New York State
Office of the State Comptroller

New York State
VendRep System
Welcome Package

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Questions: **866-370-4OSC** (4672)   Issued March 2017
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VENDREP SYSTEM DESCRIPTION

The New York State Vendor Responsibility (VendRep) System was developed to further the vision of the New York State Comptroller's Office for a centralized, online system to support more effective and efficient use of information in assessing vendor responsibility. The VendRep System is designed to support both *business entities* (herein referred to as *vendors*) and *State contracting entities* in meeting their respective obligations for providing and assessing information to make vendor responsibility determinations. The VendRep System serves as an information clearinghouse for vendor responsibility, providing authorized *State contracting entity* users with a secure, centralized and standardized database of accurate, relevant and current information for making responsibility determinations. Enhancing the efficiency of the vendor responsibility processes, and facilitating communication and information sharing between the contracting parties are two goals of the VendRep System

State contracting entity and vendor utilization of the VendRep System is currently voluntary. A *State contracting entity* that opts to use the System is allowing *vendors* to electronically file their vendor responsibility questionnaires for that contracting entity. However, in accordance with the Electronic Records Signature Act (New York State Consolidated Laws, State Technology Law, Article 3), a *vendor* cannot be required to file electronically and must be provided an alternative, non-electronic option. Paper versions of the questionnaires are available on the VendRep website (http://www.osc.state.ny.us/vendrep/index.htm) and directly from *State contracting entities*.

Use of the VendRep System does not alter the principles or requirements for vendor responsibility reviews in New York State. The VendRep System is not a debarment or pre-qualification system, nor is it an online bid notification system. It provides *vendors* with the convenience of filing required disclosures online, and provides *State contracting entities* with the convenience of accessing that information online as one part of its vendor responsibility review process.

NEW YORK STATE VENDOR RESPONSIBILITY REQUIREMENTS

Current New York State procurement laws and guidelines require *State contracting entities* to conduct a vendor responsibility review of each *vendor* with which they propose to contract. This review, in most cases, requires *State contracting entities* to obtain self-disclosure from the proposed contractor and, in many cases, the *subcontractor(s)*. The disclosure most typically takes the form of a vendor responsibility questionnaire. Some *State contracting entities* may require the bidder or proposer to submit the vendor responsibility questionnaire as part of the bid package; others require it later in the procurement selection process.

In addition to obtaining disclosure, many *State contracting entities* research other sources to obtain supplemental information and to confirm information disclosed by the *vendor*. In general, in assessing vendor responsibility, all *State contracting entities* should conduct some level of independent review consistent with the value or risk of the procurement.

The factors of vendor responsibility, detailed in OSC's *Guide to Financial Operations*, include:

For more information, visit the VendRep website:

http://www.osc.state.ny.us/vendrep

- Financial and organizational capacity
- Legal authority to do business in New York State
- Integrity
- Past performance

State policy and guidelines emphasize that a vendor responsibility determination should consider all relevant factors and be based on verifiable information. *State contracting entities* should apply a risk-based approach in making a determination. The determination must be made separately for each contract and based on the particular circumstances of the transaction. A finding of non-responsibility is not a debarment and by itself may not disqualify a *vendor* from participating in future New York State procurements or receiving other New York State contract awards.[1]

The New York State VendRep website and the *Guide to Financial Operations* provide more information on these factors. See http://www.osc.state.ny.us/vendrep/index.htm for more guidance.

As part of the contract approval process, a State contracting entity determines a vendor's responsibility and this determination is then reviewed by the Comptroller's Office. In the event the determination results in a finding of non-responsibility, due process is vital. A *vendor*, whether the prime or a *subcontractor*, must be provided notice of the basis for such finding and an opportunity to respond to such basis prior to any final determination of non-responsibility.

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[1] However, multiple findings of non-responsibility for violations of Section 139-j of the State Finance Law will result in a debarment.

VENDREP SYSTEM BENEFITS

STATE CONTRACTING ENTITY BENEFITS

The VendRep System offers the following benefits to *State contracting entities*:

- Direct and immediate ease of access to current, standardized vendor disclosures, eliminating the need for each State contracting entity to separately develop, maintain and administer the questionnaire.

