

## CERTIFICATION APPENDIX

### DISCLOSURE & ACCOUNTABILITY CERTIFICATIONS\*\*

#### I. No Conflict of Interest

Except as otherwise fully disclosed in a separate appendix attached to this Contract, the Contractor affirms, to the best of its knowledge, under penalty of perjury, that neither the Sponsoring Member(s) nor any Related Parties to Sponsoring Member(s) has any financial interest, direct or indirect, in the Contractor, or has received or will receive any financial benefit, either directly or indirectly, from the Contractor or its Related Parties from the matters contained in this Contract.

#### II. Good Standing

Except as otherwise fully disclosed in a separate appendix attached to this Contract, the Contractor affirms, to the best of its knowledge, under penalty of perjury, that:

- (A) At no time during the past five years has the Contractor or any of the Contractor's Affiliates or principal owners: (1) been barred by a government agency from entering into any government contract as a result of inappropriate activity or unlawful conduct; (2) been declared in default and/or terminated for cause of any government contract; (3) received an overall unsatisfactory performance rating from any government agency on any contract; (4) been convicted or charged with a felony or misdemeanor; (5) failed to file federal, state or city tax returns or pay taxes owed; or (6) (to the extent the entity is a charity or not-for-profit organization) failed to file any and all required forms with any government agency regulating the entity;
- (B) At no time within the last seven years has the Contractor or any of the Contractor's Affiliates or principal owners been involved in any bankruptcy proceeding (whether or not closed);
- (C) Neither the Contractor, nor any of the Contractor's Related Parties, has paid any third party or agent, either directly or indirectly, to aid in the securing of this Contract.

To the extent the answer to any of these questions is "yes," please describe the events and circumstances in an attached appendix.

**III. Funds Used Solely for Public Purpose**

The Contractor affirms, to the best of its knowledge, under penalty of perjury, that all funds expended pursuant to the terms of this Contract are intended to be used and will be used solely and directly for the public purpose or public purposes specified elsewhere in this Contract.

**IV. Sponsoring Member(s)**

The Sponsoring Member(s) of the local legislative initiative pursuant to which this Contract will be funded is/are \_\_\_\_\_.

**V. Definitions**

As used herein in this Certification Appendix:

- (1) "Affiliate" means any person or entity that directly or indirectly controls or is controlled by or is under common control or ownership with the specified party.
- (2) "Contractor" means the party or parties receiving funds pursuant to the terms of this Contract.
- (3) "Related Party" means: (i) the party's spouse, (ii) natural or adopted descendants of the party or of the party's spouse, (iii) any sibling of the party or of the party's spouse, (iv) any person sharing the home of any of the foregoing, (v) any staff member, employee, director, officer or agent of the party, and (vi) Affiliates or subcontractors of the party.
- (4) "Sponsoring Member(s)" means the sponsoring Assembly Member or State Senator that sponsored the grant related to this Contract in the Fiscal Year 2007-8 New York State Budget. With respect to the Executive Allocations from lump sum appropriations in such budget, the "Sponsoring Member" shall be Governor David Paterson.

The undersigned recognizes that this Certification Appendix is submitted for the express purpose of assisting the State of New York and political subdivisions to make a determination regarding the award of a contract or approval of a subcontract; acknowledges that the State of New York and political subdivisions may in their discretion, by means which they choose, verify the truth and accuracy of all statements made herein; acknowledges that knowing or intentional submission of false or misleading information may constitute a felony under Penal Law Section 210.40 or a misdemeanor under Penal Law Section 210.45; and states that the information submitted in this Certification Appendix and any attached appendix is true, accurate and complete.

\_\_\_\_\_  
Name of Contractor

\_\_\_\_\_  
Signature of Authorized Official / Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
Typed Copy of Signature

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Title

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_

Notary Public