

Survey Tool for Governmental Entities Re: Procurement Lobbying Law

Name of Governmental Entity	
Answer Options	Response Count
	44
<i>answered question</i>	44
<i>skipped question</i>	1

Response Text

SUNY Oswego
 County of Sullivan Industrial Development Agency
 SUNY Cortland
 Harrietstown Housing Authority
 Town of Islip Housing Authority
 Syracuse Housing Authority
 State University of New York College at Oneonta
 NYS Workers' Compensation Board
 Salamanca (city of) Housing Authority
 Jefferson County IDA
 SUNY Potsdam
 New York State Office for the Prevention of Domestic Violence
 Lake George Park Commission
 Livingston County Industrial Development Agency
 The University at Albany, SUNY
 New York Power Authority
 New York State Housing Finance Agency/State of New York Mortgage
 Agency/New York State Affordable Housing Corporation/State of New
 York Municipal Bond Bank Agency/Tobacco Settlement Financing
 Corporation
 New York State Department of Motor Vehicles
 Dept. of Public Service
 Village of Watkins Glen Housing Authority
 Harlem Community Development Corporation (A subsidiary of Empire
 State Development Corporation)
 NYS Thruway
 Greenburgh Housing Authority
 White Plains Urban Renewal Agency

NYS Office of Homeland Security
Rochester-Genesee Regional Transportation Authority
Buffalo State College
Office of Mental Retardation and Developmental Disabilities (OMRDD)
SUNY College at Geneseo
Town of Victor
SUNY Stony Brook
Dutchess County Economic Development Corporation
NYS Office of Cyber Security and Critical Infrastructure Coordination
SUNY Buffalo
Rockland County Solid Waste Management Authority
NYS Division of Housing & Community Renewal
Development Authority of the North Country
New York State Department of Labor
New York Lottery
Division of the Budget
NYS Department of Civil Service
Roosevelt Island Operating Corporation of the State of New York
Genesee County Economic Development Center
NYS Office of Parks, Recreation and Historical Preservation

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Procurement Lobbying Law**

Today's date	
Answer Options	Response Count
	44
<i>answered question</i>	44
<i>skipped question</i>	1

Response Text

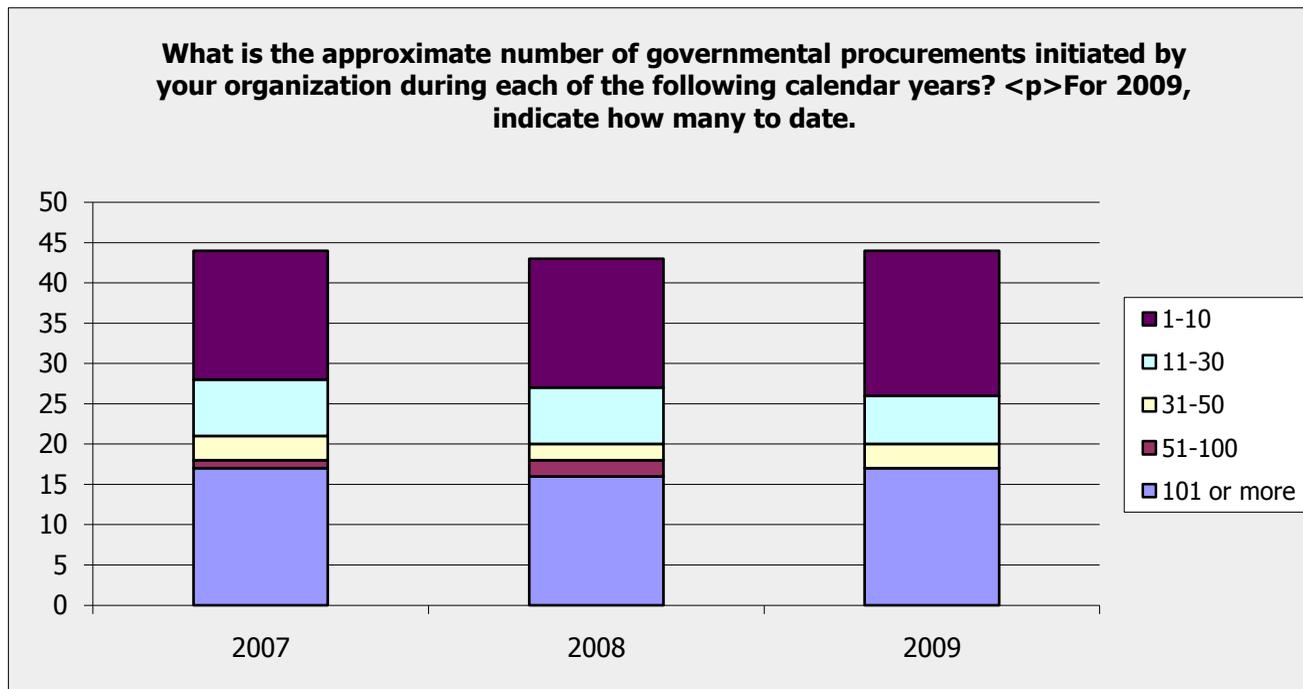
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What is the approximate number of governmental procurements initiated by your organization during each of the following calendar years? <p>For 2009, indicate how many to date.

