legal Business Entity SEE DEFINITIONS OF "REPORTING ENTITY" AND "ORGANIZATIONAL UNIT" FOR ADDITIONAL INFORMATION ON CRITERIA TO QUALIFY FOR THIS SELECTION. Note: If selecting this option, "Reporting Entity" refers to the Organizational Unit within the Legal Business Entity for the remainder of the questionnaire. (COMPLETE THE REMAINDER OF SECTION II AND ALL REMAINING SECTIONS OF THIS QUESTIONNAIRE.)				
questionnaire. (SKIP THE REMAINDER OF SECTION II AND PROCEED WITH SECTION III.) Organizational Unit within and operating under the authority of the Legal Business Entity SEE DEFINITIONS OF "REPORTING ENTITY" AND "ORGANIZATIONAL UNIT" FOR ADDITIONAL INFORMATION ON CRITERIA TO QUALIFY FOR THIS SELECTION. Note: If selecting this option, "Reporting Entity" refers to the Organizational Unit within the Legal Business Entity for the remainder of the questionnaire. (COMPLETE THE REMAINDER OF SECTION II AND ALL REMAINING SECTIONS OF THIS QUESTIONNAIRE.)				
SEE DEFINITIONS OF "REPORTING ENTITY" AND "ORGANIZATIONAL UNIT" FOR ADDITIONAL INFORMATION ON CRITERIA TO QUALIFY FOR THIS SELECTION. Note: If selecting this option, "Reporting Entity" refers to the Organizational Unit within the Legal Business Entity for the remainder of the questionnaire. (COMPLETE THE REMAINDER OF SECTION II AND ALL REMAINING SECTIONS OF THIS QUESTIONNAIRE.)				
QUALIFY FOR THIS SELECTION. Note: If selecting this option, "Reporting Entity" refers to the Organizational Unit within the Legal Business Entity for the remainder of the questionnaire. (COMPLETE THE REMAINDER OF SECTION II AND ALL REMAINING SECTIONS OF THIS QUESTIONNAIRE.)				
remainder of the questionnaire. (COMPLETE THE REMAINDER OF SECTION II AND ALL REMAINING SECTIONS OF THIS QUESTIONNAIRE.)				
DENTIFYING INFORMATION				
a) Reporting Entity Name				
Address of the Primary Place of Business (street, city, state, zip code) Telephone				
ext.				
b) Describe the relationship of the Reporting Entity to the Legal Business Entity				
c) Attach an <u>organizational chart</u>				
d) Does the Reporting Entity have a <u>DUNS</u> Number?				
If "Yes," enter <u>DUNS</u> Number				
e) Identify the designated manager(s) responsible for the business of the Reporting Entity. For each person, include name and title. Attach additional pages if necessary.				
Vame				

NEW YORK STATE

VENDOR RESPONSIBILITY QUESTIONNAIRE FOR-PROFIT BUSINESS ENTITY

INSTRUCTIONS FOR SECTIONS III THROUGH VII

For each "Yes," provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s). For each "Other," provide an explanation which provides the basis for not definitively responding "Yes" or "No." Provide the explanation at the end of the section or attach additional sheets with numbered responses, including the Reporting Entity name at the top of any attached pages.

