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- b) _____
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- c) _____
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- d) _____
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12. HAVE YOU BEEN CERTIFIED BY THE STATE OF NEW YORK AS A MINORITY-OWNED BUSINESS ENTERPRISE, A WOMEN-OWNED BUSINESS ENTERPRISE OR IN COMPLIANCE WITH FEDERAL REGULATIONS A DISADVANTAGED BUSINESS ENTERPRISE? Yes No

If yes, list the certification: _____

13. WITHIN THE PAST FIVE YEARS, HAS THE CONTRACTOR, ANY AFFILIATE¹, ANY OWNER OR OFFICER OR MAJOR STOCKHOLDER (5% OR MORE SHARES) OR ANY PERSON INVOLVED IN THE BIDDING OR CONTRACTING PROCESS BEEN THE SUBJECT OF ANY OF THE FOLLOWING:

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| (a) a judgment or conviction for any business related conduct constituting a crime under federal, State or local government law including, but not limited to, fraud, extortion, bribery, racketeering, price-fixing or bid collusion or any crime related to truthfulness and/or business conduct? | Yes No |
| (b) a criminal investigation or indictment for any business related conduct constituting a crime under federal, State or local government law including, but not limited to, fraud, extortion, bribery, racketeering, price-fixing or bid collusion or any crime related to truthfulness and/or business conduct? | Yes No |
| (c) an unsatisfied judgment, injunction or lien for any business related conduct obtained by any federal, State or local government agency including, but not limited to, judgments based on taxes owed and fines and penalties assessed by any federal, State or local government agency? | Yes No |
| (d) an investigation for a civil violation for any business related conduct by any federal, State or local agency? | Yes No |
| (e) a grant of immunity for any business-related conduct constituting a crime under federal, State or local governmental law including, but not limited to, fraud, extortion, bribery, racketeering, price-fixing, bid collusion or any crime related to truthfulness and/or business conduct? | Yes No |
| (f) a federal, State or local government suspension or debarment from the contracting process? | Yes No |
| (g) a federal, State or local government contract suspension or termination for cause prior to the completion of the term of a contract? | Yes No |
| (h) a federal, State or local government denial of a lease or contract award for non-responsibility? | Yes No |
| (i) an administrative proceeding or civil action seeking specific performance or restitution in connection with any federal, State or local contract or lease? | Yes No |
| (j) a federal, State or local determination of a willful violation of any public works or labor law or regulation? | Yes No |
| (k) a sanction imposed as a result of judicial or administrative proceedings relative to any business or professional license? | Yes No |
| (l) a consent order with the New York State Department of Environmental Conservation, or a federal, State or local government enforcement determination involving a violation of federal, State or local government laws? | Yes No |
| (m) an Occupational Safety and Health Act citation and Notification of Penalty containing a violation classified as serious or willful? | Yes No |

¹ "Affiliate" meaning: (a) any entity in which the contractor owns more than 50% of the voting stock; (b) any individual, entity or group of principal owners or officers who own more than 50% of the voting stock of the contractor; or (c) any entity whose voting stock is more than 50% owned by the same individual, entity or group described in clause (b). In addition, if a contractor owns less than 50% of the voting stock of another entity, but directs or has the right to direct such entity's daily operations, that entity will be an "affiliate" for purposes of this questionnaire.

(n) a rejection of a bid on a New York State contract or a lease with the State for failure to comply with the MacBride Fair Employment Principles?

Yes No

- (o) a citation, notice, violation order, pending administrative hearing or proceeding or determination for violations of:
 - federal, State or local health laws, rules or regulations Yes No
 - unemployment insurance or workers' compensation coverage or claim requirements Yes No
 - ERISA (Employee Retirement Income Security Act) Yes No
 - federal, State or local human rights laws Yes No
 - USCIS (U.S. Citizenship and Immigration Services) and Alienage laws Yes No
 - Sherman Act or other federal anti-trust laws Yes No

(p) an agreement for a voluntary exclusion from contracting with a federal, State or local governmental entity? Yes No

(q) a denial, decertification, revocation or forfeiture of Women's Business Enterprise, Minority Business Enterprise or Disadvantaged Business Enterprise status? Yes No

(r) a rejection of a low bid on a federal, State or local contract for failure to meet statutory affirmative action or Minority or Women's Business Enterprise or Disadvantaged Business Enterprise status requirements on a previously held contract? Yes No

(s) a finding of non-responsibility by an agency or authority due to a violation of State Finance Law 139-j? Yes No

(t) a bankruptcy proceeding Yes No

FOR EACH YES ANSWER TO QUESTIONS 13 a-t, PROVIDE DETAILS ON ADDITIONAL SHEETS REGARDING THE FINDING, INCLUDING, BUT NOT LIMITED TO CAUSE, CURRENT STATUS, RESOLUTION, ETC.

14. DURING THE PAST 3 YEARS, HAVE YOU FAILED TO:

(a) **FILE RETURNS OR PAY ANY APPLICABLE FEDERAL, STATE OR LOCAL GOVERNMENT TAXES?** Yes No

If yes, identify the taxing jurisdiction, type of tax, liability year(s) and tax liability amount you failed to file/pay and the current status of the liability:

(b) **PAY NEW YORK STATE UNEMPLOYMENT INSURANCE?** Yes No

If yes, indicate the years you failed to file/pay the insurance and the current status of the liability:

15. DO YOU HAVE THE FINANCIAL RESOURCES NECESSARY TO FULFILL THE REQUIRMENTS OF THE PROPOSED CONTRACT? Yes No

16. HAVE THERE BEEN ANY COMPLAINTS OR REPORTS OF DEVIATION WITHIN THE PAST 3 YEARS FOR CONTRACT PERFORMANCE ISSUES ARISING OUT OF YOUR CONTRACTS WITH ANY FEDERAL, STATE OR LOCAL AGENCY? Yes No

17. IF A NOT-FOR-PROFIT ORGANIZATION, ARE YOU UP TO DATE IN FILING REQUIRED REPORTS WITH THE NEW YORK STATE ATTORNEY GENERAL'S CHARITIES BUREAU PURSUANT TO EPTL §8-1.4 AND NEW YORK STATE EXECUTIVE LAW ARTICLE 7-A? Yes No N/A

State of)
)ss:
County of)

CERTIFICATION:

The undersigned: recognizes that this questionnaire is submitted for the express purpose of assisting the State of New York or its agencies or political subdivisions to make a determination regarding the award of a contract or approval of a subcontract; acknowledges that the State or its agencies and political subdivisions may in its discretion, by means which it may choose, verify the truth and accuracy of all Statements made herein; acknowledges that intentional submission of false or misleading information may be punished as a crime under State and federal law and States that the information submitted in this questionnaire and any attached pages is true, accurate and complete.

| | |
|---------------------------|---|
| _____ Name of Business | _____ Signature of Officer or Individual |
| _____ Address | _____ Typed Copy of Signature |
| _____ City, State, Zip | _____ Title |
| _____ | _____ |

Principal place of business if different from address listed above (include complete address):

Sworn to before me this ____
day of _____, 20____ .

Notary Public
Registration No:
State: