



Preparing For Contract

In order to initiate the preparation of a contract between your organization and SBS, you must complete and submit the items specified in the sections below. **You must submit all of these items in their entirety to your SBS contract manager unless otherwise specified.**

Your contract manager will e-mail the Preparing for Contracting Checklist to you at the beginning of the contracting process. SBS recommends that you review this carefully and use it to ensure that you have properly submitted all necessary documents to your contract manager.

As you read through this section, please pay special attention to the following:

-- There are two different categories of funding administered by SBS. If your organization was awarded funding through Avenue NYC's application process, your contract is funded by Federal Community Development Block Grant (CDBG) funds. If your organization was awarded funding through an allocation from your City Council member, your contract is funded by New York City Council discretionary (Tax-Levy) funds. Some organizations may receive funding from both sources.

-- You will be able to download all of the forms that you will need to submit for the contracting process through this section of the website.

-- The information included on this website is intended to supplement the information contained in your contract and does not supersede any provisions of your contract. You should always consult your contract for exact contractual requirements and follow these requirements as specified in your contract.

-- The information and resources included on this website are designed to supplement, not replace, the assistance that you will receive from SBS staff. A member of SBS's staff will be assigned to manage your contract and to assist you throughout the contracting process and for the duration of your contract term. Your SBS contract manager will be your most important resource.



REQUIRED ITEMS FOR CONTRACTING

The following is a list of items that **all organizations must complete and submit** in preparation for contracting. These are described in detail in the sections below.

Items you will send to your SBS Contract Manager:

- Avenue NYC/City Council Discretionary-funded Program Budget
- Cost Allocation Plan
- Doing Business Data Form
- Disclosure & Compliance Certification Form
- Copy of your organization's most recent audited financial statements
- Proof of insurance
- Copy of your organization's by-laws and certificate of incorporation (*if requested by your contract manager*)
- Exemption letter for New York State Charities Bureau registration (*if applicable for your organization*)
- Submitted VENDEX Memo (*if applicable for your organization*)
- Certificate of No Change (*if applicable for your organization*)

Items you will send to the Mayor's Office of Contract Services (MOCS):

- VENDEX Vendor Questionnaire (*if applicable for your organization*)
- VENDEX Principal Questionnaires (*if applicable for your organization*)



Avenue NYC/City Council Discretionary-funded Program Budget

Your contract manager will e-mail the Avenue NYC/City Council Discretionary-funded Program Budget to you at the beginning of the contracting process. **You must complete the Program Budget and submit a copy by e-mail to your contract manager.**

You can download the Avenue NYC/City Council Discretionary-funded Program Budget and instructions for completing the budget by clicking on the links:

[Avenue NYC/City Council Discretionary-funded Program Budget](#)

[FY2013 Budget Instructions](#)

The award letter that you received from SBS specifies your total contract amount and source of funding.

Cost Allocation Plan

Since most organizations have multiple sources of funding and spread their expenses across these funding sources, SBS requires all organizations to complete a Cost Allocation Plan.

SBS uses the Cost Allocation Plan to establish an Indirect Cost Rate, which is the acceptable percentage that SBS will pay for Other Than Personnel Services (OTPS) expenses. OTPS expenses generally include items such as commercial rent, utilities, maintenance and repairs, supplies, telephone, and postage.

As a basis for establishing the Indirect Cost Rate, SBS uses the percentage of an organization's staff hours that are dedicated solely to the Avenue NYC/City Council Discretionary-funded program.

You will need to complete the Cost Allocation Plan and submit a copy by e-mail to your contract manager. You can download the Cost Allocation Plan and the instructions for completing it by clicking on the link:

[Cost Allocation Plan](#)



Doing Business Data Form

In order to comply with the City's campaign finance reform law, the Doing Business Data Form is used to collect accurate, up-to-date information about all organizations that contract with the City of New York. You must **complete the Doing Business Data Form and submit a hard copy with original signature to your contract manager.**

You can download the Doing Business Data Form and additional information about the form by clicking on the links:

[Doing Business Data Form](#)

[Additional Information About the Doing Business Data Form](#)

Disclosure & Compliance Certification Form

All organizations that contract with the City are required to complete a Disclosure & Compliance Certification Form. When you complete this form, you must disclose any connections to City Elected Officials that could create the appearance of a conflict of interest or affirm that there are no conflicts of interest between your organization and any Elected Officials.

