

## ATTACHMENT 3 - DIVERSITY PRACTICE QUESTIONNAIRE

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All information provided in connection with the questionnaire is subject to audit and any fraudulent statements are subject to criminal prosecution and debarment.

1. Does your company have a Chief Diversity Officer or other individual who is tasked with supplier diversity initiatives?  
No  Yes

*If yes, provide the name, title, description of duties, and evidence of initiatives performed by this individual or individuals:*

2. What percentage of your company's gross revenues (from your prior fiscal year) was paid to New York State certified minority and/or women-owned business enterprises as subcontractors, suppliers, joint-venturers, partners or other similar arrangement for the provision of goods or services to your company's clients or customers?  
%

3. What percentage of your company's overhead (i.e. those expenditures that are not directly related to the provision of goods or services to your company's clients or customers) or noncontract-related expenses (from your prior fiscal year) was paid to New York State certified minority and/or women-owned business enterprises as suppliers/contractors?<sup>1</sup>  
%

4. Does your company provide technical training<sup>2</sup> to minority and/or women-owned business enterprises?  
No  Yes

*If Yes, provide a description of such training which should include, but not be limited to, the date the program was initiated, the names and the number of minority- and women-owned business enterprises participating in such training, the number of years such training has been offered and the number of hours per year for which such training occurs:*

5. Is your company participating in a government approved minority and women-owned business enterprise mentor-protégé program?  
No  Yes

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<sup>1</sup> Do not include onsite project overhead.

<sup>2</sup> The process of teaching employees how to more accurately and thoroughly perform the technical components of their jobs. Training can include technology applications, products, sales and service tactics, and more. Technical skills are job-specific as opposed to soft skills, which are transferable.

*If Yes, identify the governmental mentoring program in which your company participates and provide evidence demonstrating the extent of your company's commitment to the governmental mentoring program:*

6. Does your company include specific quantitative goals for the utilization of minority and/or women-owned business enterprises in its non-governmental procurements?  
 No  Yes

*If Yes, provide a description of such non-government procurements (including time period, goal, scope and dollar amount) and indicate the percentage of the goals that were attained:*

7. Does your company have a formal minority and/or women-owned business enterprise supplier diversity program?  
 No  Yes

*If Yes, provide documentation of program activities and a copy of policy or program materials.*

8. Does your company plan to enter into partnering or subcontracting agreements with New York State certified minority- and women-owned business enterprises if selected as the successful respondent?  
 No  Yes

*If Yes, provide a description of your efforts:*

<b>Diversity Practices Questionnaire Certification</b>		
<i>I swear and/or affirm under penalty of perjury that the answers submitted to the following questions are complete and accurate to the best of my knowledge.</i>		
Company Name:		
Doing Business As:		
Name of Official:	Title:	
Email:	Telephone:	
Signature:		Date:

## ATTACHMENT 4 - PROCUREMENT LOBBYING BIDDING AND OTHER REQUIRED CERTIFICATIONS

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### **NONDISCRIMINATION IN EMPLOYMENT IN NORTHERN IRELAND MACBRIDE FAIR EMPLOYMENT PRINCIPLES**

In accordance with New York State Finance Law, Section 165, the contractor certifies that it or any individual or legal entity in which the contractor holds a 10% or greater ownership interest, or any individual or legal entity that holds a 10% or greater ownership interest in the contractor, either (answer yes or no to one or both of the following, as applicable),

(1) Have business operations in Northern Ireland,

No             Yes, and if yes:

(2) Shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles relating to nondiscrimination in employment and freedom of workplace opportunity regarding such operations in Northern Ireland, and shall permit independent monitoring of compliance with such principles.

No             Yes

***This section left blank intentionally.***

**NON-COLLUSIVE BIDDING CERTIFICATION**

In accordance with New York State Finance Law, Section 139-d, by submission of this bid, the bidder and each person signing on behalf of any other bidder certifies, and in the case of joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his or her knowledge and belief:

- A. The prices of this bid have been arrived at independently, without collusion, consultation, communication, or agreement, for the purposes of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
- B. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- C. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

A bid shall not be considered for award nor shall any award be made where [A], [B], [C] above have not been complied with; provided however, that if in any case the bidder(s) cannot make the foregoing certification, the bidder shall so state and shall furnish below a signed statement which sets forth in detail the reasons therefore.

