

# Office of Operations Fall Conference 2020

## Vendor Responsibility Basics



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**THOMAS P. DiNAPOLI**

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# 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



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# 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?

F

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

L

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

I

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

P

- **Past Performance**
  - A good record of past performance



# What Leads to a Thorough Review?



- Independent Agency Review
- Vendor Disclosure



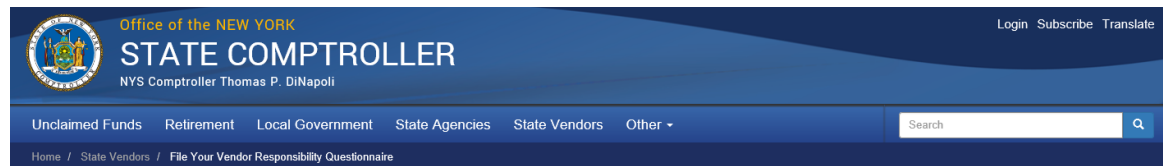
# Perform Agency Review

Resources for  
Vendor Responsibility Review



# Helpful Tools – OSC Website

[www.osc.state.ny.us/state-vendors/vendrep/file-your-vendor-responsibility-questionnaire](http://www.osc.state.ny.us/state-vendors/vendrep/file-your-vendor-responsibility-questionnaire)



The screenshot shows the top of the OSC website. On the left is the State of New York seal. To its right is the text "Office of the NEW YORK STATE COMPTROLLER" and "NYS Comptroller Thomas P. DiNapoli". On the far right are links for "Login", "Subscribe", and "Translate". Below this is a dark blue navigation bar with white text links: "Unclaimed Funds", "Retirement", "Local Government", "State Agencies", "State Vendors", and "Other". A search bar is on the right side of this bar. Below the navigation bar is a breadcrumb trail: "Home / State Vendors / File Your Vendor Responsibility Questionnaire".

## Vendor Responsibility ▾

### File a Questionnaire

The VendRep System

Forms

Documentation Requirements

The Review Process

Research Vendor Information

Invoices, Purchase Orders and Payments ▾

Contracts and Procurements ▾

Get Help

## 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 33% 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.

[Log in](#) [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](#)




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# Resources

[www.osc.state.ny.us/state-vendors/vendrep/research-vendor-information](http://www.osc.state.ny.us/state-vendors/vendrep/research-vendor-information)



Office of the NEW YORK  
**STATE COMPTROLLER**  
NYS Comptroller Thomas P. DiNapoli

LoginSubscribeTranslate

Unclaimed FundsRetirementLocal GovernmentState AgenciesState VendorsOther ▾

Search

Home / State Vendors / Research Vendor Information

## Vendor Responsibility ▾

File a Questionnaire

The VendRep System

Forms

Documentation Requirements

The Review Process

**Research Vendor Information**

Invoices, Purchase Orders and Payments ▾

Contracts and Procurements ▾

Get Help

## 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

### Online Services

#### Login

\*User ID

[I forgot my User ID](#)

\*Password

[I forgot my Password](#)

 Login

Need an account ? [Enroll Now](#)

[Learn more about our Online Services.](#)

#### Announcements

No announcements to report.



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# DOS Corporation Search

**Department of State**  
**Division of Corporations**  
**Search Our Corporation and Business Entity Database**  
**The information contained in this database is current through August 26, 2020.**

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

 Entity Name \*

Name Type \*

Search Type \*

Captcha \*  

The items marked with \* are required.



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# 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



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# DOS State Tax Warrants



DEPARTMENT OF STATE, DIVISION OF  
**CORPORATIONS, STATE RECORDS & UCC**  
ANDREW M. CUOMO, GOVERNOR ROSSANA ROSADO, SECRETARY OF STATE

DOS Home Division Home I would like to... Corporation/Business Entity Filings State Records Uniform Co

**Provide Input: Take the Data and Privacy Consumer Survey on the New York Depa**

**Search the New York State Tax Warrant Notice System**

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.



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# DOS Federal Tax Liens

**Business Name \***

**or**

**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




# Attorney General (Press Releases)



# Letitia James

NY Attorney General

Translate to Another Language



NEW YORK STATE OFFICE  
of the  
ATTORNEY  
GENERAL

OUR OFFICE

MEDIA

RESOURCES

INITIATIVES

CONTACT US

SEARCH

Home



## Search

[Advanced Search](#)

Search

Please enter a search term...


Sort by  
Relevance Desc ▼



## OAG Resources

- › [Charities Registry](#)
- › [Complaint Forms](#)
- › [Data Security Breach Information](#)
- › [Effective REF Policy Memoranda](#)
- › [Employment Opportunities](#)
- › [FAQs](#)
- › [Find an Attorney](#)
- › [Forms](#)

# OSC Audits



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**STATE COMPTROLLER**

NYS Comptroller  
THOMAS P. DiNAPOLI

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Home > Audits

## 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' Guides to Audits; and
- the entire audit report.

### State Agencies, NYC Agencies and Public Authorities

#### Audits

- [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](#)



# Federal Contractor Misconduct

[ABOUT POGO](#)[OUR WORK](#)[TAKE ACTION](#)[BLOG](#)[DONATE](#)

[Home](#) > [Our Work](#) > [Databases](#) > [FCMD](#)



## 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...](#)

[Tweet](#)

SEARCH FCMD

### Federal Contractor Misconduct Database

[FCMD Home](#)[FCMD Contractors](#)[All Misconduct](#)[About FCMD](#)[Defining "Misconduct"](#)[Useful Resources](#)[FCMD @ POGO Blog](#)[Report Corruption](#)

## 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.

Rank	Federal Contractor	Contract Awards FY18	Instances Since 1995	Penalties Since 1995
1	Lockheed Martin	\$40,552.9M	89	\$767.8M
2	Boeing Company	\$29,755.6M	79	\$1,491.3M



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# OSHA

Search By:

Establishment

(This box can also be used to search for a State Activity Number for the following states: NC, SC, KY, IN, OR and WA)

State

All States



Fed & State



OSHA Office

All Offices



Site Zip Code

Case Status



All



Closed



Open

Violation Status



All



With Violations



Without Violations

Inspection Date

Start Date

July



28



2015



End Date

July



28



2020



Submit

Reset



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# OGS Debarred & Non-Responsible Entities

[ogs.ny.gov/debarred-and-non-responsible-entities](https://ogs.ny.gov/debarred-and-non-responsible-entities)



Services

News

Government

Local

Q Search

Office of General Services

Real Estate

Design & Construction

Procurement

Government Support

Do Business

State Employees


Visit





## Debarred and Non-Responsible Entities



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# DOL & WCB Debarments

 NEW YORK STATE



## New York State Department of Labor

**Click State Agency for more information:**

- ▶ Department of Labor (DOL)
- ▶ Workers Compensation Board (WCB)

Search Agency: ☒ DOL ☒ WCB


FEIN:


Employer Name:

Employer DBA Name:

City:

State:

Debarment Start Date:  

Debarment End Date:  

**Search**

**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.

Full or partial Firm or Individual

Category

Reason

NPI Number

Start Search

Clear Entries



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# Workers Compensation & Disability

**Search by Employer Name**

*(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.)*

For example, 'American' will return 'American Industry', but not 'Great American'

Employer Name:

Maximum Results Displayed:

**Search by Federal Employer Identification Number**

FEIN:  ( must be nine digits )

**Search by Policy Number**

Policy Number:


**Search by NYS WCB Employer Number**

Employer Number:

**Verification**

( Check the box on the left side )

☐ I'm not a robot

  
reCAPTCHA  
[Privacy](#) - [Terms](#)



# Workers Compensation & Disability

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.