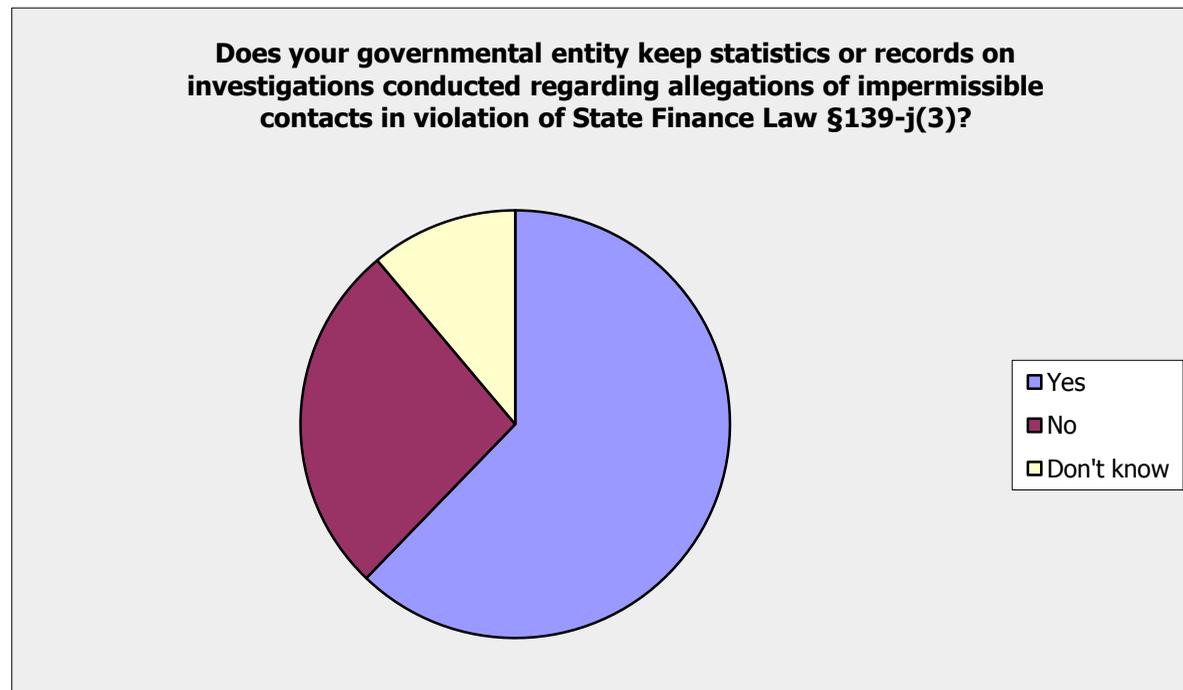
Answer Options	1-10	11-30	31-50	51-100	101 or more	Response Count
2007	16	7	3	1	17	44
2008	16	7	2	2	16	43
2009	18	6	3	0	17	44
<i>answered question</i>						45
<i>skipped question</i>						0



Survey Tool for Governmental Entities Re: Procurement Lobbying Law

Does your governmental entity keep statistics or records on investigations conducted regarding allegations of impermissible contacts in violation of State Finance Law §139-j(3)?

