Category: Facility Management / Safety Financial Responsible Office: Office of Capital Facilities	**Procedure Title:** Construction Contracting Document Number: 7554 Effective Date: November 17, 2015 This procedure item applies to: State-Operated Campuses

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Summary

This procedure, along with other publications referenced throughout, is intended to assist campuses in the execution of contracts/purchase orders for construction services. The purpose of this document is to identify and clarify differences from the general procurement procedures found in “Purchasing and Contracting” procedure (Procedure Item #7553). Funding for projects under this Procedure can come from monies either appropriated to SUNY or monies appropriated to the Construction Fund.

Process

I. **Definitions**

a. Campus Let - Campus managed construction projects funded by capital appropriated to the Fund

b. Campus Funded - Campus managed construction projects funded by SUNY appropriations or other funds including those from the Foundation, Research Foundation, Auxiliary Service Corporation, Alumni Association, Income Fund Reimbursable (IFR) accounts or Grants

c. Consultant - the Architect, Engineer, Landscape Architect, Surveyor or other designated entity named by the University to design and/or inspect and/or generally administer the project.

d. DOB - Division of Budget

e. Fund - State University Construction Fund

f. MWBE ¿Minority or Woman Owned Business Enterprises

g. NYSCR - New York State Contract Reporter

h. OSC - Office of the State Comptroller

i. PLA Project Labor Agreement ¿A prehire collective bargaining agreement between a contractor and a bona fide building and construction trade labor organization establishing the labor organization as the collective bargaining representative for all persons who will perform work on a public work

project, and which provides that only contractors and subcontractors who sign a prenegotiated agreement with the labor organization can perform project work.

II. **General Requirements**

a. This procedure addresses projects in two categories:

i. Contracts up to $20,000 (discretionary procurements) and

ii. Contracts exceeding $20,000 (formal procurements, i.e. sealed bids).

b. All construction contracts must specify the term, contract amount and clearly identify the scope of work. Contracts exceeding $20,000 are must be awarded to the lowest responsible bidder through public letting, commonly referred to as a sealed bid.

c. Health and Safety Requirements

i. Construction/ alteration projects must bear the seal of a licensed professional and be designed by a registered Architect, Professional Engineer or Registered Landscape Architect. All design work must be under the direct supervision of Architect, Professional Engineer or Registered Landscape Architect

ii. This requirement applies to projects that affect public or structural safety, regardless of the dollar amount. It does not however apply to (1) farm buildings, including barns, sheds, poultry houses and other buildings used directly and solely for agricultural purposes; (2) residence buildings of gross area of fifteen hundred square feet or less, not including garages, carports, porches, cellars or uninhabitable basements or attics; or (3) alterations which do not affect the structural safety or public safety costing ten thousand dollars or less for any building within the city of New York and twenty thousand dollars or less for any building or structure outside the city of New York. However, regardless of legal requirement, all contract documents should generally bear the seal of a licensed professional.

iii. Design work can be accomplished by a licensed professional on campus staff or through a consultant services agreement.

iv. All construction/renovation work shall comply with the New York State Uniform Fire Prevention and Building Code.

v. Failure by responsible campus officials to fully carry out all necessary project reviews for Code compliance might expose personnel to personal liability.

d. Minority and Women Owned Business Enterprise (MWBE) Utilization:

i. It is the University's policy to take affirmative action to ensure that New York State certified minority and womenowned business enterprises are given the opportunity to participate in University construction contracts at competitive prices.

ii. NYS Executive Law article 15A requires MWBE goals be incorporated on all construction projects with an estimated value of $100,000 or more.

iii. To ensure compliance with NYS Executive Law Article 15A, refer to requirements outlined in SUNY procedure 7557 (Participation by Minority Group Members and Women (MWBEs) with Respect to State University of New York Contracts).

