

OFFICE OF THE STATE COMPTROLLER - BUREAU OF CONTRACTS

VENDOR RESPONSIBILITY PROFILE

The Vendor Responsibility Profile, with applicable attachments, is designed to provide OSC with the required procurement record documentation for those contract transactions requiring vendor responsibility documentation. The Vendor Responsibility Profile includes an Agency Responsibility Certification, signed by an authorized signatory, and the agency's documentation of the basis for its responsibility determination, including any non-responsibility determinations. The agency must include any information compiled by the agency in the course of its responsibility review and any information provided by the proposed contractor, including the proposed contractor's completed paper questionnaire, if one was used.

OSC has identified certain transactions which may have different vendor responsibility documentation requirements. The application of these various documentation requirements are summarized in the *Vendor Responsibility Documentation Requirements* table which is available on our website. See <http://www.osc.state.ny.us/vendrep> for additional information.

INSTRUCTIONS

Part 1 – Contract Information (*complete for all transactions*)

Questions 1 through 12

- 1) **Agency code** – enter the contracting agency's code;
- 2) **Agency name** - enter the contracting agency's name;
- 3) **Batch Number** – enter the contract or purchase order batch number;
- 4) **Contract/Purchase Order No.** – enter the contract or purchase order number;
- 5) **Vendor Name** – enter the vendor's name and indicate whether the vendor is the prime contractor or a subcontractor;
- 6) **Vendor EIN** – enter the vendor's EIN or SSN for a sole proprietor;
- 7) **Transaction Amount** – enter the value of the contract transaction as shown on the AC340;
- 8) **Total Contract Value** - enter the current total value of this contract which includes any changes to the original contract value. For new contracts, this will be the same as the transaction amount;
- 9) **Description of Contract** – enter a brief description of the contract;
- 10) **Agency Contact Name, Phone and E-mail** – enter the name and phone number of the agency employee who should be contacted regarding vendor responsibility issues;
- 11) **Responsibility Determination** - after performing an affirmative review of the vendor's responsibility, check the box that best fits the agency's responsibility determination. If the vendor is found to be non-responsible, the agency should document that due process was provided and include a Vendor Responsibility Profile for the next ranked vendor.
- 12) **Issues Disclosed or Found** – indicate by checking *Yes* or *No* whether there are any issues identified with this vendor. These issues may have been disclosed by the vendor or identified by the contracting agency.

OFFICE OF THE STATE COMPTROLLER - BUREAU OF CONTRACTS

VENDOR RESPONSIBILITY PROFILE

Question 13 - Issue Detail

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

Part II – Vendor Disclosure and Agency Process

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

Question 14- Vendor Disclosure

Identify the various items of disclosure provided either directly, or indirectly, by the vendor. Check all that apply and describe those disclosure items not included in the list provided. Vendor disclosures could include the vendor responsibility questionnaire, audited financial statements, SEC or 990 filings, internal or external vendor communications, or information obtained from the vendor’s website. Attach all pertinent information. If the agency has relied on a vendor responsibility questionnaire filed using the VendRep System, check the disclosure item “Online VendRep Questionnaire.” When the VendRep System is used, it is not necessary to submit a copy of the online questionnaire.

Question 15- Agency Process

Describe the steps taken by the agency to determine vendor responsibility. In documenting your process, include your consideration of the vendor disclosure items identified in question 14 as well as your independent agency research. Such research could include Internet sources, agency records, communication with the vendor, internal and external agency communication, and past experience with the vendor.

Agency Responsibility Certification (*Complete for all transactions*)

After performing an affirmative review of the vendor’s responsibility, check the box that best fits the agency responsibility determination. If the vendor is found to be non-responsible, the agency should document that due process was provided and include a Vendor Responsibility Profile for the next ranked vendor. If the agency profile was completed, this determination should match that checked for question 11.

The certification must be signed by an authorized signatory of the State contracting entity. The signatory’s printed name, title, contracting entity name and the date must be included, in addition to the vendor’s name and the associated contract or purchase order number.