

# Final Proposed Preferred Sources List Definitions

**May 25, 2016**

The New York State Procurement Council (“Procurement Council”) created a List of Preferred Source Offerings (the List) following the 1995 passage of the New York State Procurement Stewardship Act, identifying all commodities and services available and offered as of December 31, 1995, for purchase under the preferred sources program. The List includes checkmarks next to each title, indicating which of the three preferred sources have been approved to sell that commodity or provide the service. The offerings on the List have never been defined, resulting in confusion in certain instances, as to the scope of the approved service offerings.

Therefore, in May 2015, the New York State Office of General Services (“OGS”) acting as staff to the Procurement Council (“Procurement Council Staff”) began working on the creation of definitions for all Preferred Source Service Offerings. The first group of definitions were approved by the Procurement Council during the November 17, 2015 meeting. The remaining service titles are presented to the Procurement Council for discussion and approval today.

In developing the definitions, Procurement Council Staff researched the general meaning of each title and considered the descriptions of services provided in various preferred source price applications previously presented to OGS Procurement Services for approval under the various titles. Procurement Council Staff drafted an initial definition which was shared for comment with representatives of the Division of Budget (DOB), Department of Health (DOH), Empire State Development (ESD), Information Technology Services (ITS), Office for People With Developmental Disabilities (OPWDD), Office of the State Comptroller (OSC), State University of New York (SUNY), Office of Mental Health (OMH), Corcraft, New York State Industries for the Disabled, Inc. (NYSID), and National Industries for the Blind - New York State Preferred Source Program for people who are blind (NYSPSP). Following a review of all comments received, which resulted in changes to many definitions, Procurement Council Staff created new proposed definitions, which were circulated to all Procurement Council members for review and final comment on April 11, 2016.

Comments received by Procurement Council Staff between April 11 and May 18, 2016 are presented below each definitions. All comments were reviewed by Procurement Council Staff and where appropriate, changes were made to the proposed definitions and are presented herein as tracked changes. Please note that the majority of the proposed definitions are based on information presented to Procurement Council Staff in pricing applications previously submitted for approval and all other definitions are crafted from information provided by Procurement Council member representatives. The definitions may be amended in the future by the Procurement Council as needed, based upon future approvals for new or additional services related to the services being defined herein.

Due to restrictions relative to conflicts of interest contained within the New York State Public Officers Law and the Procurement Council Code of Conduct and Guidance document, Procurement Council members Ronald Tascarella of NYSPSP and Ronald Romano of NYSID have recused themselves from discussing or voting upon the definitions for a service their respective organization is approved to offer. Each definition has a symbol identifying this restriction as indicated in the footer below:

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

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## General Comments on the Final Proposed Definitions:

ITS: I have reviewed the definitions and have nothing to add.

NYSID: As a general response to the detailed definitions proposed below it is my understanding that the purpose of this evaluation is to bring the list and associated definitions into the 21<sup>st</sup> century. In doing so, I believe that each definition should be consistently worded containing information that provides a relevant and clear description of the offering with the intent of assisting the procuring agency in determining if the approved preferred source service meets their needs (form, function and utility). The definition should answer the questions of "what" is offered not "how" it is offered. It should be expected that in the 21<sup>st</sup> century the work to be performed will be at the required location and will include the technology and equipment necessary to complete the service in a timely manner at a competitive price within 15% of market and that in doing so it will provide long-term meaningful employment. I don't believe that location, explanation of technology or type of equipment used is relevant to the procuring agency in establishing a description of the approved service.

Beyond my general comments which would effect a number of the proposed definitions, I have provided specific changes/comments for each service where necessary.

OSC: There are several statements indicating the service may be performed at the customer location or the Preferred Source location. If the procuring agency requires the service to be performed at the customer location, can the preferred source object by stating it has to be done at its location? Deference should be given to the customer agency in order to ensure an adequate review of form, function and utility.

## Procurement Council Staff Response:

During the course of Procurement Council Staff's review of the service offerings it was discovered that some of the services such as Photocopying, Chesire Labeling and Inkjet labeling were no longer (or infrequently) being provided as those services related to a specific type of equipment. If these services had been identified on the List of Approved Preferred Source Offerings as "Copying" and "Labeling," the definitions would not relate to the specific equipment identified in the title. In addition, the proposed definitions are based upon the previously approved service applications, Procurement Council records, State Finance Law § 162 and the Procurement Council Preferred Source Guidelines. Procurement Council Staff defined the services to ensure a majority of the direct labor provided by each service could be performed by persons with visual impairments or severe disabilities.

Upon further reflection, Staff agrees with NYSID and OSC that in general the location of the service to be performed is an element of a customer's form, function and utility requirements and should be specifically identified in the requesting scope of services.