You must **complete the Disclosure & Compliance Certification Form and submit a notarized hard copy with original signature to your contract manager.** On an attached sheet, you must disclose the following:

Any City Elected Official, or any person "associated" with a City Elected Official that

- is an employee of, a director or Trustee of, an Officer of, or a consultant to or of your organization; or
- has any financial interest, direct or indirect, in your organization; or
- has received or will receive any financial benefit, directly or indirectly, from your organization or from your funding.

"Associated" persons include:

- a spouse, domestic partner, child, parent, or sibling of a City Elected Official;
- a person with whom a City Elected Official has a business or financial relationship, including the spouse, domestic partner, child, parent, or sibling of such person; and
- any firm in which a City Elected Official has a present or potential interest.

If your organization does not have any affiliations that meet the criteria above, you must still complete and sign the Disclosure & Compliance Certification Form, but you will not need to provide any attachments.

You can download the Disclosure & Compliance Certification Form by clicking on the link:

[Disclosure & Compliance Certification Form](#)



Audited Financial Statements

If your organization's contract with SBS exceeds \$5,000, you must provide SBS with a copy of your organization's most recent audited financial statements. This must be from one of the past two fiscal years.

If your organization's contract with SBS is \$5,000 or less, you must provide SBS with a copy of your organization's most recent IRS Form 990.

Registration and Compliance with the New York State Charities Bureau

All organizations that contract with SBS must be registered with the New York State Charities Bureau, unless the organization has obtained an exemption from the Charities Bureau. Even if your organization has previously registered with the Charities Bureau, you must ensure that your registration is accurate and up-to-date.

You can check the status of your registration by going to the **[Charities Bureau website](#)**.

If your organization has not previously registered with the Charities Bureau, please read through the instructions on the **[Charities Bureau website](#)** to ensure that you follow the correct procedures and to verify whether or not you meet the requirements for an exemption from registration.



Proof of Insurance

Organizations that contract with SBS are required to have certain types of insurance coverage.

The following types of insurance are required for all organizations:

- Commercial general liability insurance
- Business automobile liability insurance (if your organization owns a vehicle)
- Workers' compensation and employee liability insurance (if your organization has employees)

If your organization does not own a vehicle or does not have employees, please provide a letter on your organization's letterhead to your contract manager specifying this in order to verify that you are exempt from the insurance requirement(s).

You can view or download complete details regarding insurance requirements by clicking on the link:

[Contract Insurance Requirements](#)

SBS recommends that you provide these requirements to your insurance broker for clarification and to ensure that your organization meets all requirements.

Whether you need to update your current coverage or obtain new coverage, **you must designate the New York City Department of Small Business Services as a certificate holder and as an additional insured party on your policy/policies.** It is not sufficient merely to name SBS as a certificate holder. SBS's filing information is below:

*New York City Department of Small Business Services
110 William Street, 7th Floor
New York, NY 10038*

Once you have added SBS as an additional insured on your current or new insurance policy, you must **send an ACORD certificate to your contract manager as proof of the insurance agreement.** The NAIC number of the insurance company must be identified for each insurance company providing coverage to your organization. SBS will accept ACORD certificates that are issued by your insurance broker(s).

In order to accommodate the time needed to process and register your contract, SBS requires that your insurance policies are current through at least six months after the date that you submit the ACORD certificate(s).

Your insurance coverage must always be current in order for SBS to disburse your contract funds. If your insurance expires before the end of your contract, you should direct your insurance broker to forward any and all insurance renewals to your contract manager. If



your insurance changes at any point during your contract year, you must inform your contract manager immediately.

Organization By-Laws and Certificate of Incorporation

You must **provide SBS with a copy of both your organization's by-laws and your certificate of incorporation.** When preparing a copy of your organization's by-laws, be sure to include any amendments that have been made since the by-laws were originally adopted.

You must also **designate which individuals have the authority to sign an agreement with SBS on behalf of your organization.** In order to expedite the contracting process, some organizations extend the authority to enter into agreements to several officers, thereby ensuring that at least one designee is available to provide signatures when a contract is ready for execution.

You should designate which officers of your organization have signatory authority in the form of a resolution from your Board of Directors. The Secretary of your organization should **sign and notarize the resolution, and you must provide SBS with a copy of the resolution bearing your corporate seal.**

Be sure to locate your corporate seal and ensure that it is in good working order. You will need your corporate seal throughout the contracting process.

W-9 Tax Information

The City of New York must obtain your correct Taxpayer Identification Number and organization information in order to report income paid to you or to your organization. The City uses the Payee Information Portal (PIP) system to collect this information.

