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#### Introduction

This document is a guide to resources available to support the evaluation of responsibility of vendors seeking to do business with New York State. The guide is intended to assist a contracting entity in its review of proposed contractors; however, it is not all-inclusive. There are many sources of information related to vendor responsibility; a contracting entity is expected to identify and utilize those sources most relevant to its procurement. By including a resource in this guide, The Office of the State Comptroller (OSC) is not endorsing the resource nor does it guarantee the accuracy of the information provided by the resource. It is incumbent upon each entity to verify the accuracy of the information provided by the resource, as timeliness and accuracy of each source varies.

This resource guide is designed to facilitate the collection of information used in making a case by case responsibility determination after a comprehensive weighing of all factors the agency deems relevant. An agency can use this information to validate information provided by a proposed contractor and to independently obtain information on the contractor.

The guide is organized according to the four main factors used to determine vendor responsibility in New York State: Legal and Regulatory Authority; Vendor Integrity; Financial and Organizational Capacity; and Performance. In addition, General Information Resources have been included.

## I. Legal and Regulatory Authority

## A. Not-for-Profit/Charities Registration

## 1. NYS Office of Attorney General

https://www.charitiesnys.com/RegistrySearch/search\_charities.isp

#### a) Description of the Service

The Attorney General (AG) is responsible for overseeing the administration of charitable assets in the State of New York, representing the interests of beneficiaries of charitable dispositions and enforcing laws governing the conduct of fiduciaries of charitable entities. Each charitable corporation is required to register with the AG's Charities Bureau.

#### b) Application

New York Executive Law Article 7-A requires that charitable organizations register with the Office of the Attorney General, with exemptions for certain organizations. In addition, New York Estates, Powers and Trusts Law (EPTL) 8-1.4(s) requires thata charitable organization "shall not be qualified to make application for funds or grants or to receive such funds from any department or agency of the state without certifying compliance with" all applicable registration and filing requirements.

To maintain current registration status, charitable organizations

are required to submit an annual filing to the Charities Bureau, even if the organization is below the thresholds for submitting an annual financial report.

For contract approval purposes, the Comptroller's Office requires written documentation of the charitable organization's current status, dated within four weeks of the vendor responsibility certification or contract signature, whichever is later.

## c) Timeliness or Accuracy of the Information

No statement can be made on the timeliness or accuracy of the information.

#### d) Cost for the Service

There is no fee for this service.

## B. Certified in New York as Minority Business Enterprises (MBE) or Women Owned Business Enterprises (WBE)

## 1. Department of Economic Development

https://ny.newnycontracts.com/FrontEnd/ VendorSearchPublic.asp

#### a) Description of the Service

Provides a listing of New York State certified Minority Business Enterprises or Women Owned Business Enterprises.

## b) Application

Use this Web site to verify an entity's current MBE/WBE status.

#### c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on the timeliness or accuracy of the information.

#### d) Cost for the Service

There is no fee for this service.

## C. Certified in New York as Service-Disabled Veteran-Owned Businesses (SDVOB)

## 1. OGS Division of Service-Disabled Veterans' Business Development <a href="https://online.ogs.ny.gov/SDVOB/search">https://online.ogs.ny.gov/SDVOB/search</a>

#### a) Description of the Service

Enables searching for New York State certified Service-Disabled Veteran-Owned Businesses.

### b) Application

Use this Web site to verify an entity's current SDVOB status.

#### c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on the timeliness or accuracy of the information.

## d) Cost for the Service

There is no fee for this service.

## D. Certified in New York as Disadvantaged Business Enterprises (DBE)

## 1. New York State Unified Certification Program <a href="https://nysucp.newnycontracts.com/">https://nysucp.newnycontracts.com/</a>

## a) Description of the Service

Enables searching for New York State certified Disadvantaged Business Enterprises.

## b) Application

Use this Web site to verify an entity's current DBE status.

#### c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on the timeliness or accuracy of the information.

#### d) Cost for the Service

There is no fee for this service.

## E. Professional or Occupational Licenses and Insurance

## 1. NYS Department of State – Division of Licensing Services https://appext20.dos.ny.gov/lcns\_public/chk\_load

### a) Description of the Service

Provides a listing of individuals and businesses licensed in New York State to practice a variety of occupations as follows:

Alarm Installer	Apartment Information Vendor
Apartment Sharing Agent	Appearance Enhancement
Armored Car Carrier	Armored CarGuard
Athlete Agents	Bail Enforcement Agent
Barber	Bedding

Central Dispatch Facility	Hearing Aid Dispenser
Hearing Aid Dispenser Business	Home Inspection
Notary Public	Private Investigator
Real Estate Appraiser	Real Estate Associate Broker
Real Estate Branch Office	Real Estate Broker
Real EstateSalesperson	Security Guard
Telemarketer Business	Watch, Guard, & Patrol Agency

## b) Application

Use this resource to verify the license status of a proposed contractor for any of the above occupations.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on the timeliness or accuracy of the information.

## d) Cost for the Service

There is no fee for this service.

## 2. NYS Department of Labor - Asbestos Handling License

https://www.labor.ny.gov/workerprotection/safetyhealth/active-asbestos-contractor-list.shtm

#### a) Description of the Service

The Department of Labor is responsible for the issuance of an "Asbestos Handling License" to Contractors who perform asbestos abatement work within New York State. By Law, only those Contractors licensed by the Department are allowed to perform asbestos abatement work.

#### b) Application

Use this resource to verify the license status of a proposed contractor for the above services.

#### c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on timeliness or accuracy of the information.

## d) Cost for the Service

There is no fee for this service.

## 3. NYS Department of Education – Licensed Professionals www.op.nysed.gov/opsearches.htm

## a) Description of the Service

A professional license is the authorization of an individual or business to practice and use a professional title in New York State. Searches are available for the professional licenses such as physicians, mental health practitioners, social workers, architects, engineers, etc.

#### b) Application

Use this resource to verify the license status of a proposed contractor for any of the above services.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on timeliness or accuracy of the information.

#### d) Cost for the Service

There is no fee for this service.

# 4. NYS Department of Education - Currently Licensed/Registered Non-Degree Granting Proprietary Schools in NY http://eservices.nysed.gov/bpss/bpsspublic/BPSSPublicSearch.do

## a) Description of the Service

The Bureau of Proprietary School Supervision (BPSS) of the State Education Department oversees and monitors non-degree granting proprietary schools in New York State. Schools under BPSS jurisdiction include trade and business schools, computer training facilities, and for-profit English as a Second Language (ESL) schools. BPSS licenses/registers proprietary schools and credentials proprietary school teachers to ensure that appropriate standards are met. The Bureau investigates student complaints and conducts comprehensive investigations of schools to assure compliance with Education Law and Commissioner's Regulations.

#### b) Application

The directory provides name, address, telephone number and web link in both a statewide alphabetical list and alphabetically by region.

#### c) Timeliness or Accuracy of the Information

At this time, no statement can be made on timeliness or accuracy of the information.

### d) Cost for the Service

There is no fee for this service.

## 5. NYS Department of Education – Charter Schools http://www.p12.nysed.gov/psc/csdirectory/CSLaunchPage.html

### a) Description of the Service

The New York Charter Schools Act of 1998 authorized the establishment of charter schools, public schools operated under charters issuable by the Board of Regents. Charter schools are accountable to the provisions of the charter school law, the provisions of the charter authorized for the school, and the same health and safety, civil rights, and student assessment requirements applicable to other public schools.

## b) Application

The website can be queried to ensure that a charter school is operating under a recognized chartering entity (e.g. SUNY, Regents) and has an approved charter.

#### c) Timeliness or Accuracy of the Information

At this time, no statement can be made on timeliness or accuracy of the information.

## d) Cost for the Service

There is no fee for this service.

## 6. NYS Office of Children and Family Services - Licensed Daycare Facilities in New York State

https://a816-healthpsi.nyc.gov/ChildCare/SearchAction2.do

#### a) Description of the Service

The New York State Office of Children and Family Services (OCFS) is charged by State Law to regulate, license/register and monitor those child care settings that meet the State definition of child day care. As of late 2004 there are approximately 18,800 regulated facilities that are licensed or registered under the auspice of OCFS. The types of licensed and registered programs include day care centers (outside of

New York City); School Age Child Care Programs (statewide) that provide supervision for children before and after school and outside normal school hours; group family day care (statewide) which can care for up to 14 children in a provider's home; and registered family day care programs that can provide care to a maximum of 8 children in a provider's home.

### b) Application

Lists by license/registration number, facility name, facility type, county or zip code providing information on capacity, licensing, regulatory compliance, enforcement and corrective actions in past 24 months for licensed and registered group day carefacilities outside of New York City (which are regulated by NYC Department of Health). By selecting the facility name more detail is available.

## c) Timeliness or Accuracy of the Information

Within limits of staff input, the system feeds a real time status report of regulated facilities on the OCFS web site as well as the production of "Profile Reports" that can be generated on any facility.

#### d) Cost for the Service

There is no fee for this service.

