

**Office of the State Comptroller  
Bureau of Contracts  
Construction 30 Day Review Submission Checklist<sup>1</sup>**

Yes    No

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | The procurement opportunity was advertised as required by law;<br>If not, please explain:<br><br>_____<br>_____  |
| <input type="checkbox"/> | <input type="checkbox"/> | This was a competitive procurement with three or more responsive bids received;  |
| <input type="checkbox"/> | <input type="checkbox"/> | The award(s) were made in accordance with the solicitation's method of award;  |
| <input type="checkbox"/> | <input type="checkbox"/> | If provided for in the solicitation, the debriefing period has passed and all debriefings requested have been completed;   |
| <input type="checkbox"/> | <input type="checkbox"/> | Were any bids rejected?<br>Please explain any bid rejections:<br><br>_____<br>_____  |
| <input type="checkbox"/> | <input type="checkbox"/> | Were any protest or appeals of protest determinations received?<br>Please explain any protests/appeals and how resolved (no protest or appeal, where provided for, should be open):<br><br>_____<br>_____  |
| <input type="checkbox"/> | <input type="checkbox"/> | This transaction was submitted through the Electronic Documents Submission System (EDSS) and all required documentation based on the attached Document Order Guide has been provided;  |
| <input type="checkbox"/> | <input type="checkbox"/> | All other required agency reviews are complete and approvals have been obtained (e.g., DOB, IG, AG).   |
| <input type="checkbox"/> | <input type="checkbox"/> | The awarded low bid is within 15% of the pre-bid cost estimate;  |
| <input type="checkbox"/> | <input type="checkbox"/> | A clause is included in the contract/amendment agreement indicating that procurement documents and contracts have no force and effect and the State bears no liability unless the procurement documents and contracts are approved by OSC or the pertinent pre-audit review period has elapsed (Item 3A, Memorandum of Understanding). |

Authorized Agency Signature (per AC 1782-S Form)

Date

<sup>1</sup> This checklist governs the submission requirements of those contracts subject to State Comptroller approval pursuant to the Memorandum of Understanding between the Executive, State Comptroller, CUNY, SUNY, CUCF and SUCF, dated August 15, 2019, and does not apply to contracts otherwise subject to the Comptroller's review under New York State law. The cover page of this checklist contains questions for agency response that are intended solely for informational purposes and to assist the Comptroller's review of the associated contract and shall not be cited or considered as grounds for rejection or cause for delay of reviewing the associated contract.

# **Documentation Order Guide for Construction Contracts, Contract Amendments / Change Orders Subject to 30 Day Review**

**(Transmitted via OSC's Electronic Document Submission System)**

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## **New Construction Contract**

### **1) Transaction Identifying Documents**

- Cover Letter which includes agency contact preferences, FOIL concerns, and any unique or unforeseen circumstances.
- SUNY Construction Procurement Checklist (Form 7554-00)
- OSC Non-Approval Notice, if resubmission

### **2) Contract**

- Construction Contract Agreement or Purchase Order Document (including performance bond and labor and material bond, and all current appendixes, exhibits and attachments)

### **3) Procurement Documents**

- Project Manual (Invitation to Bid Package)
- New York State Contract Reporter Advertisement
- Newspaper advertisements
- Bid Tabulation, signed and dated
- All correspondence between agency and vendor pertaining to rejected or withdrawn bids
- When two or fewer responses are received:
  - Agency justification of award with limited competition
  - Canvass of those who did not bid and their responses, if applicable
- Original bids, including any withdrawn or rejected bids
- For Emergencies only
  - Signed Declaration of Emergency
  - Three quotes for Emergency
- Mandatory pre-bid conference and / or site visit sign-in sheet, transcript and items presented or distributed, if applicable
- If a Rebid, submit original Bid Tab and explanation why contract was rebid
- Subcontractor list for Campus funded projects under Wicks Law threshold, if applicable
- Wicks Law Waiver for Campus Let contracts, if applicable
- Project Labor Agreement and Due Diligence Study, if applicable
- Any debriefing or protest/appeal correspondence/documentation relative to the procurement (Note: all protests, and appeals where provided for, must be resolved prior to submission to OSC)
- Municipal Resolution/Authority Board Resolution authorizing the Municipality or Authority to enter into contract, if applicable
- Pre-Bid Cost Estimate
  - Price justification if awarded bid is not within 15% of estimate
  - Revised estimate if awarded bid is higher than the pre bid estimate by more than 15%
- Procurement Lobbying Act documentation as required by law
- Sexual Harassment Prevention documentation as required by law

#### **4) Vendor Responsibility and Integrity**

- Vendor Responsibility Profile
  - Vendor Responsibility Questionnaire (or CUNY Construction Fund Vendor Disclosure Form dated 10/2014 or later version as mutually agreed to by the parties) certified within six months of the contracting entity's defined due date for the Questionnaire (or CUNY Construction Fund Vendor Disclosure Form)
  - Proof of Workers Compensation and Disability Insurance coverage
  - Vendor Responsibility documentation on all known subcontractors
  - Proof of EO 192 compliance as applicable, including any required vendor integrity certification forms
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### **Construction Contract Amendment/Change Order**

#### **1) Transaction Identifying Documents**

- Cover Letter with agency contact preferences, FOIL concerns, and any unique or unforeseen circumstances
- OSC Non-Approval Notice, if resubmission

#### **2) Construction Change Order/Contract Amendment**

- Change Order/Contract Amendment, including a description of all increases and decreases and/or request for time extension

#### **3) Supporting Documents**

- Justification of need, including reasonableness of transaction
- Justification of price for all increases and decreases
- Justification of time extension, including estimate of percentage of project completion

#### **4) Vendor Responsibility and Integrity**

- Vendor Responsibility Profile
- Vendor Responsibility Questionnaire (or CUNY Construction Fund Vendor Disclosure Form dated 10/2014 or later version as mutually agreed to by the parties) certified within six months of the contracting entity's defined due date for the Questionnaire (or CUNY Construction Fund Vendor Disclosure Form)
- Proof of Workers Compensation and Disability Insurance coverage
- Vendor Responsibility documentation on all known subcontractors
- Proof of EO 192 compliance as applicable, including any required vendor integrity certification forms