**BIDDER**

Non-Collusive Bidding Certification	
Company Name:	
Doing Business As:	
Address:	City
	State
	Zip Code
Name of Official:	Title:
Email:	Telephone:
Signature:	Date:

## JOINT BIDDER

Non-Collusive Bidding Certification		
Company Name:		
Doing Business As:		
Address:		City
		State
		Zip Code
Name of Official:	Title:	
Email:	Telephone:	
Signature:		Date:

## LOBBYING LAW CERTIFICATION

### Offerer's Affirmation of Understanding of and Agreement pursuant to New York State Finance Law §139-j (3) and §139-j (6) (b)

New York State Finance Law §139-j(6)(b) provides that every Governmental Entity shall seek written affirmations from all Offerer's as to the Offerer's understanding of an agreement to comply with the Governmental Entity's procedures relating to permissible contacts during a Governmental Procurement pursuant to subdivision three of this section.

Offerer affirms that it understands and agrees to comply with the procedures of the Governmental Entity relative to permissible contacts as required by New York State Finance Law §139-j (3) and §139-j (6) (b)

### Offerer Certification of Compliance with State Finance Law §139-k(5)

New York State Finance Law §139-k(5) requires that every Procurement Contract award subject to the provisions of State Finance Law §139-k or §139-j shall contain a certification by the Offerer that all information provided to the procuring Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate. If such information is found to be intentionally false or intentionally incomplete, OVS reserves the right to terminate the resulting contract.

Lobbying Certification	
The Offerer affirms that it understands and agrees to comply with the procedures of the Governmental Entity relative to permissible contacts as required by New York State Finance Law §139-j(3), §139-j(6)(b). The Offerer certifies that all information provided is complete, true, and accurate, as required by State Finance Law §139-k(5).	
Company Name:	
Doing Business As:	
Address:	City
	State
	Zip Code
Name of Official:	Title:
Email:	Telephone:
Signature:	Date:

## **OFFERER DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS**

New York State Finance Law §139-k(2) obligates a Governmental Entity to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, an Offerer must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms "Offerer" and "Governmental Entity" are defined in State Finance Law §139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law 139-k(3) mandates consideration of whether an Offerer fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offerer that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offerer is necessary to protect public property or public health safety, and that the Offerer is the only source capable of supplying the required Article of Procurement within the necessary timeframe. See State Finance Law 139-j(10)(b) and §139-k(3).

### Instructions:

The Office of Victim Services includes this disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of proposals or bid documents or specifications or contract documents, as applicable, for procurement contracts. The attached form is to be completed and submitted by the individual or entity seeking to enter into a Procurement Contract. It shall be submitted to the OVS unit conducting the Governmental Procurement.

## Offerer Disclosure of Prior Non-Responsibility Determinations

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address:

Name and Title of Person Submitting this Form:

Contract Procurement Number:

Date:

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four (4) years? (Please mark):

No             Yes

If yes, please answer the next questions.

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please mark):

No             Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please mark):

No             Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.

Governmental Entity:

Date of Finding of Non-responsibility:

Basis of Finding of Non-responsibility:

*(Add additional pages as necessary)*



5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please mark):

No       Yes

6. If yes, please provide details below.

Governmental Entity:

Date of Termination or Withholding of Contract:

Basis of Termination of Withholding:

*(Add additional pages as necessary)*

<b>Non-Responsibility Determination</b>	
The Offerer certifies that all information provided is complete, true, and accurate, as required by State Finance Law §139-k.	
By:	
Signature:	Date:

## ATTACHMENT 5 - SEXUAL HARASSMENT PREVENTION

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By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy, shall, at a minimum, meet the requirements of section two hundred one-g of the New York State Labor Law.

Bids that do not contain this certification may not be considered for award; provided however, that if the bidder cannot make the certification, the bidder shall so state and shall provide with the bid a signed statement which sets forth in detail reasons why the certification cannot be made.

In the case of a joint bid, please submit a separate certification for each organization.

**Please check (X) as appropriate, sign and date.**

The Bidder and/or organization cannot make the certification below for reasons described.

