

**State of New York Department of Agriculture & Markets
State Finance Law §139-j & §139-k Documentation
Offerer Disclosure of Prior Non-Responsibility Determinations**

Summary of Department and Authority Policy regarding State Finance Law Sections §139-j and §139-k.

Pursuant to State Finance Law Sections §139-j and §139-k, this solicitation includes and imposes certain restrictions on communications between the Department of Agriculture and Markets, (“Fair”) and the Industrial Exhibit Authority, (“Authority”) and a vendor/contractor during the procurement process. An vendor/contractor is restricted from making contacts from the earliest notice of intent to solicit bids/proposals through final award and approval of the procurement contract by the Fair and the Authority, and, if applicable, Office of the State Comptroller (“restricted period”) to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law Section §139-j(3)(a). Designated staff is identified in this solicitation. Fair and Authority employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the vendor/contractor pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two such findings within a four year period, the vendor/contractor is debarred from obtaining governmental procurement contracts. Further information about these requirements can be found on the Office of General Services Website at: <http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html>

The New York State Fair/Industrial Exhibit Authority reserves the right to terminate this contract in the event it is found that the certification filed by the Offerer in accordance with New York State Finance Law §139-k was intentionally false or intentionally incomplete. Upon such finding, the New York State Fair/Industrial Exhibit Authority may exercise its termination right by providing written notification to the Offerer in accordance with the written notification terms of this contract.

Offerer certifies that all information provided to the New York State Fair/Industrial Exhibit Authority with respect to State Finance Law §139-k is complete, true and accurate.

Offerer affirms that it understands and agrees to comply with the following policy & procedures of the New York State Fair/Industrial Exhibit Authority relative to permissible Contacts as required by State Finance Law §139-j and §139-k.

By: _____
Signature

Date: _____

Name: _____
Print

Title: _____
Print