III. **Construction Contracts Not Exceeding $20,000**

a. No formal bid solicitation is required for contracts that do not exceed $20,000. Campuses may use Form 7554-01 to solicit sealed bids at their discretion.

b. Required Documentation (to be on file at the Campus)

i. Reasonableness of price must be established. Methods to establish reasonableness of price include not limited to: an itemized campus estimate; comparing the quoted price with the price for the same or similar services within the last six months; comparing the price with other quoted prices; comparing the quoted price with prices in various procurement publications; comparing the quoted price with cost to other governmental entities.

ii. Prevailing Wage Rate Schedule
1. Obtain a Schedule of Prevailing Wage Rates from the New York State Department of Labor. To do so, submit a Request for Wage and Supplement Information either online at the NYS Dept. of Labor Web Site or by mail or fax to the Bureau of Public Works Central Office in Albany, NY. Incorporate the wage schedule or a link to it online, into the purchase order or contract.

iii. Procurement Lobbying, the following forms are required: *(applies >$15,000 in annualized expenditure)*
1. Summary: Policy and Procedure of the State University of New York Relating to State Finance Law §§139j and 139k (Form A, Procedure 7552)

2. Affirmation with respect to State Finance Law §§139j and 139k (Form B, Procedure 7552)

3. Disclosure and Certification with respect to State Finance Law §§139j and 139k (Form C, Procedure 7552)

4. State University of New York Procurement Lobbying Law Record of Contact (Form D, Procedure 7552)

5. Governmental Entity Representation Concerning Compliance with State Finance Law §§139j and 139k

iv. Certificates of Insurance, the following forms are required:
1. ACORD 25 Certificate of Liability Insurance Form and the SUNY Certificate of Insurance Requirements (Form 7554-12) in the amounts and types required in the specifications and in accordance with Section 5.06 and 5.07 of the Construction Agreement.

2. Certificate of Workers Compensation Insurances (as provided by insurance carrier or licensed NYS insurance agent)

3. Certificate of Disability Benefits Insurance (as provided by insurance carrier or licensed NYS insurance agent)

v. Purchase Order or Signed Contract with Acknowledgement
1. Exhibit A

2. Exhibit A1, if applicable

3. Scope of Work, requirements and schedule

vi. If processed as a contract, the Campus Procurement Certification (Procedure 7553, Form XV)

IV. **Construction Contracts Exceeding $20,000**

a. Overview
i. Pre Solicitation and Solicitation

ii. Selection

iii. Award

b. Required Agency and Contractor Documentation (to be on file at Campus)
i. See Construction Procurement Checklist (Form 7554-00)

c. Construction Procurement Process
i. Pre Solicitation and Solicitation
1. For Campus Let Contracts, document the Project Justification and obtain Division of Budget Approval (B1184) through the DOB's online application system, the Agency Spending Controls Application.

2. Assemble the Project Manual, including technical specifications and drawings, if applicable.

a. Include the amount of deposit to be required for plans and specifications in the bid documents.

b. Determine if a site visit/walk through will be made available and whether it will be mandatory or optional. Include this information in the bid documents.

c. Obtain a Schedule of Prevailing Wage Rates from the New York State Department of Labor. To do so, submit a Request for Wage and Supplement Information (Form PW39) either online at the NYS Dept. of Labor Web Site or by mail or fax to the Bureau of Public Works Central Office in Albany, NY. Incorporate the wage schedule or a link to it online, into the Division 2 General Requirements document (Form 755408).

d. Insert Minority and Women Owned Business Enterprise (MWBE) goals into the Information for Bidders document (Form 7554-06) in accordance with SUNY Procedure 7557: Participation by Minority Group Members and Women (MWBEs) with Respect to State University of New York Contracts. *(applies >$100,000)*

3. Advertise, if the contract is estimated to be greater than $50,000
   a. Place an advertisement in the New York State Contract Reporter (NYSCR). See Section V for detailed requirements.

   b. For Campus Let contracts, advertise in an Albany, New York, newspaper and in a local newspaper of general circulation.

   c. For Campus Funded contracts advertise in a local newspaper of general circulation

   d. Contact a reasonable number of local contractors (a minimum of 5. Describe the project to be bid and invite the contractors to submit a bid proposal on the work. It is recommended that campuses list the project with at least one Local Builder's Exchange or Plan House.