Answer Options	Response Percent	Response Count
Yes	62.2%	28
No	26.7%	12
Don't know	11.1%	5
answered question		45
skipped question		0



Survey Tool for Governmental Entities Re: Procurement Lobbying Law

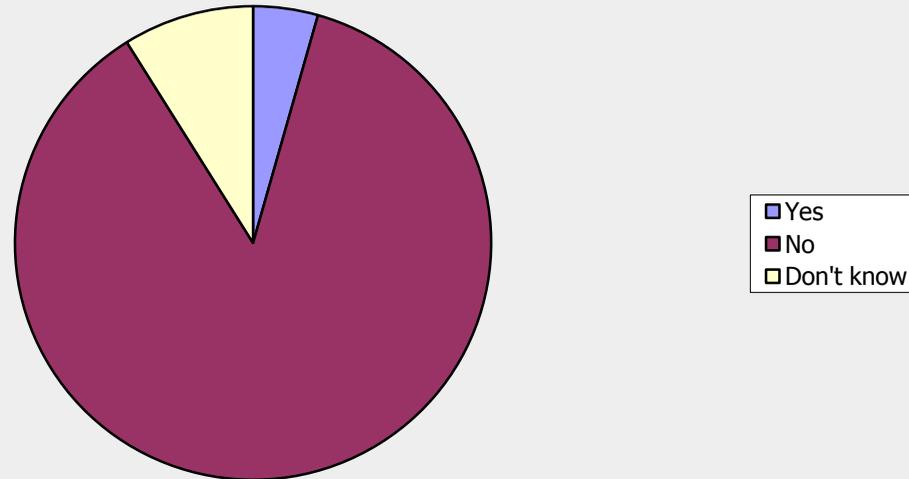
Has your governmental entity received allegations of impermissible contacts in violation of State Finance Law §139-j(3)?<p>If you choose No or Don't know, you will be directed to Question 12.

Answer Options	Response Percent	Response Count
Yes	4.4%	2
No	86.7%	39
Don't know	8.9%	4
If so, please describe the nature of the allegations; please omit any identifying information.		1
answered question		45
skipped question		0

If so, please describe the nature of the allegations; please omit any identifying information.

Attempts at influence from former political officials.

Has your governmental entity received allegations of impermissible contacts in violation of State Finance Law §139-j(3)?<p>If you choose No or Don't know, you will be directed to Question 12.



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If your governmental entity received any allegations, identified in question 5, please provide the following:

Answer Options	Response Percent	Response Count
Number of allegations of violations	100.0%	3
Number of determinations that sufficient cause exists to	66.7%	2
Number of determinations that sufficient cause does not exist	66.7%	2
Number of findings of knowing and willful violations	33.3%	1
answered question		3
skipped question		42