## 7. NYC Department of Health and Mental Hygiene - Licensed Day-Care Facilities in New York City

https://a816-healthpsi.nyc.gov/ChildCare/SearchAction2.do

### a) Description of the Service

The Department of Health and Mental Hygiene is dedicated to the protection of the health and safety of all children in New York City. Every group childcare facility that seeks a permit from the Department is inspected and must comply with the requirements of Article 47 of the NYC Health Code. This directory lists the group childcare facilities that were issued permits by the New York City Department of Health and Mental Hygiene's Bureau of Day Care and up to three years of inspection results from January 2006, forward.

#### b) Application

Daycare providers may be searched by name, borough, neighborhood, zip code or permit number. Information on each provider includes name, address, and permit number, expiration date and status. Other information includes the age range served, the provider's capacity and inspection information.

#### c) Timeliness or Accuracy of the Information

The directory is updated weekly.

#### d) Cost for the Service

There is no fee for this service.

### 8. NYS Department of Financial Services

http://www.dfs.nv.gov/insurance/dfs insurance.htm

## a) Description of the Service

The New York State Department of Financial Services is responsible for supervising and regulating all insurance business in New York State. The Department maintains a listing of insurance companies, their associated current writing powers and company history, as well as disciplinary actions taken against licensees. The Department also lists insurance companies licensed as Bail bonds Active Agents and will confirm the status of licensed agents and brokers.

## b) Application

The New York State Department of Financial Services identifies companies authorized to do business in NYS, as well as the lines of business on which they can write policies. The fact that a company appears in the directory does not necessarily mean that the company currently writes business. Companies may have decided to stop writing, but maintain their licenses, while others may have been placed into rehabilitation by the courts. A company in rehabilitation still maintains a New York license.

The Department lists disciplinary actions taken against licensees, whether as stipulations (agreed to by the licensee) or actions that result from Department hearings. A company placed into rehabilitation by the courts still maintains a New York license.

The Bail bonds Active Agent listing provides a listing of companies with agents licensed under Section 6802. Agent and broker license confirmation is available.

## c) Timeliness or Accuracy of the Information

The site represents the most current information maintained by the New York State Department of Financial Services. There may be a brief time gap between status changes and the licensing status information in the Directory.

### d) Cost for the Service

There is no fee for this service.

## 9. NYS Workers' Compensation Board - Workers' Compensation Insurance and Disability Benefits Coverage

http://www.wcb.ny.gov/content/ebiz/icempcovsearch /icempcovsearch overview.jsp

#### a) Description of the Service

New York State Workers' Compensation Law (WCL) §57 and §220[8] require the heads of all municipal and State entities to

ensure that businesses applying for permits, licenses or contracts have appropriate workers' compensation and disability benefits insurance coverage. Businesses meet this requirement of the law by obtaining and maintaining workers' compensation and disability benefits insurance policies, obtaining self-insurance for workers' compensation and disability benefits, or, in very limited circumstances, meeting the requirements for a legal exemption from obtaining coverage.

## b) Application

This web based application allows interested parties to search policy and coverage information. Employer coverage may be searched by Employer Name, Federal Employer Identification Number, Policy Number, or the Employers' Workers' Compensation Board Employer Number.

Coverage information includes the insurer, policy number, effective and end dates, the reason why coverage ended and whether the policy is a "wrap-up" policy (a policy for a specific construction project job site). Specific coverage locations may be accessed by clicking on the policy number.

The WCB cautions that the coverage information contained on this web site is not a substitute for government agencies requiring certificates of workers' compensation and disability benefits insurance from applicants pursuant to Workers' Compensation Law Sections 57 and 220. However, government entities may use the coverage information contained on this web site to verify certificates of insurance.

#### c) Timeliness or Accuracy of the Information

The WCB makes no warranty or representation concerning the timeliness, suitability, completeness or accuracy of any of the content provided on this site. As changes are only made to this site periodically, there may be a gap between the time information is filed by the insurance carriers and the time it is posted to the website.

Therefore, searchers are encouraged to also request proof of coverage information from the vendor.

#### d) Cost for the Service

There is no fee for this service.

## F. New York State Office of General Services Non-Responsible Entities <a href="https://ogs.ny.gov/non-responsible-entities">https://ogs.ny.gov/non-responsible-entities</a>

#### a) Description of the Service

This site provides a listing of entities determined by State agencies and authorities to be non-responsible.

#### b) Application

Entities wishing to bid for State contracts must be found to be responsible at the time of contract award, and State agencies and authorities should ensure these entities remain responsible throughout the term of the contracts. The Office of General Services posts State agency and authority non-responsibility determinations made prior to contract award, and contract terminations based upon a determination of non-responsibility of a contractor.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on timeliness or accuracy of the information.

## d) Cost for the Service

There is no fee for this service.

#### **G.** Homeland Security Issues & Debarment

## 1. US General Services Administration https://www.sam.gov

## a) Description of the Service

The System for Award Management (SAM) consolidated the capabilities of the Central Contractor Registration (CCR) and the List of Parties Excluded from Federal Procurement and Non Procurement Programs (EPLS). The searchable database identifies those parties excluded throughout the U.S. Government (unless otherwise noted) from receiving Federal contracts or certain subcontracts and from certain types of Federal financial and non-financial assistance and benefits.

#### b) Application

The purpose of SAM is to provide a single comprehensive list of individuals and firms excluded by Federal government agencies from receiving federal contracts or federally approved subcontracts and from certain types of federal financial and non-financial assistance and benefits.

## c) Timeliness or Accuracy of the Information

SAM is a service of United States General Services Administration. SAM is updated in real time and reports are updated nightly. Access is available 24/7.

## d) Cost for the Service

There is no fee for this service.

#### 2. US Department of the Treasury

www.treas.gov/offices/enforcement/ofac/sdn/

#### a) Description of the Service

As part of its enforcement efforts, the U.S. Treasury Department, Office of Foreign Assets Control (OFAC) publishes a list of individuals and companies owned or controlled by, or actingfor or on behalf of, targeted countries. It also lists individuals, groups, and entities, such as terrorists and narcotics traffickers, designated under programs that are not country specific. Collectively, such individuals and companies are called "Specially Designated Nationals" or "SDNs." Their assets are blocked and

#### b) Application

A state agency is barred from doing business with, or making a payment to, a business entity appearing on this list.

#### c) Timeliness or Accuracy of the Information

prohibitions placed on dealings with them.

Access is available 24/7. The site identifies the date of the last update. No statement can be made on the accuracy of the information.

### d) Cost for the Service

There is no fee for this service.

#### 3. NYS Department of Labor Debarment List

https://dbr.labor.state.ny.us/EDList/searchPage.do

Note: The website for searching prevailing wage violations is the same as the website for searching Workers' Compensation Board violations (see D.5 below). Separate descriptions are provided to highlight the distinctions to be considered when making a responsibility determination.

#### a) Description of the Service

Under Article 8 and Article 9 of the NYS Labor Law, New York State bars contractors and subcontractors from bidding on, or being awarded any public work or public building service contract/subcontract with the state, any municipal corporation or public body for a period of five (5) years from the date of debarment when, within a six year period, the vendor has twice willfully failed to pay the prevailing wage, or a final determination was made once that it falsified pay records or received payroll kickbacks.

### b) Application

The DOL debarment list offers a single location to find a database of contractors barred from bidding on, or being awarded any public work or public building service contract/sub-contract with the state or its subdivisions as a result of prevailing wage violations.

Information that can be obtained includes:

- Employer Name Employer
- DBA Name, Address, and
- Beginning and Ending date of the debarment.

Even if a proposed contract is not "Public Works" and therefore not subject to debarment provisions, a vendor's previous failure to comply with workers' compensation rules should be considered by a contracting agency as a potential issue.

## c) Timeliness or Accuracy of the Information

The list is maintained by the NY Department of Labor. Access is available 24/7, updated as needed when it changes.

#### d) Cost for the Service

There is no fee for this service.

## 4. Workers' Compensation Board DebarmentList

https://dbr.labor.state.ny.us/EDList/searchPage.do

#### a) Description of the Service

A Workers' Compensation Board violation resulting in a final assessment of civil fines or penalties, a stop work order, or conviction of a misdemeanor for violation of Workers' Compensation Law Section 52 or 131 can cause the contractor to be barred from bidding on, or being awarded, any public work contract or subcontract with the State, any municipal corporation or public body for one year for each WCB violation. Felony convictions for WCB violations result in a debarment of 5 years.

#### b) Application

The DOL debarment list offers a single location to find a database of contractors barred from bidding on, or being awarded any public work or public building service contract/sub-contract with the state or its subdivisions as a result of Workers' Compensation Board violations.

Information that can be obtained includes:

- Employer Name
- Employer DBAName, Address, and
- Beginning and Ending date of the debarment.

Even if a proposed contract is not "Public Works" and therefore not subject to debarment provisions, a vendor's previous failure to comply with workers' compensation rules should be considered by a contracting agency as a potential issue.

## c) Timeliness or Accuracy of the Information

The list is maintained by the NY Department of Labor. Access is available 24/7, updated as needed when it changes.