4. Issuance of an Addenda
   a. A written Addendum must be issued by the campus if the campus determines the bid documents to be vague, incorrect, incomplete or inconsistent with its procurement objectives, or if the campus determines that information must be added or changed. The Addendum must be forwarded to all contractors who obtained copies of the Bidding Documents from the campus, and to all locations where documents were sent for review by prospective bidders. If sufficient bid time does not remain to incorporate each Addendum into the bid, the Addendum should also extend the bid time to allow for the same. Sequentially number and date each Addendum issued. Campuses must receive written acknowledgment from each contractor of receipt of each addendum.

   b. Questions that do not require an addendum to the bidding documents are to be documented in a Question and Answer (Q&A) document. This Q&A document must be forwarded to all contractors who obtained copies of the Bidding Documents from the campus, and to all locations where documents were sent for review by prospective bidders

ii. Bid Opening

1. On the designated day, time and place, all bids received up until that time shall be publicly opened and read aloud in the presence of a campus staff witness. When opening the bids the contractor's name, bid amount, and form of Bid Security (certified check or a bid bond using Form 7554-10), or lack thereof, shall be read aloud. Bids cannot be withdrawn after the designated day and time of the deadline for submission of bids.

2. Any bid received at the specified location after the time specified will be considered a late Bid. A late Bid shall not be considered for award unless: (i) no timely Bids meeting the requirements of the Bid Documents are received or, (ii) in the case of a multiple award, an insufficient number of timely Bids were received to satisfy the multiple awards; and

acceptance of the late Bid is in the best interests of the Campus. Delays in United States mail deliveries or any other means of transmittal, including couriers or agents of SUNY or the Campus, shall not excuse late Bid submissions. Similar types of delays, including but not limited to, bad weather, or security procedures for parking and building admittance, shall not excuse late Bid submissions. Determinations relative to Bid timeliness shall be at the sole discretion of the Campus President or his/her designee.

3. Proposals that contain minor irregularities, such as those submitted without a proper Bid Security, or in the wrong form, or executed improperly, shall be considered informal. Informal proposals may be considered in selecting a low bidder where the public interest will be promoted thereby. Consultation with University Counsel is strongly recommended prior to accepting any informal bid.

4. Summarize the bids received on the Bid Tabulation (Form 7554-04).

5. Publish the bid results in the NYSCR.

iii. Award

1. Review the bids to determine if the bids are responsive. Forward a letter of intent (Form 7554-14) to the lowest responsive bidder which lists all documentation required from the contractor prior to contract award.
    a. Have the contractor obtain a Labor & Material Bond and Performance Bond (unless the Performance Bond is waived, reference Section V, Part d¿Labor and Materials Bonds may not be waived). Bonds are required to be acknowledged by a notary and to be accompanied by a Financial Statement for the Surety and Power of Attorney.

    b. Obtain proof of insurance on Form 7554-12. The insurance shall be in the amounts and types required in the specification, naming the State of New York, the State University of New York, as additional insured, with the campus designated as the Certificate Holder. The Insurance Policy expiration dates must be current and cover the period within which the work will take place.

    c. Obtain all other required documentation defined within the Construction Procurement Checklist (Form 7554-00) including Procurement Lobbying Forms, Omnibus Procurement Act Forms, MWBE Forms, and Vendor Responsibility Questionnaire (see Form 7554-06, Section 8 for details on how to complete the questionnaire).

    d. Review the completed Vendor Responsibility Questionnaire (if completed online use OSC's Vend Rep System) to ensure the contractor is responsible. For more information on Vendor Responsibility please see the OSC Guide to Financial Operations.

2. Authorization to Proceed: Contract work shall not begin until all necessary signatures are obtained. Authorizing the start of work before all signatures are obtained is beyond the scope of a State employee's authority, and the employee may be held personally liable.