III. LEADERSHIP INTEGRITY						
Within the past five (5) years, has any current or former reporting entity official or any individual currently or formerly having the authority to sign, execute or approve bids, proposals, contracts or supporting documentation on behalf of the reporting entity with any government entity been:						
3.0 Sanctioned relative to any business or professional permit and/or license?	☐ No	Other				
3.1 Suspended, debarred, or disqualified from any government contracting process?	☐ No	Other				
3.2 The subject of an <u>investigation</u> , whether open or closed, by any government entity for a civil or criminal violation for any business-related conduct?	□ No	Other				
 3.3 Charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime or subject to a <u>judgment</u> for: a) Any business-related activity; or b) Any crime, whether or not business-related, the underlying conduct of which was related to truthfulness? 	Yes	□ No	Other			
For each "Yes" or "Other" explain:						
IV. INTEGRITY – CONTRACT BIDDING						
Within the past five (5) years, has the reporting entity:						
4.0 Been <u>suspended</u> or <u>debarred</u> from any <u>government contracting process</u> or been <u>disqualified</u> on any government procurement, permit, license, concession, franchise or lease, including, but not limited to, <u>debarment</u> for a violation of New York State Workers' Compensation or Prevailing Wage laws or New York State Procurement Lobbying Law?						
4.1 Been subject to a denial or revocation of a government prequalification?			☐ No			
4.2 Been denied a contract award or had a bid rejected based upon a non-responsibility finding by a government entity?			□ No			
4.3 Had a low bid rejected on a government contract for failure to make good faith efforts on any Mind Owned Business Enterprise, Women-Owned Business Enterprise or Disadvantaged Business Enterprise goal or statutory affirmative action requirements on a previously held contract?	Yes	□ No				
4.4 Agreed to a voluntary exclusion from bidding/contracting with a government entity?	Yes	□ No				
4.5 Initiated a request to withdraw a bid submitted to a government entity in lieu of responding to an information request or subsequent to a formal request to appear before the government entity?	Yes	□ No				
For each "Yes," explain:						

V. INTEGRITY - CONTRACT AWARD					
Within the past five (5) years, has the reporting entity:					
5.0 Been <u>suspended</u> , cancelled or <u>terminated for cause</u> on any <u>government contract</u> including, but not limited to, a <u>non-responsibility finding</u> ?	Yes No				
5.1 Been subject to an <u>administrative proceeding</u> or civil action seeking specific performance or restitution in connection with any <u>government contract</u> ?					
5.2 Entered into a formal monitoring agreement as a condition of a contract award from a government entity?					
For each "Yes," explain:					
VI. CERTIFICATIONS/LICENSES Within the past five (5) years, has the reporting entity:					
6.0 Had a revocation, suspension or disbarment of any business or professional permit and/or license?	☐ Yes ☐ No				
6.1 Had a denial, decertification, revocation or forfeiture of New York State certification of Minority-Owned Business Enterprise, Women-Owned Business Enterprise or federal certification of Disadvantaged Business Enterprise status for other than a change of ownership?	Yes No				
For each "Yes," explain:					
VII. LEGAL PROCEEDINGS Within the past five (5) years, has the reporting entity:					
7.0 Been the subject of an <u>investigation</u> , whether open or closed, by any government entity for a civil or criminal violation?	Yes No				
7.1 Been the subject of an indictment, grant of immunity, judgment or conviction (including entering into a plea bargain) for conduct constituting a crime?	Yes No				
7.2 Received any OSHA citation and Notification of Penalty containing a violation classified as <u>serious or willful</u> ?	Yes No				
7.3 Had a government entity find a willful prevailing wage or supplemental payment violation or any other willful violation of New York State Labor Law?	Yes No				
7.4 Entered into a consent order with the New York State Department of Environmental Conservation, or received an enforcement determination by any government entity involving a violation of federal, state or local environmental laws?	Yes No				
 7.5 Other than previously disclosed: a) Been subject to fines or penalties imposed by government entities which in the aggregate total \$25,000 or more; or b) Been convicted of a criminal offense pursuant to any administrative and/or regulatory action taken by any government entity? 	Yes No				
For each "Yes," explain:					

NYS Vendor ID: 000000000

AC 3290-S (Rev. 9/13)

