Agenda

• What it means to be a responsible vendor
• Why is Vendor Responsibility important
• Components of a thorough review
• Subcontractors
• Helpful recommendations
Vendor Responsibility Basics

Why is Vendor Responsibility Important?

- Protects the Agency and State against failed contracts
- Pro-actively solves and mitigates problems
- Avoids contracting with non-responsible vendors
- Protects public funds and promotes fairness
What is a Responsible Vendor?

- **Financial and Organizational Capacity**
  - To fully perform contractual obligations

- **Legal Authority**
  - To do business with the State

- **Integrity**
  - To justify the award of public dollars

- **Past Performance**
  - A good record of past performance
What Leads to a Thorough Review?

• Independent Agency Review
• Vendor Disclosure
Perform Agency Review

Resources for Vendor Responsibility Review
Helpful Tools – OSC Website

www.osc.state.ny.us/state-vendors/vendrep/file-your-vendor-responsibility-questionnaire

File Your Vendor Responsibility Questionnaire

Complete or update your Vendor Responsibility Questionnaire online. Filing online is the easiest and fastest way to inform State contracting entities of your business’s qualifications.

Benefits of filing online
• Complete only one questionnaire for all future bids.
• Update your questionnaire at any time.
• View the status of your contract review.
• Delegate user roles to employees.
• Have the vendor responsibility review completed 30% quicker.

Our secure online service includes all four types of questionnaires.

State Contracting Entities: If your prospective vendor filed the questionnaire online, you can easily view the completed questionnaire using the same online service.

How to get started
Log in or enroll in the VendRep System to file or view the questionnaire.

Don't have an account?

To learn more, see The VendRep System.

About the review process
Documentation Requirements
The Vendor Responsibility Review Process
How to Conduct a Vendor Responsibility Review
How to Make a Vendor Responsibility Determination
Research Vendor Information

The links below provide access to information resources that a State contracting entity may find helpful when completing a vendor responsibility review. Each resource has a short description and the link to the applicable website.

The Office of the State Comptroller does not endorse these resources or guarantee their accuracy.

- Legal/Regulatory Authority to Do Business
- Integrity
- Financial and Organizational Capacity
- Performance
- General Resources

Web Resource Guide - printer-friendly version (PDF)
Vendor Responsibility System

Vendor Responsibility Questionnaire

Online Services

Login

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>User ID</td>
<td>I forgot my User ID</td>
</tr>
<tr>
<td>Password</td>
<td>I forgot my Password</td>
</tr>
</tbody>
</table>

Need an account? Enroll Now
Learn more about our Online Services.

Announcements
No announcements to report
The Corporation and Business Entity Database includes business and not for profit corporations, limited partnerships, limited liability companies and limited liability partnerships, as well as other miscellaneous businesses. This information is best viewed with Netscape Navigator 7.0 and above or Internet Explorer 6.0 and above. Please note that the database does not include corporate or other business entity assumed names filed pursuant to General Business Law, §130. Assumed name filings are filed and maintained by the Division of Corporations for corporations, limited liability companies and limited partnerships. Although maintained by the Division of Corporations, searches of records of assumed names used by corporations, limited liability companies and limited partnerships must be made by a written, faxed or e-mail request to the Division. All other entities such as general partnerships, sole proprietorships and limited liability partnerships file an assumed name certificate directly with the county clerk in each county in which the entity conducts or transacts business.

Every effort has been made to ensure that the information contained on this site is up to date and accurate. As the Department relies upon information provided to it, the information’s completeness or accuracy cannot be guaranteed. If you have any questions about performing a search or the results you receive, please contact the NYS Department of State, Division of Corporations at (518) 473-2492, Monday - Friday, 9:00 a.m. to 4:30 p.m.

### Search Criteria

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entity Name</td>
<td>*</td>
</tr>
<tr>
<td>Name Type</td>
<td>All</td>
</tr>
<tr>
<td>Search Type</td>
<td>Contains</td>
</tr>
<tr>
<td>Captcha</td>
<td>*</td>
</tr>
</tbody>
</table>

The items marked with * are required.
Google

Advanced Search

Find pages with...

all these words:  

this exact word or phrase:  

any of these words:  

none of these words:  

numbers ranging from:  to  

NYS COMPTROLLER  
THOMAS P. DiNAPOLI
DOS State Tax Warrants

The New York State Department of Taxation and Finance ("DTF") files tax warrants in county clerks' offices throughout the state. Pursuant to section 6 of the Tax Law, DTF sends the New York Department of State a notice of the fact that such tax warrants have been filed. The New York Department of State maintains an electronic database of the tax warrant-related notices presented by DTF. These notices may be searched by taxpayer name, by taxpayer city, by county of tax warrant filing, or by any combination of the foregoing.

Please note that DTF first files a tax warrant in a county clerk's office, and then files a notice of such filing in this office. As a result, in most cases there will necessarily be some gap between the time of filing of the actual tax warrant in the county clerk's office and the time of filing of the notice of such filing in this office. Therefore, searchers are encouraged to search in the offices of the appropriate county clerk(s) to determine the most recent status of filing(s) against a given taxpayer.

Inquiries regarding tax warrants in general should be directed to the New York State Department of Taxation and Finance. You may wish to visit DTF's frequently asked questions page regarding tax warrants at New York State Taxation & Finance: Frequently Asked Questions about warrants.(Opens new window).

The information contained in this database is current up to July 24, 2020

Search Criteria: (Items marked with * are required)

1. Taxpayer Name:

2. City specified in warrant address record:

3. County in which warrant is filed:

4. Warrant Notice Status: OPEN ALL

5. Search Type: BASE WORD (exact words) BEGINS WITH (first 3 letters)

6. Search Reset
DOS Federal Tax Liens

- **Business Name**: 
- **Last Name**: 
- **First Name**: (Optional) 
- **Middle Name**: (Optional) 
- **Suffix**: (Optional) 
- **City**: (Optional) 
- **State**: (Optional) 

**Search Type**:  
- Base Word  
- Begins With  
- Partial

**Filing Status**:  
- All Filings  
- Unlapsed Filings

**File Type**:  
- All Filings  
- Federal Tax Liens
Audits

The Office of the State Comptroller audits State and local governments to ensure that they use taxpayer money effectively and efficiently to promote the common good. We provide two versions of our audits:

- a concise summary called the Taxpayers’ Guide to Audits; and
- the entire audit report.

### State Agencies, NYC Agencies and Public Authorities

- By agency or authority
- By date
- Annual Report on Audits of State Agencies and Public Authorities
  - 2018-2019
  - 2017-2018
  - 2016-2017
- Five-Year List of Audits (Oct 2013-Sept 2018)
- Special Reports
- Request an Audit Report

### Local Governments and School Districts

- **Audits**
  - Newest (last four weeks)
  - 2014 - Present
  - Request an older audit (2013 and older)

- **Search for these audits**
  - Local Government Audit Reports

- **Other Resources**
  - About audits of local governments
  - The audit process
  - External peer review results

Search Audits
Federal Contractor Misconduct Database (FCMD)

The federal government routinely awards contracts to companies with histories of misconduct, including contract fraud and other violations. POGO believes that providing this website will help to improve contracting decisions and increase public knowledge of how the government spends billions of taxpayer dollars each year. Read more...

Search FCMD...

Top 10 Contractors by total FY18 contract awards

The following contractors top the list based on total contract awards. This table shows the associated instances of misconduct and total penalty amounts.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Lockheed Martin</td>
<td>$40,552.9M</td>
<td>89</td>
<td>$767.8M</td>
</tr>
<tr>
<td>2</td>
<td>Boeing Company</td>
<td>$29,755.9M</td>
<td>79</td>
<td>$1,491.3M</td>
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</table>
OSHA