#### d) Cost for the Service

There is no fee for this service.

## 5. NYC School Construction Authority

https://dobusiness.nycsca.org/Supplier/SearchDSISupplier.aspx?type=base &linkType=Contract

### a) Description of the Service

The New York City School Construction Authority (SCA) manages the design, construction and renovation of capital projects in New York City public school buildings. Firms wishing to work with the SCA must be pre-qualified with the Authority. The prequalification process is designed to ensure that general contractors, sub-contractors, architects, engineers, tradecontractors, consultants and vendors have the qualifications to successfully perform work as specified, and that they have the financial stability to complete the work as scheduled.

### b) Applications

The SCA maintains a list of prequalified firms, as well as firms which are disqualified and/or ineligible from performing work on SCA projects as prime contractors, consultants, members of a joint venture, subcontractors, sub consultants, vendors or material suppliers.

#### c) Timeliness or Accuracy of the Information

The list is updated frequently.

#### d) Cost for the Service

There is no fee for this service.

## II. Vendor Integrity

#### A. Criminal Investigations or Convictions

1. NYS Unified Court System - Office of Court Administration http://www.nycourts.gov/apps/chrs/

### a) Description of the Service

This system provides access to statewide criminal case information.

## b) Application

The NYS Unified Court System offers a complete search of a person's criminal history records, which includes data from all 62 New York State counties pertaining to convictions and open/pending cases originating from City and County courts.

## c) Timeliness or Accuracy of the Information

The results of this process are NOT certified and should not be confused with a "Certificate of Disposition" which can only be issued by a court.

## d) Cost for the Service

The fee is \$65.00 for each search.

## 2. NYS Department of Correctional Services

http://www.doccs.ny.gov/

## a) Description of the Service

Individuals sentenced to state prison since the early 1970's are listed in the database, except youthful offenders and those who have had their convictions set aside by a court. When a person has had a conviction reversed, all official records are sealed pursuant to Criminal Procedure Law §160.50 and the Department deletes all such information from this database.

#### b) Application

According to the Department of Correctional Services site, "Executive Law Section 296(15) and Correction Law Section 752 in pertinent part provides that no application for any license or employment shall be denied by reason of the applicant's having previously been convicted of one or more criminal offenses unless:

- 1) there is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought; or
- 2) the issuance of the license or the granting of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public."

When reviewing this information relative to the proposed contractor, a contracting agency should consider the relevance to the contract and any risk or safety issues.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. The information returned in response to an inquiry is the most up-to-date information available. It is extracted from the Department's main inmate information database and placed on the web page at the moment of the request.

## d) Cost for the Service

There is no fee for this service.

## 3. Former and Current FederalInmates www.bop.gov

## a) Description of the Service

This database includes persons convicted of violating federal laws who are sent to federal prisons and may include individuals held in federal prisons awaiting trial for violating federal laws. The information, which is available online for persons released after 1982, includes the inmate's name, age, date of release, etc.

## b) Application

Use this resource to determine if a proposed contractor has been convicted of violating federal law.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on timeliness or accuracy of the information.

## d) Cost for the Service

There is no fee for this service.

## 4. PACER (Public Access to Court Electronic Records) <a href="https://www.pacer.gov/pcl.html">https://www.pacer.gov/pcl.html</a>

#### a) Description of the Service

PACER provides electronic access to federal case information nationwide.

## b) Application

The PACER system offers information about most current federal cases such as bankruptcy, civil rights (employment, housing), real property (land condemnation, foreclosure), contracts (insurance, default on student loans, contract product liability), labor (Fair Labor Standards Act, ERISA), federal tax suits, and others such as anti-trust, environmental matters and FOIL.

#### Information that can be obtained:

- A listing of all parties and participants including judges, attorneys and trustees
- A compilation of case related information such as cause of action, nature of suit and dollar demand
- A chronology of dates of case events entered in the case record
- A claims registry
- A listing of new cases each day in the bankruptcy courts
- Appellate court opinions
- Judgments or casestatus
- Types of documents filed for certain districts for certain cases

## c) Timeliness or Accuracy of the Information

PACER is a service of United States Judiciary. Although the PACER Service Center is run by the Administrative Office of the United States Courts, each court maintains its own databases with case information. Access is available 24/7; no statement can be made on timeliness.

#### d) Cost for the Service

All registered agencies or individuals will be charged a user fee per page.

#### 5. NYS Attorney General Press Releases

https://ag.nv.gov/press-releases

#### a) Description of the Service

The Attorney General publishes press releases that include indictments, convictions and pleas related to violations of law.

#### b) Application

Information on criminal and civil violations by individuals and companies is available on the site.

## c) Timeliness or Accuracy of the Information

Access is available 24/7; no statement can be made on timeliness.

#### d) Cost for the Service

There is no fee for this service.

#### 6. NYS Sex Offender Registry

http://www.criminaljustice.ny.gov/SomsSUBDirectory/search\_index.jsp

#### a) Description of the Service

The Sex Offender Registration Act requires the Division of Criminal Justice Services to maintain a Sex Offender Registry. The Registry contains information on sex offenders classified according to their risk of re-offending: low risk (Level 1), moderate risk (Level 2) and high risk (Level 3). The Act requires that the Division also maintain a Subdirectory which includes Level 2 and Level 3 offenders. This site provides public access to that Subdirectory. Information on the site is subject to various terms and conditions as explicitly stated in the disclaimer located at the website. Users are cautioned to take great care in understanding the contents of the disclaimer.

## b) Application

Information on sex offenders is available on the site.

### c) Timeliness or Accuracy of the Information

Access is available 24/7; no statement can be made on timeliness.

## d) Cost for the Service

There is no fee for this service.

## 7. Federal Communications Commission – Enforcement Bureau http://www.fcc.gov/

#### a) Description of Service

The Federal Communication Commission's (FCC) Enforcement Bureau is the primary unit within the FCC responsible for enforcement of the provisions of the Communications Act, the Commission's rules, Commission orders and terms and conditions of station authorizations. Major areas of enforcement handled by the Enforcement Bureau are consumer protection enforcement, local competition enforcement and public safety/homeland security enforcement.

#### b) Applications

The FCC website offers details on enforcement actions against companies that have violated the Communications Act, rules, orders and terms and conditions of station authorizations.

Information can be found on Orders (order of dismissal, notice of debarment, citations, forfeiture orders and order & consent decrees), Field Issue Citations, Notices of Apparent Liability (NAL), and Notices of Violations (NOV).

#### c) Timeliness or Accuracy of Information

Outside of the dates of notice and/or citation, no statement can be made on timeliness.

## d) Cost for the Service

There is no fee for this service.

#### 8. Federal Contractor Misconduct Database

http://www.contractormisconduct.org/

#### a) Description of Service

This database is a compilation of misconduct and alleged misconduct committed by the top federal government contractors between January 1, 1995, and the present. It provides the contractor name, a synopsis of the misconduct, misconduct type, disposition of the issue, enforcement agency, and contracting party. The majority of the misconduct instances involve civil, criminal, or administrative settlements. The database is compiled by the Project on Government Oversight (POGO) through searches of public records. POGO is an independent not-for-profit organization that investigates and exposes corruption and other misconduct by federal government contractors.

## b) Applications

The information provided on Instances of Misconductidentifies investigations, lawsuits, fines and settlements made as part of business processes and practices.

#### c) Timeliness or Accuracy of the Information

At this time, no statement can be made on the timeliness or accuracy.

#### d) Cost for the Service

There is no fee for this service.

## 9. Taxpayers Against Fraud Education Fund/False Claims Act Legal Center

http://www.taf.org

#### a) Description of the Service

Taxpayers Against Fraud Education Fund (TAF) is a not-for-profit, public interest organization committed to combating fraud against the Federal Government through the promotion and use of the Federal False Claims Act and its qui tam provisions. Qui tam is a legal mechanism that allows persons and entities with evidence of fraud against federal programs or contracts to sue the wrongdoer on behalf of the Government.

## b) Applications

Information on the False Claim Act and qui tam cases is available on the site.

#### c) Timeliness or Accuracy of the Information

At this time, no statement can be made on the timeliness or accuracy.

## d) Cost for the Service

There is no fee for this service.

#### B. Anti-trust Investigations

## 1. Federal Trade Commission – Bureau of Competition https://www.ftc.gov/enforcement/cases-proceedings/advanced-search

#### a) Description of the Service

The Federal Trade Commission's (FTC) antitrust arm, the Bureau of Competition, seeks to prevent business practices that restrain competition by investigating alleged law violations and, when appropriate, recommending that the Commission take formal enforcement action. If the Commission does decide to take action, the Bureau will help to implement that decision through litigation in federal court or before administrative law judges. The antitrust laws are enforced by both the FTC's Bureau of Competition and the Antitrust Division of the Department of Justice.

## b) Application

The FTC website offers details on enforcement actions against companies which have been the subject of antitrust investigations.

Information that can be obtained:

- An alphabetical list of companies that have been the subject of antitrust actions.
- The full legal complaint, court decision and a news release describing the FTC activity.