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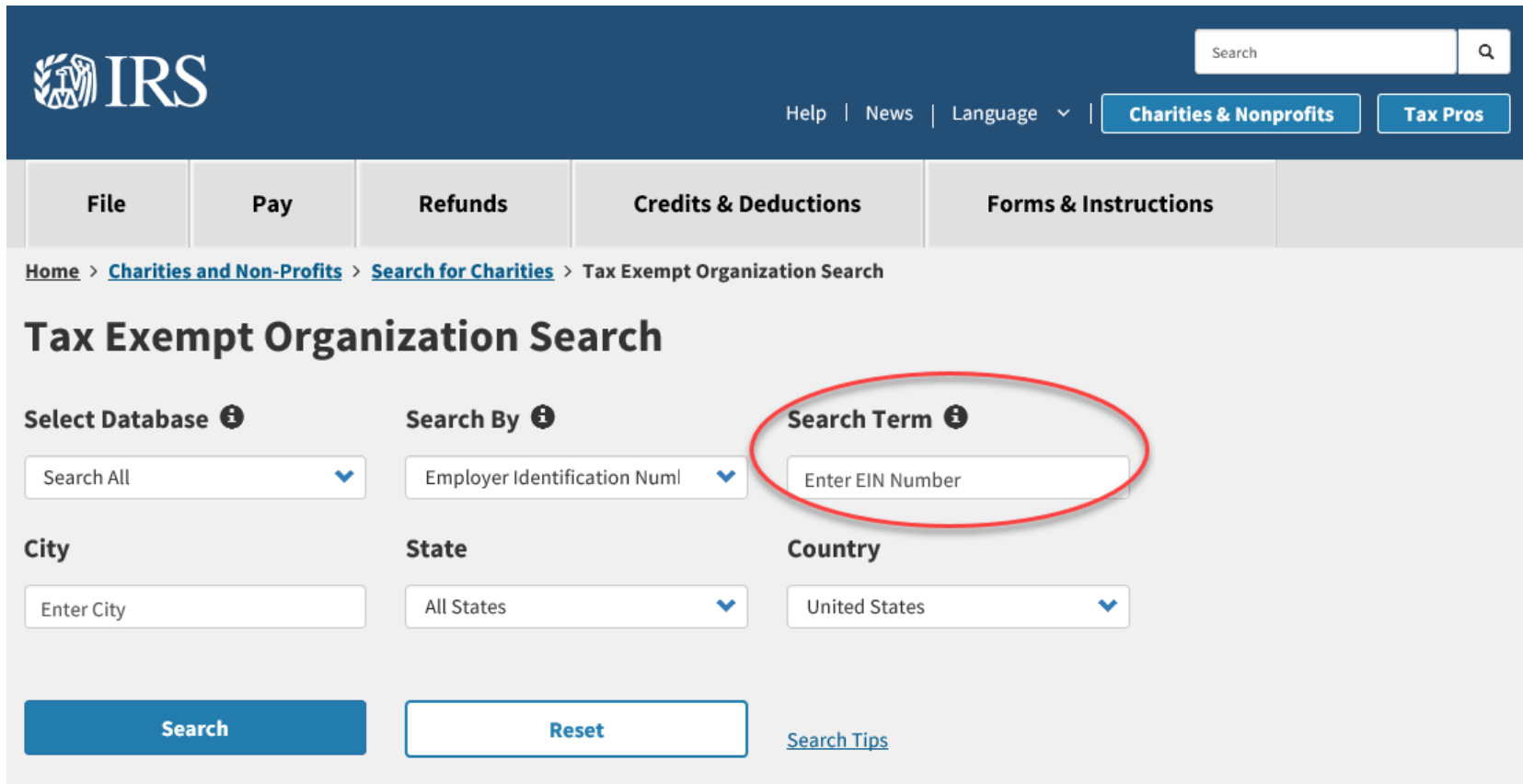
# Resources for Not-For-Profits



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# IRS Automatic Revocation of Exemption List



The screenshot shows the IRS website's 'Tax Exempt Organization Search' page. The header includes the IRS logo, a search bar, and navigation links for 'Charities & Nonprofits' and 'Tax Pros'. Below the header is a navigation bar with links for 'File', 'Pay', 'Refunds', 'Credits & Deductions', and 'Forms & Instructions'. The main content area is titled 'Tax Exempt Organization Search' and contains several search filters: 'Select Database' (set to 'Search All'), 'Search By' (set to 'Employer Identification Numl'), 'Search Term' (circled in red, with the placeholder 'Enter EIN Number'), 'City' (placeholder 'Enter City'), 'State' (set to 'All States'), and 'Country' (set to 'United States'). At the bottom are 'Search' and 'Reset' buttons, and a link to 'Search Tips'.

IRS

Search

Help | News | Language

Charities & Nonprofits Tax Pros

File Pay Refunds Credits & Deductions Forms & Instructions

Home > Charities and Non-Profits > Search for Charities > Tax Exempt Organization Search

## Tax Exempt Organization Search

Select Database ⓘ

Search All

Search By ⓘ

Employer Identification Numl

Search Term ⓘ

Enter EIN Number

City

Enter City

State

All States

Country

United States

Search Reset Search Tips

# Grants Gateway



New York State  
**Grants Gateway**



[Grants Gateway Login](#)

[Grant Opportunity Portal](#)

## 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.

### Login

Username

Password


[LOGIN](#)

[Forgot Password?](#)



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# Office of Inspector General – Corporate Integrity Agreements