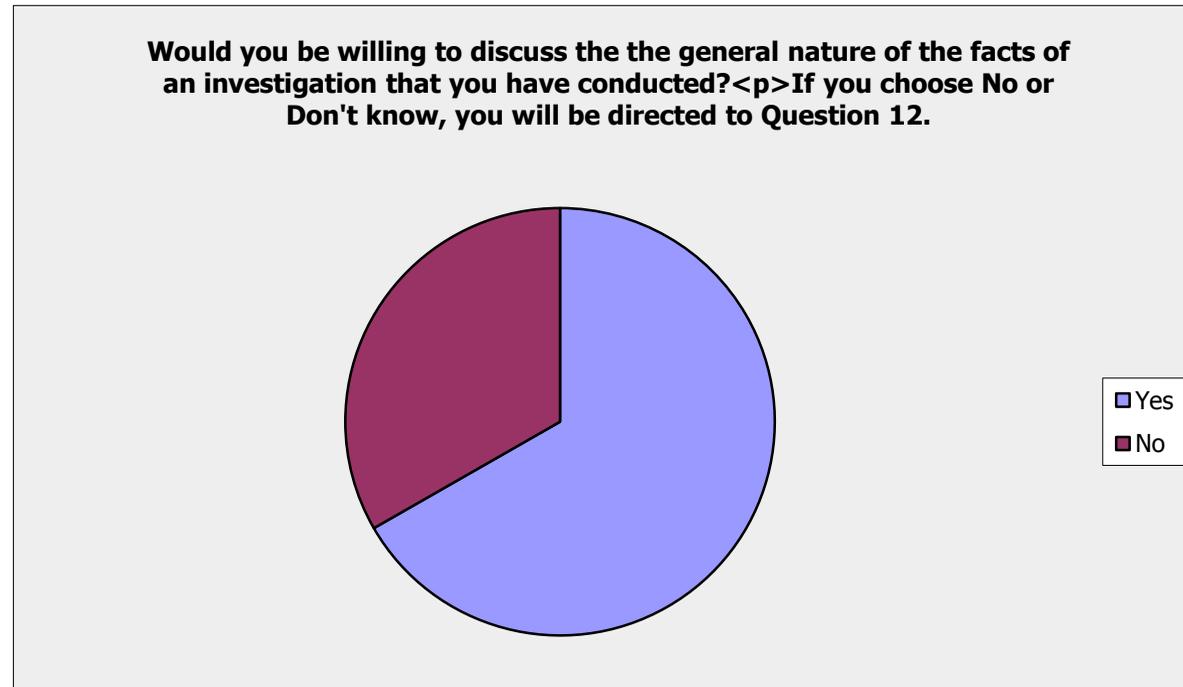
Number of allegations of violations	Number of determinations that sufficient cause exists to believe that such allegation is true	Number of determinations that sufficient cause does not exist to believe that such allegation is true	Number of findings of knowing and willful violations
0	0	0	0
1	0	0	0
0			



Survey Tool for Governmental Entities Re: Procurement Lobbying Law

Would you be willing to discuss the the general nature of the facts of an investigation that you have conducted?<p>If you choose No or Don't know, you will be directed to Question 12.

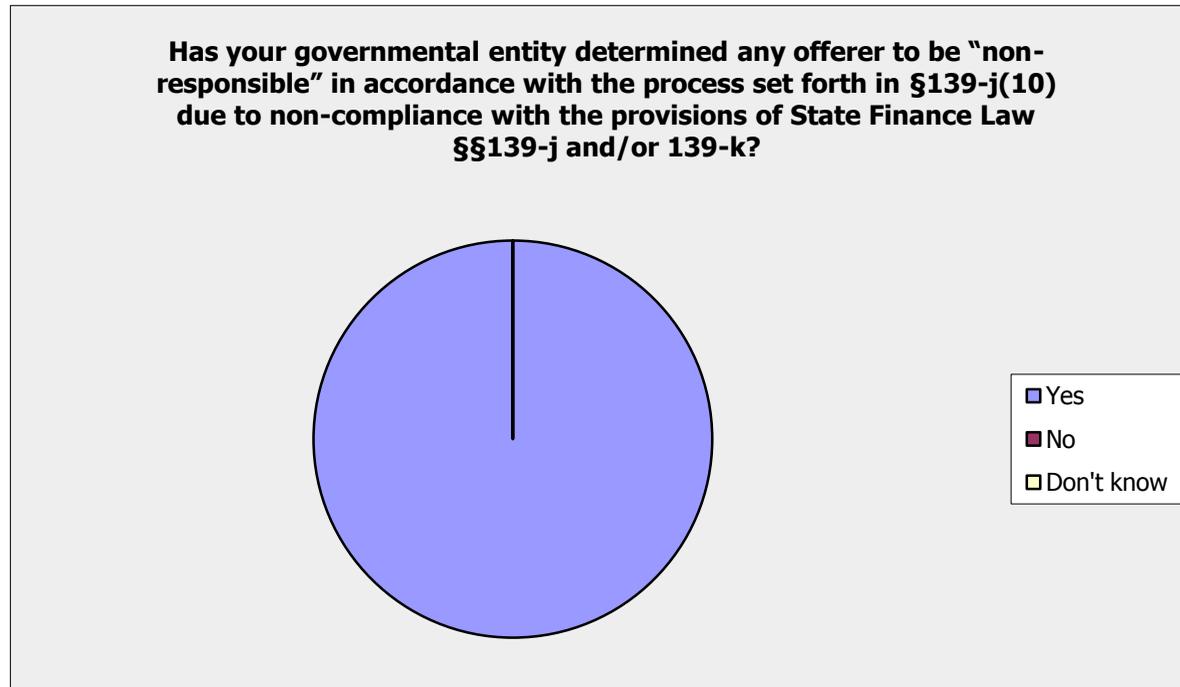
Answer Options	Response Percent	Response Count
Yes	66.7%	2
No	33.3%	1
<i>answered question</i>		3
<i>skipped question</i>		42



