

MEMORANDUM

November 21, 2007

TO: Procurement Council Members

FROM: Anne Phillips

SUBJECT: Minutes of the Meeting for October 25, 2007

Enclosed for your information are the draft Minutes of the Procurement Council meeting of October 25, 2007.

If you have comments or suggested changes, or would like to propose agenda items for the next meeting, please contact Jennifer Stafford at (518) 402-5846 or e-mail jennifer.stafford@ogs.state.ny.us.

The next Procurement Council Meeting is tentatively scheduled for January 24, 2008.

Enclosures

cc: H. Zwickel
A. Phillips
C. Chiaro
J. Gerard

**Minutes of the Meeting
NYS Procurement Council
October 25, 2007, 10:00am
Meeting Room 6
North Concourse
Empire State Plaza
Albany, NY**

I. Call to Order.

Anne Phillips convened the meeting and introduced James Haggerty, a newly appointed member to the council. Jennifer Stafford is the new Procurement Council Coordinator replacing Ginny Lazzaro and Lester Cornelius has left the Council due to term expiration.

II. Minutes of the July 26, 2007 Meeting.

Ms. Phillips called for a motion to adopt the draft minutes of the meeting of July 26, 2007. The motion was made by Barbara Miller and seconded by David Demarco. The motion passed unanimously.

III. Old Business

Subcommittee to review the list of Preferred Source Offerings:

Jerry Gerard reported to the Council about Phase 1 of this subcommittee's activities relating to identified items currently listed but are no longer offered. Phase 2 will work to establish consistency, recommend organizational improvement, and consider alternate formatting of the List. Mr. Gerard asked for a motion to approve the removal of items as proposed by NYSID, Corcraft, and IBNYS ([Attachment 1](#)). A motion was made by Mr. Haggerty and seconded by Barbara Miller. The motion passed unanimously.

Procurement Council Guidelines Workgroup Report:

Larry Barker provided an outline and brief description of the proposed format for the revised guidelines ([Attachment 2](#)). Marybeth Hefner remarked that the order of priority of purchasing is not clear or easily understood. Noreen VanDoren remarked that the Procurement Guidelines are more restrictive than the State Finance Law. Comments about this topic can be sent to Noreen VanDoren for consideration by the workgroup. Ms. Miller asked if OGS would maintain the Procurement Guidelines. Mr. Gerard said that OGS's intention is to provide access to the Procurement Guidelines from the OGS website. Mr. DeMarco asked that the workgroup establish language around Discretionary Spending Thresholds and procurements made over a period of time. Mr. Barker asked for a motion to approve the format the subcommittee has developed for the Procurement Council Guidelines. A motion was made by Nancy Fisher to accept the Procurement

Guidelines format proposed by the workgroup, and seconded by Bob Pape. The motion was passed unanimously.

Proposed Amended Discretionary Purchasing Guidelines Bulletin:

Mr. Barker commented that this bulletin had not been updated since 2000 ([Attachment 3](#)). After a brief discussion, Council members suggested three changes to the amended bulletin:

- Include reference that SUNY/CUNY dollar amounts are different;
- Include an effective date for the Statutory changes, and approval date by the Procurement Council; and
- Delete reference to priority for OGS Centralized Service Contracts

Ms. Miller called for a motion to approve the proposed Amended Discretionary Purchasing Guidelines Bulletin, with the three changes discussed by the Council. The motion was made by Mr. Richard Healey and seconded by Nancy Fisher. The motion was passed unanimously.

IV. New Business

OSC – Procurement Stewardship Act Report:

CDs containing the OSC Procurement Stewardship Act report were provided to the Council Members. John Moriarty gave the OSC Report. The table of contents and the Executive Summary were provided for discussion ([Attachment 4](#)). John Moriarty called the Council’s attention to Form B: State Consultant Services Contractors' Annual Employment Reports Sorted by Agency Code and Contract Number – a new reporting category. Mr. Barker asked if this e-report includes information on local governments, Public Authorities, and SUNY.

Local Government and Public Authorities: No.

SUNY: Yes.

Legislation:

Ms. Phillips discussed legislation affecting procurement. Section 163 of the State Finance Law will sunset in June of 2008. She asked the Council for support to make this legislation permanent. OGS intends to have information about bills that affect procurement put on the OGS website. Such information will only be posted if it has been proposed in both houses. Ms. Miller asked if there was any news on the Wick’s Law. Ms. Phillips responded that there was not.

