



# New York State Required Certifications

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## Procurement Lobbying Restrictions

Pursuant to State Finance Law §§139-j and 139-k, certain restrictions are placed on contact with state agencies during the procurement process. The term “Contact” is defined by statute and refers to those oral, written or electronic communications that a reasonable person would infer are attempts to influence the governmental procurement. In addition to obtaining the required identifying information, the state agency must inquire and record whether the person or organization that made the contact was the Offerer or was retained, employed or designated on behalf of the Offerer to appear before or contact the Governmental Entity.

The “Restricted Period” is the period of time commencing with the earliest date of written notice, advertisement or solicitation of a request for proposal, invitation for bids, or solicitation of proposals, or any other method for soliciting a response from Offerers intending to result in a Procurement Contract with a State agency and, ending with the final contract award and approval by, where applicable, the Office of the State Comptroller.

New York State employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Offerer pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4-year period; the Offerer is debarred from obtaining governmental procurement contracts. Further information about these requirements can be found at: <https://ogs.ny.gov/acpl>.

**Any Offerer responding to the solicitation must complete the form found below and submit it to the State agency.**



# New York State Required Certifications

## Offerer's Certification of Adherence to New York State Finance Law

1. Offerer certifies that it understands and agrees to comply with the procedures of the NYS and or the contracting agency relative to permissible contacts as required by State Finance Law Section 139-j(3) and Section 139-j(6)(b).

2. CONTRACTOR DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS  
Pursuant to Procurement Lobbying Law (SFL §139-j)

(a) 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 years? .....▶ Yes No

(b) If "Yes," was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j? .....▶ Yes No

(c) If "Yes," was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a governmental entity? .....▶ Yes No

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

**Government Entity:**

\_\_\_\_\_

**Date of Finding of Non-responsibility:**

\_\_\_\_\_

**Basis of Finding of Non-responsibility (attach additional sheets as necessary):**

\_\_\_\_\_

4. Has any governmental entity terminated or withheld a procurement contract with the above-named individual or entity due to the intentional provision of false or incomplete information? .....▶ Yes No

5. If yes, please provide details below:

**Government Entity:**

\_\_\_\_\_

**Date of Termination or Withholding of Contract:**

\_\_\_\_\_

**Basis of Termination or Withholding (add additional pages if necessary)**

\_\_\_\_\_



# New York State Required Certifications

## Offerer's Certification of Adherence to New York State Finance Law

Offerer certifies that all information provided to NYS or the contracting agency, with respect to State Finance Law Section 139-k is complete, true and accurate.

Name of Offerer(s)

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Offerer's Business Address

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City	State	Zip Code
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Offerer's Signature

Date

*I understand that my signature represents that I am signing and responding to all certifications listed above.*

Printed Name

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Title of Person Signing this Form

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