

**VENDOR
RESPONSIBILITY
QUESTIONNAIRE**

Vendor Responsibility Questionnaire [VRQ] is designed to help assess the subrecipient's responsibility as a vendor.

What is a responsible vendor?

F – financial and organizational capacity to perform contractual obligations,

L – legal authority to do business with the State,

I – Integrity to justify the award of public dollars, and

P – A good record of past performance.

An online questionnaire is considered “**current**” if it has been certified within the past six months.

However, **even where there is a current certified online questionnaire, it is the subrecipient’s responsibility to ensure that the questionnaire reflects any material changes that have occurred since it last certified the questionnaire.**

Division of Community Services (DOS) may require updates at other times, such as when information has become known about a subrecipient that raises a concern.

What might require an update to the Vendor Responsibility Questionnaire (VRQ)?

Let's look at the **Fiscal and Program Quarterly Attestation Form** to see what responses might be a trigger to update the VRQ.



NYS Department of State Division of Community Services

FISCAL AND PROGRAM QUARTERLY ATTESTATION FORM

Grantee Name: _____
Date: _____ Contract Year: _____

Instructions: Please submit this report to the "shared mailbox" (dos.sm.dcs@dos.ny.gov) and to your assigned analyst 30 days after the end of each quarter. Please contact your assigned Program Analyst with questions.
**Please click on each check box to add 'X', click second time to remove 'X'.*

REPORTING QUARTER: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4
1. What date was the last financial report submitted for the current <i>entitlement</i> contract year?
Click applicable check box: <input type="checkbox"/> 20% <input type="checkbox"/> 45% <input type="checkbox"/> 70% Date Submitted: _____
If no report has been submitted, please explain in white area below: _____ _____



FISCAL

<input type="checkbox"/> <input type="checkbox"/>	5. Were there any adverse audit findings on the last agency-wide audit or recent funder audit/review? If yes, please explain in white area below:
	If yes above, was a copy sent to your CSBG Fiscal Field Representative? (Please check the appropriate box) <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> <input type="checkbox"/>	6. Are there cash flow issues? If yes, please explain the cause in the white area below:
	7. What is the current balance on your organizations line of credit? \$ What is the credit limit? \$
<input type="checkbox"/> <input type="checkbox"/>	8. Have any funding sources suspended, disallowed or withdrawn funding from your agency within the past 3 months? If yes, please explain in white area below:
<input type="checkbox"/> <input type="checkbox"/>	9. Have any contracts with your agency been terminated or suspended for cause within the past 3 months? If yes, please provide detailed comments in white area below:
<input type="checkbox"/> <input type="checkbox"/>	10. Has your agency been the subject of any audits or investigations (outside of routine monitoring) within the last 3 months? If yes, please list in white area below:
<input type="checkbox"/> <input type="checkbox"/>	11. Has your agency received any findings or recommendations as a result of other funder <u>monitoring visits</u> within the past 3 months? If yes, please provide detailed findings in white area below:
<input type="checkbox"/> <input type="checkbox"/>	12. Is your agency the subject of any pending lawsuit or other pending legal proceeding? If yes, please provide information on case(s) comments in white area below:

FISCAL	<input type="checkbox"/> <input type="checkbox"/>	8. Have any funding sources suspended, disallowed or withdrawn funding from your agency within the past 3 months? If yes, please explain in white area below:
	<input type="checkbox"/> <input type="checkbox"/>	9. Have any contracts with your agency been terminated or suspended for cause within the past 3 months? If yes, please provide detailed comments in white area below:
	<input type="checkbox"/> <input type="checkbox"/>	10. Has your

Answering "yes" may require an update to the VRQ...

IV. INTEGRITY – CONTRACT BIDDING	
<i>Within the past five (5) years, has the Business Entity or any Affiliate</i>	
4.0 Been suspended or debarred from any government contracting process or been disqualified on any government procurement?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.1 Been subject to a denial or revocation of a government prequalification?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.2 Been denied a contract or had a bid rejected based upon a finding of non-responsibility by a government entity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.3 Agreed to a voluntary exclusion from bidding/contracting with a government entity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.4 Initiated a request to withdraw a bid submitted to a government entity or made any claim of an error on a bid submitted to a government entity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
For each "Yes" answer, provide an explanation of the issue(s), the Business Entity or Affiliate involved, the relationship to the	
V. INTEGRITY – CONTRACT AWARD	
<i>Within the past five (5) years, has the Business Entity or any Affiliate</i>	
5.0 Been suspended, cancelled or terminated for cause on any government contract?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.1 Been subject to an administrative proceeding or civil action seeking specific performance or restitution in connection with any government contract?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.2 Entered into a formal monitoring agreement as a condition of a contract award from a government entity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
For each "Yes" answer, provide an explanation of the issue(s), the Business Entity or Affiliate involved, the relationship to the submitting Business Entity, the government entity involved, relevant dates and any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.	