- Online information shared with authorized State contracting entity users.

- Search tool for State contract transactions approved by the Comptroller's Office, providing the additional information of In-Progress, Approved or Non-Approved status for the contracting entity's transactions.

- Reduced costs associated with paper documents, including receipt, distribution and filing.

- Improved consistency, accuracy and timeliness of the information used in the vendor responsibility review.

- User support, such as online definitions, online help, and the Office of the State Comptroller's Help Desk to assist *vendors* and *State contracting entities* in interpreting questionnaire content and using the System.

VENDOR BENEFITS

The VendRep System offers the following benefits to *vendors*:

- Ease of completion and submission of the vendor responsibility questionnaire (efficiencies are multiplied for *vendors* who bid and contract frequently or with multiple State contracting entities).

- Multiple authorized users, selected and managed by the *vendor*, can participate in completion of the online questionnaire.

- NYS transactions submitted to the Comptroller's Office by a State contracting entity can be tracked. Check the status: In-Progress, Approved, or Non-Approved.

- Re-certification with a few simple computer keystrokes. Questionnaire updates are easily filed by changing only those responses that require a change from the previously saved questionnaire.

- Basic information is stored - address, contacts - eliminate the need to re-enter it for each questionnaire submission.

- Reduce costs associated with paper documents, no copying, delivery or filing.

- Questionnaire information is secure and accessible online only to an entity's own authorized users. State contracting entity users may view only questionnaires that are certified.

- Communication with *State contracting entities* is improved. Vendors can have the System send an automatic notification when the questionnaire is certified by the vendor.

- Inquiries regarding System usage and questionnaire content receive consistent responses, with available online definitions, online help and an OSC-administered Help Desk.

Less chance of error—Allows more time to prepare bids and receive quotes.

~Vendor Survey Response

STATE CONTRACTING ENTITIES—VENDREP SYSTEM GUIDE

WHAT IS NEEDED TO USE THE SYSTEM

The VendRep System is web-based. Use of the System requires a personal computer with a standard web browser (e.g., Internet Explorer or Firefox) and an email account.

A user must enroll in OSC Online Services before accessing the VendRep System. OSC Online Services is the gateway to various online applications administered by OSC. It provides *vendors* and *State contracting entities* with one-time enrollment, delegated administration and centralized maintenance of enrollment information.

ENROLLING IN OSC ONLINE SERVICES - https://onlineservices.osc.state.ny.us

State contracting entities must enroll in OSC Online Services before accessing VendRep. Each State contracting entity must choose a Primary Authorizer (PA) who will be responsible for initiating the State contracting entity's OSC Online Services account. The State contracting entity must submit a Government Account Authorization Form, available at http://www.osc.state.ny.us/vendrep, for activation of the State contracting entity's account. Upon receipt and processing by OSC, an email with a User ID and instructions for completing the enrollment process will be generated and transmitted to the PA. The PA must then log on using a temporary password, and choose a new password and two secret questions to complete the enrollment process. After completion of enrollment, the PA can assign other State contracting entity users to the System.

OSC ONLINE SERVICES ROLES

Users of OSC Online Services are assigned roles that permit users to perform certain tasks in OSC Online Services and in the applications supported by OSC Online Services (including VendRep). Roles are assigned to each user as the user is created. User roles can be changed at any time through OSC Online Services. Roles are intended to separate tasks among users; however, a user can be assigned more than one role. Each State contracting entity must decide how to appropriately manage these roles for its users.

There are two OSC Online Services roles for State contracting entity users. Both are administrative roles responsible for user management such as creation and management of users.

1. Primary Authorizer
2. Authorizer

Primary Authorizer (PA)

The Primary Authorizer (PA) is the first user created for a State contracting entity. The PA can use OSC Online Services to:

- Create other Authorizers.
- Create and manage users for the systems supported by OSC Online Services (including the VendRep System).
- Reset user passwords.