Change to Standard Vendor Responsibility Questionnaire (SVRQ) – Addition of “Environmental:

Noreen VanDoren discussed a proposed change to the SVRQ to add the word “Environmental” ([Attachment 5](#)). Ms. VanDoren called for a motion to change the SVRQ to include the word “Environmental” as indicated in the attachment. The motion was made by Ms. Phillips and seconded by John Moriarty. The motion passed unanimously.

Report of Preferred Source Recommendations Under OGS Standing Authority:
Mr. Gerard provided a report of Preferred Source offerings approved under OGS authority since the last Council meeting. OGS approved the IBNYS application for several types of work gloves ([Attachment 6](#)). Two types of gloves on this application were required to go to the Council for approval because the price exceeded OGS approval authority.

IBNYS Application – Gloves:

Amanda Jones from IBNYS made a presentation of the two types of work gloves which were not approved under OGS authority ([Attachment 7](#)). The motion to approve the two types of work gloves was made by Mr. DeMarco and seconded by Nancy Fisher. The motion was passed by majority vote of the Council with one abstention.

V. Open Council Discussion

There was no further discussion

VI. Closure

There being no further business, the meeting was adjourned.

The next Council meeting is tentatively scheduled for Thursday, January 24, 2008.

Attachments

Members in attendance on October 25, 2007:

Larry Barker	Barbara Miller
David DeMarco	Gerard Minot-Scheurmann
Frank DiDomenico	John Moriarty
Nancy Fisher	Robert Pape
James Haggerty	David Pettit
Richard Healey	Anne Phillips
Marybeth Hefner	Mindy Scott
Stewart Kidder	

Members absent:

Timothy Holt
Walter Edwards
George Oros

Also in attendance:

Leon Aronowitz	Amanda Jones
John Dalton	Noreen VanDoren
Jerry Gerard	Monica Wilkes
Paula Hanlon	

**NYS PROCUREMENT COUNCIL
VOTING RECORD**

Date: October 25, 2007

Question, Motion or Issue:

Motion to adopt the draft minutes of the meeting of July 26, 2007.

<u>MEMBER</u>	<u>VOTE</u>			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
COMMISSIONER OF GENERAL SERVICES Anne Phillips	X			
OFFICE OF THE STATE COMPTROLLER John Moriarty	X			
DIRECTOR OF THE BUDGET Susan Knapp (Gerard Minot-Scheurmann)	X			
COMMISSIONER OF ECONOMIC DEVELOPMENT Nancy Fisher				X
AGENCY REPRESENTATIVES:				
Agriculture and Markets – Cathy Durand (Mindy Scott)	X			
Corrections – Stewart Kidder	X			
SUNY – David Demarco	X			
OMRDD – Frank DiDomenico	X			
Health – Sandra Pettinato (Marybeth Hefner)	X			
OFT – David Pettit	X			
OMH – Barbara Miller	X			
AT LARGE MEMBERS:				
Richard Healey	X			
Robert Pape	X			
Timothy Holt				X
Walter Edwards				X
James Haggerty	X			

**NYS PROCUREMENT COUNCIL
VOTING RECORD**

Date: October 25, 2007

Question, Motion or Issue:

Motion to approve the removal of the items in the letters submitted by NYSID, Corcraft, and IBNYS from the Preferred Sources Lists.

<u>MEMBER</u>	<u>VOTE</u>			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
COMMISSIONER OF GENERAL SERVICES Anne Phillips	X			
OFFICE OF THE STATE COMPTROLLER John Moriarty	X			
DIRECTOR OF THE BUDGET Susan Knapp (Gerard Minot-Scheurmann)	X			
COMMISSIONER OF ECONOMIC DEVELOPMENT Nancy Fisher				X
AGENCY REPRESENTATIVES:				
Agriculture and Markets – Cathy Durand (Mindy Scott)	X			
Corrections – Stewart Kidder	X			
SUNY – David Demarco	X			
OMRDD – Frank DiDomenico	X			
Health – Sandra Pettinato (Marybeth Hefner)	X			
OFT – David Pettit	X			
OMH – Barbara Miller	X			
AT LARGE MEMBERS:				
Richard Healey	X			
Robert Pape	X			
Timothy Holt				X
Walter Edwards				X
James Haggerty	X			

**NYS PROCUREMENT COUNCIL
VOTING RECORD**

Date: October 25, 2007

Question, Motion or Issue:

Motion to approve the format for the Procurement Council Guidelines.

