

**ADDITIONAL GUIDANCE  
FOR  
The Procurement of TEMPORARY PERSONNEL-OFFICE  
SERVICES from NYS PREFERRED SOURCES**

The State Procurement Council directed the Office of General Services (“OGS”), as staff to the Procurement Council, to provide guidance to government agencies in the procurement of Temporary Personnel–Office Services from a preferred source. The definition does not include additional temporary service categories, job titles, and associated duties related to positions in which the temporary worker performs much of their work outside of an office setting, but may receive information from or report information to an office. In the course of discussions by the State Procurement Council members, the following additional titles were considered but ultimately excluded from the final definition:

**Bindery operators  
Couriers/Messengers  
Inspectors  
Lifeguards  
Sales Associates/Cashiers  
Subway, Rail or Bus passenger counters, Temperature takers and Surveyors  
Test administrators/monitors and proctors**

The definition allows a four-year degree to be a requirement for a Temporary Personnel-Office title, however, it does not allow the inclusion of professional titles. In practice, this is meant to allow individual agencies and local governments to define the necessary skills for a Temporary Personnel-Office title, however, we encourage all procurement officials to consider whether the requirement of a degree is integral to the success of a candidate in a Temporary Personnel–Office title, or whether the function is better served by making the requirements less formal and more skills based.

In many agencies and local governments, permanent titles that require a four-year degree are professional titles required to make high level decisions. Please take careful note of the notice to procurement officials, bullet 4 in the definition, that specifically identifies the types of professional titles that are not included in this definition.

In all cases, the definition is driven by the content of the work. Procurement officials should describe the work responsibilities needed first and then match them to the responsibilities outlined in the definition.

The State Procurement Council recognizes that individuals with disabilities may work from an alternative office environment (i.e. home office) if the accommodation is within the technological, operational, and security needs of the procuring agency. The absence of the requirement for all office personnel to report to a defined office environment does not permit the above listed titles, or similar titles where the majority of the work is performed outside of an office setting, to be procured under the Temporary Personnel – Office service category.

Additionally, any service application for Temporary Personnel – Office must specify the number of individuals to be employed under the contract, the type of work they will be expected to perform, and the number of hours they will be expected to work in order for OGS (if contract value exceeds \$50,000) or the requesting agency (if contract value is at or below \$50,000) to confirm price reasonableness and requisite labor ratios are met.

Procuring agencies are reminded that they must not develop specifications or scopes of services for any proposed engagement or solicitation to intentionally exclude a preferred source. Procurement officials should

attempt to separate titles that are preferred source eligible from unrelated temporary titles to maximize the opportunities for individuals with disabilities while minimizing the use of any titles that are not approved under this definition. They should also guard against combining unrelated titles for the convenience of managing one contract or vendor. Agencies should not use the OGS administrative services centralized contract unless the titles needed are not included as a preferred source title, they have a clear form, function, and utility requirement that cannot be met by the preferred sources, and/or they have authorization to proceed after having solicited the preferred sources for ability and availability to fill the need.