



ORANGE COUNTY, NEW YORK

Medical Examiner's Office
22 Wells Farm Road
Goshen, New York 10924

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RFQ TITLE: Medical Investigator Services

RFQ-ME02-19

Medical Investigator Services

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NOTICE TO OFFERORS

Qualification proposals for **RFQ-ME02-19 Medical Investigator Services** will be received by the Orange County Medical Examiner's Office located at 22 Wells Farm Road, Goshen NY 10924, for agreements to be entered into effective as of **January 1, 2020, and thereafter on a rolling basis** to fulfill the needs of the County.

Copies of the Request for Qualifications may be obtained beginning October 1, 2019 at the above address between the hours of 9:00 A.M. and 4:45 P.M., Monday through Friday (with the exception of County-observed holidays), as well as through **www.orangecountygov.com/621/Medical-Examiner** under "RFQ for Medical Investigators."

October 1, 2019

Jennifer L. Roman, D.O., Medical Examiner
 Orange County Medical Examiner's Office

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INSTRUCTIONS TO OFFERORS

This Request for Qualification (RFQ) is solicited directly by the County's Medical Examiner's Office.

By submitting a proposal, you are asking the County to accept your offer for the sale of goods and/or services. It is important that you READ and UNDERSTAND all terms and conditions in this RFQ, as well as understand the laws that govern Public Contracts in New York State. **If you do not agree with the terms and conditions contained in this RFQ you should not submit a proposal.**

Your proposal will be considered by the County if the following conditions are met:

1. Pursuant to State Finance Law §139-j and §139-k, this solicitation includes and imposes certain restrictions on communications between the County and an Offeror during the procurement process. An Offeror is restricted from contacting other than designated staff from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by the County Executive ("Restricted Period") unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). County employees are required to obtain certain information when contacted during the Restricted Period. The designated staff contact is the Medical Examiner or designated representative, telephone (845) 615-3870. Offerors responding to this RFQ must familiarize themselves with these State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the Proposal Form.

2. Applicable Not Applicable

A pre-proposal conference and site visit will be held at [location] on [date] at [time], prevailing time. Attendance is strongly recommended. The County shall not be liable for, nor shall it review proposed change orders, contract amendments, etc. for inadequate pricing, labor, materials, time or similar issues in Vendor/Consultant's contract with the County resulting from Vendor/Consultant's failure to attend and obtain information provided at the pre-proposal conference, site visit and/or any addenda issued afterward.

3. Offerors are responsible for reporting in writing any errors, omissions or ambiguities found in this RFQ. **All such reports, requests for information, questions, etc. shall be on the "Questions Form" found in this RFQ and either faxed to the Medical Examiner at (845) 291-4121 or mailed to Jennifer L. Roman, D.O., Medical Examiner, 22 Wells Farm Road, Goshen, NY 10924 and clearly marked "Questions- Medical Investigator Services." No questions will be entertained by any other means.**

4. Unless otherwise specified herein, all proposals shall be made upon forms furnished in this RFQ, if any, and as may be modified by addenda, contained in sealed envelopes clearly marked Medical Investigators, RFQ-ME02-19, and **addressed to Jennifer L. Roman, D.O., Medical Examiner, 22 Wells Farm Road, Goshen, NY 10924** for contracts to be entered into on a rolling basis to fulfill the needs of the County. **It is the Offeror's responsibility to clearly mark the outside of their envelopes with the RFQ title and number. Faxed / E-mailed proposals are not permitted.**

5. **Two (2) copies** of all proposals shall be submitted, **ONE (1) SET OF WHICH MUST CONTAIN ORIGINAL SIGNATURES**, including completed copies of any forms or certifications required in this RFQ. Forms, if any, included in this RFQ shall be completely filled in, in ink or by typing, on the original form. Failure to respond to this RFQ on any official form(s) included in this RFQ may result in disqualification of a proposal as non-responsive. No Proposal Form will be accepted which contains any modification to the template, additional information not

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specifically requested, omissions or erasures. Each Proposal Form shall be signed by the Offeror. Illegible and unsigned proposals will be rejected as non-responsive.