<table>
<thead>
<tr>
<th>Search By:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishment</td>
</tr>
<tr>
<td>(This box can also be used to search for a State Activity Number for the following states: NC, SC, KY, IN, OR and WA)</td>
</tr>
<tr>
<td>State</td>
</tr>
<tr>
<td>All States</td>
</tr>
<tr>
<td>Fed &amp; State</td>
</tr>
<tr>
<td>OSHA Office</td>
</tr>
<tr>
<td>All Offices</td>
</tr>
<tr>
<td>Site Zip Code</td>
</tr>
<tr>
<td>Case Status</td>
</tr>
<tr>
<td>All</td>
</tr>
<tr>
<td>Closed</td>
</tr>
<tr>
<td>Open</td>
</tr>
<tr>
<td>Violation Status</td>
</tr>
<tr>
<td>All</td>
</tr>
<tr>
<td>With Violations</td>
</tr>
<tr>
<td>Without Violations</td>
</tr>
<tr>
<td>Inspection Date</td>
</tr>
<tr>
<td>Start Date</td>
</tr>
<tr>
<td>July</td>
</tr>
<tr>
<td>28</td>
</tr>
<tr>
<td>2015</td>
</tr>
<tr>
<td>End Date</td>
</tr>
<tr>
<td>July</td>
</tr>
<tr>
<td>28</td>
</tr>
<tr>
<td>2020</td>
</tr>
</tbody>
</table>

Submit  Reset
OGS Debarred & Non–Responsible Entities

ogs.ny.gov/debarred-and-non-responsible-entities
# DOL & WCB Debarments

## New York State Department of Labor

### Click State Agency for more information:
- Department of Labor (DOL)
- Workers Compensation Board (WCB)

<table>
<thead>
<tr>
<th>Search Agency:</th>
<th>DOL</th>
<th>WCB</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEIN:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employer Name:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employer DBA Name:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debarment Start Date:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debarment End Date:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

For inquiries where WCB is listed as the "Agency" please call 1(866) 546-9322.
Debarment – Other States

State of New Jersey

Consolidated Debarment Search

Complete one or more of the search criteria below and click Start Search.

To display ALL entries in the database, simply click Start Search without completing any search criteria.

<table>
<thead>
<tr>
<th>Full or partial Firm or Individual</th>
<th>Category</th>
<th>Reason</th>
<th>NPI Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Start Search  Clear Entries
Workers Compensation & Disability

<table>
<thead>
<tr>
<th>Search by Employer Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Enter a word or partial word of the beginning part of the name. The search will return employers that begin EXACTLY with the portion entered.)</td>
</tr>
<tr>
<td>Employer Name: [Field]</td>
</tr>
<tr>
<td>Maximum Results Displayed: [50]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Search by Federal Employer Identification Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEIN: [Field] (must be nine digits)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Search by Policy Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Number: [Field]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Search by NYS WCB Employer Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employer Number: [Field]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Check the box on the left side)</td>
</tr>
<tr>
<td>I'm not a robot</td>
</tr>
</tbody>
</table>

[Links to search options: Search, Reset]
Please Note:

• The name and FEIN of the contracting entity must be identical to the name and FEIN identified on the proof of coverage or exemption.

• An ACORD form is **not** an acceptable proof of workers' compensation coverage nor disability benefits insurance.

• In the instance of exemption, please be advised that the WCB does not verify Attestations for Exemption. It is incumbent on the state contracting entity to verify the acceptability of the entity's reason for exemption and communicate that reason to the OSC Vendor Responsibility auditor requesting proof of compliance; please verify and provide a copy of the signed and dated exemption certificate.
Resources for Not-For-Profits
# IRS Automatic Revocation of Exemption List

## Tax Exempt Organization Search

<table>
<thead>
<tr>
<th>Select Database</th>
<th>Search By</th>
<th>Search Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Search All</td>
<td>Employer Identification Num</td>
<td>Enter EIN Number</td>
</tr>
</tbody>
</table>

### City
- Enter City

### State
- All States

### Country
- United States

### Search Options
- Search
- Reset

### Search Tips
Welcome to the Grants Gateway

The Grants Gateway is New York State’s enterprise system for viewing grant opportunities and managing grant applications, grant contracts, and claims for payment online. The Grants Gateway also includes the State’s Prequalification application system, which allows nonprofit organizations to become prequalified to do business with New York State.
Corporate Integrity Agreement Documents

Recent Updates

<table>
<thead>
<tr>
<th>New Cases</th>
<th>City</th>
<th>State</th>
<th>Effective</th>
<th>Press</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brooklyn Plaza Medical Center</td>
<td>Brooklyn</td>
<td>NY</td>
<td>07-14-2020</td>
<td></td>
</tr>
</tbody>
</table>
Final Audit Reports

