



COUNTY OF ORANGE / County Attorney

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Service by fax not accepted

To: Potential Contractors with Orange County, NY
From: James Burpoe, Commissioner of General Services
RE: Orange County, New York's Pay-to-Play Law.

Thank you for your interest in contracting with Orange County, NY.

Please know that Orange County has enacted Local Law No. 13 of 2013, known as "Pay-to-Play", which prohibits the making of certain contracts with entities or persons which have made campaign contributions on or after January 1, 2014 above a certain level (for County Legislators per year and for the County Executive, Sheriff, District Attorney, and County Clerk per year, if that contract must be approved or voted on by such individual).

Exemptions from Law:

1. Contracts which are issued as:

- a. **Emergency Contracts;**
- b. **Sole Source provider contracts;**
- c. **Contracts required to be awarded to the lowest bidder under New York State Law are all exempt from this Local Law.**

2. Also, any campaign donation made prior to January 1, 2014 does not count against this law.

For those contracts the law applies to however, the law requires the County to run any contractor's name, *and various names associated with such contractor*, through a campaign donor database **sixty days before the contract is awarded**. As a result, you will need to supply particular information to the County relative to those personal or business relationships the contractor has.

Please return FORM A with your quote/proposal/qualifications/application/contracts. This is a form which discloses various relationships you as a potential contractor may have. Please also know that if a disqualifying campaign contribution was made, that disqualification can be cured by asking for (and then receiving) a return of the excess campaign contribution within thirty days of being notified of such excess campaign contribution.

If you are selected by the County to contract with, please sign and return with your signed contract, both Form B – an Affidavit of compliance with the law and Form C, incorporating the provisions of the law by reference into your/your organization's contract with Orange County.

Should you desire a copy of the Pay-to-Play Local Law, please call the Department of General Services at (845) 291-2792.

FORM A

TO BE RETURNED WITH
QUOTE/PROPOSAL/QUALIFICATIONS/APPLICATION/CONTRACTS

The Orange County Pay-to-Play Law applies to Professional Business Entities who contract with Orange County, **except for contracts which are:**

- a. Emergency Contracts;
- b. Sole Source provider contracts; or
- c. Contracts required to be awarded to the lowest bidder under New York State Law.

The definition of Professional Business Entity under the law is: “an individual including the individual’s spouse, if any, and any child living at home; person; firm; corporation, professional corporation, partnership, organization, union, or association in the rendering of any work contracted through the County. The definition of a professional business entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners, officers in the aggregate, as well as any subsidiaries directly controlled by the Professional Business Entity.”

PLEASE PROVIDE THE FOLLOWING INFORMATION **IF APPLICABLE** TO YOUR PROFESSIONAL BUSINESS ENTITY:

- 1. The names and business addresses of any Professional Business Entity who will be directly contracting with the County is/are:
 - a. The Spouse(s) and address of such Person(s) are: (disregard if prohibited by law)
 - b. The names of children living at home with such contracting person(s) are:
- 2. For Corporations, Partnership, Organizations, Unions, or association contracting with the County:
 - a. The name and business address of such entity:

FOR ORANGE COUNTY GOVERNMENT DEPARTMENTAL USE ONLY:

DEPARTMENT _____ CIRCLE REQUEST FOR: QUOTE/BID/PROPOSAL/QUALIFICATIONS/APPLICATIONS OR OTHER

FOR _____

RFP/B NUMBER, IF APPLICABLE: _____ ANTICIPATED EFFECTIVE DATE OF CONTRACT AWARD: _____

CIRCLE APPROPRIATE APPROVAL AUTHORITY: COUNTY EXECUTIVE/COUNTY CLERK/DISTRICT ATTORNEY/SHERIFF/COUNTY LEGISLATOR. If applicable, for Legislator(s), state "ALL" for the full board or list names (e.g. those on a Department Advisory Committee approving the award).

b. The owners of 10% of more of the equity in any Corporation or Business Trust that contracts with the County are (name and address):

c. The Partners (or officers) names and addresses:

3. The name(s) of any subsidiary directly controlled by any Professional Business entity are:

(please attach any additional pages if needed to provide additional information)