Reason(s):

The Bidder certifies the implementation of a written policy addressing sexual harassment prevention in the workplace and provides annual training to all of its employees.

Certification	
Company Name:	
Doing Business As:	
Name of Official:	Title:
Email:	Telephone:
Signature:	Date:

## ATTACHMENT 6 - PUBLIC OFFICERS LAW

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THE FOLLOWING PROHIBITIONS PERTAIN TO THE SALE OF GOODS AND SERVICES BY STATE EMPLOYEES TO NEW YORK STATE AGENCIES PURSUANT TO THE NYS PUBLIC OFFICERS LAW

(Please complete this form and return it with your bid.)

**Current State Employees** – Current employees of New York State cannot sell goods or services valued at \$25 or more to any state agency, either as a private contractor or through a company in which that employee holds ownership of at least 10%, unless the procurement opportunity is first advertised in the NYS Contract Report and competitively bid.

**Former State Employees** – Former employees of the New York State Office of Victim Services (OVS) cannot sell goods or services to OVS under any circumstance for two (2) years following the date they leave OVS' employ. (This applies only to OVS employees, and does not preclude a former employee of another State agency from selling goods or services to OVS within two years following the last date of that person's State employment.)

**Please check (X) as appropriate, sign and date.**

I am currently a State employee, and/or own at least 10% of the company that is being asked to provide goods or services to OVS.

I am a former OVS employee, and my service with them ended less than two years prior to the date of my signature below.

Neither of the above apply

Certification		
Company Name:		
Doing Business As:		
Name of Official:	Title:	
Email:	Telephone:	
Signature:		Date:

## ATTACHMENT 7 - ENCOURAGING THE USE OF NEW YORK STATE BUSINSSSES IN CONTRACT PERFORMANCE

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New York State businesses have a substantial presence in State contracts and strongly contribute to the economies of the State and the nation. In recognition of their economic activity and leadership in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés, or other supporting roles.

Bidders/proposers need to be aware that all authorized users of this contract will be strongly encouraged, to the maximum extent practical and consistent with legal requirements, to use responsible and responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing services and technology. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women-owned businesses, consistent with current State law.

Utilizing New York State businesses in State contracts will help create more private sector jobs, rebuild New York’s infrastructure, and maximize economic activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the contractor’s optimal performance under the contract, thereby fully benefitting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State’s economic engine through promotion of the use of New York businesses by its contractors. The State therefore expects bidders/proposers to provide the maximum assistance to New York businesses in their use of the contract. The potential participation by all kinds of New York businesses will deliver great value to the State and its taxpayers.

Bidder/proposers can demonstrate their commitment to the use of New York State businesses by responding to the question below:

Will New York State Businesses be used in the performance of this contract?  Yes  No

Winning bidders will be asked to identify the New York State businesses that will be used.

<b>Business Name</b>	<b>Business Address</b>	<b>Contact Name</b>	<b>Contact Phone</b>	<b>Contact E-Mail</b>

## ATTACHMENT 8 - VENDOR RESPONSIBILITY ATTESTATION

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If this or any other contract you have with the State of New York is valued at \$100,000.00 or more, the Office of Victim Services requires that the Vendor file the required Vendor Responsibility Questionnaire.

To comply with the Vendor Responsibility Requirements outlined in Section 8.16 General Requirements, Vendor Responsibility Questionnaire, I hereby certify:

**Choose one:**

- The total value bid/proposed is less than \$100,000; therefore, a Vendor Responsibility Questionnaire is not required at this time.<sup>1</sup>
- An on-line Vendor Responsibility Questionnaire has been updated or created at OSC's website: <https://www.osc.state.ny.us/state-vendors/vendrep/file-your-vendor-responsibility-questionnaire> within the last six months.
- A hard copy Vendor Responsibility Questionnaire is included with this proposal/bid and is dated within the last six months. <https://www.osc.state.ny.us/state-vendors/vendrep/vendor-responsibility-forms>
- A Vendor Responsibility Questionnaire is not required due to an exempt status. Exemptions include governmental entities, public authorities, public colleges and universities, public benefit corporations, and Indian Nations. <https://www.osc.state.ny.us/state-vendors/vendrep/vendor-responsibility-documentation>

Certification	
Company Name:	
Doing Business As:	
Name of Official:	Title:
Email:	Telephone:
Signature:	Date:

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<sup>1</sup> If during the term of the contract the value exceeds \$100,000 due to an amendment or extension, a Vendor Responsibility Questionnaire may be required.