#### c) Timeliness or Accuracy of the Information

This site is a service of the Federal Trade Commission. Access is available 24/7. At this time, no statement can be made on timeliness or accuracy of the information.

### d) Cost for the Service

There is no fee for this service.

#### C. Debarments

Connecticut - <a href="http://www.ctdol.state.ct.us/wgwkstnd/wgdisbar.htm">http://www.ctdol.state.ct.us/wgwkstnd/wgdisbar.htm</a>

Massachusetts -

http://www.mass.gov/ago/

New Jersey -

https://www.njportal.com/DOR/businessrecords/EntityDocs/B

usinessStatCopies.aspx

Pennsylvania -

https://www.corporations.pa.gov/Search/corpsearch

#### a) Description of the Service

These sites provide listings of debarred persons or firms in other states.

## b) Application

"Debarment" means an exclusion from state contracting. Debarment in other states may provide a basis for questioning a vendor's responsibility standing.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on timeliness or accuracy of the information.

## d) Cost for the Service

There is no fee for this service.

#### D. Accusations of Fraud

#### 1. Better Business Bureau

www.bbb.org

#### a) Description of the Service

The BBB is a national, private, non-profit organization consisting of over 120 independent, local BBB's developed to monitor and report marketplace activities to the public. BBB's are licensed by the Council of Better Business Bureaus, and governed by a local Board of Directors. BBB provides a report on companies that are members and other businesses that it is aware of. It also provides information on charities that provide information to it.

#### b) Application

The BBB website offers information on many businesses. It rates the business on a scale from A+ to F. The business cannot have an unusual volume or pattern of complaints, or any government actions against it involving its marketplace conduct. The Bureau must understand and have no concerns about the business's products, services and type of business to be rated "satisfactory." Information can be obtained on the BBB ratings by clicking on the link.

Information that can be obtained:

- Name, address, phone, principals of company Type
- of business (often provided by the company)
- Complaints received by BBB and their resolution within past 12 and 36 months for companies that have been in existence for at least 12 months.

## c) Timeliness or Accuracy of the Information

The Better Business Bureau operates on a state by state basis, and maintains its own databases with complaint information. Access is available 24/7, reports are dated, but how frequently they are updated is uncertain.

## d) Cost for the Service

There is no fee for this service.

## E. Health, Safety and Environmental Violations

1. Department of Labor – Occupational Safety & Health Administration <a href="https://www.osha.gov/pls/imis/establishment.html">www.osha.gov/pls/imis/establishment.html</a>

## a) Description of the Service

This site enables the user to search for OSHA enforcement inspections and health and safety violations for various entities, including both for-profit and not-for-profit organizations.

## b) Application

Health and safety inspection and violation information provides insight into the vendor's ability to provide services in a safe manner.

## c) Timeliness or Accuracy of the Information

At this time, no statement can be made on timeliness of the information. Until cases are closed, entries concerning specific OSHA inspections are subject to continuing correction and updating, particularly with regard to citation items, which are subject to modification by amended citations, settlement agreements, or as a result of contest proceedings. In those cases where the OSHA information will have a negative impact on the vendor's responsibility status the data should be verified by reference to the case file and confirmed by the appropriate federal or state office.

#### d) Cost for the Service

There is no fee for this service.

#### 2. NYS Office of the Medicaid Inspector General

Information Regarding Providers Not Allowed to Bill: <a href="https://www.omig.nv.gov/formatted-list">https://www.omig.nv.gov/formatted-list</a>

## a) Description of the Service

The purpose of this site is to provide updated information to Medicaid providers concerning the names of individuals who are prohibited from ordering or prescribing services for Medicaid recipients. This site also contains two additional listings of individuals and businesses not allowed to generate any billings to Medicaid due to specific sections of the Department Regulations.

## b) Applications

The information identifies individuals and businesses that contravene the Department of Health adopted regulations on unacceptable practices of prescribing providers.

## c) Timeliness or Accuracy of the Information

The information contained in the site is updated approximately every month and it is intended to supplement the printed version of the PVR292 that is mailed to Medicaid providers. The Department makes no warranty or guarantee either expressed or implied concerning the accuracy or reliability of the content of this Web Site.

## d) Cost for the Service

There is no fee for this service.

## 3. NYS Department of Health - Physician Profile https://www.nydoctorprofile.com/welcome.isp

#### a) Description of the Service

This website provides information about physicians.

## b) Application

Information provided for each physician includes:

- NYS license number
- Date of NYS licensure
- Education
- Practice details
- Legal actions, and
- Professional activities

Doctors can also give optional information about their practice. Each doctor is invited to add:

- The practice name, address and phone number of all offices.
  - The names of other doctors in a practice group
  - A list of the articles or research papers the doctor has

- published
- A list of professional and community service activities or awards
- A list of the health plans the doctor works with
- A personal statement about any information in the doctor's profile

## c) Timeliness or Accuracy of the Information

Access is available 24/7. The data collected is based on the information supplied by the physician who is the subject of the data and is accurate to the best of the knowledge of the OPMC, which utilizes a variety of sources to check the accuracy of the data reported. If a physician gives information for this Web site that is not true and correct, the Department of Health may take disciplinary action.

## d) Cost for the Service

There is no fee for this service.

#### 4. NYS ENCON – DEC Searchable Databases

**DEC Permit Applications** 

http://www.dec.nv.gov/63.html

**Environmental Remediation Databases** 

http://www.dec.ny.gov/cfmx/extapps/derexternal/

#### a) Description of the Service

This website provides access to several searchable databases that The Department of Environmental Conservation (DEC) uses in carrying out its mission of protecting human health and the environment. The databases are now available so the public who use this information to make personal or professional decisions will have the best information available.

## b) Application

The available databases are the DEC Permit Applications database and the Environmental Remediation databases. The Environmental Remediation databases include a spill incidents database and an Environmental Site Remediation database.

DEC Permit Applications Search - Detailed information on all environmental permit applications processed by the Department under the Uniform Procedures Act can be accessed through this search wizard, including the status of applications issued, denied or currently under review.

Database of Environmental Remediation Sites and Spill Incidents-This database contains records of chemical and petroleum spill incidents. Under State law, petroleum and hazardous chemical spills that can impact the waters of the state must be reported by the spiller (and, in some cases, by anyone who has knowledge of the spills). Each spill record includes administrative information (DEC region and unique seven digit spill number), spill date/time, location, spill description, including spill source and cause, material(s) spilled, and resources affected, and region close date (cleanup activity finished and all paperwork completed)

This database also contains records of the sites being remediated under one of DEC's remedial programs.

#### Each site record includes:

- Administrative information, including site name, classification, and unique site code
- Location
- Site owner(s)
- Institutional and Engineering Controls
- Description of each site
- Wastes known or thought to be disposed at the site
- Assessment of environmental and health problems

## c) Timeliness or Accuracy of the Information

<u>DEC Permit Applications Database Search</u> – At this time, no statement can be made on timeliness or accuracy.

<u>Spill Incidents Database</u> is updated nightly. At this time, no statement can be made on accuracy.

<u>Environmental Site Remediation Database Search</u> is updated biweekly. At this time, no statement can be made on accuracy.

#### d) Cost for the Service

There is no fee for this service.

## 5. US Environmental Protection Agency – Enforcement& Compliance History

https://echo.epa.gov/facilities/enforcement-case-search

## a) Description of the Service

ECHO provides integrated compliance and enforcement information for approximately 800,000 regulated facilities nationwide. The site allows users to find inspection, violation, enforcement action, informal enforcement action, and penalty information about facilities for the past three years. Facilities regulated under the following environmental statutes are included: Clean Air Act (CAA) Stationary Source Program, Clean Water Act (CWA) National Pollutant Elimination Discharge System (NPDES), and Resource Conservation and Recovery Act (RCRA).

### b) Application

ECHO reports provide a snapshot of a facility's environmental record, showing dates and types of violations, as well as the State or Federal government's response. ECHO reports also contain demographic information from the National Census. EPA, State and local environmental agencies, and the facilities collect/report the data that are submitted to EPA databases.

#### c) Timeliness or Accuracy of the Information

Access is available 24/7. The information contained in ECHO is made available to the public by the U.S. Environmental Protection Agency (EPA) for information purposes only. While the EPA, together with State environmental agencies, engages in extensive efforts to assure the accuracy of the information in ECHO, no warranty, express or implied, is made by EPA or any other agency of the U.S. Government regarding the accuracy or completeness of this information.

## d) Cost for the Service

There is no fee for this service.

## 6. US Department of Health and Human Services

https://oig.hhs.gov/compliance/corporate-integrity-agreements/ciadocuments.asp

#### a) Description of the Service

This system provides access to Corporate Integrity Agreements and Certification of Compliance Agreements between the Federal government and certain health care providers.