<u>MEMBER</u>	<u>VOTE</u>			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
COMMISSIONER OF GENERAL SERVICES Anne Phillips	X			
OFFICE OF THE STATE COMPTROLLER John Moriarty	X			
DIRECTOR OF THE BUDGET Susan Knapp (Gerard Minot-Scheurmann)	X			
COMMISSIONER OF ECONOMIC DEVELOPMENT Nancy Fisher	X			
AGENCY REPRESENTATIVES:				
Agriculture and Markets – Cathy Durand (Mindy Scott)	X			
Corrections – Stewart Kidder	X			
SUNY – David Demarco	X			
OMRDD – Frank DiDomenico	X			
Health – Sandra Pettinato (Marybeth Hefner)	X			
OFT – David Pettit	X			
OMH – Barbara Miller	X			
AT LARGE MEMBERS:				
Richard Healey	X			
Robert Pape	X			
Timothy Holt				X
Walter Edwards				X
James Haggerty	X			

**NYS PROCUREMENT COUNCIL
VOTING RECORD**

Date: October 25, 2007

Question, Motion or Issue:

Motion to approve the Revised Discretionary Purchasing Guidelines Bulletin, as amended during the Council discussion.

<u>MEMBER</u>	<u>VOTE</u>			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
COMMISSIONER OF GENERAL SERVICES Anne Phillips	X			
OFFICE OF THE STATE COMPTROLLER John Moriarty	X			
DIRECTOR OF THE BUDGET Susan Knapp (Gerard Minot-Scheurmann)	X			
COMMISSIONER OF ECONOMIC DEVELOPMENT Nancy Fisher	X			
AGENCY REPRESENTATIVES:				
Agriculture and Markets – Cathy Durand (Mindy Scott)	X			
Corrections – Stewart Kidder	X			
SUNY – David Demarco	X			
OMRDD – Frank DiDomenico	X			
Health – Sandra Pettinato (Marybeth Hefner)	X			
OFT – David Pettit	X			
OMH – Barbara Miller	X			
AT LARGE MEMBERS:				
Richard Healey	X			
Robert Pape	X			
Timothy Holt				X
Walter Edwards				X
James Haggerty	X			

**NYS PROCUREMENT COUNCIL
VOTING RECORD**

Date: October 25, 2007

Question, Motion or Issue:

Motion to accept changes to the Standard Vendor Responsibility Questionnaire.

<u>MEMBER</u>	<u>VOTE</u>			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
COMMISSIONER OF GENERAL SERVICES Anne Phillips	X			
OFFICE OF THE STATE COMPTROLLER John Moriarty	X			
DIRECTOR OF THE BUDGET Susan Knapp (Gerard Minot-Scheurmann)	X			
COMMISSIONER OF ECONOMIC DEVELOPMENT Nancy Fisher	X			
AGENCY REPRESENTATIVES:				
Agriculture and Markets – Cathy Durand (Mindy Scott)	X			
Corrections – Stewart Kidder	X			
SUNY – David Demarco	X			
OMRDD – Frank DiDomenico	X			
Health – Sandra Pettinato (Marybeth Hefner)	X			
OFT – David Pettit	X			
OMH – Barbara Miller	X			
AT LARGE MEMBERS:				
Richard Healey	X			
Robert Pape	X			
Timothy Holt				X
Walter Edwards				X
James Haggerty	X			

**NYS PROCUREMENT COUNCIL
VOTING RECORD**

Date: October 25, 2007

Question, Motion or Issue:

Motion to accept the two types of work gloves as presented by Industries for the Blind of New York State.

<u>MEMBER</u>	<u>VOTE</u>			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
COMMISSIONER OF GENERAL SERVICES Anne Phillips	X			
OFFICE OF THE STATE COMPTROLLER John Moriarty	X			
DIRECTOR OF THE BUDGET Susan Knapp (Gerard Minot-Scheurmann)	X			
COMMISSIONER OF ECONOMIC DEVELOPMENT Nancy Fisher	X			
AGENCY REPRESENTATIVES:				
Agriculture and Markets – Cathy Durand (Mindy Scott)	X			
Corrections – Stewart Kidder	X			
SUNY – David Demarco	X			
OMRDD – Frank DiDomenico	X			
Health – Sandra Pettinato (Marybeth Hefner)	X			
OFT – David Pettit	X			
OMH – Barbara Miller	X			
AT LARGE MEMBERS:				
Richard Healey			X	
Robert Pape	X			
Timothy Holt				X
Walter Edwards				X
James Haggerty	X			