

OFFICE OF THE STATE COMPTROLLER - BUREAU OF CONTRACTS

VENDOR RESPONSIBILITY PROFILE

The Vendor Responsibility Profile, with applicable attachments, is designed to provide the Office of the State Comptroller (OSC) with the required procurement record documentation for those contract transactions requiring vendor responsibility documentation. The Vendor Responsibility Profile includes a State contracting entity Responsibility Determination, signed by an authorized signatory, and the State contracting entity's documentation of the basis for its responsibility determination, including any non-responsibility determinations. The State contracting entity must document any information compiled by the State contracting entity in the course of its responsibility review and must submit any information provided by the proposed contractor, including the proposed contractor's completed paper questionnaire, if one was used. (Note: If the New York State VendRep System was used, the State contracting entity should **NOT** print and submit the online questionnaire.)

OSC has identified certain transactions which may have different vendor responsibility documentation requirements. The application of these various requirements is summarized in the *Vendor Responsibility Documentation Requirements* table, which is available on our website. See <http://www.osc.state.ny.us/vendrep> for additional information. Unless the transaction is exempt as indicated in the Documentation Requirements table, Parts I & III are required for all transactions submitted to OSC for approval.

INSTRUCTIONS

Part I – Contract Information *(Complete for all transactions)*

Items 1 through 15

- 1) **Business Unit** – enter the State contracting entity's code;
- 2) **Department ID #** – enter the State contracting entity's 7-digit department code;
- 3) **Department Name** - enter the State contracting entity's name;
- 4) **Contract/PO #** - enter the contract or purchase order number;
- 5) **Amendment Sequence Number** – if the transaction is an original contract, enter “0.” All amendments will be incremented by 1;
- 6) **Transaction Amount** – enter the value of the contract transaction being submitted;
- 7) **Total Contract Value** - enter the current total value of this contract, including any changes to the original contract value. For new contracts, this will be the same as the transaction amount;
- 8) **Vendor Name** – enter the vendor's name, matching the Vendor Master file;
- 9) **NYS Vendor ID** – enter the vendor's 10-digit NYS Identification Number;
- 10) **Taxpayer ID/EIN #** - enter the vendor's EIN or SSN, if a sole proprietor;
- 11) **Contractor Type** – indicate whether the vendor is the prime contractor or a subcontractor;
- 12) **Contract Description** – enter a brief description of the contract;
- 13) **State contracting entity contact for this transaction - Name, Phone, E-mail** – enter the information for the State employee who should be contacted regarding vendor responsibility issues for this transaction;
- 14) **Were any issues disclosed by vendor and/or found by State contracting entity?** – indicate by checking “Yes” or “No.” These issues may have been disclosed by the vendor or identified by the State contracting entity. Use Attachment A, Item 1 to document the issues and the State contracting entity's assessment.

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15) If this is a new contract or renewal, has the vendor's documentation of New York State Workers' Compensation and Disability Benefits coverage or exemption been verified as accurate, up to date, and included as part of the procurement package as outlined in [GFO XI.18.G](#)? – indicate by checking “Yes,” “No” or “N/A.” Except for contracts with municipalities, contracting entities must include all necessary proofs of insurance, as detailed in the GFO, with the procurement record for new contracts and contract renewals submitted to OSC for approval. Contracts will not be approved without such proof. OSC may immediately reject any contract submitted without such proof.

If the transaction does not meet the requirements to submit the documentation, select “N/A.” If “No” is selected, use Attachment A, Item 2 to provide the details of why the documentation is not provided.

By adding this question to the Profile, it serves as a reminder to include this documentation, where appropriate and provides the opportunity to explain why it is not included.

Part II – Vendor Disclosure and State Contracting Entity Process

Complete for new contracts valued at \$100,000 or more, or amendments that bring contract value to \$100,000 or more for the first time.

Item 16 - Vendor Disclosure

Identify the various items of disclosure provided either directly, or indirectly, by the vendor. Check all that apply and describe those disclosure items not included in the list provided. Vendor disclosures could include the vendor responsibility questionnaire (indicate date certified by vendor), audited financial statements, SEC or 990 filings, internal or external vendor communications, or information obtained from the vendor’s website. Attach all pertinent information, unless the information is found on the VendRep System. Any information found on the VendRep System should **NOT** be printed for OSC.

Item 17 - State Contracting Entity Process

Describe the steps taken by the State contracting entity to determine vendor responsibility. In documenting your process, include your consideration of the vendor disclosure items identified in Item 16 and your independent research. Such research could include Internet sources, State contracting entity records, communication with the vendor, internal and external State contracting entity communication, and past experience with the vendor. Include this description on Attachment A, Item 2.

Part III – State Contracting Entity Responsibility Determination *(Complete for all transactions)*

After performing an affirmative review of the vendor’s responsibility, check the box that best fits the State contracting entity’s responsibility determination. If the vendor is found to be non-responsible, the State contracting entity should document that due process was provided and include a Vendor Responsibility Profile for the next ranked vendor.

The determination must be signed by an authorized signatory of the State contracting entity. The signatory’s printed name, title and the date must be included.

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Attachment A

Item 1: Issue Detail

For each issue found by the State contracting entity or disclosed by the vendor, describe the issue and its resolution. The “Resolution” field should reflect the State contracting entity’s assessment of the issue, its relevance to the vendor’s responsibility for this procurement, and any corrective or mitigating actions taken by the vendor or State contracting entity in response to the issues. Also, attach any source documents used to support the issue detail.

Item 2: State Contracting Entity Process

If “Yes” is the response to Item 17, describe the steps taken by the State contracting entity to determine vendor responsibility. In documenting your process, include your consideration of the vendor disclosure items identified in Item 16 and your independent research. Such research could include Internet sources, State contracting entity records, communication with the vendor, internal and external State contracting entity communication, and past experience with the vendor. Do not submit copies of website search results or information found on the NYS VendRep System. If the State contracting entity used a Resource Checklist, it is acceptable to submit the completed list to OSC rather than providing a description of the process.