## b) Application

The Office of Inspector General (OIG) often negotiates comprehensive Corporate Integrity Agreements (CIA) or Certification of Compliance Agreements (CCA) with health care providers and other entities as part of the settlement of Federal health care program investigations arising under a variety of civil false claims statutes. A provider or entity consents to these obligations as part of the civil settlement in exchange for the OIG's agreement not to seek an exclusion of that health care provider or entity from participation in Medicare, Medicaid and other Federal health care programs. These compliance measures seek to ensure the integrity of Federal health care program claims submitted by the provider.

Settlement agreements with integrity provisions are not electronically available through this web site. Rather, copies of such

settlement agreements may be obtained through a filing a Freedom of Information Act (FOIA) request with the United States Department of Justice. Information on filing FOIA requests with the Department of Justice may be obtained through its web site, found at <a href="https://www.usdoj.gov">www.usdoj.gov</a> and selecting the FOIA section.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on timeliness or accuracy of the information.

## d) Cost for the Service

There is no fee for this service.

## F. Charity Reports

## 1. Standards for Charity Accountability

http://give.org/

## a) Description of the Service

The BBB Wise Giving Alliance collects and distributes information on hundreds of nonprofit organizations that solicit nationally or have national or international program services. It routinely asks such organizations for information about their programs, governance, fund raising practices, and finances when the charities have been the subject of inquiries.

Reports on local charities that solicit regionally are produced by local Better Business Bureaus and are available at

http://www.bbb.org/

#### b) Application

Organizations that are tax-exempt under section 501(c) (3) of the Internal Revenue Code or that conduct charitable solicitations fall within the scope of the voluntary BBB charity standards. The Standards address general issues of public accountability, use of funds, solicitations and informational materials, fund raising practices and governance.

Evaluations are presented in a detailed report that summarizes, among other things, the programs, finances, governance and fund raising practices of the charity. In addition, if the charity does not meet standards, a detailed explanation is provided along with comments, if applicable, from the charity itself.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on timeliness or accuracy.

## d) Cost for the Service

There is no fee for this service.

#### **G.** Government Audits

## NYS Office of the State Comptroller - Audits www.osc.state.ny.us/audits/index.htm

## a) Description of the Service

The Office of the State Comptroller audits state agencies, public authorities and all local governments in New York State, including New York City. The audits help ensure that programs achieve their established goals, funds are used efficiently, and assets are adequately protected against fraud, waste and abuse.

## b) Application

Audits of local governments, New York City and State agencies, and public authorities and can be reviewed to determine the nature and extent of audit findings and deficiencies.

#### c) Timeliness or Accuracy of the Information

Access is available 24/7.

### d) Cost for the Service

There is no fee for this service.

## 2. Office of Management and Budget Single Audit – Federal Audit Clearinghouse

https://harvester.census.gov/facdissem/SearchA133.aspx

#### a) Description of the Service

By Federal law (Title 31 U.S.C. Chapter 75), nonfederal entities that expend \$300,000 (\$500,000 for fiscal periods ending after December 31, 2003) or more in Federal awards annually are required to have a single or program specific audit conducted for that year in accordance with Office of Management and Budget (OMB) Circular A-133. The Circular, which applies to audits of states, local governments, and non-profit organizations, provides detailed definitions and audit requirements, and requires "completed audit packages" to be submitted to the Federal Audit Clearinghouse (FAC). The FAC acts as an agent for OMB by maintaining a government wide database of single audit results and related Federal award information.

## b) Application

The Database consists of information about audits of Federal awards as required by the Circular. Form SF-SAC is submitted to the Clearinghouse by nonfederal entities audited under the Circular. In general, Form SF-SAC and the Database provide five kinds of information:

- General Information (Part I). This includes fiscal and audit period, type of audit, Employer Identification Number (EIN), and Data Universal Numbering System number (DUNS);
- 2. Auditee Information (Part I, Item 6). This includes basic information about the nonfederal entity being audited;
- 3. Auditor Information (Part I, Item 7). This includes basic information about the auditor and the auditor statement;
- 4. Financial Statement of Audit Information (Part II). This includes information on type of financial statement and financial statement audit results;
- 5. Federal Program Information (Part III). This includes information about the A-133 audit results.

### c) Timeliness or Accuracy of the Information

Access is available 24/7.

## d) Cost for the Service

There is no fee for this service.

## 3. NYS Office of the Medicaid Inspector General – Final Audit Reports

http://www.omig.ny.gov/index.php/audit/final-audit-reports

#### a) Description of Service

The Office of the Medicaid Inspector General's Division of Medicaid Audit (DMA) conducts audits and reviews of Medicaid providers to ensure compliance with program requirements, including quality of care, and to determine the amount of any overpayments made. Final Audit Reports are found on the website.

## b) Applications

Upon completion of a field audit, the Division of Medicaid Audit conducts an exit conference with the provider to discuss preliminary findings. The DMA issues a draft audit report that identifies any proposed recoupment and the basis for the action. The provider has 30 days to respond to the draft audit report. If the provider objects to the draft audit report, the DMA considers the provider's response, including any supporting documentation, before issuing a final audit report. If the provider fails to reply

within that timeframe, the DMA issues a final report.

The provider has 60 days after receiving the final audit report to request an administrative hearing. If granted, the administrative hearing will be limited to only those matters contained in the provider's objection to the draft audit report. If the provider disagrees with the hearing decision the provider has the option to undertake an Article 78 proceeding.

## c) Timeliness or Accuracy of Information

Access is available 24/7. According to its site, while the New York State Office of the Medicaid Inspector General makes every effort to post accurate and reliable information, it does not guarantee or warrant that the information on this web site is complete, accurate or up-to-date.

## d) Cost for the Service

There is no fee for this service.

## H. Lobbying Activities:

## 1. Procurement Lobbying Law

http://ogs.ny.gov/acpl/

## a) Description of the Service

State Finance Law §139-j(10) obligates a Governmental Entity to notify the Office of General Services (OGS) when it makes a determination of non-responsibility for a knowing and willful violation of the permissible contacts requirements as defined in §139-j. Any subsequent determination of non-responsibility within a four year period shall result in an offerer being rendered ineligible to submit a proposal on or be awarded any procurement contract for a period of four years from the date of the second final determination. OGS is required to maintain apublicly available list of non-responsible and debarred offerers and to publish such lists on its website. The Governmental Entity that made the initial and subsequent determination of non-responsibility should be contacted if additional information is required.

#### b) Application

Agencies should check the OGS website to determine whether prospective bidders have been either found non-responsible or debarred for violations of State Finance Law §139-j

#### c) Timeliness or Accuracy of the Information

Access is available 24/7

## d) Cost for the Service

There is no fee for this service.

## III. Financial and Organizational Capacity

#### A. Adequate Capacity

## 1. Securities and Exchange Commission

www.sec.gov/edgar/searchedgar/webusers.htm

## a) Description of the Service

EDGAR, the Electronic Data Gathering, Analysis, and Retrieval system, performs automated collection, validation, indexing, acceptance, and forwarding of submissions by companies and others who are required by law to file forms with the U.S. Securities and Exchange Commission (SEC). All public companies, foreign and domestic, are required to file registration statements, periodic reports, and other forms electronically through EDGAR. The website provides links to a complete list of filings available through EDGAR and instructions for searching the EDGAR database.

## b) Application

The SEC requires public companies to disclose meaningful financial and other information to the public. Using this up-to-date information for a proposed publicly traded contractor can provide an agency with additional information when assessing vendor responsibility.

## c) Timeliness or Accuracy of the Information

Under "Latest Filings" you will find the most recent filings the EDGAR system has received from all SEC filers, including individuals and companies, paper filers and electronic filers. The list on this page features real-time filings from a broad range of companies and individuals for the current official filing date (including filings made after the 5:30 PM deadline on the previous filing day).

#### d) Cost for the Service

There is no fee for this service.

#### 2. New York Stock Exchange

#### https://www.nyse.com/regulation/disciplinary-actions

### a) Description of the Service

The NYSE disciplinary actions list is comprised of publicly traded companies that have been subject to disciplinary action.

#### b) Application

The NYSE disciplinary action list provides access to detailed information about any disciplinary action that has been taken against the company. Disciplinary Actions stem from a variety of sources that include internal referrals, investor complaints, examinations of member organizations, and referrals from the SEC.

## c) Timeliness or Accuracy of the Information

At this time, no statement can be made on timeliness or accuracy. Access is available 24/7.

## d) Cost for the Service

There is no fee for this service.

#### 3. Yahoo Finance

www.finance.yahoo.com

## a) Description of the Service

Yahoo Finance can be used to find financial information for publicly traded and private companies.

## b) Application

Yahoo Finance provides access to detailed information about a company's finances such as U.S. Securities and Exchange Commission (SEC) filings, quarterly reports, annual reports, key statistics, and financial trends. Additional available information includes financial news, company profile, company history, executive information, major stockholders and insider transactions.

## c) Timeliness or Accuracy of the Information

Stock quotes are delayed, except where indicated otherwise; delay times are 15 minutes for NASDAQ, 20 minutes for NYSE.

#### d) Cost for the Service

There is no fee for this service.

#### 4. Dun and Bradstreet

www.dnb.com/us

### a) Description of the Service

D&B is a financial information company that specializes in creditrelated information about specific companies. It provides ratings on companies based on their risk to investors, lenders and business partners.