The relationship of Primary Authorizer to other users is depicted below:
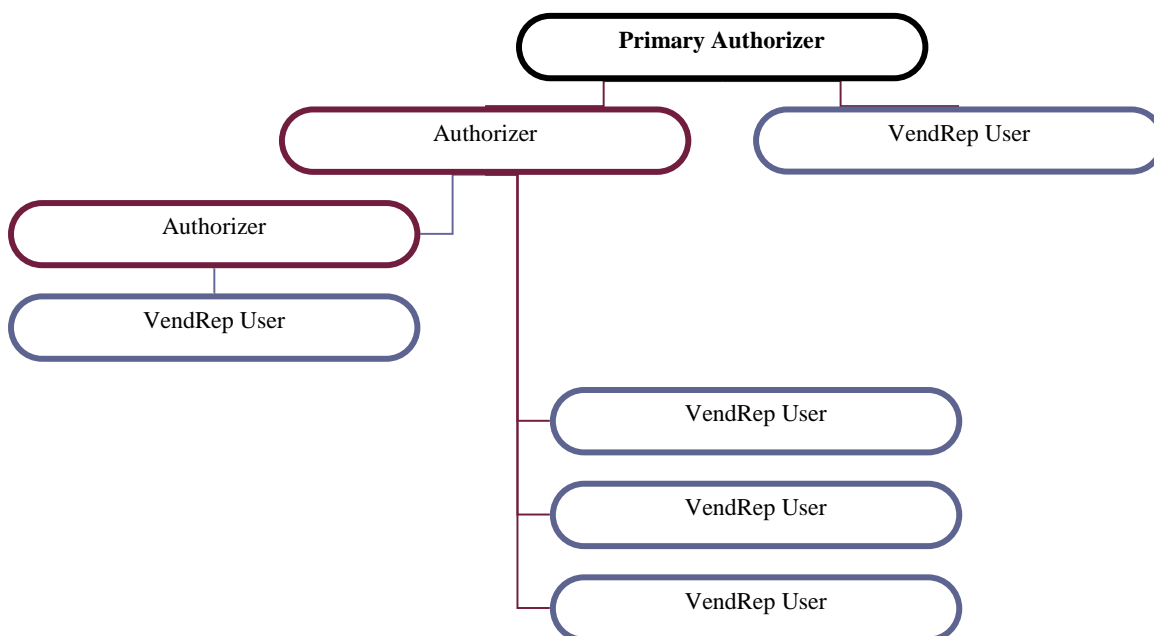
Figure 1: Relationship of Primary Authorizer to Other Users

Authorizer

A Government Authorizer can use OSC Online Services to:

- Create other Authorizers.

- Create and manage users of the systems supported by OSC Online Services (including VendRep).

- Reset user passwords.

State Contracting entities are encouraged to create more than one authorizer for OSC Online Services.

VENDREP SYSTEM ROLES—STATE CONTRACTING ENTITIES

The Government Authorizers can assign VendRep System roles to each user upon user creation. Roles may be added or removed as needed at any time, again through OSC Online Services. Each role within the VendRep System is associated with unique permissions and is intended to separate tasks among users. More than one role can be assigned to a user.

Roles available for *State contracting entities* within the VendRep System include:

1. Guest

2. Contracts

Guest

A user with a Guest role is able to:

*   Review certified forms from *vendors* in the VendRep System.

*   Set up automatic email notification of when *vendors* certify forms.

*   View contract data for any *vendor* who has certified a questionnaire in the VendRep System.

*   View System "News" and other State contracting entity users.

Contracts

A user assigned the role of Contracts is able to:

*   Search for New York State contract transaction information.

*   View contract information for transactions approved by the New York State Comptroller's Office for any State contracting entity.

*   View In-Progress, Approved and Non-Approved transactions submitted to the New York State Comptroller's Office by their own State contracting entity.

*   Filter contract data by Vendor Name, Vendor TIN, Vendor ID or Contract Number.

VENDREP SYSTEM FEATURES

Depending upon a user's assigned VendRep role(s), a State contracting entity user can access the VendRep System to:

*   Search for *vendors*.

*   Search for New York State contract transactions.

*   View certified vendor responsibility questionnaire(s).

*   Receive notification from selected *vendors* when the *vendor* certifies their questionnaire.

*   View *vendor* contract information.

VENDORS—VENDREP SYSTEM GUIDE

WHAT IS NEEDED TO USE THE SYSTEM

The VendRep System is web-based. Use of the System requires a personal computer with a standard web browser (e.g., Internet Explorer or Firefox) and an email account.