## ATTACHMENT 9 - INTENT TO BID/NOT BID

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Please complete this form to signify if your firm intends to bid or has chosen not to bid on this procurement opportunity, please use the space below to briefly explain why and return this form to:

Cristin Connor  
Administrative Services Unit  
Office of Victim Services  
80 S. Swan St., 2<sup>nd</sup> Floor  
Albany, NY 12210  
[cristin.connor@ovs.ny.gov](mailto:cristin.connor@ovs.ny.gov)

My Company / Firm Intends to Bid on this RFP

My Company / Firm Does Not Intend to Bid on this RFP for the reason(s) stated below:

Reason(s):

Company Name:	
Doing Business As:	
Name of Official:	Title:
Email:	Telephone:
Signature:	Date:

## ATTACHMENT 10 - REFERENCES

Submit a total of THREE references using this form.

RFP Number and Title:	
BIDDER:	
Provide the following information for each reference submitted.	
Reference Company #1:	
Contact Person:	
Address:	
City, State, Zip:	
Telephone Number:	
Email Address:	
Number of years Bidder provided services to this entity:	
Brief Description of the services provided:	
Reference Company #2:	
Contact Person:	
Address:	
City, State, Zip:	
Telephone Number:	
Email Address:	
Number of years Bidder provided services to this entity:	
Brief Description of the services provided:	
Reference Company #3:	
Contact Person:	
Address:	
City, State, Zip:	
Telephone Number:	
Email Address:	
Number of years Bidder provided services to this entity:	
Brief Description of the services provided:	

## ATTACHMENT 11 – COMPLETE PROPOSAL REQUIREMENT CHECKLIST

A successful proposal will be submitted in the packages and order listed below. Each Proposal Package must be submitted separately.

### Administrative Proposal

Requirement	Reference	Bidder's Action
<input type="checkbox"/> Cover Letter	Section 3.2.1.1	Created by bidder
<input type="checkbox"/> Extraneous terms, if applicable	Section 2.8	Created by bidder
<input type="checkbox"/> Request for exemption from Disclosure, if applicable	Section 2.5	Created by bidder
<input type="checkbox"/> Diversity Practice Questionnaire	Attachment 3	Completion of form and signature
<input type="checkbox"/> Procurement Lobbying Bidding & Other Required Certifications	Attachment 4	Completion of form and signature in all places of the Attachment
<input type="checkbox"/> Sexual Harassment Prevention	Attachment 5	Completion of form and signature
<input type="checkbox"/> Public Officers Law	Attachment 6	Completion of form and signature
<input type="checkbox"/> Encouraging Use of New York State Businesses in Contract Performance	Attachment 7	Completion of form
<input type="checkbox"/> Vendor Responsibility Questionnaire	Attachment 8	Completion of form, completion or updating of questionnaire, and signature
<input type="checkbox"/> References	Attachment 10	Completion of form
<input type="checkbox"/> Form A: State Consultation Services – Contractor's Planned Employment	Form A	Completion of form
<input type="checkbox"/> ST-220-CA and/or ST-220-TD	ST-220-CA and/or ST-220-TD	Completion of form(s)



## Technical Proposal

Requirement	Reference	Bidder's Action
<input type="checkbox"/> Technical Proposal	Attachment 1	Completion of workbook
<input type="checkbox"/> Project Timeline	Section 4.2	Created by bidder
<input type="checkbox"/> Project Manager Resume or Job Description	Section 2.3; Section 4.8; Technical Proposal - Project Narrative F.1.1	Created by bidder
<input type="checkbox"/> Technical Lead Resume or Job Description	Section 4.8; Technical Proposal Project - Narrative F.2.1	Created by bidder
<input type="checkbox"/> Supporting documents as needed	Technical Proposal - Project Narrative	Created by bidder

## Cost Proposal

Requirement	Reference	Bidder's Action
<input type="checkbox"/> Cost Proposal	Attachment 2	Completion of workbook