#### b) Application

D&B and similar information sources provide a wide variety of information relevant to vendor responsibility. Reports which contracting entities may find useful include: the Business Information Report, the Supplier Qualifier Report or the Comprehensive Report.

These reports provide information relative to the business entity such as an overall profile of a company, including: D&B's proprietary rating, financial information, payment history and trends, history of a business, ownership details, operational information, and details on related firms and special events (such as business moves, fires and other disasters, and quarterly performance). Information is available on businesses in US, Canada, and Western Europe.

#### c) Timeliness or Accuracy of the Information

Dun and Bradstreet maintains its own databases, with links to other sources of information. Access is available 24/7. At this time, no statement can be made on timeliness or accuracy of the information.

### d) Cost for the Service

Refer to the statewide contract.

#### 5. GuideStar

www.guidestar.org

#### a) Description of the Service

GuideStar is a comprehensive resource for information on not-for-profit organizations.

## b) Application

Basic information, which includes Name, Address, FEIN, and Annual Financial Statistics on any US charity or private foundation is provided. Financial information comes from the IRS Business Master File of exempt organizations and IRS Forms 990, 990-EZ, and 990-PF. Other information, such as an organization's programs, accomplishments, and goals, are obtained directly from the organization or from the organization's Form 990 or 990-EZ.

The rest of the organizations found on GuideStar do not have to file with the IRS because they are either too small or they are faith

based organizations. In some cases, the information on these nonprofits is limited to data from the Business Master File. Thousands of these organizations, however, have updated their reports with information about their missions, programs, accomplishments, and goals.

### c) Timeliness or Accuracy of the Information

These forms are available on the site, as PDF image files. Access is available 24/7. No statement can be made on timeliness or accuracy of the information.

#### d) Cost for the Service

GuideStar provides free access to basic information. For pricing on enhanced services, contact GuideStar.

#### 6. Other services

Other similar services are available such as Lexis Nexis <a href="https://www.accurint.com">www.lexisnexis.com</a>, Moody's <a href="https://www.accurint.com">www.moodys.com</a> and Accurint <a href="https://www.accurint.com">www.accurint.com</a>. For pricing and additional information, please refer to the New York State Office of General Services (OGS) statewide contracts at <a href="https://www.ogs.state.ny.us/purchase/snt/lists/services.asp">https://www.ogs.state.ny.us/purchase/snt/lists/services.asp</a> under the category "Electronic Online Database Services".

## B. Financial Obligations (Liens)

## 1. NYS Department of State – Division of Corporations https://appext20.dos.ny.gov/pls/ucc\_public/web\_search.main\_frame

## a) Description of the Service

The Uniform Commercial Code (UCC) Bureau files and maintains records on state financial obligations and federal tax liens incurred by individuals (in business as a sole proprietor), business entities and corporations. The Uniform Commercial Code Public Inquiry System allows the public to search the complete UCC database. This database includes financing statements and financing statement amendments filed under Article 9 of the UCC and Notices of Federal Tax Liens and notices and certificates affecting such liens filed under Article 10-A of the Lien Law. Search results are provided in the form of a printable data report and/or viewable images of the filed record(s).

## b) Application

This information is important to any business or financial institution contemplating entering into a lien transaction as the secured party (the party providing funds or financing collateral). Knowing the current financial status of the debtor party (the potential borrower) before extending credit is crucial, and it is the

number of active, existing liens already in effect for that particular debtor party that most interests the potential secured party. As a prerequisite for entering into a lien relationship, many secured parties first research a debtor name to ascertain their credit worthiness and then demand a lien filing in regard to the actual, current transaction. Secured parties routinely include banks, commercial businesses (appliances, autos, boats), and sole proprietors.

## c) Timeliness or Accuracy of the Information

The New York State Department of State is not responsible for the content of any record in the UCC database, and the New York Department of State makes no representation or warranty regarding the validity or effectiveness of any record in the UCC database. The site is accessible seven days a week from 6:00am to 11:30pm.

## d) Cost for the Service

There is no fee for this service.

## 2. NYS Department of State - Tax Warrants

http://www.dos.ny.gov/corps/tax warrant\_search.html

## a) Description of the Service

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 Department of State a notice of the fact that such tax warrants have been filed. The Department of State now maintains an electronic data base of the tax warrant related notices presented by DTF.

#### b) Application

This website provides a searchable list of taxpayers for which state tax warrants were filed and their status and amount.

## c) Timeliness or Accuracy of the Information

The file is date/time stamped as to Dept. of State timeliness. Note that DTF first files a tax warrant in a county clerk's office, and then files a notice of such filing at DOS. As a result, in most cases there will be a 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 at DOS. 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 giventaxpayer.

## d) Cost for the Service

There is no fee for this service.

#### IV. Performance

There is no centralized statewide source of information on government contract performance. Within your own agency the finance office should be able to identify whether a vendor has previously held a contract, and what part of the agency handled it. Many agencies have formal contract performance reports which can be reviewed prior to awarding a new contract. Even if such reports are not available, the contracting officer can review the vendor's prior performance with the relevant program manager(s) or contracting officer(s).

Most Requests for Proposals and many commodity and service solicitation documents contain a request for references. It is always recommended that such references be checked, and the relevance, performance and customer satisfaction be assessed relevant to the contracting agency's current procurement. One external source of information that may be useful is the Better Business Bureau (BBB).

#### 1. Better Business Bureau

www.bbb.org

## a) Description of the Service

The BBB is a national, private, non-profit organization consisting of over 120 independent, local BBB's developed to monitor and report marketplace activities to the public. BBB's are licensed by the Council of Better Business Bureaus, and governed by alocal Board of Directors. BBB provides a report on companies that are members and other businesses that it is aware of. It also provides information on charities that provide information to it.

#### b) Application

The BBB website offers information on many businesses. It rates the business on a scale from A+ to F. The grade represents BBB's degree of confidence that the business is operating in a trustworthy manner and will make a good faith effort to resolve any customer concerns.

Information that can be obtained:

- Name, address, phone, principals of company
- Type of business (often provided by the company)
- Complaints received by BBB and their resolution within past 12 and 36 months for companies that have been in existence for at least 12 months.

#### c) Timeliness or Accuracy of the Information

The Better Business Bureau operates on a state by state basis, and maintains its own databases with complaint information. Access is

available 24/7, reports are dated, but how frequently they are updated is uncertain.

#### d) Cost for the Service

There is no fee for this service.

#### 2. Hospital Information

NYS Department of Health - Hospital Information <a href="https://profiles.health.ny.gov/hospital/">https://profiles.health.ny.gov/hospital/</a>

## a) Description of the Service

Any complaints against a hospital submitted to the Department's attention regarding patient care or environmental concerns are investigated by Department staff. The Department's investigation of complaints determines whether or not the facility fulfilled the requirements of the State Health Code based on the concerns raised. This code involves minimum standards of care which facilities are required to provide. The Department conducts surveys and investigations of hospitals for both State licensure purposes and through a contractual relationship with the federal government.

## b) Applications

The information provided on complaints, surveys and incidents identifies areas where the Department, as part of an inspection, identified problems with the hospital's operations, i.e., areas where the hospital was out of compliance with Departmental regulations.

## c) Timeliness or Accuracy of the Information

At this time, no statement can be made on timeliness or accuracy.

#### d) Cost for the Service

There is no fee for this service.

## 3. Society for Protective Coatings

http://www.sspc.org/

## a) Description of the Service

The Society for Protective Coating (SSPC) is the a not-for-profit focused on the protection and preservation of concrete, steel and other industrial and marine structures and surfaces through the use of high-performance industrial coatings. SSPC has developed Quality Programs (QPs) which assess contractors' primary ability to provide quality work in accordance with applicable safety, health and environmental compliance standards. SSPC certified contractors are deemed to have the experience, knowledge and

equipment to produce quality work in accordance with the local, state and federal guidelines.

#### b) Application

SPSS provides lists of certified contractors. The certifications are organized by QP specialties as follows:

**QP 1** evaluates contractors who perform surface preparation and industrial coating application on steel structures in the field.

**QP 2** evaluates a contractor's ability to perform industrial hazardous paint removal in a field operation.

**QP 3** evaluates a contracting company's ability to perform surface preparation and protective coating application in a fixed shop facility.

**QP6** evaluates the qualifications of industrial thermal spray (metallizing) contractors.

**QP 7** verifies the capabilities of contractors with less than 6 months experience performing industrial surface preparation and coating application in the field.

**QP 8** evaluates the qualifications of contractors hired to install polymer coatings or surfacing on concrete and other cementitious surfaces in commercial, institutional, and industrial facilities.

## c) Timeliness or Accuracy of the Information

Lists of certified contractors are updated monthly.

#### d) Cost for the Service

There is no fee for the service

## 4. US Food and Drug Administration – Medical Device Recalls http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfRES/textsearch.cfm

#### a) Description of Service

The federal Food and Drug Administration (FDA) is responsible for protecting the public health by assuring the safety, efficacy and security of human and veterinary drugs, biological products, medical devices, our nation's food supply, cosmetics, and products that emit radiation. The FDA also ensures that these products are honestly, accurately and informatively represented to the public.