A *vendor* must enroll in OSC Online Services before accessing the VendRep System. It provides *vendors* with one-time enrollment, delegated administration and centralized maintenance of enrollment information.

ENROLLING IN OSC ONLINE SERVICES - https://onlineservices.osc.state.ny.us

Each *vendor* must choose a Primary Authorizer (PA) who will be responsible for initiating the *vendor's* OSC Online Services account. Primary Authorizers must complete a three-part process to enroll their organizations and themselves. **To begin the process, the *vendor* must have a New York State Vendor Identification Number assigned.** If one has not been assigned, the *vendor* must contact the OSC Help Desk. See contact information found in the footer of this page. Note: The same requirement applies to *subcontractors*. The *subcontractor* must have a Vendor ID assigned to enroll in the VendRep System.

STEPS TO ENROLL

Step 1 – Terms of Service
- Read and agree to the Terms of Service by checking the box, **click** "Next"

Step 2 – Vendor Identification
- Enter New York State Vendor ID and Legal Business Name, **click** "Next"

Step 3 – Vendor Information Confirmation
- Review the information, **click** "Next," if correct

Step 4 – Primary Authorizer Account Creation
- Enter required information
- Create a User ID
- Provide secret answers to security questions to allow you to set your password
- Indicate if you have the authority to act on behalf of this Business Entity for the New York State OSC Online Services account.

Step 5 – Primary Authorizer – Roles Assignment
- Assign VendRep System roles, if applicable

Step 6 – Primary Authorizer – Information Confirmation
- Review information, **click** "Finish," if correct
- Enrollment Successful – User will receive two emails from OSC, one containing their User ID and one containing a temporary password and link to log into OSC Online Services
- To create a password, the Primary Authorizer needs:
  - User ID
  - Temporary Password - After providing secret answers to security questions, the user will set their own password
  - First and Last Name, as originally entered

After creating a password, the Primary Authorizer can log in to create additional user accounts.

OSC ONLINE SERVICES ROLES

Users of OSC Online Services are assigned roles that permit them to perform certain tasks in OSC Online Services and in the applications supported by OSC Online Services (including VendRep). Roles are assigned to each user as the user account is created. User roles can be changed at any time through OSC Online Services. Roles are intended to separate tasks among users; however, a user can be assigned more than one role. Each *vendor* must decide how to appropriately manage these roles for its users.

Two roles can be assigned in OSC Online Services for *vendors*. Both are administrative roles responsible for vendor user management, such as creation of users and changing user information. These roles are the Primary Authorizer or the Authorizer.

Primary Authorizer (PA)

The Primary Authorizer (PA) is the first user created by a *vendor*. The PA can use OSC Online Services to:

- Create other Authorizers.
- Create and manage VendRep System users.
- Reset user passwords.

The relationship of Primary Authorizer to other users is depicted below:
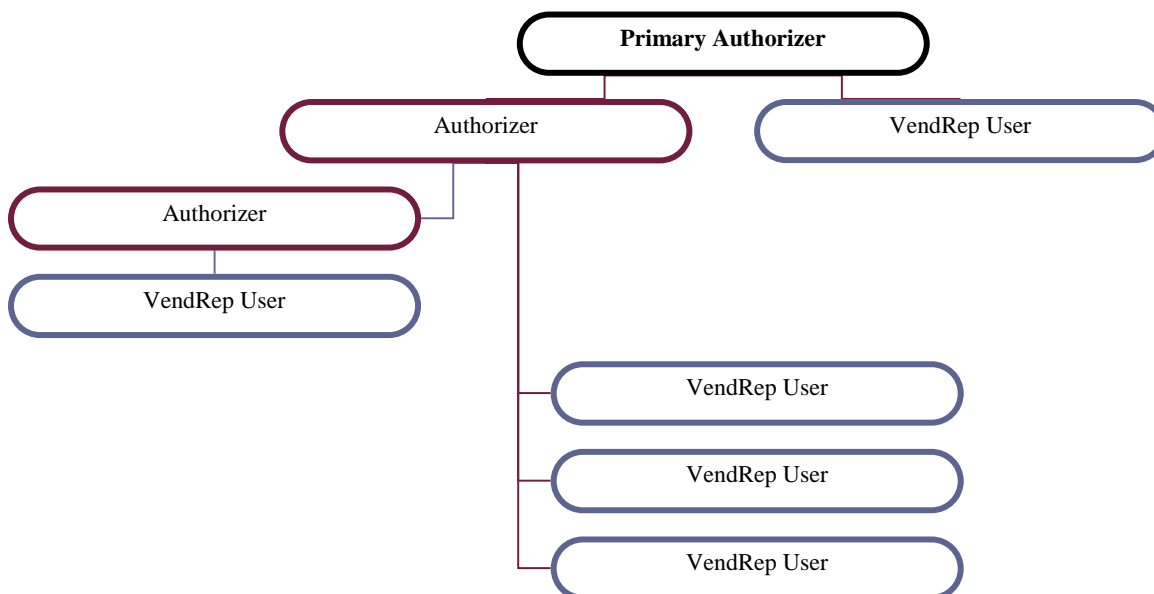
Figure 2: Relationship of Primary Authorizer to Other Users