All organizations that contract with SBS must create a user account in the PIP system and enter your organization's information. Even if your organization has previously created an account and entered your information, you must ensure that your information is accurate and up-to-date.

You can find complete instructions for creating an account and entering or updating your organization's information on the [**Payee Information Portal**](#) website.



VENDEX

The City can only award contracts to responsible contractors. A responsible contractor is one that has the capability in all respects to fully perform the contract requirements and has the business integrity to justify the award of public tax dollars.

The City's Vendor Information Exchange System (VENDEX) is used by the Mayor's Office of Contract Services (MOCS) to determine the responsibility of the entities that have contracts with the City. **If your organization's contract with SBS is \$100,000 or greater, or if your organization is receiving \$100,000 or more in total from SBS and any other City agencies for the fiscal year, your organization will need to comply with VENDEX requirements.**

If your organization has not previously submitted VENDEX forms or has not submitted VENDEX forms in the past three years: You will need to **complete the full VENDEX process**. Please see the *VENDEX Process* section below.

If your organization has submitted VENDEX forms within the last three years and there have been **changes to your information:** You will need to **resubmit the VENDEX questionnaire(s) for the areas that have changed** and **submit a Certification of No Change for the areas that have not changed**. Please see the *Changes to Your VENDEX* section below.

If your organization has submitted VENDEX forms within the last three years and there have been **no changes to your information:** You will only need to **complete a Certification of No Change**. Please see the *Certification of No Change* section below.



VENDEX Process

For the VENDEX process, your organization will need to complete two different VENDEX documents:

- *VENDEX Vendor Questionnaire*: **your organization must complete a VENDEX Vendor Questionnaire.** The completed Vendor Questionnaire must be signed and notarized by a principal of your organization.
- *VENDEX Principal Questionnaire*: **each principal at your organization will need to complete a VENDEX Principal Questionnaire.** The completed Principal Questionnaire must be signed and notarized by the principal.

For purposes of the VENDEX process, a “principal” is defined as the board chairman, executive officer, fiscal officer, or anyone who has check-signing authority in connection with the agreement and/or the day-to-day operating responsibilities of the organization.

You can download the VENDEX questionnaires and view instructions for completing the forms at the [MOCS website](#).

You must **submit your completed VENDEX questionnaires directly to the Mayor’s Office of Contract Services (MOCS)** at the address below:

*Mayor’s Office of Contract Services
VENDEX Processing Unit
253 Broadway, 9th Floor
New York, NY 10007*

Be sure to retain a copy of each form for your files.

Do not submit your VENDEX Vendor or Principal Questionnaires to your SBS contract manager. Doing so will delay the processing of your contract.

After you have sent your VENDEX forms to MOCS, you will need to **send your SBS contract manager a Submitted VENDEX Memo.** This memo informs your contract manager that you have submitted the required VENDEX forms to the Mayor's Office of Contract Services and allows SBS to continue processing your contract.

You can download a Submitted VENDEX Memo at the [MOCS website](#).

Certification of No Change

If your organization has submitted VENDEX questionnaires within the last three years and there have been no changes to the information that you supplied on the questionnaires, you must **send two (2) copies of the Certification of No Change form to your SBS contract manager.** You should **send the Certification of No Change forms directly to your SBS contract manager and not to MOCS.**

You can download a Certification of No Change Form at the [MOCS website](#).



Changes to Your VENDEX

If there have been changes to any of the information that you supplied on the VENDEX forms that your organization submitted to the City within the last three years, you will need to submit updated VENDEX questionnaires.

If information on both your Vendor and Principal VENDEX Questionnaires has changed: You will need to resubmit both forms. You must **send both updated forms directly to MOCS**. You will then need to send a Submitted VENDEX Memo to your contract manager at SBS.

If information on only one of your VENDEX questionnaires has changed: You will need to resubmit an updated copy of the VENDEX questionnaire with the information that has changed. You will also need to submit a Certification of No Change form verifying that the other portions of your VENDEX information have not changed.

You must **send your updated VENDEX form and two (2) copies of the Certification of No Change form directly to MOCS**.

You will then need to **send a Submitted VENDEX Memo and an additional copy of your Certification of No Change form to your contract manager at SBS**.

You can download a copy of the Submitted VENDEX Memo by clicking on the link:

[Submitted Vendex Memo](#)

For more information on the VENDEX process, please consult the [MOCS website](#).