



Nassau County Disclosure Forms Training

November 10, 2016



Agenda

- **General Guidelines**
- **Political Campaign Contribution Disclosure Form**
- **Lobbyist Registration and Disclosure Form**
 - What constitutes lobbying activities?
 - Presented by the Alliance For Justice (10:20 – 10:35)
- **Business History Form**
- **Principal Questionnaire**
 - Who is a Principal?
- **Consultant's, Contractor's, and Vendor's Disclosure Form**
- **Exemptions**
- **Disclosure Form Upload Demonstration**



General Guidelines

- **All questions must be answered completely and responsively**
 - Any questions regarding the completeness or responsiveness of any disclosure information must be referred to the County Attorney's office for clarification, with a copy sent to Procurement Compliance
- **Forms must be signed, dated, and in some instances notarized as required**
- **Err on the side of inclusion**
- **"N/A" and "Not Applicable" are not to be used *even where specifically stated as acceptable responses on the forms***
- **Submissions must be current at the time of award of the contract action**
 - Vendors are advised that it is their obligation to notify the County whenever there is a material change in their disclosures related to pending awards
- **All potentially adverse information must be identified and addressed fully in writing by the vendor**
- **Although it is the responsibility of the vendor to identify any real or apparent conflicts of interest (COI), the buyer must research all affiliates and named individuals to determine if any potential undisclosed COI exists**
 - Any COI must be explained in writing by the vendor, including all factors related to mitigation of the COI with respect to any current or pending contracts



General Guidelines

- **Common tools to be used to establish vendor responsibility**
 - Previously submitted responsibility information—background checks performed previously by the County may be used as a basis for subsequent determinations; to the extent the previous determination addresses any adverse information, the updated determination need only address new disclosures or findings
 - Google—all named principals, subsidiaries, and affiliates should be searched for using Google or another internet search engine to determine whether there is any undisclosed adverse information or potential conflict of interest
 - The federal System for Award Management (SAM, found at www.sam.gov)--The SAM exclusions list indicates all current federal exclusions (e.g. debarments, suspensions, etc.)
 - NYS Department of Labor and NYS Office of the State Comptroller—These sites provide resources for researching labor violations, health and safety concerns, vendor integrity information, and other aspects of vendor responsibility
 - Vendor performance records



General Guidelines

- **Redacted, “website-ready” version**
 - Upon contract award, vendors are advised to submit an identical, “website-ready” duplicate copy of the contract package with personal information redacted
 - Redacted information must be limited to information that is excepted from FOIL disclosure under Article 6 of the New York State Public Officers Law
 - This includes but is not limited to:
 - Social security number
 - Personal address
 - Personal phone number
 - Personal email address
 - Social media user name
 - Information of a personal nature the disclosure of which would result in economic or personal hardship
 - Trade secrets or similar information the disclosure of which would cause substantial injury to the competitive position of the person or company providing it



General Guidelines

- The vendor must explain each redaction
- The County reserves the right to unilaterally and without notice reject vendor redactions or make additional redactions
- Vendors are advised that failure to submit a “website ready” duplicate copy of the contract package, including submissions where redactions are not explained, shall be deemed to be their consent to post the un-redacted or other version at the County’s sole discretion in its entirety, which version shall be posted by the County Legislature and provided to the public if requested pursuant to FOIL and/or otherwise made public, subject to redaction by the County’s internal FOIL disclosure procedures



Exhibit A: Political Campaign Contribution Disclosure Form

- **Purpose:** To provide transparency with respect to political campaign contributions made to Nassau County elected officials by vendors doing business with the County
- Required to be filed for all contracts prior to contract execution per LL 12 of 2015
- **General Notes:**
 - This form must be submitted by the vendor upon request by the County prior to contract execution
 - The form will be published on the County's website as part of the executed contract
 - The contents of this form shall have no bearing upon whether any given contract action is approved



Exhibit A: Political Campaign Contribution Disclosure Form

Q1

- A corporate officer is a principal of the vendor as defined in the Principal Questionnaire (see below for clarification)
- There is a stated period of time for which contributions must be disclosed

Q2

- Section must be signed and dated by a principal of the vendor
- Signer certifies that all campaign contributions identified were made without relation to any current or potential contract or contract action



COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the vendor or any corporate officers of the vendor provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator? If yes, to what campaign committee?

2. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees identified above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Dated: _____ Vendor: _____
Signed: _____
Print Name: _____
Title: _____



Exhibit B: Lobbyist Registration and Disclosure Form

Explanation of Lobbying by Nonprofit Entities

Presented by the Alliance For Justice



Exhibit B: Lobbyist Registration and Disclosure Form

- **Purpose:** To provide transparency with respect to lobbyists employed and lobbying activities conducted by vendors doing business with the County
- Required to be filed prior to award per LL 2 of 2015
- **General Notes:**
 - Whenever a vendor answers question 7 of the Consultant's, Contractor's, and Vendor's Disclosure Form in the affirmative, any lobbyist employed by that vendor must complete the Lobbyist Registration and Disclosure Form
 - The form must be current and on file with every proposed award
 - The form will be published on the County's website as part of the executed contract; it will also be published separately under "Disclosure Forms"



Exhibit B: Lobbyist Registration and Disclosure Form

COUNTY OF NASSAU

LOBBYIST REGISTRATION AND DISCLOSURE FORM

- **Questions**

1. Name, address and telephone number of lobbyist(s)/lobbying organization(s) employed, retained, or designated by the vendor to influence or promote a matter before the County or any of its organizations.

Notes:

- There is a full-page explanation of activities that are and are not identified as lobbying in the context of the required disclosures
- Any questions regarding whether any specific activity constitutes lobbying in this regard should be referred to the issuing Department, which in turn may consult the County Attorney's Office

2. List whether and where the person/organization is registered as a lobbyist (e.g. Nassau County, New York State)
3. Name, address and telephone number of client(s) by whom, or on whose behalf, the lobbyist is retained, employed, or designated

1. Name, address and telephone number of lobbyist(s)/lobbying organization. The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

2. List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

3. Name, address and telephone number of client(s) by whom, or on whose behalf, the lobbyist is retained, employed or designated:



Exhibit B: Lobbyist Registration and Disclosure Form

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4. Describe lobbying activity conducted, or to be conducted, in Nassau County, and identify client for each activity listed
5. The name of persons, organizations or governmental entities before whom the lobbyist expects to lobby

4. Describe lobbying activity conducted, or to be conducted, in Nassau County, and identify client(s) for each activity listed. See page 4 for a complete description of lobbying activities.

5. The name of persons, organizations or governmental entities before whom the lobbyist expects to lobby:



Exhibit B: Lobbyist Registration and Disclosure Form

6. Attach a copy of the written agreement with the lobbyist, or if the agreement is unwritten attach a summary of the substance of the agreement, including written authorization by the client as applicable

7. Disclosure of political campaign contributions to the campaign committees of elected officials of Nassau County or to the campaign committees of candidates for those positions

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6. If such lobbyist is retained or employed pursuant to a written agreement of retainer or employment, you must attach a copy of such document; and if agreement of retainer or employment is oral, attach a written statement of the substance thereof. If the written agreement of retainer or employment does not contain a signed authorization from the client by whom you have been authorized to lobby, separately attach such a written authorization from the client.

7. Has the lobbyist/lobbying organization or any of its corporate officers provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator? If yes, to what campaign committee?



Exhibit B: Lobbyist Registration and Disclosure Form

8. Verification/certification

Notes:

- Section must be signed and dated by a principal of the vendor
- Signer certifies that all campaign contributions identified were made without relation to any current or potential contract action
- Upon termination of retainer, employment or designation the lobbyist must give written notice to the County Attorney within 30 days of termination.

I understand that copies of this form will be sent to the Nassau County Department of Information Technology ("IT") to be posted on the County's website.

I also understand that upon termination of retainer, employment or designation I must give written notice to the County Attorney within thirty (30) days of termination.

VERIFICATION: The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees listed above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Dated: _____

Signed: _____

Print Name: _____

Title: _____



Business History Form

- **Purpose:** To ensure vendor integrity and provide transparency regarding the responsibility of the vendor to receive award of County funds and perform the services required of the contract to be awarded
- **General Notes:**
 - The form must be current and on file with every proposed award
 - The form will be published on the County's website as part of the executed contract
 - Do not use "not applicable" to answer any question
- **Questions**
- Date—enter the current date
- 1. Proposer's Legal Name—must match the name registered with the entity's federal Tax Identification Number (TIN or EIN)
- 2. Address of Place of Business
 - List all other addresses used within the last five years

Business History Form

The contract shall be awarded to the responsible proposer who, at the discretion of the County, taking into consideration the reliability of the proposer and the capacity of the proposer to perform the services required by the County, offers the best value to the County and who will best promote the public interest.

In addition to the submission of proposals, each proposer shall complete and submit this questionnaire. The questionnaire shall be filled out by the owner of a sole proprietorship or by an authorized representative of the firm, corporation or partnership submitting the Proposal.

NOTE: All questions require a response, even if response is "none" or "not-applicable." No blanks.

(USE ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER THE FOLLOWING QUESTIONS).

Date: _____

1) Proposer's Legal Name: _____

2) Address of Place of Business: _____

List all other business addresses used within last five years:



Business History Form

3. Mailing Address (if different)

Phone Number

Does the entity rent or own its facilities?—enter “both” if applicable

4. Dun and Bradstreet Number (if applicable; if not, enter “none”)

5. Federal I.D. Number—this is the Federal Tax Identification Number (TIN or EIN)

6. Identify the type of entity

7. Does this business share office space, staff, or equipment expenses with any other business?—provide details if yes

8. Does this business control one or more other businesses?—provide details if yes

3) Mailing Address (if different): _____

Phone : _____

Does the business own or rent its facilities? _____

4) Dun and Bradstreet number: _____

5) Federal I.D. Number: _____

6) The proposer is a (check one): _____ Sole Proprietorship _____ Partnership _____ Corporation _____ Other (Describe) _____

7) Does this business share office space, staff, or equipment expenses with any other business?
Yes ___ No ___ If Yes, please provide details: _____

8) Does this business control one or more other businesses? Yes ___ No ___ If Yes, please provide details: _____



Business History Form

9. Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business?—provide details if yes

9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business? Yes ___ No ___ If Yes, provide details. _____

10. Has the proposer ever had a bond or surety canceled or forfeited, or a contract with Nassau County or any other government entity terminated?—provide the specified details if yes

10) Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated? Yes ___ No ___ If Yes, state the name of bonding agency, (if a bond), date, amount of bond and reason for such cancellation or forfeiture: or details regarding the termination (if a contract). _____

11. Has the proposer, during the past seven years, been declared bankrupt?—provide the specified details if yes

11) Has the proposer, during the past seven years, been declared bankrupt? Yes ___ No ___ If Yes, state date, court jurisdiction, amount of liabilities and amount of assets _____



Business History Form

- 12. Criminal or civil anti-trust investigations
- 13. Other investigations by government entities

12) In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency? And/or, in the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business.

Yes ___ No ___ If Yes, provide details for each such investigation. _____

13) In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies? And/or, in the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business. Yes ___ No ___ If Yes, provide details for each such investigation. _____



Business History Form

14. Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:

- Any felony charge pending?—provide details for each charge if yes
- Any misdemeanor charge pending?—provide details for each charge if yes
- In the past ten years, any conviction, after trial or plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?—provide details for each conviction if yes

14) Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:

a) Any felony charge pending? Yes ___ No ___ If Yes, provide details for each such charge. _____

b) Any misdemeanor charge pending? Yes ___ No ___ If Yes, provide details for each such charge. _____

c) In the past 10 years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? Yes ___ No ___

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Business History Form

14. (cont'd)

- In the past five years, any conviction, after trial or plea, of a misdemeanor?—provide details for each conviction if yes
- In the past five years, been found in violation of any administrative, statutory, or regulatory provision(s)?—provide details of each occurrence if yes

If Yes, provide details for each such conviction _____

d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor?
Yes ____ No ____ If Yes, provide details for each such conviction. _____

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions? Yes ____ No ____ If Yes, provide details for each such occurrence. _____



Business History Form

15. In the past five years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?— provide details for each instance if yes

15) In the past (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? Yes ____ No ____; If Yes, provide details for each such instance. _____

16) For the past (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? Yes ____ No ____ If Yes, provide details for each such year. Provide a detailed response to all questions checked 'YES'. If you need more space, photocopy the appropriate page and attach it to the questionnaire. _____

16. For the past five tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state, or local taxes or other assessed charges, including but not limited to water and sewer charges?— provide details for each such year if yes

Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.



Business History Form

17. Conflict of Interest (COI):

- Disclose any conflicts of interest (If no conflict exists, state "No conflict exists"):
 - i. Any material financial relationships that your firm or any firm employee has that may create a COI or the appearance of a COI in acting on behalf of Nassau County
 - ii. Any family relationship that any employee of your firm has with any County public servant that may create a COI or the appearance of a COI in acting on behalf of Nassau County
 - iii. Any other matter that your firm believes may create a COI or the appearance of a COI in acting on behalf of Nassau County
- Describe any procedures your firm has, or would adopt, to assure the County that a COI would not exist for your firm in the future

17) Conflict of Interest:

a) Please disclose any conflicts of interest as outlined below. NOTE: If no conflicts exist, please expressly state "No conflict exists."

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

(ii) Any family relationship that any employee of your firm has with any County public servant that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

b) Please describe any procedures your firm has, or would adopt, to assure the County that a conflict of interest would not exist for your firm in the future.



Business History Form

- Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.
- Should the proposer be other than an individual, the Proposal must include:
 - Date of formation
 - Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner
 - Name, address and position of all officers and directors of the company
 - State of incorporation (if applicable)
 - The number of employees in the firm
 - Annual revenue of the firm
 - Summary of relevant accomplishments
 - Copies of all state and local licenses and permits

A. Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.

Should the proposer be other than an individual, the Proposal **MUST** include:

- i) Date of formation;
- ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner;
- iii) Name, address and position of all officers and directors of the company;
- iv) State of incorporation (if applicable);
- v) The number of employees in the firm;
- vi) Annual revenue of firm;
- vii) Summary of relevant accomplishments
- viii) Copies of all state and local licenses and permits.



Business History Form

- Indicate number of years in business
- Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services
- Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work
 - Each reference must include the following information:
 - Company
 - Contact Person
 - Address
 - City/State
 - Telephone Number
 - Fax Number
 - E-Mail Address

B. Indicate number of years in business.

C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.

D. Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work.

Company _____

Contact Person _____

Address _____

City/State _____

Telephone _____

Fax # _____

E-Mail Address _____



Business History Form

- Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work
 - Each reference must include the following information:
 - Company
 - Contact Person
 - Address
 - City/State
 - Telephone Number
 - Fax Number
 - E-Mail Address

Company _____
Contact Person _____
Address _____
City/State _____
Telephone _____
Fax # _____
E-Mail Address _____

Company _____
Contact Person _____
Address _____
City/State _____
Telephone _____
Fax # _____
E-Mail Address _____



Business History Form

- Certification:
 - The form must be signed and dated by a principal or other authorized representative of the organization. The form also must be notarized.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, _____, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this _____ day of _____ 20__

Notary Public

Name of submitting business: _____

By: _____

Print name

Signature

Title

_____/_____/_____
Date



Principal Questionnaire

Purpose: To ensure integrity and provide transparency regarding the responsibility of the vendor's principals to receive award of County funds and perform the services required of the contract to be awarded

Who must file: The form states that the questionnaire must be completed by all officers and any individuals who hold a ten percent or greater ownership interest in the proposer

- For Not-For-Profit entities, the following individuals must file:
 - The Chairman of the Board of Directors
 - Any Board Member having a position named in question 2 of the questionnaire
 - Any officer having a position named in question 2 of the questionnaire
- For Sole Proprietorships, the following individuals must file:
 - The Owner



Principal Questionnaire

- For Partnerships, the following individuals must file:
 - All Partners holding ten percent or greater control of the company
 - All Senior Partners and Managing Partners of the company
- Corporation
 - The Chairman of the Board
 - Any Board Member having a position named in question 2 of the questionnaire
 - Any officer having a position named in question 2 of the questionnaire
 - Any individual holding a 10% or greater interest in the company
 - For publicly held national and multinational corporations for which the above-listed individuals are unavailable to submit questionnaires, then the questionnaire shall be submitted by all officers of the regional office holding titles listed in question 2 of the questionnaire, and provide a written explanation of the corporate policy regarding these disclosures



Principal Questionnaire

- For most entities 3-5 principal questionnaires are sufficient, although fewer or more may be required depending upon the entity's structure. In any circumstance in which the entity believes it is unable to comply with the above guidelines, the entity must contact the department processing the solicitation, which in turn may review the matter with the County Attorney's Office prior to making a determination regarding filing requirements.
- General Notes:
 - The form must be current and on file with every proposed award
 - The form will be published on the County's website with personal information redacted if you choose to do so and as allowed per FOIL
 - Do not use "not applicable" to answer any question



Principal Questionnaire

- Questions

1. Principal's personal information and business address
2. Positions held in the submitting business and starting dates
3. Equity interest in the submitting business
4. Loans, Guarantees, or Securities agreements between the principal and the submitting business
5. Experience in past three years as a principal of an entity other than the submitting business

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name _____
Date of birth ____/____/____
Home address _____
City/state/zip _____
Business address _____
City/state/zip _____
Telephone _____
Other present address(es) _____
City/state/zip _____
Telephone _____
List of other addresses and telephone numbers attached _____
2. Positions held in submitting business and starting date of each (check all applicable)
President ____/____/____ Treasurer ____/____/____
Chairman of Board ____/____/____ Shareholder ____/____/____
Chief Exec. Officer ____/____/____ Secretary ____/____/____
Chief Financial Officer ____/____/____ Partner ____/____/____
Vice President ____/____/____
(Other) _____
3. Do you have an equity interest in the business submitting the questionnaire?
YES ____ NO ____ If Yes, provide details. _____
4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire? YES ____ NO ____ If Yes, provide details. _____
5. Within the past 3 years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire? YES ____ NO ____; If Yes, provide details. _____



Principal Questionnaire

6. Public contract awards to any entity listed in Q5 in the past three years

7. In the past five years, have you or any affiliated businesses or NFPs listed in Q5:

- Been debarred--provide details if yes
- Been declared in default—provide details if yes
- Been denied a contract or opportunity to bid—provide details of each instance
- Been suspended, or is any action pending that could result in debarment or otherwise affect the ability to bid or propose—provide details if yes

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer? YES ____ NO ____
If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency.
Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:
- a. Been debarred by any government agency from entering into contracts with that agency?
YES ____ NO ____ If Yes, provide details for each such instance.
 - b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause? YES ____ NO ____ If Yes, provide details for each such instance.
 - c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards? YES ____ NO ____ If Yes, provide details for each such instance.
 - d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract? YES ____ NO ____ If Yes, provide details for each such instance.



Principal Questionnaire

8. Has any of the businesses or organizations listed in Q5 filed a bankruptcy petition or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or been in bankruptcy as a result of such proceedings prior to the past 7 years—provide details if yes
- A) Is there any felony charge pending against you—provide details if yes
 - B) Is there any misdemeanor charge pending against you—provide details if yes
 - C) Is there any administrative charge pending against you—provide details if yes
 - D) In the past ten years have you been convicted of any crime any element of which relates to truthfulness or the underlying facts of which related to the conduct of business—provide details of each conviction if yes

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated? If 'Yes', provide details for each such instance. (Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.)

- a) Is there any felony charge pending against you? YES ____ NO ____ If Yes, provide details for each such charge.
- b) Is there any misdemeanor charge pending against you? YES ____ NO ____ If Yes, provide details for each such charge.
- c) Is there any administrative charge pending against you? YES ____ NO ____ If Yes, provide details for each such charge.
- d) In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? YES ____ NO ____ If Yes, provide details for each such conviction.



Principal Questionnaire

8. (cont'd)

- E) In the past five years have you been convicted of a misdemeanor—provide details for each conviction if yes
- F) In the past five years have you been found in violation of any administrative or statutory charges—provide details for each occurrence if yes

e) In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?

YES ____ NO ____ If Yes, provide details for each such conviction.

f) In the past 5 years, have you been found in violation of any administrative or statutory charges? YES ____ NO ____ If Yes, provide details for each such occurrence.