3. Have three copies of the Agreement (Form 7554-09) signed by the contractor, with Notary Acknowledgement. Ensure that Exhibit A, Exhibit A1, and the scope of work are incorporated into the contract. The campus will retain two copies of the agreement (one at the Business Office and one at the Facilities Office) and send one copy to the contractor.

4. Return the Bid Securities to all bidders as outlined in Section 6 (IB3) of the Information to Bidders in the Project Manual. Notify each bidder, in writing, of the bid results.

5. Retain or return the deposits on plans and specifications in accordance with State Finance Law Article 9 §143.
    a. Return the full deposit to the successful bidder.

    b. For unsuccessful bidders:
        i. The campus retains all deposits less than $50

ii. For deposits greater than $50, return the deposit for one set of plans to the bidder within 30 days.

6. Additional Requirements
   a. If for any reason, the apparent low bidder cannot obtain the required bonds or insurance, or informs you in writing that its bid was in error, or that it is unable to meet the obligations of the contract, such bid may be rejected and the contract awarded to the next lowest bidder. This situation must be documented and maintained in the procurement record. Consultation with University Counsel is recommended under these circumstances.

   b. Tie Bids: If a tie bid should occur, assemble the affected contractors. Using the method defined in the Information for Bidders (Form 75540-6, Section 5) determine the successful bidder.

   c. Fewer than three bids: When fewer than three bids are received on for a contract exceeding $250,000 the campus must demonstrate that all reasonable steps were taken to ensure that the opportunity for competitive bidding was maintained and reasonableness of price was established. When fewer than three bids are received the following steps must occur and be documented in the procurement record.
      i. Conduct an independent review of the Invitation for Bid and determine if it contained any restrictive, unclear, and/or ambiguous content which may have limited competition.

      ii. Determine if sufficient time was provided to enable proper preparation and submission of bids.

      iii. Determine if any other reason may have inhibited responses, including contacting contractors who did not submit bids to determine their reasons for not responding.

      iv. If any of the above conditions exist, or if there is any other irregularity, the solicitation shall be readvertised and the process repeated.

      v. If none of the above conditions exist, the project may be awarded subject to the Campus President, or designees, approval.

V. **Other Requirements**
   a. Wicks Law
      i. Campus Funded contracts are subject to the Wicks Law, which requires preparation of four (4) separate specifications (plumbing, electrical, mechanical and all else). Each of the specifications is to be competitively bid and awarded lowest responsible bidder. The threshold for Wicks Law compliance is determined by a campus' geographical location as follows .
         1. $3 million for campuses in counties of the Bronx, Kings, New York, Queens, and Richmond (HSC @ Brooklyn, Maritime and Optometry)

         2. $1.5 million for campuses in the counties of Nassau, Suffolk and Westchester (Farmingdale, Old Westbury, Purchase and Stony Brook)

         3. $500,000 for all other counties within the state (all other stateoperated campuses).
      ii. Campus funded projects for values <u>under the applicable thresholds noted above</u> are subject to the Wicks Law requirements stated below.
         1. The prime bidder must submit with its bid a separate sealed list that names each subcontractor that the bidder will use to perform work on the contract, and the agreedupon amount to be paid to each for the different trades.

         2. The list of subcontractors and the amount they will each be paid should be included with the Procurement Record. All nonselected bidders' sealed envelopes are to be returned to the bidders.

iii. Campuses may seek an exemption from the requirements of Wicks Law for Campus Let contracts. The campus is required to obtain a letter from the Fund verifying this exemption and maintain it in the Procurement Record.

iv. Campuses may also waive Wicks law compliance if enters into a Project Labor Agreement (PLA). The intention to use a PLA must be specified in campus solicitation document (RFP, IFB etc) and cost and other criteria must be satisfied.

v. A campus use of a PLA must be done in consultation and with prior review and approval by its Campus Counsel

