

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM
GENERAL INFORMATION BULLETIN

NUMBER: CL-757

DATE: December 6, 2011

PLEASE ADDRESS INQUIRIES TO:

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

SUBJECT: Appendix A (Revised December 2011)

TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

PLEASE NOTE:

The New York State Procurement Council approved a revised version of Appendix A, Standard Clauses for All New York State Contracts, which is available on the OGS website at http://www.ogs.ny.gov/procurecounc/A_01.asp

Please be advised that the New York State Procurement Council, adopted changes to clause 11 of Appendix A, December 2011.

“11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) *Identification Number(s).* Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) *Privacy Notification.* (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.”

Please commence utilizing the attached December 2011 version of Appendix A immediately.

Appendix A summarizes a number of federal and New York State laws, rules, and regulations that impact New York State procurements. Appendix A must be incorporated into all contracts subject to approval by the New York State Department of Law. Further, it must be incorporated into purchase orders in accordance with Office of the State Comptroller Bulletin G-167.

* * * * *