

New York State Executive Order 127

Function: Purchasing
Procedure n/a
Contact: [Megan Moran](#)

Basis for Guideline

The intent of the [Procurement Lobbying Law](#) is to increase public disclosure of attempts to influence the award of procurement contracts.

While the [Procurement Lobbying Law](#) does not apply to the Research Foundation since the Research Foundation is not a State Agency, the RF administers certain programs with the understanding that for procurements through the campus procurement office the campus adheres to the procurement policies of the State of New York.

Guideline Recommendations

The [Procurement Lobbying Law](#) took effect January 1, 2006. The intent of the [Procurement Lobbying Law](#) is to increase public disclosure of attempts to influence the award of procurement contracts. The order applies to all State Agencies with respect to procurement contracts involving annualized expenditures in excess of \$15,000 for goods or services, and the acquisition or granting of an interest in real property, and public works.

Detailed information and instruction related to the Procurement Lobbying Act can be viewed at [Procurement Lobbying Law](#).

Documentation Requirements

Information obtained by campus locations in compliance with the [Procurement Lobbying Law](#), should be treated as contract files and are subject to Research Foundation Records Management Policy and Record Retention: Account Expenditure Records.

Under the [Procurement Lobbying Law](#), compiled records should be readily available for inspection. The Corporate Finance Office may request information from campus locations as necessary.

Forms for Collecting and Recording Information from contractors seeking a procurement contract

The forms described below were developed by Office of General Services to facilitate compliance with the requirements of the Act by covered entities. Forms are to be used for recording information about persons or organizations attempting to obtain a procurement contract.

The following model language and forms have been prepared for use by Office of General Services to satisfy the statutory requirements set forth in State Finance Law §§139-j and 139-k. Instructions and background information has been provided for each document.

- FORM 1: Contractor Disclosure of Contacts -[Model Form for Governmental Entity Report of Contact under State Finance Law §139-k\(4\)](#)

- FORM 2: Contractor Disclosure of Prior Non-Responsibility Determinations - [Model Summary Policy Language for Inclusion in Solicitation \(Last updated 12/14/2006\)](#)
- FORM 3: Contractor Certification - [Model Language to Obtain Offerer's Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-i\(6\)\(b\) \(Last updated 12/14/2006\)](#)
- FORM 4: Model Contract Termination Provision - [Model Language to Obtain an Offerer's Certification of Compliance with State Finance Law §139-k\(5\)](#)
- FORM 5: Covered Entity Record of Contact - [Model Language to Obtain the Offerer's Disclosure of Prior Non-Responsibility Determinations](#)
- FORM 6: Compiled Record of Contact - [Model Contract Termination Provisions in accordance with State Finance Law §139-k\(5\)](#)
- FORM 7: Model Process for the Review and Investigation in accordance with State Finance Law §139-i(8), (9) and (10) [Model Process for the Review and Investigation in accordance with State Finance Law §139-i\(8\), \(9\) and \(10\)](#)
- FORM 8 Model Form to Refer a Contact for Review and Investigation Under State Financial Law §139-i(9) [Model Form to refer a Contact for Review and Investigation Under State Finance Law §139-i\(9\)](#)
- FORM 9: Model Form for Use by a Non-Procuring Governmental Entity to Refer a Contact for Review and Investigation by the Procuring Governmental Entity under State Finance Law §139-i(9) [Model Form for Use by a Non-procuring Governmental Entity to Refer a Contact for Review and Investigation by the Procuring Governmental Entity under State Finance Law §139-i\(9\)](#)

Related Information

[Records Management Policy](#)

[Record Retention: Account Expenditure Records](#)

[Procurement Lobbying Law](#)

Change History

| Date | Summary of Change |
|------------------|---|
| May 25, 2017 | Fixed broken links, updated formatting and removed redundant information. |
| December 2, 2003 | New document. |

Feedback

Was this document clear and easy to follow? Please send your feedback to webfeedback@rfsuny.org.

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