2. New York State Contract Reporter Advertisement Requirements
   i. Up to $10,000, no publication required

   ii. $10,000 to $49,999, a quarterly publication of a list of projected procurements by commodity and or serves is required. This must include an explanation of how to apply for placement on bidders lists and the procedure for providing advance notice by mail to those on the campus bidders list.

   iii. $50,000 and above, an individual notice for each proposed procurement must be published at least 15 business days in advance of the date on which a bid or proposal is due, unless a shorter period is specifically authorized by law. The New York State Contract Reporter accepts only online submissions through its web site.

   iv. If the contract is estimated to be under the advertisement requirement and the low bid is over that threshold all bids must be rejected and the project readvertised.

   v. Exemption
      1. A waiver of competitive solicitation and prior publication in the Contract Reporter is allowed provided adequate documentation is provided to support the declaration that advertisement in the NYSCR is not feasible and reasonableness of prices is established. The declaration shall be signed by the campus President, or President's designee and sent to OSC for approval. Consultation with University Counsel is strongly recommended in this situation.

      2. For more details on exemptions to NYSCR advertising requirements see SUNY Procedure "Purchasing and Contracting (Procurement) (Document #7553)

      3. For those projects which were granted an exemption from the preaward publication requirements the campus must provide OSC with proof confirming that the Department of Economic Development has been requested to publish the notice of the exemption in the New York State Contract Reporter. The notice must state the reason for the exemption and be placed as soon as practical.

3. Waiver of Performance Bond:
   i. Bonds for Performance and Labor and Materials are required for contracts greater than $50,000.

   ii. If the campus deems it appropriate, a Performance Bond may be waived on a project when there is to be only one (1) payment made to the contractor. If the Performance Bond is waived, payment shall occur only after successful completion of the work and acceptance by the campus.

   iii. If a Performance Bond is waived, retainage may be increased to 20%. All potential bidders must be notified prior to submission of bids if the Performance Bond is waived and if the retainage is increased.

   iv. UNDER NO CONDITION SHALL A LABOR AND MATERIAL BOND BE WAIVED.

4. Change Orders
   i. If during the course of the project unforeseen conditions arise which alter the Agreement or the Scope of Services a formal amendment to the contract shall be executed. Amendments are intended to cover changes to the existing scope of services which are within the intent of the original project. For changes increasing the contract value, the following shall be included in the procurement record.
      1. Applicable campus approvals

2. DOB B1184 approval (if applicable)

3. Vendor Responsibility (if applicable, see OSC website for applicability requirements)

4. Change description / scope

5. Signed amendment with acknowledgment (Form 7554-17)

ii. If a change is outside the intent of the original project a separate procurement shall be executed.

iii. Changes Process: If a consultant was hired to prepare contract documents and oversee construction, all change orders shall be executed with the help and participation of the consultant.

1. Submit for applicable campus approval a written description of the proposed change, the reason for the change, and its impact on the project budget and basic fee.

2. If applicable, obtain Division of Budget B1184 approval.

3. Describe in writing to the contractor, on a Request for Cost Change Proposal (Form 7554-16), the addition to, or deletion from the work of the project. As noted on the form, attach any pertinent backup material needed to adequately specify and quantify the proposed change (i.e., drawings and/or additional specifications).

4. Review the contractor's response and assess for reasonableness of price. Negotiate a reasonable price with the contractor.

5. Obtain approval from the campus President or President's designee.

6. Sequentially number each Contract Amendment

7. Upon receipt of the proper approvals, initiate a change order using Form 7554-17. Have the contractor, the consultant, and a senior campus officer sign three (3) copies of the Change Order. The campus will retain two copies of the change order (one at the Business Office and one at the Facilities Office) and send one copy to the contractor.

5. Payments to the Contractor

i. Payments to the contractor shall be made in accordance with Article IV of the Construction Agreement. The following documentation must be reviewed and approved by the campus prior to authorizing payment.