6. Permission will not be given to modify or explain any proposal after it has been opened, unless clearly specified in this document (e.g. interviews). Permission to withdraw a proposal prior to opening will be at the discretion of the County and no replacement proposal may be submitted without authorization from the Commissioner of General Services. Opened proposals may not be withdrawn until forty-five (45) days after opening.

7. **Basis of Award provisions vary with each RFQ, please read that section carefully.** Some RFQs may be awarded to more than one (1) entity/individual. The County reserves the right to waive any informality, reject any and all proposals, or, if noted in the Basis of Award section of this RFQ, accept any proposal in whole or in part, if deemed to be in the best interest of the County.

8. Any award shall be subject to the execution of a contract (and, if applicable, license or other agreements) between the Offeror and the County. The County's contract obligation is contingent upon execution of the contract between the County and selected Consultant, provision of required Pay-to-Play forms, insurance certificates and bonds, as applicable, by the Consultant, and the availability of appropriated funds for the contract. No legal liability on the part of the County for payment of any money shall arise unless and until a contract is executed by both parties, funds are appropriated and made available in each year of the term of the contract, and all performance requirements for each payment are met. The County shall have no responsibility or liability for any of Offeror's costs related to preparation of Proposals, attendance at interviews, etc.; all such costs are solely at Offeror's risk and expense.

9. Offeror(s) awarded a contract agree to execute the contract in the same form as the template enclosed in this RFQ in the timeframe, if any, indicated in this RFQ. Any supplemental agreement(s) (e.g. licensing or maintenance agreements) requested by an Offeror must be included in the proposal and are subject to the discretionary approval of the County Attorney and the County Executive. For any software required in the scope of services, include any proposed license or maintenance agreement(s) with your proposal. Failure to reach agreement on contract terms and conditions may result in rejection of a proposal, rescission of an award and/or retention of Bid Security by the County.

10. The County maintains a unilateral right to cancel or extend the contract in accordance with the terms of any contract resulting from this RFQ. If a Consultant fails to perform or otherwise breaches the contract, in addition to any other rights and remedies the County may have, the Consultant may be listed as non-responsible and may be ineligible for future contract awards.

11. If Bid Security is required by this RFQ, it must be included in the proposal. If Performance and/or Payment Bonds are required by this RFQ, proposals must include a letter from the Offeror's bank or surety stating that the required letter of credit or bond(s) will be provided in the event of a contract. The letter of credit or bond(s) shall be provided for each year or relevant portion of the contract, as may be applicable.

12. Offerors should be properly registered to do business in the State of New York and furnish applicable certificates of authority/incorporation/partnership/dba, etc. with their proposal.

13. The County encourages submission of proposals by certified Minority- and/or Women-Owned Business

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Enterprises (MWBE) and/or Disadvantaged Business Enterprises (DBE).

14. A Non-Collusion Certification, Disclosure of Non-Responsibility Determination and Iran Divestment Act Certification are included in this RFQ. Offerors must complete and submit a signed original of each and the applicable number of copies of each with their proposal.

15. Supplier Forms are provided with this RFQ. Offerors that have not received a purchase order in the last twelve (12) months from the County must submit completed and signed Supplier Forms prior to execution of a contract by the County.

16. Please be advised that this solicitation is subject to Orange County Local Law No. 13 of 2013, as amended, known as the "Pay-to-Play Law". Pay-to-Play Forms will be made available with this RFQ. All Pay-to-Play Forms should be submitted with your proposal and will be required if you are awarded a contract. The Pay-to-Play Forms are required from the Vendor/Consultant (unless exempted by the law) prior to execution of a contract by the County.