## b) Applications

The FDA website includes a database which contains the classified Medical Device Recalls since November 1, 2002. When contracting with a vendor, the product list may be checked against this database for items that may be subject to recall.

## c) Timeliness or Accuracy of Information

Access is available 24/7. At this time, no statement can be made regarding the timeliness or accuracy of the information.

#### d) Cost for the Service

There is no fee for this service.

## V. General Information/Resources

## A. Business Filings and Incorporation

#### 1. NYS Department of State

http://www.dos.nv.gov/corps/bus entity search.html

## a) Description of the Service

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. Any New York State created Corporation, LLP, LLC or LP should be included in the DOS directory.

Assumed name filings are filed and maintained by the Division of Corporations for corporations, limited liability companies and limited partnerships. (An assumed name is commonly referred to as a d/b/a.) Although maintained by the Division of Corporations, searches of records of assumed names (DBA's) 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 and sole proprietorships, file an assumed name certificate directly with the county clerk in each county in which the entity conducts or transacts business, therefore, these names may not be found in this database.

## b) Application

You may search the records of the Division of Corporations to obtain information on business and not-for-profit corporations, limited liability companies, limited partnerships, and limited liability partnerships. Information available includes the following: (1) current entity name; (2) entity type; (3) date of organization; (4) jurisdiction, if other than New York State; (5) county location; (6) service of process address; (7) registered agent, if any; and (8) the current status of the entity, i.e. active or inactive. Information on business corporations may also include

the name and address of the chief executive officer and the principal business location.

The following outlines the filings required for each type of business:

- i. Business Corporation
  - A corporation is an entity, created pursuant to State law, that is separate and distinct from the individual or individuals who own, manage, work for and hold stock in the corporation. As a separate entity, the corporation has its own rights and responsibilities and incurs its own liabilities.
  - A Corporation created in New York State must file a Certificate of Incorporation with the New York State Department of State. A foreign corporation may be required to file an Application for Authority with the New York State Department of State in order to do business in New York.
- ii. Limited Liability Company (LLC)
  - A limited liability company is an entity formed under State law by filing articles of organization as a limited liability company. None of the members of an LLC are personally liable for its debts.
  - An LLC created in New York must file Articles of Organization with the New York State Department of State. A foreign LLC may be required to file an Application for Authority with the New York State Department of State in order to do business in New York.
- iii. General partnership
  - Two or more people may join together in a general partnership to carry on a trade or business for profit.
     Each general partner is personally liable for the obligations of the business, including debts.
  - If the general partnership is formed in New York State, such partnership must file an Assumed Name Certificate (following an agreement of the partners) with the clerk of the county/ies in which the business is conducted.
- iv. Limited Liability Partnership
  - A limited liability partnership is a partnership without limited partners that is engaged in the practice of a profession in New York designated in Title 8 of the NYS Education Law (including, but not limited to, attorneys, counselors at law and licensed physicians). (Foreign LLP's must file a notice of registration with the NYS Department of State)
  - A limited liability partnership must file either a Certificate of Limited Liability Partnership (following an agreement of the partners) with the Department of State to do business in New York

#### State.

- v. Limited Partnership
  - A limited partnership consists of one or more general partners with unlimited liability for all obligations incurred by the partnership and one or more limited partners whose liability is limited to the extent of his or her capital contribution. A Foreign LP must file an application for authority.
  - A limited partnership must file a Certificate of Limited Partnership (following an agreement of the partners) with the Department of State to do business in New York State.
- vi. Sole Proprietorship
  - Owned by one individual with all business responsibilities and decisions made by the single owner.
  - Must file an Assumed Name Certificate with the clerk of the county in which the business is conducted only if the business is operating under a name other than the proprietor's (no formation document is required).
- vii. Not-for-profit Corporation (Note: Not all NFP's must register with the DOS, some are created under the NYS Education Law)
  - A not-for-profit corporation may not be formed for financial gain. Income and profits of the corporation must be used to support the not-for-profit purposes stated in the certificate of incorporation, and cannot be distributed to benefit the members, directors, or officers except to the extent permitted by statute.
  - In general, a not-for-profit corporation created in New York State must file a Certificate of Incorporation (see not-for-profit Corporation Law, Section 113 for exceptions) and register with the NYS Attorney General's Office Charities Bureau.

## c) Timeliness or Accuracy of the Information

As stated on the site, "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, 8:30AM - 4:30PM." The site also lists the date through which the information is current.

## d) Cost for the Service

There is no fee for this service.

#### 2. States - Incorporation or Certification

## a) Description of the Service

Each state government website provides access to incorporation or certification information for businesses which are foreign to New York State.

#### b) Application

When the proposed contractor is a foreign corporation, it is important to confirm their incorporation status by verifying information with the other state.

## c) Access to the Information

Search the website of the Department or Secretary of State in the original state in which the business entity is incorporated.

- Alabama (AL) Secretary of State
   <a href="http://sos.alabama.gov/government-records/business-entity-records">http://sos.alabama.gov/government-records/business-entity-records</a>
- Alaska (AK) Department of Commerce <a href="https://www.commerce.alaska.gov/cbp/main/search/entities">https://www.commerce.alaska.gov/cbp/main/search/entities</a>
- Arizona (AZ) Corporation Commission https://ecorp.azcc.gov/EntitySearch/Index
- Arkansas (AR) Secretary of State
   <a href="http://www.sos.arkansas.gov/corps/search\_all.php">http://www.sos.arkansas.gov/corps/search\_all.php</a>
- California (CA) Secretary of State https://businesssearch.sos.ca.gov/
- Colorado (CO) Secretary of State
   <a href="http://www.sos.state.co.us/biz/BusinessEntity-CriteriaExt.do?resetTransTyp=Y">http://www.sos.state.co.us/biz/BusinessEntity-CriteriaExt.do?resetTransTyp=Y</a>
- Connecticut (CT) Secretary of State
   https://www.concord-sots.ct.gov/CONCORD/online?sn=PublicInquiry&eid=9740
- Delaware (DE)–Secretary of State <a href="https://icis.corp.delaware.gov/Ecorp/EntitySearch/NameSearch.aspx">https://icis.corp.delaware.gov/Ecorp/EntitySearch/NameSearch.aspx</a>
- District of Columbia (DC) Dept. of Consumer and Regulatory Affairs (need login)
   https://corponline.dcra.dc.gov/Account.aspx/LogOn?ReturnUrl

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- Florida (FL) Division of Corporations
   http://search.sunbiz.org/Inquiry/Corporation
   Search/ByName
- Georgia (GA) Secretary of State https://ecorp.sos.ga.gov/BusinessSearch
- Hawaii (HI) Department of Commerce and Consumer Affairs

https://hbe.ehawaii.gov/documents/search.html

- Idaho (ID) Secretary of State https://www.accessidaho.org/public/sos/corp/search.html
- Illinois (IL) Secretary of State https://www.ilsos.gov/corporatellc/CorporateLlcController
- Indiana (IN) Secretary of State <a href="https://bsd.sos.in.gov/publicbusinesssea">https://bsd.sos.in.gov/publicbusinesssea</a>
   rch
- Iowa (IA)-Secretary of State <a href="https://sos.iowa.gov/search/business/(S(gwtivx55q1ubpv4-5f5kxq445)]">https://sos.iowa.gov/search/business/(S(gwtivx55q1ubpv4-5f5kxq445))/search.aspx</a>
- Kansas (KS) Secretary of State https://www.kansas.gov/bess/flow/main?exe cution=e1s2
- Kentucky (KY) Secretary of State https://app.sos.ky.gov/ftsearch/
- Louisiana (LA) Secretary of State <a href="https://coraweb.sos.la.gov/CommercialSearch/CommercialSearch.aspx">https://coraweb.sos.la.gov/CommercialSearch/CommercialSearch.aspx</a>
- Maine (ME) Secretary of State <a href="https://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x">https://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x</a>
- Maryland (MD) Department of Assessments and Taxation <a href="https://egov.maryland.gov/BusinessExpress/EntitySearch">https://egov.maryland.gov/BusinessExpress/EntitySearch</a>
- Massachusetts (MA) Secretary of State <u>http://corp.sec.state.ma.us/corpweb/CorpSearch/CorpSe</u>