1. Data supporting the application for payment, where applicable.

2. MWBE Compliance Report (Form 75571-11)

3. Contractors Certification (Form 7554-13 or OSC Forms AC 2947, AC 2948 & AC 2958) from the prime contractor, all subcontractors, and all subsubcontractors. *(Applies to first payment only)*

4. Proof of OSHA 10 hour Training Courses *(Applies to contracts over $250k; provide 1 copy for each employee with the application for first payment. If additional employees are added proof must be provided with the next application for payment)*

5. A Release (Form 7554-18), from the prime contractor. *(Applies to final payment only)*

6. A Tax clearance letter, if the prime contractor is outofstate. *(Applies to first and final payments only)*

a. Tax clearance is required for the first and last payments made to outofstate prime contractors. To obtain the clearance, phone the Department of Taxation and Finance Contract Offset Unit, with the contractor's Federal I.D. number and the contract number. A response will be faxed directly to the campus.

6. Emergencies

i. When an emergency exists a waiver of the selection process may be granted. An emergency declaration is to be signed by the campus President, or President's designee. Exemption from advertisement must be approved by OSC. In situations where it is not feasible to advertise in the NYSCR, an exemption may be requested from OSC in accordance with the NYSCR exemption process set forth in this procedure. Reasonableness of price must be demonstrated and a formal agreement or amendment must be executed before work may begin.

ii. An emergency exemption relieves the campus of the solicitation and selection requirements set forth in this procedure. All other applicable requirements, documentation, and approvals set forth in this procedure apply.

iii. Definitions
   1. A Construction Emergency is defined as "¿damage to, or a malfunction in buildings or property of the State of New York caused by an unanticipated, sudden and unexpected occurrence which involves a pressing necessity for immediate repair, reconstruction or maintenance in order to permit the safe continuation of a necessary public use or function, or to protect the property of the State of New York, or the life, health or safety of any person."

   2. An "Emergency" as it applies to these Procedures shall comply with the above definition in that the circumstances requiring professional assistance shall be "unanticipated, sudden and unexpected" and the situation threatens "the safe continuation of a necessary public use or function, or action is necessary to protect the property of the State of New York, or the life, health or safety of any person."

iv. Overview of Initiation/Approval Process for Emergencies:
   1. Identify the emergency. Document the time, date, place, location and what occurred. If applicable, indicate whether the emergency was caused by an insured/noninsured outside entity. Indicate why it conforms to the above emergency definition and why alternative actions are not viable in this situation.

   2. Have the campus President, or President's designee, approve and sign the written emergency declaration. If the estimated contract value is in excess of $50,000 fax a copy of the signed emergency declaration to OSC to request an exemption from advertisement in the NYSCR. The text of the declaration must formally request this exemption.

   3. If feasible contact at least three contractors. Document for the procurement record the process used to select the contractor.

   4. Reasonableness of price must be established by obtaining a minimum of three (3) verbal or written quotes. In soliciting verbal quotes, the potential contractors must be informed of the contractual obligations required of them if their proposal is accepted. If the scope of the emergency work can be reasonably quantified, a lump sum quote should be requested. If the scope of the emergency work cannot be reasonably quantified, a cost plus fixed fee quote should be requested.

   5. Authorize the contractor to proceed with the work. Verbal authorization must be followed by written authorization.

7. Project Capitalization
   i. Projects over $100,000 must be capitalized in accordance with SUNY's capitalization procedure.
      1. SUNY Capitalization Form and Instructions
      2. SUNY Procedure 7004 Capitalization Policy and Depreciation Policy for Capital Assets

Forms

7554-00 - Construction Procurement Checklist (word)

7554-00 - Construction Procurement Checklist (pdf)

7554-01 - Request for Proposal, less than $20K

7554-02 - Pre Bid Cost Estimate

7554-03 - Notice to Bidders and Newspaper Advertisement

7554-04 - Bid Tabulation

7554-05 - Project Manual Cover and Table of Contents

7554-06 - Information for Bidders

7554-07 - Contractor Proposal

7554-08 - Division 1 General Requirements

7554-09 - Construction Agreement

7554-10 - Bid Bond & Acknowledgment

7554-11 - Labor & Materials and Performance Bonds w/Acknowledgment

7554-12 - Certificate of Insurance

7554-13 - Contractor, Subcontractor, and Sub-subcontractor's Certification (AC2947)

