

## ATTACHMENT 6



**Department of  
Civil Service**

### Offeror Attestations Form - RFP entitled: “Language Proficiency Testing”

A representative of the Offeror who is legally authorized to bind the Offeror must complete and sign the Offeror Attestations Form and provide all requested information.

Name of Business Entity Submitting Bid:		
Entity’s Legal Form:	<input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other _____	
<b>No.</b>	<b>RFP Ref.</b>	<b>RFP Requirement:</b>
1.	Section 1.4(1)	At time of Proposal Due Date, Offeror represents and warrants that it: <input type="checkbox"/> possesses <input type="checkbox"/> does not possess the legal capacity to enter into a contract with the Department.
2.	Section 1.4(2)	At time of Proposal Due Date, the Offeror represents and warrants that it: <input type="checkbox"/> possesses the authorization to conduct business in New York State <input type="checkbox"/> does not possess the authorization to conduct business in New York State <input type="checkbox"/> does not possess the authorization to conduct business in New York State, but the Offeror has filed an application for authority to do business in New York State with the New York State Secretary of State.
3.	Section 1.4(3)	At time of Proposal Due Date, Offeror represents and warrants that it: <input type="checkbox"/> attests <input type="checkbox"/> does not attest Is a certified Minority or Women-owned Business Enterprise (“MWBE”) pursuant to Article 15-A of the New York State Executive Law.
4.	Section 1.4(4)	At time of Proposal Due Date, Offeror represents and warrants that it: <input type="checkbox"/> attests <input type="checkbox"/> acknowledges and agrees subject to the non-material deviation listed in Attachment 11 <input type="checkbox"/> does not attest has previous experience successfully implementing and managing a Language Proficiency Testing Program via telephone, including providing similar services for at least one client for twelve (12) months or more.

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5.	Section 1.4(5)	<p>At time of Proposal Due Date, Offeror represents and warrants that it:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> attests</li> <li><input type="checkbox"/> acknowledges and agrees subject to the non-material deviation listed in Attachment 11</li> <li><input type="checkbox"/> does not attest</li> </ul> <p>possesses adequate staffing resources, financial resources and organizational capacity to perform the type, magnitude and quality of work specified in the RFP.</p>
6.	Section 3.3(1)a	<p>At time of Proposal Due Date, Offeror represents and warrants that it:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> attests</li> <li><input type="checkbox"/> acknowledges and agrees subject to the non-material deviation listed in Attachment 11</li> <li><input type="checkbox"/> does not attest</li> </ul> <p>shall report examination results to the Department and the applicable State Agency within five business days of test administration.</p>
7.	Section 3.3(1)b	<p>At time of Proposal Due Date, Offeror represents and warrants that it:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> attests</li> <li><input type="checkbox"/> acknowledges and agrees subject to the non-material deviation listed in Attachment 11</li> <li><input type="checkbox"/> does not attest</li> </ul> <p>shall adhere, to the extent applicable, to the Information Security Requirements (Appendix C).</p>
8.	Section 3.3(1)c	<p>At time of Proposal Due Date, Offeror represents and warrants that it:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> attests</li> <li><input type="checkbox"/> acknowledges and agrees subject to the non-material deviation listed in Attachment 11</li> <li><input type="checkbox"/> does not attest</li> </ul> <p>that in addition to requirements cited in Appendices B and C, any individual who provides services to the Department as an officer, employee, subcontractor or agent (workforce members) of the Offeror must agree to abide by the Department's information security guidelines prior to any access or use of the Department's Proprietary or Confidential Information.</p>

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9.	Section 3.3(1)d	<p>At time of Proposal Due Date, Offeror represents and warrants that:</p> <p><input type="checkbox"/> attests</p> <p><input type="checkbox"/> acknowledges and agrees subject to the non-material deviation listed in Attachment 11</p> <p><input type="checkbox"/> does not attest</p> <p>its employees and other workforce members must not divulge or provide access to third parties of any Proprietary Information or Confidential Information acquired during their performance of services. All individuals who work on this Contract must execute a Contractor non-disclosure agreement that will remain in effect during and up to 12 months after employment with Contractor.</p>
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**CERTIFICATION:**

The Offeror: (1) recognizes that the following representations are submitted for the express purpose of assisting the State of New York in making a determination to award a contract; (2) acknowledges and agrees by submitting the Attestation, that the State may at its discretion, verify the truth and accuracy of all statements made herein; and (3) certifies that the information submitted in this certification and any attached documentation is true, accurate and complete

**Signature:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**PRINT SIGNATORY'S NAME:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**INDIVIDUAL, CORPORATION, PARTNERSHIP, OR LLC ACKNOWLEDGMENT  
STATE OF }**

**Sworn Statement:**

**COUNTY OF }**

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 20\_\_\_\_, before me personally appeared \_\_\_\_\_, known to me to be the person who executed the foregoing instrument, who, being duly sworn by me did depose and say that \_he maintains an office at

Town  
of \_\_\_\_\_

County of \_\_\_\_\_, State of \_\_\_\_\_; and further that:

\_\_\_\_ (If an individual): \_he executed the foregoing instrument in his/her name and on his/her own behalf.

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\_\_\_\_ (If a corporation): \_he is the \_\_\_\_\_ of \_\_\_\_\_, the corporation described in said instrument; that, by authority of the Board of Directors of said corporation, \_he is authorized to execute the foregoing instrument on behalf of the corporation for purposes set forth therein; and that, pursuant to that authority, \_he executed the foregoing instrument in the name of and on behalf of said corporation as the act and deed of said corporation.

\_\_\_\_ (If a partnership): \_he is the \_\_\_\_\_ of \_\_\_\_\_, the partnership described in said instrument; that, by the terms of said partnership, \_he is authorized to execute the foregoing instrument on behalf of the partnership for purposes set forth therein; and that, pursuant to that authority, \_he executed the foregoing instrument in the name of and on behalf of said partnership as the act and deed of said partnership.

\_\_\_\_ (If a limited liability company): \_he is a duly authorized member of \_\_\_\_\_, LLC, the limited liability company described in said instrument; that, \_he is authorized to execute the foregoing instrument on behalf of the limited liability company for purposes set forth therein; and that, pursuant to that authority, \_he executed the foregoing instrument in the name of and on behalf of said limited liability company as the act and deed of said limited liability company.

Notary Public \_\_\_\_\_ Date: \_\_\_\_\_