

**DISCRETIONARY THRESHOLDS - STATE FINANCE LAW**

This chart summarizes discretionary thresholds, Contract Reporter requirements, and the Office of the State Comptroller (OSC) pre-approval requirements. Localities and other Authorized Users must follow their own governing laws and guidelines.

	<b>DISCRETIONARY THRESHOLDS (SEE NOTE 1)</b>			
<b>Category</b>	<b>State Agencies</b>	<b>OGS Finance</b>	<b>OGS Centralized Contracts</b>	<b>SUNY<sup>3</sup></b>
General Purchases (includes printing)	Discretion up to \$50,000	Discretion up to \$85,000	N/A	Discretion up to \$125,000
Purchases from Small, Certified Minority or Women Owned Businesses, or for Recycled or Remanufactured commodities or technology Commodity Purchases that are food, including milk and milk products, grown, produced or harvested in NYS. (SEE NOTE 2)	Discretion up to \$200,000	Discretion up to \$200,000	N/A	Discretion up to \$200,000
	<b>OSC CONTRACT APPROVAL REQUIREMENTS</b>			
General Purchases & Agency Specific Contracts	Required for contracts valued over \$50,000	Required for contracts valued over \$85,000	Contracts let after 4/1/12 are exempt from OSC pre-contract approval	Required only for non-construction service contracts valued over \$250,000 (SEE NOTE 3)
	<b>CONTRACT REPORTER REQUIREMENTS</b>			
Commodity Bidding Opportunities	Advertisement required for contracts of \$50,000 or more	Advertisement required for contracts of \$50,000 or more	All centralized opportunities advertised in NYSCR	Advertisement required for contracts of \$50,000 or more
Commodity purchases that are food, including milk and milk products, grown, produced or harvested in NYS	Advertisement required for contracts valued of \$50,000 or more	Advertisement required for contracts of \$50,000 or more.	All centralized opportunities advertised in NYSCR	Advertisement required for contracts of \$50,000 or more
Services Bidding Opportunities (including technology)	Advertisement required for contracts of \$50,000 or more	Advertisement required for contracts of \$50,000 or more	All centralized opportunities advertised in NYSCR	Advertisement required for contracts of \$50,000 or more
Quarterly Advertisements	Anticipated purchases between \$5,000 to \$50,000	Advertisement required for contracts of \$50,000 or more	N/A	Anticipated purchases between \$10,000 to \$50,000

**NOTES:**

- 1) All discretionary threshold levels pertain to purchases from the open market. Purchases from Preferred Sources, OGS Centralized Contracts and agency contracts, by law, take precedence over discretionary procurement options.
- 2) While New York State small, minority or women owned business purchases, as well as recycled or remanufactured product purchases and food, including milk and milk products, grown, produced or harvested in New York State, have increased discretionary thresholds, the Contract Reporter advertisement and Office of State Comptroller approval requirements are the same as for general purchases. §160(8) defines a Small Business (SB) as a business resident in New York State, independently owned and operated, not dominant in its field and employing one hundred or fewer persons. A Minority or Women Owned Business Enterprise (M/WBE) is one certified pursuant to Article 15-A of the Executive Law.
- 3) The SUNY discretionary threshold is known as "SUNY Flex." The amounts shown above represent the highest discretionary spending and contract approval limits under SUNY Flex. Additionally, non-construction service contract approval limits are \$125,000 for single/sole source purchases, contracts with bid protests, low bid/best value not selected, and award not in accord with RFP/IFB. Non-construction service contract approval thresholds may be lower (\$50,000/\$75,000) for certain campuses/hospitals with inadequate controls.