7554-14 - Letter of Intent

7554-15 - Contractor's Application and Certification for Payment

7554-16 - Request for Cost Proposal (Change Order)

7554-17 - Contract Change Order

7554-18 - Contractor Release

Additional Forms

1. State Finance Law §§139-j and 139-k *from* SUNY Procedure Item #7552 *"Procurement Lobbying Procedure for State University of New York" (applies >$15,000)*
    a. Form A - Summary: Policy and Procedure of the State University of New York Relating to State Finance Law §§139-j and 139-k
    b. Form B - Affirmation with respect to State Finance Law §§139-j and 139-k
    c. Form C - Disclosure and Certification with respect to State Finance Law §§139-j and 139-k
    d. Form D - State University of New York Procurement Lobbying Law Record of Contact
    e. Governmental Entity Representation Concerning Compliance with State Finance Law §§139-j and 139-k

2. Procurement Forms *from SUNY* Procedure Item #7553 *"Purchasing and Contracting (Procurement)*
    a. Form I Omnibus Procurement Act of 1992 *(applies >$1,000,000)*
    b. Form II Omnibus Procurement Act of 1992, Out of state firms *(applies >$1,000,000)*
    c. Form XIII Public Officers Law Compliance
    d. Form XV - Campus Procurement Certification
    e. Exhibit A - Standard Contract Clauses
    f. Exhibit A-1 - Affirmative Action Clauses

3. Affirmative Action and Minority & Women Owned Business Enterprises *from* SUNY Procedure Item #7557 *"Participation by Minority Group Members and Women (MWBEs) with Respect to State University of New York Contract (applies >$100,000)*
    a. Form 107 - M/WBE Utilization Plan

4. Vendor Responsibility
   a. OSC's Vendrep - Online System or Link to paper forms *(form applies ≥ $100,000)*

Related Procedures

7553 - Purchasing and Contracting (Procurement)

7555 - Construction-Related Consultant Contracting Procedures

7557 - Participation by Minority Group Members and Women (MWBEs) with Respect to State University of New York Contracts

7561 - Contract Award Protest Procedure

7563 - Minor Critical Maintenance Procedure

Other Related Information

7552 - Procurement Lobbying Procedure for State University of New York

Authority

The following link to New York State Laws is provided for users' convenience. Any questions regarding applicability of the law should be directed to University Counsel.

NYS Public Officers Law
Article 4 - (§§60 - 79) Powers and Duties of Public Officers
§73(4) (Business or professional activities)
§74 (Code of ethics)

NYS Education Law
Article 8 – (§§350 - 365) State University and State Financial Assistance for Higher Education
§355 (Powers and duties of trustees.)
§376 (Letting of construction contracts)
Article 147 – Architecture
§7307 (Architecture – Special Provisions)

NYS State Finance Law
Article 9 - (§§135 - 146) Contracts
§139i (Obligations with respect to procurement contracts with New York state and foreign business enterprises)
§139j (Restrictions on contacts during the procurement process)
§139k (Disclosure of contacts and responsibility of offerers)
Article 8 (§§125 - 128) Fiscal Supervision of Certain Institutions
Article 11 (§§160 - 168) State Purchasing

NYS Executive Law
Article 15-A - (§§310-318)
Participation by Minority Group Members and Women with Respect to State Contracts
NYS Labor Law
NYS Tax Law

History

November 2015 – updates adopt the ACORD 25 form as the required certificate of insurance form.

April 16, 2015 - Comprehensive updates to Procedure 7554 were issued. Updates included updates for legislative changes, clarification of documentation requirements and updated forms.

Procedure 7554 was issued April 20, 2007. Procedures were based on and updated from legacy Office for Capital Facilities Procedure 530.8.

Appendices

There are no appendices relevant to this procedure.