Survey Tool for Governmental Entities Re: Procurement Lobbying Law

Has your governmental entity determined any offerer to be "non-responsible" in accordance with the process set forth in §139-j(10) due to non-compliance with the provisions of State Finance Law §§139-j and/or 139-k?

Answer Options	Response Percent	Response Count
Yes	100.0%	1
No	0.0%	0
Don't know	0.0%	0
<i>answered question</i>		1
<i>skipped question</i>		44



**Survey Tool for Governmental Entities Re:
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Please provide specific information related to the non-responsible findings; please omit any identifying information.

Answer Options	Response Count
	0
<i>answered question</i>	0
<i>skipped question</i>	45

Survey Tool for Governmental Entities Re: Procurement Lobbying Law

Has your governmental entity encountered any issues in connection with an allegation of a violation or while conducting an investigation that you believe should be addressed by the Advisory Council on Procurement Lobbying ("ACPL") through its training materials?

Answer Options	Response Percent	Response Count
Yes	0.0%	0
No	0.0%	0
Don't know	0.0%	0
If yes, please describe the circumstances and suggest how the ACPL could amend its training.		0
<i>answered question</i>		0
<i>skipped question</i>		45

Survey Tool for Governmental Entities Re: Procurement Lobbying Law

Has your governmental entity received an allegation of a violation or conducted an investigation that involved a situation that you believe should be addressed by the Legislature through an amendment to State Finance Law §§139-j and 139-k (the "Law")?

Answer Options	Response Percent	Response Count
Yes	0.0%	0
No	0.0%	0
Don't know	0.0%	0
If yes, please describe the circumstances and suggest how this might be addressed through amendment to the Law.		0
<i>answered question</i>		0
<i>skipped question</i>		45

Survey Tool for Governmental Entities Re: Procurement Lobbying Law

Please use the space below to provide additional information or discuss any other issues pertaining to implementation of the Law that you think might be useful for inclusion in the ACPL's report to the Governor and Legislature in discussing investigations of violations of State Finance Law §139-j(3) or to build on any of the responses above.

Answer Options	Response Count
	16
<i>answered question</i>	16
<i>skipped question</i>	29

Response Text

We would comment that the lobby law requirements of obtaining affirmation and disclosure signatures at the \$15,000 level is obtrusive and should be raised to a higher level. The \$15,000 level is inappropriate and not realistic in today's business climate. It imposes undue burdens of paperwork for private business on procurements of a routine nature. An alternative level would be \$100,000, since that is where additional Vendor Responsibility processes are required. State Tax law 5A as amended in 2006 was changed to this more fitting dollar level.

None

The \$15,000 threshold is low and difficult to implement especially when the agency uses many procurement cards for most purchases.

Housing Authorities implementing HUD funding that are following the HUD guidelines should have no issues with complying with the law.

To have a small vendor with a \$15,000 contract having to sign that they did not lobby for our business seems a waste of both their and our time. Please make the threshold a more reasonable level. It costs way more in our time to monitor and explain this law than any benefit we are deriving from this. It would make much more sense at something like a \$100,000 level.

We have no issues with the current law.

We have not had any issues relating to the implementation of the requirements of this law.

Conferred with the NYPA Ethics Officer who confirmed that there have been no allegations of impermissible contacts.

I am not familiar with State Finance Law

None

With regard to Question No. 4, above, since we have not received any allegations, we have no statistics or records on investigations conducted regarding allegations of impermissible contacts.

These laws have require this organization to handle unnecessary amounts of paperwork. Lobbying efforts are not present at our levels.

This laws is more appropriate to legislative environment.

For the survey period, 2007 - 2009, the Development Authority of the North Country did not have any instances of impermissible contacts for any procurements.

We would recommend that the ACPL consider development and adoption of a consolidated, streamlined one page form that all agency would use in their procurements/solicitations vs. the three page model forms available on the ACPL's website.

None

None

Survey Tool for Governmental Entities Re: Procurement Lobbying Law

Have you developed any best practices with regard to implementation of the Law that would be useful to share with others?

Answer Options	Response Percent	Response Count
Yes	14.3%	6
No	66.7%	28
Don't know	19.0%	8
If Yes, please specify what best practices you have developed.		9
answered question		42
skipped question		3

If Yes, please specify what best practices you have developed.

Limit the number of people out side of purchasing who are listed as "contacts" in the procurement and notify departments not to speak to anyone regarding the procurement during the sensitive time period form Ad to award.

We include the information and forms in any formal solicitations so that responding vendors provide the information and comply.

We provide routine review of documents submitted by vendor against public records.

We require the vendor to submit responses to predefines questions. The contracting agent then provides certification to their validity findings.

We also require the Vendor Responsibility or a component of it. The contracting agent completes a review (fully/partial) of the findings.

The agency's intranet site contains summaries of the applicable law and agency policy implementing the law, including how to make mandated reports of impermissible contacts, who shall investigate those reports, and how to address impermissible contacts that are found to be knowing and willful.

We conduct monthly "Business Officer Conference Calls" to discuss timely topics (including Procurement Lobbying Law) with our field offices. I feel that this communication effort leads to a better understanding of procurement practices throughout the OMRDD.

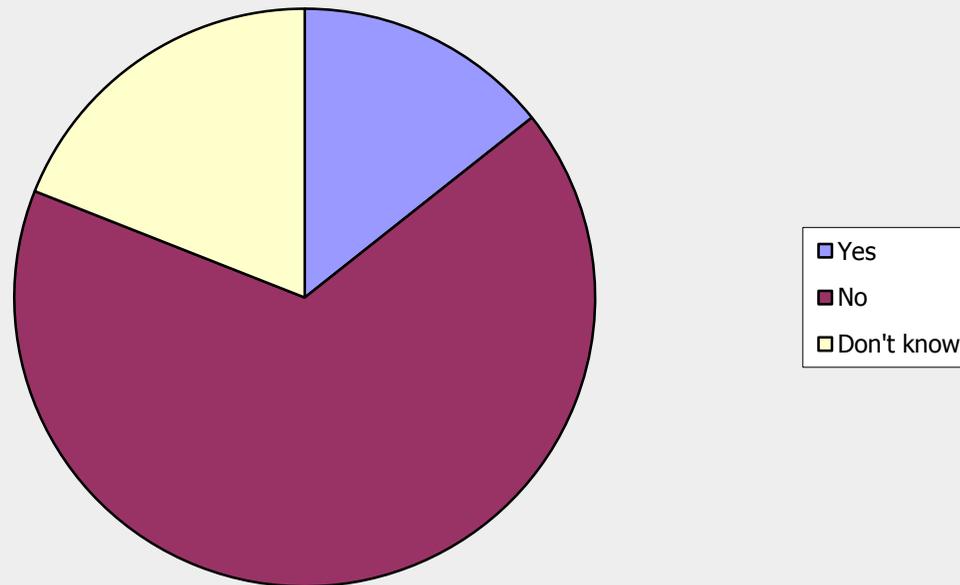
Procurement Procedures that must be followed.