VIII. FINANCIAL AND ORGANIZATIONAL CAPACITY					
8.0 Within the past five (5) years, has the <u>Reporting Entity</u> received any <u>formal unsatisfactory performance assessment(s)</u> from any government entity on any contract?	Yes No				
If "Yes," provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.					
8.1 Within the past five (5) years, has the Reporting Entity had any liquidated damages assessed over \$25	,000?				
If "Yes," provide an explanation of the issue(s), relevant dates, contracting party involved, the amount status of the issue(s). Provide answer below or attach additional sheets with numbered responses.	t assessed and the current				
8.2 Within the past five (5) years, have any <u>liens</u> or <u>judgments</u> (not including UCC filings) over \$25,000 to filed against the <u>Reporting Entity</u> which remain undischarged?	been Yes No				
If "Yes," provide an explanation of the issue(s), relevant dates, the Lien holder or Claimant's name(s) and the current status of the issue(s). Provide answer below or attach additional sheets with numbered					
8.3 In the last seven (7) years, has the <u>Reporting Entity</u> initiated or been the subject of any bankruptcy proceedings, whether or not closed, or is any bankruptcy proceeding pending?	☐ Yes ☐ No				
If "Yes," provide the bankruptcy chapter number, the court name and the docket number. Indicate the proceedings as "Initiated," "Pending" or "Closed." Provide answer below or attach additional sheets					
8.4 During the past three (3) years, has the <u>Reporting Entity</u> failed to file or pay any tax returns required be <u>federal</u> , state or local tax laws?	Yes No				
If "Yes," provide the taxing jurisdiction, the type of tax, the liability year(s), the tax liability amount to file/pay and the current status of the tax liability. Provide answer below or attach additional sheets we					
8.5 During the past three (3) years, has the <u>Reporting Entity</u> failed to file or pay any New York State unemployment insurance returns?	☐ Yes ☐ No				
If "Yes," provide the years the Reporting Entity failed to file/pay the insurance, explain the situation and any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.					
8.6 During the past three (3) years, has the Reporting Entity had any government audit(s) completed?	☐ Yes ☐ No				
a) If "Yes," did any audit of the <u>Reporting Entity</u> identify any reported significant deficiencies in incontrol, fraud, illegal acts, significant violations of provisions of contract or grant agreements, significant abuse or any <u>material disallowance</u> ?	ternal Yes No				
If "Yes" to 8.6 a), provide an explanation of the issue(s), relevant dates, the government entity involve corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additivesponses.					

NYS Vendor ID: 000000000

IX. ASSOCIATED ENTITIES						
This section pertains to any entity(ies) that either controls or is controlled by the reporting entity.						
(See definition of "associated entity" for additional information to complete this section.)						
9.0 Does	s the Reporting Entity have any Associated Entities?	☐ Yes	□ No			
Not	e: All questions in this section must be answered if the Reporting Entity is either:					
_	An Organizational Unit; or					
	The entire Legal Business Entity which controls, or is controlled by, any other entity(ies).					
If "	No," SKIP THE REMAINDER OF SECTION IX AND PROCEED WITH SECTION X.					
9.1 Wit	hin the past five (5) years, has any Associated Entity Official or Principal Owner been charged with a	Yes Yes	□ No			
`	demeanor or felony, indicted, granted immunity, convicted of a crime or subject to a judgment for: Any business-related activity; or					
a) b)	Any crime, whether or not business-related, the underlying conduct of which was related to					
,	truthfulness?					
	Yes," provide an explanation of the issue(s), the individual involved, his/her title and role in the Associate					
	tionship to the Reporting Entity, relevant dates, the government entity involved, any remedial or corrective	e action(s)	taken and			
the	current status of the issue(s).					
9.2 Do	es any Associated Entity have any currently undischarged federal, New York State, New York City or v York local government liens or judgments (not including UCC filings) over \$50,000?	☐ Yes	□ No			
		cinece activ	,ita			
	Yes," provide an explanation of the issue(s), identify the <u>Associated Entity</u> 's name(s), <u>EIN(s)</u> , primary bustionship to the <u>Reporting Entity</u> , relevant dates, the Lien holder or Claimant's name(s), the amount of the		1			
	rent status of the issue(s). Provide answer below or attach additional sheets with numbered responses.	(-)				
0.2 117:	thin the most Erro (5) weens has any Associated Entity:					
9.3 W1	thin the past five (5) years, has any Associated Entity:	Γ				
a)	Been disqualified, suspended or debarred from any federal, New York State, New York City or other	Yes	☐ No			
	New York local government contracting process?					
b)	Been denied a contract award or had a bid rejected based upon a non-responsibility finding by any	Yes	∐ No			
	federal, New York State, New York City, or New York local government entity?					
c)	Been <u>suspended</u> , <u>cancelled</u> or <u>terminated for cause</u> (including for <u>non-responsibility</u>) on any <u>federal</u> , New York State, New York City or New York local <u>government contract</u> ?	☐ Yes	∐ No			
1\		Ves				
d)	Been the subject of an <u>investigation</u> , whether open or closed, by any <u>federal</u> , New York State, New York City, or New York local government entity for a civil or criminal violation with a penalty in	Yes	□ No			
	excess of \$500,000?					
e)	Been the subject of an indictment, grant of immunity, judgment, or conviction (including entering into	Yes	No			
	a plea bargain) for conduct constituting a crime?					
f)	Been convicted of a criminal offense pursuant to any administrative and/or regulatory action taken by	Yes	□ No			
	any federal, New York State, New York City, or New York local government entity?					
g)	Initiated or been the subject of any bankruptcy proceedings, whether or not closed, or is any	Yes	☐ No			
	bankruptcy proceeding pending?					
For each "Yes," provide an explanation of the issue(s), identify the Associated Entity's name(s), EIN(s), primary business						
act	ivity, relationship to the Reporting Entity, relevant dates, the government entity involved, any remedial or	corrective	action(s)			
tak	en and the current status of the issue(s). Provide answer below or attach additional sheets with numbered n	csponses.				