Principal Questionnaire

9. In the past five years have you been the subject of a criminal investigation and/or a civil anti-trust investigation and/or the subject of an investigation related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in Q5—provide details for each investigation if yes
 10. In the past five years has any business or organizations listed in Q5 been the subject of a criminal investigation while you were a principal or officer—provide details for each investigation if yes
 11. In the past five years have you or the submitting business or any affiliated business listed in Q5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license—provide details for each instance if yes
 12. For the past five tax years, have you failed to file any required tax returns or failed to pay any applicable tax, including but not limited to water and sewer charges—provide details for each year if yes
9. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5? YES ____ NO ____ If Yes, provide details for each such investigation.
 10. In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer? YES ____ NO ____ If Yes; provide details for each such investigation.
 11. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? YES ____ NO ____ If Yes; provide details for each such instance.
 12. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? YES ____ NO ____ If Yes, provide details for each such year.



Principal Questionnaire

- **Certification**

- The form must be signed and dated by the principal. The form also must be notarized.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, _____, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this day of 20__

Notary Public

Name of submitting business

Print name

Signature

Title

_____/_____/_____
Date



Consultant's, Contractor's, and Vendor's Disclosure Form

- **Purpose:** To ensure integrity and provide transparency regarding the responsibility of the vendor to receive award of County funds and perform the services required of the contract to be awarded
- Required to be filed with the bid or proposal for all contracts per E.O. 1 of 2015
- General Notes:
 - The form must be current and on file with every proposed award
 - The form will be published on the County's website with the executed contract
 - Do not use "not applicable" to answer any question



Consultant's, Contractor's, and Vendor's Disclosure Form

- Questions

1. Name and address of the Entity—must match the name registered with the entity's federal Tax Identification Number (TIN or EIN)
2. Entity's Vendor Identification Number (TIN)
3. Type of Business
4. List the names and addresses of all principals, including:
 - a) individuals serving on the Board of Directors
 - b) all partners and limited partners
 - c) all corporate officers
 - d) all parties of Joint Ventures
 - e) all members and officers of limited liability companies
5. List the names and addresses of all shareholders, members, or partners of the firm; or if a publicly held corporation, attach a copy of the 10K filing

1. Name of the Entity: _____

Address: _____

City, State and Zip Code: _____

2. Entity's Vendor Identification Number: _____

3. Type of Business: ☐ Public Corp ☐ Partnership ☐ Joint Venture

☐ Ltd. Liability Co ☐ Closely Held Corp ☐ Other (specify) _____

4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation, include a copy of the 10K in lieu of completing this section.



Consultant's, Contractor's, and Vendor's Disclosure Form

6. List all affiliated and related companies and their relationship to the submitting entity; attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of the contract
7. List all lobbyists whose services were utilized at any stage in this matter; if none, enter "none"
 - a) List the name, title, business address and telephone number of each lobbyist

Page 2 of 4

6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). If none, enter "None." The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

(a) Name, title, business address and telephone number of lobbyist(s):



Consultant's, Contractor's, and Vendor's Disclosure Form

7 (cont'd)

b) Describe the lobbying activity of each lobbyist

c) List whether and where the person/organization is registered as a lobbyist

- Any lobbyist identified in Q7 must complete the Lobbyist Registration and Disclosure Form

8. Verification

The form must be signed and dated by a principal of the submitting entity

Page 3 of 4

(b) Describe lobbying activity of each lobbyist. See below for a complete description of lobbying activities.

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

8. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Dated: _____ Signed: _____

Print Name: _____

Title: _____



Exemptions

- Emergency contracts for personal services, with the understanding that the disclosure forms will be completed, executed, and submitted prior to ratification of the contract by the Rules Committee of the Nassau County Legislature
- Emergency contracts for goods and non-personal services, with the understanding that the disclosure forms will be completed, executed, and submitted prior to ratification of the contract by the Legislature if required, and no later than thirty days after contract execution
- Inter-Municipal Agreements: Partners to inter-municipal agreements and other contracts with governmental entities are required to complete the Consultant's, Contractor's, and Vendor's disclosure form only



Questions?



Disclosure Document Upload Demonstration

**Presented by the Nassau County Department of
Information Technology**