The "Governmental Entity Record of Contact Under State Finance Law §139-k(4)" has been added to the DHCR Intranet for access by all employees. When complete, this form is sent to the appropriate Finance Office to ensure that all reports of contact are filed with the appropriate procurement documentation. We also send out a notice to the appropriate staff when an RFP has been released instructing them that the restricted period is now in effect.

Our Authority utilizes a threshold of \$30,000 for bidding, and given the limited scope of procurement, we have not encountered any lobbying.

In the solicitation document, we always provide more than one designated contact - at minimum, one for technical assistance and one for fiscal assistance. The more complex, the more designated contacts (SMEs) needed. This minimizes, if not eliminates, potential Lobby Law violations.

Have you developed any best practices with regard to implementation of the Law that would be useful to share with others?



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Please provide the following information should we wish to discuss your answers further.

Answer Options	Response Percent	Response Count
Name:	100.0%	41
Agency:	100.0%	41
Address:	100.0%	41
State:	100.0%	41
Email Address:	100.0%	41
Phone Number:	100.0%	41
answered question		41
skipped question		4

Name:	Agency:	Address:	State:	Email Address:	Phone Number:
Mark	Cole County of Sullivan Industrial Development	SUNY Oswego,402 Culkin Hall, Oswego	NY	rmark.cole@oswego.edu	(315) 312-3627
Jennifer CS Brylinski	Agency	One Cablevision Center, Ferndale	NY	scida@hvc.rr.com	(845) 295-2603
Sam Colombo	SUNY Cortland	PO Box 2000, Cortland 13045	NY	samuel.colombo@cortland.edu	(607) 753-2307
David	Aldrich	14 Kiwassa Rd Saranac Lake	NY	daldrich@harrietstownha.org	(518) 891-3050
Richard Wankel	Town of Islip Housing Authority	963 Montauk Highway	NY	richw@isliphousing.org	(631) 589-7186
David Paccone	Syracuse Housing Authority	516 Burt Street	NY	dpaccone@syrhousing.org	(315) 436-8003
Denise Straut	SUNY College at Oneonta	108 Ravine Pkwy, Oneonta	NY	strautda@oneonta.edu	(607) 436-2583
Cheryl M. Wood	NYS Workers' Compensation Board	20 Park Street	NY	cheryl.wood@wcb.state.ny.us	(518) 402-6314
Fredrick J. Fuller	Salamanca Housing Authority	69 Iroquois Drive	NY	salhousinga@yahoo.com	(716) 945-3820
Lyle V. Eaton	Jeff County IDA	800 Starbuck Ave.	NY	leaton@jcjdc.net	(315) 782-5862
Mark Martinchek	SUNY Potsdam	44 Pierrepont Ave	NY	martinme@potsdam.edu	(315) 267-3106
Eileen F Swan	NYS OPDV	80 Wolf Rd	NY	eileen.swan@opdv.state.ny.us	(518) 457-5825
Michael P. White	Lake George Park Commission	PO Box 749, Lake George	NY	mpwhite@lgpc.state.ny.us	(518) 668-9347
Patrick Rountree	Livingston County IDA	6 Court St., Room 306, Geneseo	NY	prountree@co.livingston.ny.us	(585) 243-7124
Edward Kane	University at Albany, SUNY	1400 Washington Avenue	NY	ekane@uamail.albany.edu	(518) 437-4570
Patricia A. Leto	New York Power Authority New York State Housing Finance Agency, State of New York Mortgage Agency, New York State Affordable Housing Corporation, State of New York Municipal Bond Bank Agency and Tobacco	123 Main Street	NY	patricia.letto@nypa.gov	(914) 681-6623
Lisa G. Pagnozzi	Settlement Financing Corporation	641 Lexington Avenue	NY	lpagnozzi@nyhomes.org	(212) 872-0364
Tim Lennon	DMV	6 Empire Sate Plaza, Albany	NY	timothy.lennon@dmv.state.ny.us	(518) 402-4600