NYS Vendor ID: 000000000

X. FREEDOM OF INFORMATION LAW (FOIL)		,		
10. Indicate whether any information supplied herein is believed to be exempt from Freedom of Information Law (FOIL).	Yes No			
Note: A determination of whether such information is exempt from FOIL will request for disclosure under FOIL.				
If "Yes," indicate the question number(s) and explain the basis for the claim.				
XI. AUTHORIZED CONTACT FOR THIS QUESTIONNAIRE				
Name	Telephone	Fax		
	ext.			
Title	Email			

NYS Vendor ID: 000000000

NEW YORK STATE VENDOR RESPONSIBILITY QUESTIONNAIRE FOR-PROFIT BUSINESS ENTITY

Certification

The undersigned: (1) recognizes that this questionnaire is submitted for the express purpose of assisting New York State government entities (including the Office of the State Comptroller (OSC)) in making responsibility determinations regarding award or approval of a contract or subcontract and that such government entities will rely on information disclosed in the questionnaire in making responsibility determinations; (2) acknowledges that the New York State government entities and OSC may, in their discretion, by means which they may choose, verify the truth and accuracy of all statements made herein; and (3) acknowledges that intentional submission of false or misleading information may result in criminal penalties under State and/or Federal Law, as well as a finding of non-responsibility, contract suspension or contract termination.

The undersigned certifies that he/she:

- is knowledgeable about the submitting Business Entity's business and operations;
- has read and understands all of the questions contained in the questionnaire;
- has not altered the content of the questionnaire in any manner;
- has reviewed and/or supplied full and complete responses to each question;
- to the best of his/her knowledge, information and belief, confirms that the Business Entity's responses are true, accurate and complete, including all attachments, if applicable;
- understands that New York State government entities will rely on the information disclosed in the questionnaire when entering into a contract with the Business Entity; and
- is under an obligation to update the information provided herein to include any material changes to the Business Entity's responses at the time of bid/proposal submission through the contract award notification, and may be required to update the information at the request of the New York State government entities or OSC prior to the award and/or approval of a contract, or during the term of the contract.

Signature of Owner/Official				
Printed Name of Signatory				
Title				
Name of Business				
Address				
City, State, Zip				
Sworn to before me this	day of			
		Notary Public		