17. Pursuant to New York's Freedom of Information Law ("FOIL") (Public Officers Law, Article 6, Sections 84-90) all government records are presumptively open for public inspection unless specifically exempted from disclosure under FOIL. Offerors who have a good faith belief that information contained in their proposal is exempt from disclosure under FOIL must, at the time of their submission, request the exemption in writing, setting forth the basis for the claimed exemption. In addition, the Offeror must mark each page of its submission claimed to be exempt from disclosure under FOIL with the following legend: **"THE OFFEROR BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE NEW YORK STATE FREEDOM OF INFORMATION LAW."** Neither the Offeror's classification of materials as exempt under FOIL, nor the County's acceptance of Offeror's proposal with the claimed exemption(s), should be considered a final determination as to whether the designated materials are exempt from disclosure under FOIL. Any and all determinations as to the propriety of claimed exemptions will be made by the County and/or a court of law in accordance with applicable law.

INSURANCE REQUIREMENTS

During the term of a contract resulting from this RFQ, or longer if required, Consultant shall maintain, at its expense, Worker's Compensation, Disability and Liability insurance policies of the types and minimum coverages specified in the enclosed contract template (e.g., Consultant Services Agreement), as applicable. Certificates of insurance evidencing Consultant's compliance with these requirements shall be required prior to execution of the contract by the County. Award is conditional upon submission of insurance documents within the time specified in the Notice of Award. Failure to do so may result in disqualification of the Offeror as non-responsive.

BONDING REQUIREMENTS

There are no Bonds required for this contract.

SPECIFICATIONS AND WAGES

The County's Medical Examiner's Office is an independent investigative agency authorized by law to investigate sudden, unexpected, and unnatural fatalities in Orange County in order to ensure accurate cause and manner of

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death certification. The County's Medical Examiner is a forensic pathologist who has subspecialty training in interpretation of injuries, and cause and manner of death certification. Autopsies with external and internal examination allow further classification of disease and injury.

The Medical Examiner's Office has more than 750 fatalities reported each year. Approximately 350 of these cases are autopsied.

As of the date of this RFQ, the County's Medical Examiner's Office is located at 22 Wells Farm Road, Goshen, NY, and the autopsies are performed on premises.

The Medical Investigative Division consists of individuals with training in law, medicine, and law enforcement. The role of the medical investigator is to gather information from the scene, family, and treating medical personnel, whenever possible, for later use by the forensic pathologist to further correlate with autopsy findings. Information is exchanged regularly with other investigative agencies, including the County's District Attorney's Office and police departments.

The Medical Examiner's Office seeks qualified individuals to render medical investigator services as described on the applicable Specifications and Wage Table incorporated into this RFQ ("Table"), at the prices stated in that Table.

It is anticipated that multiple contracts may be awarded for these medical investigator services.

All Offerors must successfully complete a background check as performed by the County.

TERM

The County anticipates that the term of any Contract awarded hereunder will be for a period of up to one (1) year ("Initial Contract"). The County reserves the right to renew and extend the Initial Contract for up to four (4) additional periods of one (1) year each, at the sole option of the County and under the terms and conditions of the Initial Contract, unless alternate terms are specified in the contract for renewal/extension (each a "Renewal Contract").

Upon expiration of the Initial Contract or any Renewal Contract, if authorized by the County as set forth above, the Initial Contract or Renewal Contract may be extended unilaterally by the County for an additional period of up to two (2) months upon notice to the Consultant with the same terms and conditions as the Initial Contract or Renewal Contract including, but not limited to, quantities (prorated for such extension), prices, and delivery requirements. With the concurrence of the Consultant, the extension may be for a period of up to three (3) months in lieu of the up to two (2) month period.

SUBMISSION OF PROPOSALS

Qualification proposals must include the following:

1. A resume and any evidence of relevant post-secondary education, certifications, and qualifications; and
2. Names and contact information for at least two (2) professional references. References from

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persons for which similar services have been completed are preferred, but not required.

ADDITIONAL INFORMATION, INTERVIEWS

The County reserves the right to require any or all Offerors to present additional evidence of experience and ability. The County reserves the right to interview any or all Offerors during the evaluation of proposals. If applicable, the County shall contact Offerors to arrange an interview which would be held at the office of **Orange County Medical Examiner's Office, 22 Wells Farm Road, Goshen, NY 10924**. The County may award the contract without interviews for any or all Offerors, if deemed to be within the best interests of the County.