<input type="checkbox"/>	<input type="checkbox"/>	12. Is your agency the subject of any pending lawsuit or other pending legal proceeding? If yes, please provide information on case(s) comments in white area below:
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VII. LEGAL PROCEEDINGS	
<i>Within the past five (5) years, has the Business Entity or any Affiliate</i>	
7.0 Been the subject of an investigation, whether open or closed, by any government entity for a civil or criminal violation?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.1 Been the subject of an indictment, grant of immunity, judgment or conviction (including entering into a plea bargain) for conduct constituting a crime?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.2 Received any OSHA citation and Notification of Penalty containing a violation classified as serious or willful?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.3 Had any New York State Labor Law violation deemed willful?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.4 Entered into 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 environmental laws?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.5 Other than the previously disclosed: (i) Been subject to the imposition of a fine or penalty in excess of \$1,000, imposed by any government entity as a result of the issuance of citation, summons or notice of violation, or pursuant to any administrative, regulatory, or judicial determination; or (ii) Been charged or convicted of a criminal offense pursuant to any administrative and/or regulatory action taken by any government entity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
For each "Yes" answer, provide an explanation of the issue(s), the Business Entity or Affiliate involved, the relationship to the submitting Business Entity, the government entity involved, relevant dates and any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.	

<input type="checkbox"/> <input type="checkbox"/>	<p>5. Were there any adverse audit findings on the last agency-wide audit or recent funder audit/review? If yes, please explain in white area below:</p> <p>If yes above, was a copy sent to your CSBG Fiscal Field Representative? (Please check the appropriate box) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<input type="checkbox"/> <input type="checkbox"/>	<p>10. Has your agency been the subject of any audits or investigations (outside of routine monitoring) within the last 3 months? If yes, please list in white area below:</p>
<input type="checkbox"/> <input type="checkbox"/>	<p>11. Has your agency received any findings or recommendations as a result of other funder <u>monitoring visits</u> within the past 3 months? If yes, please provide detailed findings in white area below:</p>

Answering "yes" may require an update to the VRQ...

