

Establishing A Policy Requiring Nonprofit Vendors To Comply With Applicable Financial Reporting And Tax Filing Regulations

Referred to: The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, and Roberts)

Legislator Jeff Collins offers the following:

WHEREAS, Ulster County utilizes nonprofit organizations in the delivery of essential and vital public services; and

WHEREAS, the County upholds high financial and managerial standards for each vendor it contracts with; and

WHEREAS, the County regularly conducts analyses to ensure each of the professional services it outsources is being completed in a manner that is efficient, cost effective, and responsible; and

WHEREAS, the audited financial statements, tax returns, and other required annual filings which are completed by a nonprofit in a fiscal year are essential to conducting these analyses and these documents provide the County with essential information in its decision making; and

WHEREAS, Ulster County deems it necessary and appropriate to enact policy to ensure vendors doing business with the county adhere to all applicable rules and regulations to the maximum extent possible when working for the County and conducting business on behalf of the County; now, therefore be it

RESOLVED, that Ulster County hereby establishes a policy that all contracts with nonprofit vendors with a 501 (c)(3) or 501 (c)(6) status executed on or after January 1, 2025 shall contain the option to withhold the last and final contractual payment if the vendor is not current with applicable financial reporting and tax filings; and, be it further

RESOLVED, in furtherance of this policy, Ulster County shall confirm compliance, as directed by the County Executive, with applicable financial reporting and tax filings and withhold the last and final contractual payment for non-compliance; and, be it further

RESOLVED, that a waiver from this policy may be granted by a two-thirds vote of the Ulster County Legislature in support of such waiver; and, be it further

Resolution No. 78 April 16, 2024

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RESOLVED, that in furtherance of this policy, the County Executive, him/her/themself or through designee, shall ensure all contracts with nonprofit vendors with a 501 (c)(3) or 501 (c)(6) status executed on or after January 1, 2025 are in compliance with applicable financial reporting and tax filings before execution; and, be it further

RESOLVED, that Ulster County shall provide notice of this Policy on the county's website and in all announcements, including contracts, procurement requests, and requests for proposals,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 1
(Noes: Legislator Roberts)
(Absent: Legislator Litts)

Postponed in Committee: Ways and Means on February 8, 2024 with consent

Passed Committee: Ways and Means on March 14, 2024

Referred to Laws, Rules and Government Services Committee at Legislative Session on March 19, 2024

Passed Committee: Laws, Rules and Government Services as amended on April 11, 2024

FINANCIAL IMPACT:
NONE