BASIS OF AWARDS

Award of any contract shall be made to the responsive, responsible, and qualified Offeror, whose proposal is determined to be in the best interest of the County, taking into consideration the following factors each of approximately equal weight:

1. Qualifications, Background, and References; and
2. Experience and Service.

The submission of a proposal implies the Offeror's acceptance of the evaluation criteria and Offeror's acknowledgment that subjective judgments must be made by the evaluation committee. Award of any contract shall be made to the responsible Offeror, whose proposal is determined to be in the best interest of the County. The County reserves the right to waive any informality, or reject any or all proposals, with or without advertising for new proposals, if in the best interest of the County.

It is anticipated that multiple contracts may be awarded for these services



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PROPOSAL FORM

INDIVIDUAL/BUSINESS ENTITY NAME: _____

ADDRESS: _____

TELEPHONE, FAX AND EMAIL OF CONTACT PERSON: _____

Do you have a minority, women's, disadvantaged, or small business certification? Yes No

If yes, please list the designation(s) and the certifying entity(ties) _____

The undersigned proposes to furnish and deliver services for the position(s) selected below at the prices stated on the applicable incorporated Specification and Wage Table and in accordance with all the other terms, conditions and specifications of this **RFQ-ME02-19 Medical Investigator Services** on file in the office of the Orange County Medical Examiner.

- Medical Investigator I
- Medical Investigator II
- Medical Investigator (Senior)
- Medical Investigator (Principal)

The individual submitting this proposal on behalf of the business entity noted above, certifies by his or her signature below that:

- he or she understands and has complied with the requirements of State Finance Law Sections 139-j and 139-k and will continue to do so throughout the Restricted Period;
- he or she has read and understood the full Request for Proposal cited above; and
- he or she is duly authorized to submit this proposal on behalf of the business entity noted above.

By: _____

Date: _____

Name

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NON-COLLUSION CERTIFICATION

- (a) "By submission of this Bid, each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint Bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:
- (1) The prices in this Bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Bidder or with any competitor.
 - (2) Unless otherwise required by law, the prices which have been quoted in this Bid have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any other Bidder or to any competitor; and
 - (3) No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not to submit a Bid for the purpose of restricting competition."
- (b) A Bid shall not be considered for award nor shall any award be made where the provisions of (a)(1)(2) and (3) above have not been complied with; provided however, that if in any case the Bidder cannot make the foregoing certification, the Bidder shall so state and shall furnish with the Bid a signed statement which sets forth in detail the reasons therefore. Where (a)(1)(2) and (3) above have not been complied with, the Bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the Bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a Bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being proposed, does not constitute, without more, a disclosure within the meaning of subparagraph (a)(1) of this certification.

Any Bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a Bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such Bid contains the certification referred to in subparagraph (a)(1) of this certification, shall be deemed to have been authorized by the board of directors of the Bidder, and such authorization shall be deemed to include the signing and submission of the Bid and the this Non-Collusion Certification as the act and deed of the corporation or other business entity submitting the Bid.

DATE

SIGNATURE

NAME

TITLE

BUSINESS NAME

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IRAN DIVESTMENT ACT CERTIFICATION

The Iran Divestment Act of 2012 (“Act”), Chapter 1 of the 2012 Laws of New York, added State Finance Law (SFL), §165-a and General Municipal Law §103-g, effective April 12, 2012. Under the Act, the Commissioner of the New York State Office of General Services (“OGS”) developed a list (“Prohibited Entities List”) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). In accordance with SFL § 165-a(3), the Prohibited Entities List may be found on the OGS website at <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>.

Pursuant to General Municipal Law §103-g, by signing below, Bidder certifies as true under the penalties of perjury that: By submission of this proposal each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each Bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law.

A proposal shall not be considered for award nor shall any award be made where the certification has not been made, provided, however, that if in any case the Bidder cannot make the certification, the Bidder shall so state and shall furnish with the proposal a signed statement which sets forth in detail the reasons therefor. The County may award a contract to a Bidder who cannot make the required certification on a case-by-case basis if:

1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the person has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
2. The County makes a determination that the goods and services are necessary for the County to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

During the term of the Contract, should the County receive information that a person is in violation of the above-referenced certifications, the County will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the contractor in default.