U.S. Department of Health and Human Services  
**Office of Inspector General**


**Search**

**Submit a Complaint**

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[Compliance](#)  
[Compliance Resource Portal](#)  
[Accountable Care Organizations](#)  
[Advisory Opinions](#)  
[Compliance Guidance](#)  
[Corporate Integrity Agreements](#)  
[Open Letters](#)  
[RAT-STATS](#)  
[Safe Harbor Regulations](#)  
[Self-Disclosure Information](#)  
[Special Fraud Alerts, Bulletins, and Other](#)

## Corporate Integrity Agreement Documents

 **08-06-2020**  
Last Updated

**Related Information**

- [Corporate Integrity Agreement Enforcement](#)
- [Quality of Care CIAs](#)

### Recent Updates

New Cases	City	State	Effective	Press
<a href="#">Brooklyn Plaza Medical Center</a>	Brooklyn	NY	07-14-2020	

# OMIG Audits

July 29, 2020 | 1:55 pm

## Information on Novel Coronavirus

Coronavirus is still active in New York. We have to be smart. Wear a mask and maintain 6 feet distance in public.

[GET THE FACTS >](#)



[Services](#)

[News](#)

[Government](#)

[Local](#)

Search

## Office of the Medicaid Inspector General

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[Medicaid Fraud](#)

[Information & Resources](#)

[News and Announcements](#)

[About Us](#)

You can help stop Medicaid fraud. Call OMIG's Fraud Hotline at 1-877-87 FRAUD (1-877-873-7283) or [file a claim electronically](#).

## Final Audit Reports

Provider Type

- Any -



Filter by Provider Type

Provider Name

Begin typing the Provider's name

SEARCH

JULY 2020

Project Number	Provider Name	Final Date	Provider Type
<a href="#">2019Z01-210B</a>	Womens & Childrens Hospital Buffalo	07/24/20	Multi-Type
<a href="#">2019Z01-167B</a>	Nassau University Medical Center	07/24/20	Multi-Type



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# Office of Management & Budget (Single Audits)



[Instruction Manual](#) [Federal Program Contacts](#) [FAC Home Page](#) [FAQs](#)

[Search for Single Audits](#)

[Search](#) [Clear Search Filters](#) [Return to IMS Home](#)

▶ **GENERAL INFORMATION**

▶ FINANCIAL STATEMENTS

▶ FEDERAL AWARDS

▶ FEDERAL AWARDS FINDINGS DETAILS (2013 AND BEYOND)

[Search](#) [Clear Search Filters](#) [Return to IMS Home](#)




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# Resources for Construction



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# NYC SCA - School Construction Authority - Disqualified/Suspended/Ineligible/Rejected Firms

VENDOR ACCESS SYSTEM

[Print](#) [Help](#)

Main Menu

Registration

Log in

Home

### Search SCA Disqualified/Suspended/Ineligible/Rejected Firms

Firm Name:

City:

State:

All

MWLBE Certified:

All

Over 1M:

All

Wicks:

☐

All

Zip Code:

[Trade Codes](#)

[Remove From Trade Codes](#)

Trade Code:

☒ 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



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# 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)



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# Subcontractors



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# Who is Considered a Subcontractor?

A subcontractor is any entity that receives funds from a prime vendor to perform work on a contract



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# When to Review a Subcontractor?

IMPORTANT!!!

- When a subcontractor is known
- Even those not sent to OSC for approval



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# 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



YOU!



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# 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](mailto:gknox@osc.ny.gov)
- Craig Coutant 518 474-6017 [ccoutant@osc.state.ny.us](mailto:ccoutant@osc.state.ny.us)
- Mia Graham 518 486-3004 [mgraham@osc.ny.gov](mailto:mgraham@osc.ny.gov)
- Renee Tilley-Goyette 518 408-3803 [rtilley-goyette@osc.state.ny.us](mailto:rtilley-goyette@osc.state.ny.us)
- Nicole Macy 518 486-7967 [nmacy@osc.state.ny.us](mailto:nmacy@osc.state.ny.us)
- Diane Welsh 518 408-3284 [dwelsh@osc.state.ny.us](mailto:dwelsh@osc.state.ny.us)
- Danial Small 518 486-3005 [dismall@osc.state.ny.us](mailto:dismall@osc.state.ny.us)
- Tammie Sobieraj 518 486-1289 [tsobieraj@osc.state.ny.us](mailto:tsobieraj@osc.state.ny.us)
- Vanessa Hartnett 518 474-2692 [vhartnett@osc.ny.gov](mailto:vhartnett@osc.ny.gov)
- Jamie Hockey-Barrett 518 486-1291 [jhockeybarrett@osc.ny.gov](mailto:jhockeybarrett@osc.ny.gov)





# THANK YOU !!!



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