Anne Cleveland	Village of Watkins Glen Housing Authority	222 E. Second Street, Watkins Glen	NY	jeffersonvillage@stny.rr.com	(607) 535-2640
Curtis L. Archer	Harlem Community Development Corp.	163 West 125th Street, 17th Floor	NY	carcher@empire.state.ny.us	(212) 961-4156
Fred Rudin	NYS Thruway	200 Southern Blvd	NY	Fred_Rudin@thruway.state.ny.us	(518) 436-2736
Susan Habel	White Plains Urban Renewal Agency	255 Main Street	NY	shabel@ci.white-plains.ny.us	(914) 422-1366
Earl Knowles	NYS OHS	1220 Washington Ave, NYS Office Campus, Bldg. 7a	NY	earl.knowles@security.state.ny.us	(518) 457-5638
Harold Carter	RGRTA	1372 East Main Street	NY	hcarter@rgrta.com	(585) 654-0621
Donna Doyle	Buffalo State College	1300 Elmwood Avenue	NY	doylem@buffalostate.edu	(716) 878-4113
Robert Coyner	OMRDD	44 Holland Avenue, 3rd Floor	NY	robert.coyner@omr.state.ny.us	(518) 473-1382
Rebecca Anchor	SUNY College at Geneseo	Erwin Hall 218, 1 College Circle	NY	anchor@geneseo.edu	(585) 245-5100
Tara Clark	Town of Victor	85 E Main Street	NY	tjclark@town-victor-ny.us	(585) 742-5027
Thomas D. Smith	Office of Cyber Security and Critical Infrastructure Coordination	30 South Pearl, P2 Albany	NY	thomas.smith@cscic.state.ny.us	(518) 474-4755
John MacEnroe	DCEDC	3 Neptune Road Poughkeepsie	NY	macenroe@dcedc.com	(845) 463-5406
Dan Vivian	SUNY Buffalo	Amherst	NY	dtvivan@buffalo.edu	(716) 645-4540
Keith Braunfotel	RCSWMA	420 Torne Valley Road	NY	keith@braunfotelandfrendel.com	(845) 753-2200
Sandra Johnson	NYS Div. of Housing & Community Renewal Development Authority of the North	38-40 State St.	NY	sjohnson@nysdhcr.gov	(518) 486-3408
Amy B. Austin	Country	317 Washington Street, Suite 414	NY	aaustin@danc.org	(315) 785-2593
Joanne Peal	NYS DOL	Bldg. 12, Harriman Campus, Rm.454	NY	joanne.peal@labor.state.ny.us	(518) 457-1397
Julie Barker	New York Lottery	One Broadway Center, POB 7500	NY	jbarker@lottery.state.ny.us	(518) 388-3408
Sharon Garipey	Division of the Budget	State Capitol, Room 254	NY	sharon.garipey@budget.state.ny.us	(518) 474-2305
Arthur G. Eliav	Roosevelt Island Operating Corp.	591 Main Street, Roosevelt Island	NY	aeliav@gmail.com	(212) 832-4540
June Egeland	Department of Civil Service	Alfred E. Smith Building, Albany	NY	june.egeland@cs.state.ny.us	(518) 473-2624
Lezlie Farrell	Genesee County Economic Development Center	1 Mill St., Batavia	NY	lfarrell@gcedc.com	(585) 343-4866 (ext 18)
Paul Laudato	OPRHP	1 Empire State Plaza, Albany	NY	paul.laudato@oprhp.state.ny.us	(518) 474-2997