The County reserves the right to reject any Bid, Proposal, contract or request for assignment for an entity that appears on the Prohibited Entities List prior to the award or execution of a contract or any renewal thereof, as applicable, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities List after contract award.

DATE

SIGNATURE

BUSINESS NAME

NAME

TITLE

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INSTRUCTIONS FOR COMPLETING THE DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS

Background:

New York State Finance Law §139-k(2) obligates a Governmental Entity to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. In accordance with State Finance Law §139-k, an Offeror must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms "Offerer" and "Governmental Entity" are defined in State Finance Law § 139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offeror fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offeror that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offeror is necessary to protect public property or public health safety, and that the Offeror is the only source capable of supplying the required Article of Procurement within the necessary timeframe. *See State Finance Law §§139-j (10)(b) and 139-k(3).*

Instructions:

The County of Orange includes the following disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of Proposals or Bid documents or specifications or contract documents, as applicable, for Procurement Contracts. The attached form is to be completed and submitted by the individual or entity seeking to enter into a Procurement Contract, Supplement or Change Order. It shall be submitted to with your Bid or Proposal to the County agency conducting the Governmental Procurement.

The following disclosure form must accompany each Bid Form, Letter of Interest, or Proposal submitted by all Offerors.

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DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS

Name of Individual or Business Entity Seeking to Enter into the Procurement Contract:

Address: _____

Name and Title of Person Submitting this Form: _____

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle): No Yes

If Yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):
 No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle): No Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below and attach additional pages as necessary.

Governmental Entity: _____

Date of Finding of Non-Responsibility: _____

Basis of Finding of Non-Responsibility: _____

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle): No Yes

6. If yes, please provide details below and attach additional pages as necessary.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

Offerer certifies that all information provided to the Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate.

By: _____

Signature

Date: _____



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INFORMATION SHEET

The questions asked on this Information Sheet are voluntary. It is not necessary to complete this Information Sheet. Filling out this sheet does not change your chances of a contract award in any respect. By completing this form, you will be helping the County track trends that we believe to be of importance. The information collected will NOT be used to compile mailing lists and will not be used to contact you. It will also not be sold. The information collected may be used to generate reports showing historical data with regard to the County's purchasing process.

Individual/Business Entity Name: _____

Address: _____

If an entity, in what county are the primary operations of this business conducted?

If an entity, business type (Sole Proprietorship, Corporation, LLC, etc.) _____

If an entity, does this business have a minority, women's, disadvantaged, or small business status? Yes No

If yes, please list the designation(s) and the certifying entity(ties) _____

If an entity, how many individuals does this business employ? _____

Have you conducted business with the County before? Yes No

How did you discover this proposal opportunity? _____

Do you use the Empire State Municipal Purchasing Group Website (BidNet)? Yes No

If Yes, do you find it useful (explain) or if No, why?

Please list any other comments or suggestions pertaining to doing business with Orange County.

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NON-OFFEROR'S RESPONSE

INDIVIDUAL NAME: _____

For the purpose of facilitating your response to our Request for Qualifications, the County of Orange is interested in ascertaining reasons for prospective Offerors' failure to respond to Requests for Qualifications. If you are not responding to this Request for Qualifications, please indicate the reason(s) by checking any appropriate item(s) below and faxing it to the Medical Examiner at (845)291-4121 or mailing it to **Jennifer L. Roman, D.O., Medical Examiner, 22 Wells Farm Road, Goshen, NY 10924** clearly marked "non-offeror's response."

I am **not** responding to this RFP for the following reason(s):

- I do not offer this product or service.
- I am unable to meet specifications.
- Specifications not clearly understood or applicable (please note in "Other reason(s)" below if too vague, too rigid, etc.).
- I am unable to meet your bond requirements.
- Insufficient time allowed for preparation of Proposal.
- Incorrect address used or our branch/division does not handle this type of Proposal. Correct name and mailing address is:

- Other reason(s): _____
- _____
- _____
- _____
- _____