Provider Type

- Any -

Filter by Provider Type

Provider Name

Begin typing the Provider's name

SEARCH

JULY 2020

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Provider Name</th>
<th>Final Date</th>
<th>Provider Type</th>
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</thead>
<tbody>
<tr>
<td>2019Z01-210B</td>
<td>Womens &amp; Childrens Hospital Buffalo</td>
<td>07/24/20</td>
<td>Multi-Type</td>
</tr>
<tr>
<td>2019Z01-167B</td>
<td>Nassau University Medical Center</td>
<td>07/24/20</td>
<td>Multi-Type</td>
</tr>
</tbody>
</table>
Resources for Construction
Search SCA Disqualified/Suspended/Ineligible/Rejected Firms

- Firm Name:
- City:
- State: All
- MWLBE Certified: All
- Over 1M: All
- Wicks: All
- Zip Code:

Trade Codes

- The firm can have any of the selected trade codes
- The firm must have all of the selected trade codes
- Disqualified
- Suspended
- Ineligible
- Rejected

Search
Clear Search Criteria
NYS Education Department – Professional License

Office of the Professions

Profession:
- Accounting Firms
- Acupuncture
- Architecture
- Architecture & Engineering
- Architecture & Landscape Architecture
- Athletic Trainer
- Audiology
- Certified Behavior Analyst Assistant

Professional Business Entity Name:

Search Reset
Additional Resources

• NYS Empire (MWBE)

• NYSED – Higher Education

• NYS DOS Licensing
Additional Reviews

Officers, Parent Company, Owners/ Affiliates of Vendors

- NYS DOS Liens
- NYS DOS Tax Warrants
- Google
- WCB or DOL Debarments
- SAM (Federal Debt)
Subcontractors
Who is Considered a Subcontractor?

A subcontractor is any entity that receives funds from a prime vendor to perform work on a contract.
When to Review a Subcontractor?

IMPORTANT!!!

• When a subcontractor is known

• Even those not sent to OSC for approval
Subcontractors Must be Responsible

WHY?

• Subcontractors are often the ultimate recipients of State money

• State money should go to responsible vendors
What to Review for a Subcontractor

Same as the Review of the Prime Vendor

- Financial and Organizational Capacity
- Legal Authority to Do Business
- Integrity
- Past Performance
What to Review for a Subcontractor

Other Things to Look for

• Affiliated Entities and Addresses

• Bidders List

• Certifications
Subcontractors

Documents OSC Requires for Subcontractor Review

VR Profile & VRQ are required when:

• Subcontractor is known at the time of award
• Payout will equal or exceed $100,000 over the life of the contract
Potential Red Flags

• A sudden drop in revenue or net income

• Their name consists of the initials of officers or board members of prime contractor

• Shared staff or officers between prime and subcontractor

• Shared phone, fax, business address or email
Recap

Subcontractor Review

• Perform reviews on all subcontractors

• Use same standards as prime vendor

• Address issues with the prime vendor

• Look for potential red flags
Let Us HELP YOU!
Complete the Vendor Responsibility Profile

• Provide detail concerning each issue

• Explain the corrective actions

• Provide your assessment
How Often to Assess an Issue

Whenever...

• The vendor discloses an issue
• The Agency finds an issue
• OSC finds an issue requiring assessment
Electronic Contracting

Labeling & Scanning of Documents

- Scan VR items
- Select document name from drop down menu
- Add description for each document
OSC's Vendor Responsibility Team Contacts

- Gregory Knox 518 473-5355 gknox@osc.ny.gov
- Craig Coutant 518 474-6017 ccoutant@osc.state.ny.us
- Mia Graham 518 486-3004 mgraham@osc.ny.gov
- Renee Tilley-Goyette 518 408-3803 rtilley-goyette@osc.state.ny.us
- Nicole Macy 518 486-7967 nmacy@osc.state.ny.us
- Diane Welsh 518 408-3284 dwelsh@osc.state.ny.us
- Danial Small 518 486-3005 dismall@osc.state.ny.us
- Tammie Sobieraj 518 486-1289 tsobieraj@osc.state.ny.us
- Vanessa Hartnett 518 474-2692 vhartnett@osc.ny.gov
- Jamie Hockey-Barrett 518 486-1291 jhockeybarrett@osc.ny.gov
THANK YOU !!!

RESPONSIBLE