Authorizer

A Business Authorizer can use OSC Online Services to:

- Create other Authorizers.
- Create and manage VendRep System users.
- Reset user passwords.

VENDREP SYSTEM ROLES—VENDORS

There are currently four roles for *vendor* users in the VendRep System. Roles are assigned in the OSC Online Services Enrollment by the *vendor's* Authorizer(s).

1. Administrator
2. Contributor
3. Certifier
4. Guest

Administrator

A business entity may have multiple Administrators, who can:

- Create and maintain the Basic Vendor Data in the VendRep System that consists of the vendor address, business type, activity, other business entity identities (e.g., DBA) and authorized contacts.

- View (but not edit) questionnaire responses.

- View the business entity's contract data.

- View System "News" and users.

Contributor

A Contributor is a user who can fill out the *vendor's* online questionnaire. The *vendor* may choose to have more than one Contributor, and any Contributor can respond to any question or set of questions. Contributors can:

- Start and edit online forms such as the vendor responsibility questionnaire.

- Work in concert with other contributors to edit a form. The manner in which contributors work is entirely dependent on an organization's preferences.

- Select one or more certifiers in the organization to receive an email notification that the form is ready for certification.

- View the business entity's contract data.

- View System "News" and users.

Certifier

The Certifier electronically attests to the accuracy, timeliness and validity of a completed vendor responsibility questionnaire. The certifier role should be assigned to vendor owners or officials. Although only one person certifies each questionnaire, a *vendor* may assign the certifier role to multiple users. **Forms are not available for review by *State contracting entities* until they are certified.**

A certifier is able to:

- View and certify a vendor responsibility questionnaire.

- Add and remove users from the Notification Master List.

- Temporarily add and remove users for reviewer notification that form has been certified.

- View the business entity's contract data.
- View System "News" and users.

Guest

The Guest role is a view-only role for members of an organization who do not complete or certify forms, but need the ability to review forms or contract data.

A Guest is also able to:

- Add and remove users from the Notification Master List.
- Temporarily add and remove users for reviewer notification that form has been certified.
- View the business entity's contract data.
- View System "News" and users.

Combining Roles

A user can have one or more roles in the VendRep System. *Vendors* may combine the roles in any way that suits their structure and size.

FEATURES OF THE VENDREP SYSTEM FOR VENDORS

Once enrolled in OSC Online Services and set up in the VendRep System, a *vendor* can:

- Enter responses and attach documents to questions in the online questionnaire. The VendRep System allows *vendors* to upload attachments to answer questions.
- Certify the online questionnaire and have email sent by the VendRep System to reviewers at *State contracting entities*.
- Track the status of their contracts under review by OSC.
- View their contract data for contracts submitted to OSC.

Refer to the VendRep System general help guide for additional information.

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THE VENDOR RESPONSIBILITY REVIEW PROCESS USING THE VENDREP SYSTEM

Use of the VendRep System does not alter a State contracting entity's responsibility to make an affirmative review of vendor responsibility, only the source or location of the questionnaire changes. *State contracting entities* will continue to require *vendors* to complete vendor responsibility questionnaires. If a *vendor* files their questionnaire via the VendRep System, the participating State contracting entity, in assessing vendor responsibility, will review the *vendor's* online questionnaire rather than a paper questionnaire. In fact, because use of the VendRep System is not mandatory, paper questionnaires and processes also remain in effect and must be made available to all *vendors*.

The VendRep System includes four versions of the standardized online questionnaire:

- For Profit
- For-Profit Construction – (CCA-2)
- Not-For-Profit
- Not-For-Profit Construction

The System determines which questionnaire is presented to the user based on the *vendor's* business type and business activity.

After a questionnaire is complete and certified, it can be viewed by the State contracting entity users. A *vendor's* questionnaire cannot be viewed by the State contracting entity until the *vendor* certifies the questionnaire. A history of all certified questionnaires is maintained on the System for access by the *vendor's* and *State contracting entity's* users.

LANGUAGE FOR PROCUREMENT DOCUMENTS

State contracting entities participating in the VendRep System must notify *vendors* in their solicitation document that online filing is available for the subject procurement. *State contracting entities* must include the following language in the solicitation document for which they are allowing online questionnaire filing:

> The *<<insert your State contracting entity name here>>* recommends that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at http://www.osc.state.ny.us/vendrep/enroll.htm or go directly to the VendRep System online at https://onlineservices.osc.state.ny.us.
>
> Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the Office of the State Comptroller's IT Service Desk at 866-370-4672 or 518-408-4672 or by email at ITServiceDesk@osc.state.ny.us. Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website www.osc.state.ny.us/vendrep or may contact the *<<insert your State contracting entity name here>>* or the Office of the State Comptroller's Help Desk for a copy of the paper form.

This language must be inserted in procurement documents.

State contracting entities should continue to solicit procurement-specific vendor responsibility information via their solicitation document. This may include, for example, staffing plan, staff

qualifications, financial statements, and requirements related to legal authority (i.e., applicable licenses and permits) for the specific services to be provided**.**

NOTICE TO CONTRACTING ENTITY THAT QUESTIONNAIRE FILED ONLINE

The *State contracting entity* will provide directions to the *vendor* on how to notify the contracting entity that they have filed their questionnaire via the VendRep System (i.e., statement in bid/proposal, check box). This notification applies to each procurement that requires the filing of a vendor responsibility questionnaire.   If the State contracting entity requires the questionnaire be filed at the time of bid/proposal submission, in compliance with such notification of online filing required by the contracting entity, the authorized signature on the bid/proposal serves as confirmation that the *vendor* has knowingly filed their questionnaire online.

If the questionnaire is due later, the State contracting entity will advise the *vendor* as to how to provide confirmation to the contracting entity that their questionnaire was filed using the VendRep System. The authorized signature for such notification serves as confirmation that the *vendor* has knowingly filed their questionnaire online.

Example of checklist language:

> Please check *one* of the following:
> ☐ A Vendor Responsibility Questionnaire has been filed online and has been certified/updated within the last six months.
> ☐ A Vendor Responsibility Questionnaire is attached to this bid/proposal.

VENDREP SYSTEM CERTIFICATION TIMELINESS STANDARDS

To be considered timely, questionnaires filed via the VendRep System require that a *vendor* certify a questionnaire no more than **six months** before the due date of the questionnaire, **as determined by the State contracting entity**. (Typically, a State contracting entity will require the questionnaire to be due with the proposal/bid, or upon notice of award.)

VENDOR RESPONSIBILITY PROFILE

The Vendor Responsibility Profile, the form required to be submitted by a State contracting entity to OSC, allows the State contracting entity to identify whether disclosure was obtained through the VendRep System questionnaire or through submission of a paper questionnaire. **If the online VendRep System questionnaire is used, the State contracting entity should not submit the questionnaire to OSC as part of the procurement package** as OSC will have access to the *vendor's* questionnaire through the VendRep System. When a paper questionnaire is used, the State contracting entity should include the completed questionnaire with the other required documentation submitted to OSC.