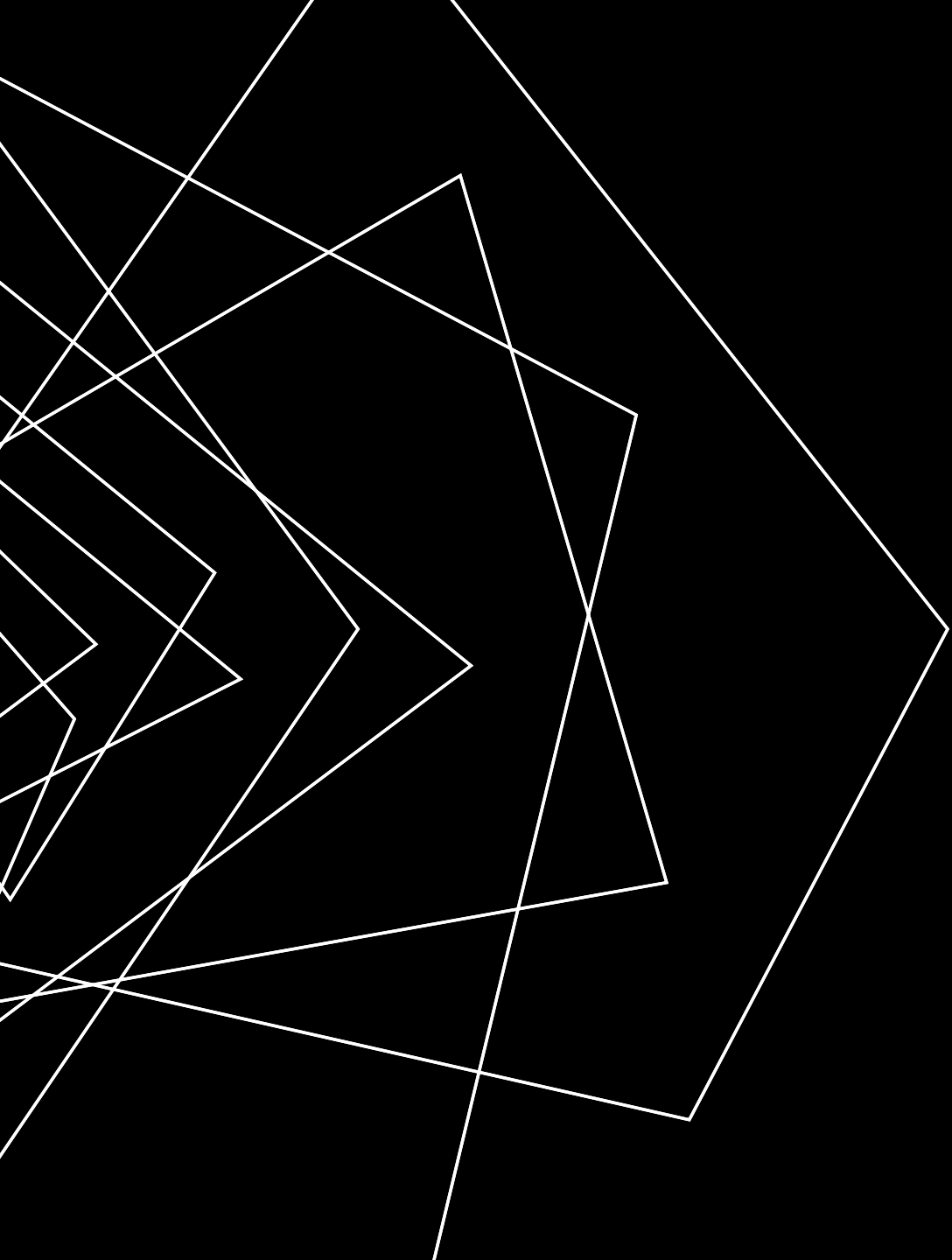
IX. FINANCIAL AND ORGANIZATIONAL CAPACITY	
9.0 Within the past five (5) years, has the Business Entity or any Affiliates received any formal unsatisfactory performance assessment(s) from any government entity on any contract?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If "Yes," provide an explanation of the issue(s), the Business Entity or Affiliate involved, the relationship to the submitting Business Entity, the government entity involved, relevant dates and any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.	
9.6 During the past three (3) years, has the Business Entity or any Affiliates had any government audits? If "Yes," did any audit reveal material weaknesses in the Business Entity's system of internal controls If "Yes," did any audit reveal non-compliance with contractual agreements or any material disallowance (if not previously disclosed in 9.6)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
For each "Yes" answer, provide an explanation of the issue(s), the Business Entity or Affiliate involved, the relationship to the submitting Business Entity, the government entity involved, relevant dates and any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.	

EXAMPLES OF INFORMATION REPORTED IN THE VRQ

- *Late execution of a contract and staffing shortages resulted in the **termination of a contract...***
- ***Assessed a penalty** for late payment of payroll tax withholding...*
- *Notified of **civil lawsuit** filed by former employee...*
- *Ongoing program deficiencies resulting in a **corrective action plan** to address issues...*
- *NYS OCFS Child Protective Services **investigation** of alleged child abuse citing inappropriate behavior management...*
- *DEC **investigation** into an alleged petroleum spill...*
- *EEOC **investigation** regarding claim of job discrimination...*
- *NYS OCFS **issued violation** citing failure to provide competent supervision **resulting in a fine of \$3,000...***

EXAMPLES OF INFORMATION REPORTED IN THE VRQ CONTINUED

- *EEOC **investigation** regarding age discrimination complaint...*
- *Head Start Class Onsite review resulted in a score below the competitive threshold for Classroom Organization requiring a **corrective action plan**...*
- *DOS **Letter of Concern** issued...*
- *OCFS **violations** issued...*
- *Head Start monitoring review resulted in a **deficiency** requiring **corrective action**...*
- *Audit finding identified **material weakness** as the expenses incurred and claimed exceeded amounts allowable in contract...*



QUESTIONS?