#### arch.aspx

- Michigan (MI) Secretary of State <a href="https://cofs.lara.state.mi.us/corpweb/CorpSearch/CorpSearch/CorpSearch.aspx">https://cofs.lara.state.mi.us/corpweb/CorpSearch/CorpSearch.aspx</a>
- Minnesota (MN) Secretary of State
   <a href="https://mblsportal.sos.state.mn.us/Business/Searc">https://mblsportal.sos.state.mn.us/Business/Searc</a>
- Mississippi (MS) Secretary of State https://corp.sos.ms.gov/corp/portal/c/page/corpBusines sIdSearch/portal.aspx?#clear=1
- Montana (MT) Secretary of State https://www.mtsosfilings.gov/mtsosmaster/viewInstance/view.html?id=a0a384bbebaac28ac8c02 6df3e64f4d4e7390ed74bf85d87& timestamp=83389779573 2880
- Nebraska (NE) Secretary of State <a href="https://www.nebraska.gov/sos/corp/corpsea">https://www.nebraska.gov/sos/corp/corpsea</a> rch.cgi
- Nevada (NV) Secretary of State <u>http://nvsos.gov/sosentitysearch/</u>
- New Hampshire (NH) Secretary of State <a href="https://quickstart.sos.nh.gov/online/BusinessInquire">https://quickstart.sos.nh.gov/online/BusinessInquire</a>
- New Jersey (NJ) Division of Revenue <a href="https://www.njportal.com/DOR/BusinessName">https://www.njportal.com/DOR/BusinessName</a>

   eSearch/Search/BusinessName
- New Mexico (NM) Public Regulation Commission <a href="https://portal.sos.state.nm.us/BFS/online/CorporationBusinessSearch">https://portal.sos.state.nm.us/BFS/online/CorporationBusinessSearch</a>
- New York (NY) Department of State <a href="https://www.dos.ny.gov/corps/bus\_entity\_sear\_ch.html">https://www.dos.ny.gov/corps/bus\_entity\_sear\_ch.html</a>
- North Carolina (NC) Department of the Secretary of State https://www.sosnc.gov/search/index/corp
- North Dakota (ND Secretary of State

https://apps.nd.gov/sc/busnsrch/busnSearch.ht m

- Ohio (OH) Secretary of State
   <a href="https://www5.sos.state.oh.us/ords/f?p=100:1:">https://www5.sos.state.oh.us/ords/f?p=100:1:</a>
   0
- Oklahoma (OK) Secretary of State <a href="https://www.sos.ok.gov/corp/corpinquiryfind.aspx">https://www.sos.ok.gov/corp/corpinquiryfind.aspx</a>
- Oregon (OR) Secretary of State
   http://egov.sos.state.or.us/br/pkg web name srch
   ing.login
- Pennsylvania (PA) Department of State <a href="https://www.corporations.pa.gov/search/corpsearch">https://www.corporations.pa.gov/search/corpsearch</a>
- Rhode Island (RI) Secretary of State
   <a href="http://business.sos.ri.gov/CorpWeb/C">http://business.sos.ri.gov/CorpWeb/C</a>
   <a href="http://orpSearch.aspx">orpSearch/CorpSearch.aspx</a>
- South Carolina (SC) Secretary of State <u>https://businessfilings.sc.gov/BusinessFiling/Entity/Search</u>
- Tennessee (TN) Secretary of State <a href="https://tnbear.tn.gov/Ecommerce/FilingSearch.asp">https://tnbear.tn.gov/Ecommerce/FilingSearch.asp</a>
   <a href="https://tnbear.tn.gov/Ecommerce/FilingSearch.asp">x</a>
- Texas (TX) Secretary of State https://mycpa.cpa.state.tx.us/coa/
- Utah (UT) Department of Commerce <u>https://secure.utah.gov/bes/</u>
- Vermont (VT) Secretary of State <a href="https://www.vtsosonline.com/online/Busines-singuire">https://www.vtsosonline.com/online/Busines-singuire</a>
- Virginia (VA) State Corporation Commission, Office of the Clerk
   <a href="https://sccefile.scc.virginia.gov/Find/Business">https://sccefile.scc.virginia.gov/Find/Business</a>
- Washington (WA) Secretary of State https://www.sos.wa.gov/corps/corps search.aspx

- West Virginia (WV) Secretary of State <a href="http://apps.sos.wv.gov/business/corporations/">http://apps.sos.wv.gov/business/corporations/</a>
- Wisconsin (WI) Department of Financial Institutions https://www.wdfi.org/apps/CorpSearch/Search.aspx
- Wyoming (WY) –Secretary of State <a href="https://wyobiz.wy.gov/business/filingsearch.aspx">https://wyobiz.wy.gov/business/filingsearch.aspx</a>

## 3. Industry Canada – (Incorporation in Canada)

www.strategis.ic.gc.ca

#### a) Description of the Service

This website provides access to incorporation or certification information for Canadian corporations.

#### b) Application

When the proposed contractor is a Canadian corporation, their registration status may be verified with Industry Canada.

#### c) Timeliness or Accuracy of the Information

At this time, no statement can be made on timeliness or accuracy.

#### d) Cost for the Service

There is no fee for this service.

# 4. NYC Department of Finance: Automated City Register Information System (ACRIS) <a href="http://a836-acris.nyc.gov/CP/">http://a836-acris.nyc.gov/CP/</a>

#### a) Description of the Service

The New York City Department of Finance includes the City Register, which records and maintains records for Manhattan, the Bronx, Brooklyn, and Queens. (In Staten Island, the Office of the County Clerk handles this function.)

The majority of deeds and mortgages showing the ownership of real property (houses, condominiums, apartment buildings, etc.) must be recorded with the City Register. The City Register's real property records are used to prove land title ownership and indebtedness (by a "title search") and, based on proven clear title, to provide title insurance. Without such insurance, banks will not grant mortgages.

These ownership documents are also the basis for mortgage decisions, for asset searches, and other legal and financial transactions.

## b) Application

Information on property ownership, borrowing and lending activities, and financial relationships between parties may identify financial capacity issues, self-dealing and interconnections that are significant in evaluating the responsibility of individuals and organizations. NYC residents can use it to create tax documents and calculate taxes due.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on timeliness or accuracy of the information.

#### d) Cost for the Service

There is no fee for this service.

#### B. News and General Information

#### 1. Search Engines

#### a) Description of the Service

Search engines are computer programs that retrieve documents, files or data from a database or from a computer network, most especially from the internet.

#### b) Application

Many search engines provide up-to-date information on vendors, particularly current news stories. Additionally, these sites can help to further guide your review, prompting the search of another database or linking you to an affiliated company's home page.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. No statement can be made on timeliness or accuracy of the information provided.

#### d) Cost for the Service

There are no fees for these services.

#### 2. Business.com

www.business.com

#### a) Description of the Service

Business.com is an Internet business focused search engine and directory providing search capabilities that quickly locate target companies, industries, and officers using flexible search criteria.

Customizable news alerts and news coverage from top wire services are available.

## b) Application

Business.com provides access to detailed information about a company's parent(s) and subsidiaries, and the ability to obtain information on officers of companies.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time no statement can be made on the timeliness or accuracy of the information provided.

## d) Cost for the Service

There are multiple subscription levels; however, much information is available at no cost.

## 3. Business Journals

www.bizjournals.com

## a) Description of the Service

Access to current information, selecting "latest news" provides information by locality. Searches can be done by company, executive, industry, etc.

## b) Application

Business Journals provides access to current information about a company or industry.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on timeliness or accuracy of the information provided.

#### d) Cost for the Service

There are multiple subscription levels; however, much information is available at no cost.

## 4. NYS Department of Education - College and University Campuses in New York State

http://eservices.nysed.gov/heds/directory/index.htm

#### a) Description of the Service

The State Education Department maintains directories of college and university campuses in New York State with contact information.

#### b) Application

Contact information for each campus and links to each school's website. Separate alphabetical lists for SUNY (community colleges, senior colleges, institutes and science centers), CUNY (community colleges and senior colleges), independent and proprietary schools.

## c) Timeliness or Accuracy of the Information

At this time, no statement can be made on timeliness of the information provided.

#### d) Cost for the Service

There is no fee for this service.

#### 5. Checkbook NYC

http://www.checkbooknyc.com/spending landing/yeartype/B/year/ 118

## a) Description of the Service

Checkbook NYC is an online transparency tool that for the first time placed the City's day-to-day spending in the public domain. Using an intuitive dashboard approach that combines a series of graphs and user-friendly tables, Checkbook NYC provides up-to-date information about the City's financial condition.

## b) Application

Checkbook NYC provides access to detailed information about New York City's budget, revenue, spending, contracts, and payroll. Other available information includes spending related to M/WBE's and subvendors.

## c) Timeliness or Accuracy of the Information

At this time, no statement can be made on timeliness of the information provided.

## d) Cost for the Service

There is no fee for this service.

#### 6. Manta

www.manta.com

#### a) Description of the Service

Manta offers company information on more than 60 million firms around the world, with an emphasis on small and medium size businesses.

#### b) Application

Manta provides details such as company name, business description, address, number of employees, and estimated annual sales.

## c) Timeliness or Accuracy of the Information

Data is updated continuously.

## d) Cost for the Service

There is no fee for this service to search for general business information.

## C. Verification of Phone Listings/Numbers/Addresses

## 1. Anywho

www.anywho.com

## a) Description of the Service

Information commonly found in a telephone directory.

## b) Application

Confirm name, address and telephone number of a vendor.

## c) Timeliness or Accuracy of the Information

Access is available 24/7. At this time, no statement can be made on timeliness of the information provided.

## d) Cost for the Service

There is no fee for this service.