FILING IN NON-ELECTRONIC FORMAT

Any *vendor* that is unable or chooses not to use the VendRep System can submit a paper questionnaire in accordance with the State contracting entity's requirements. Paper versions of the online vendor responsibility questionnaires are available at http://www.osc.state.ny.us/vendrep.

USER SUPPORT

OFFICE OF THE STATE COMPTROLLER HELP DESK

The Office of the State Comptroller's Help Desk staff are trained to respond to a wide variety of questions, resolve problems and manage issue escalation. The Help Desk is available to assist *vendors* and State contracting entity users in accessing and navigating the VendRep System, to answer questions about System functionality, and to interpret specific questions contained in the VendRep System questionnaires.

The Help Desk is available by phone from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding State holidays at: 866-370-4**OSC** (4672) toll-free, 518-408-4**OSC** (4672) in the Capital District area or by email at ITServiceDesk@osc.state.ny.us.

ONLINE HELP

The VendRep System online help contains the information needed to use the VendRep System along with background information on the vendor responsibility program of the Office of the State Comptroller.

The online help system incorporates the familiar web features of hyperlinks, index, and searches with special features such as favorites and browse sequences to provide a comprehensive set of information about the VendRep System.

TRAINING

Training is available for State contracting entity staff and *vendors* to assist with the transition to the VendRep System. The curriculum will include how to enroll with OSC Online Services, establishing user roles for the VendRep System, navigating the VendRep System, and understanding the questionnaires. For more information on the training available, contact the OSC Help Desk as indicated on the bottom of this page.

PROCUREMENT QUESTIONS

Questions about specific State contracting entity procurements and related requirements should continue to be addressed to the State contracting entity. *Vendors* are reminded of the Procurement Lobbying requirements. Visit GFO Chapter XI Procurement and Contract Management, Section 18.B for more information on Procurement Lobbying requirements.

***Vendors* should be aware that State Finance Law restricts communication with offerers (*vendors*) and governmental contracting entities when such communication is intended to influence the outcome of a procurement. The law defines such communications as *contacts*.**

Vendors inquiring about a particular New York State procurement are advised to adhere to the permissible *contact* procedures defined in the solicitation document. The State contracting entity will designate a contact person or persons to receive communication specific to the procurement. Furthermore, *contacts* with the Comptroller's Office regarding contract approval are limited to the submission of written bid protests.

Vendors that violate the New York State Procurement Lobbying Law may be determined to be non-responsible and face possible debarment. Detailed information about the Procurement Lobbying Law can be found at the Advisory Council website: https://www.ogs.ny.gov/acpl/.

GLOSSARY

Business Entity/Vendor	A For-Profit or Not-For-Profit Corporation, Partnership (including General, Limited or Limited Liability Partnership), Limited Liability Company, Sole Proprietor, Unincorporated Association, Foundation or any other business organization, which may be the prime or *subcontractor*. For ease, business entities are referred to as "*vendors*" throughout this publication.
Contacts	Communications between offerers (*vendors*) and *State contracting entities* in which the intent is for the offerer to influence the outcome of a procurement. There are restrictions regarding such communications; refer to the OGS page on Procurement Lobbying Law on the Advisory Council website for more information: https://www.ogs.ny.gov/acpl/
Guide to Financial Operations	The Comptroller's guide includes a section in Chapter XI entitled Vendor Responsibility, which includes standards, procedures and documentation requirements. The guide reminds *State contracting entities* of their legal obligations with respect to determining the responsibility of a *vendor* to whom a contract may be awarded. This information can be accessed at: http://www.osc.state.ny.us/agencies/guide/MyWebHelp/Content/XI/16.htm
State Contracting Entity	Any New York State government entity, including, but not limited to: State agencies, authorities, boards, centers, colleges, commissions, committees, corporations, councils, courts, departments, districts, divisions, facilities, funds, institutions, legislative divisions, offices, task forces and universities.
Subcontractor	A *subcontractor* includes any entity that receives State funds from the *vendor* to perform work on the awarded contract. For example, a *vendor* is awarded a contract worth $250,000 for an IT project. The *vendor* pays another firm $125,000 to write the software that will be used for the IT project. The firm is considered a *subcontractor* and must complete a questionnaire since their compensation is over $100,000.