

# CERTIFICATION OF QUALIFICATION FOR CHARITABLE ORGANIZATIONS

Charitable organizations and federations of charitable organizations which desire to participate in New York State contracts must complete and return this form.

The undersigned, personally and on behalf of the charitable organization or federation of charitable organizations noted below, does hereby state and certify to the New York State Office of General Services (OGS) that said charitable organization or federation of charitable organizations is a not-for-profit entity as defined in Section 2(b) of Chapter 741 of the Laws of 1985 as amended through Chapter 275 of the Laws of 1998, and is thereby authorized and qualified to purchase materials, equipment and supplies through commodity contracts issued by the OGS New York State Procurement.

The following questions include qualifications contained in the law which are necessary in order to purchase from State contracts. Please answer these questions as they pertain to your charitable organization.

- (1) If not an individual charity, is your organization a "federation of charitable organizations?" (If yes, please submit complete list of members)  Yes  No
- (2) If your organization is NOT a "federation of charitable organizations," please answer the following:
- (a) Is your organization an individual charitable organization?  Yes  No
  - (b) Does your organization render health, welfare or recreational services?  Yes  No
  - (c) Are your programs and services provided regardless of recipient's ability to pay?  Yes  No
  - (d) Does your organization receive at least fifty thousand dollars in total annual contributions and/or government grants (excluding any fees for services)?  Yes  No
  - (e) Is your organization a domestic corporation pursuant to the not-for-profit corporation law?  Yes  No
  - (f) Is your organization registered with the NYS Department of Law, Charities Bureau, as a charitable organization?  Yes  No

If yes, please enter registration number

**Registration No.:** \_\_\_\_\_

- (g) If your answer to question (f) above is No, is your organization a member of any of the following organizations? (check any which apply)
- The Salvation Army  Yes  No
  - American National Red Cross  Yes  No
  - Catholic Charities Aid Associations  Yes  No
  - United Jewish Appeal - Federation of Jewish Philanthropies of New York Inc.  Yes  No

The organizations above are eligible pursuant to Chapter 731 of the Laws of 1987 and Chapter 362 of the Laws of 1989.

**False statements knowingly made herein are punishable as a Class A misdemeanor under Section 210.45 of the Penal Law of the State of New York.**  
*(Additional Certification Required.)*

<p><b>Institution</b> (Name &amp; Address—PLEASE PRINT)</p>	<p><b>Authorized Representative (Name) (Print)</b></p> <hr/> <p><b>Title</b></p> <hr/> <p><b>Signature</b></p> <hr/> <p><b>Date</b></p>
---	---

# **CERTIFICATION OF QUALIFICATION FOR CHARITABLE ORGANIZATIONS**

Chapter 741 of the Laws of 1985 as amended through Chapter 134 of the Laws of 1994 allows certain charitable organizations located in all counties of the State of New York to make purchases from commodity contracts awarded by the State Office of General Services, Procurement Services Group. For your information, pertinent sections of the law read as follows:

Section 1. In order to ascertain the compatibility with state purchasing needs and the feasibility of extending the benefits of purchasing under the terms of the state's centralized commodity procurement contracts to eligible and qualified charitable organizations and federations of charities, the provisions of this act are adopted as a program for all counties of the state, whose charities as defined therein are authorized to purchase pursuant to the terms of such contracts let by the Office of General Services.

(a) Any charitable organization or federation of charitable organizations, as defined in subdivision (b) of this section, maintaining its office in a county of the state and performing all or the predominant part of its charitable, benevolent or philanthropic services or conducting all or the predominant part of its solicitation of charitable contributions in such county and any county, town or other agricultural society, the American institute of the city of New York, performing their activities in any such county on or after January 1, 1993 is authorized to make purchases, except of printed material, pursuant to the terms of contracts let by the state divisions of purchasing and of standards and quality control in the Office of General Services, subject to such rules as may be established from time to time under the provisions of section 165 of the state finance law, which may establish limitations with respect to commodities and impose such other appropriate conditions upon purchasing as deemed necessary by the Commissioner of General Services in order to protect the state's own purchasing interests; provided that each such purchase shall exceed five hundred dollars and that such charitable organization or federation of charitable organizations shall accept sole responsibility for any payment due the vendor.

(b) For the purposes of this act (i) "charitable organization" shall mean, include and be limited to: (1) a domestic corporation incorporated pursuant to the not-for-profit corporation law, which (A) constitutes a charitable organization registered with the secretary of state, (b) is not an exempted organization as defined in section one hundred seventy-two-a of the executive law, (C) renders health, welfare and recreation services, and (D) receives at least fifty thousand dollars in charitable donations and contributions from individuals or private organizations and/or in government grants excluding any fees for services, provided however that such limitation as to the contributions received may be waived by the commissioner in his discretion; and (2) without regard to the criteria set forth in subparagraph one of this paragraph (i), a special act corporation created pursuant to chapter four hundred sixty-eight of the laws of eighteen hundred ninety-nine, as amended, and a special act corporation formed pursuant to chapter two hundred fifty-six of the laws of nineteen hundred seventeen, as amended and a corporation authorized pursuant an Act of Congress approved January fifth, nineteen hundred five (33 Stat. 599), as amended and a corporation established by merger of charitable organizations pursuant to an order of the supreme court, New York county dated July 21, 1986 and filed in the New York department of state on July 29, 1986; and (ii) "federation of charitable organizations" shall mean, include and be limited to a domestic corporation incorporated pursuant to the not-for-profit corporation law, formed by and consisting of not less than three charitable organizations as defined in this paragraph and performing joint and combined solicitation of charitable contributions by and distribution of the proceeds thereof to such member or constituent organizations, provided that in no event shall the number of any exempted charitable organizations as defined in this paragraph exceed one-third of the total number of the member or constituent organizations of the federation of charitable organizations.

(c) The Office of General Services shall perform all necessary actions to insure adequate notification and education of any organization or organizations eligible to participate in the program authorized by this act as shall be feasible and practicable.

If you are interested in participating in the State Contract Extension Program, the enclosed Certification of Qualification form must be completed and signed by an authorized representative of your charitable organization.

PLEASE NOTE: COMPLETION OF THIS FORM DOES NOT GUARANTEE ELIGIBILITY. You will be notified of your acceptance and a customer Identification Number will be assigned to you.