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## SECTION D: Approved Services

### Furniture Refurbishment:

† **Repair (recommend changing title to Furniture Repair)** is to restore furniture to a functional and sound condition. This may include the cost of new materials.

#### **Procurement Council Staff Recommendation:**

Change title to Furniture Repair.

† **Re-upholstery (recommend changing title to Furniture Re-upholstery)** is the repair or replacement of worn, torn, or ripped fabric, padding, stuffing, springs, or webbing on furniture. This may include the cost of new materials.

#### **Procurement Council Staff Recommendation:**

Change title to Furniture Re-upholstery.

† **Stripping & Refinishing (recommend changing title to Furniture Stripping & Refinishing)** is to remove the painted or stained finish on a piece of furniture through the use of chemicals and tools that results in an unfinished piece of furniture. Then the unfinished piece of furniture is either painted, varnished, or shellacked to protect it from damage.

#### **Procurement Council Staff Recommendation:**

Change title to Furniture Stripping & Refinishing.

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### Messenger Services:

† **Foot Messenger** is the delivery of packages or letters by a person walking in an expedient manner as directed by the customer.

† **Package & Document Pick Up & Delivery** is the physical pick-up and transportation of packages or letters from one point to another in an expedient manner (other than by walking) as directed by the customer.

† **Vehicular Messenger Services** is the delivery of packages or letters through the use of a motor vehicle in an expedient manner as directed by the customer.

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## SECTION D: Approved Services

† **Warehousing/Distribution (recommend changing title to Warehousing, Storage & Distribution (Not food))** is the storing of commodities (not food) in a safe and clean environment. The commodities are inventoried, rotated, and delivered to various customer locations. This service shall not include obtaining, sourcing, and procuring items on behalf of the customer.

### **Procurement Council Staff Recommendation:**

Change title to Warehousing, Storage & Distribution (Not food).

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† **Data Entry** is the task of entering text or numerical data found on a document into a computerized database, spreadsheet, or other electronic record. The data may be entered directly into specific data fields of a database through the use of a data-input device such as a keyboard, mouse, stylus, touch screen, or speech recognition software. ~~This service may also include the securing of information by completing database backups and providing the entered data to the customer in electronic format.~~

### **Comments from Procurement Council Members:**

OSC: Securing information and Database backups are a completely distinct activity than "data entry".  
It's unclear why this is being included within the definition and it should be stricken.

### **Procurement Council Staff Response:**

It was agreed that securing information and providing database backups are different from the service of data entry so those items were removed.

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\* **CD Replication** is a process by which compact discs (CDs) containing data are reproduced. This may be accomplished by creating a glass master, from which a stamper is developed or through the use of a CD duplicator which extracts data from a master disc and writes it individually onto blank CDs. This service may include applying a label to the CD, or packaging the CD in a folder or case. This service shall not include the printing of content to a hard copy or paper format. ~~This service may be performed at the customer location or the Preferred Source location.~~

### **Comments from Procurement Council Members:**

NYSID: The purpose of defining the Preferred Source offerings is to bring the definition into the 21<sup>st</sup> Century and should focus on what the service "is" rather than what it "is not" or where it can be performed.

### **Procurement Council Staff Response:**

The sentence "This service shall not include the printing of content to a hard copy or paper format." is included to reflect the current prohibition of providing digital printing as part of a preferred source offering. Inclusion of the sentence also speaks to the main intent and purpose of this offering, which is to replicate CDs, not print documents from a CD. It was determined that the last sentence relative to location of performance of the service was not necessary for this definition. The customer will identify the location as part of its form, function and utility needs.

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† **Transcription** is the process of making a written, printed, or typed record of words that have been spoken. This process involves listening to live speech or to an audio or video recording, and then ~~entering-keying~~ the text via a keyboard ~~to create as-a~~ written transcript. This transcript may be provided to the customer electronically or in hard copy. This service may include rendering an exact, word-for-word transcription, a paraphrased transcription or a transcription containing no grammatical errors. Transcriptionists often use special software~~;~~, but standard word processing software may also be used. ~~Pricing is per page of transcribed text.~~ This service shall not include translation services. ~~This service may be performed at the customer location or the Preferred Source location.~~

### **Comments from Procurement Council Members:**

NYSID: Delete the last sentence.

### **Procurement Council Staff Response:**

It was determined that the last sentence relative to location of performance of the service was not necessary for this definition. The customer will identify the location as part of its form, function and utility needs.

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## SECTION D: Approved Services

Resource Management: (recommend removal of heading)

### **Procurement Council Staff Comment:**

The heading Resource Management is not a term that is typically associated with garbage pickup and recycling services. Procurement Council Staff recommends the titles of Garbage Pickup and Recycling to become stand-alone titles that do not need to be categorized under the heading of Resource Management.

† **Garbage Pickup** is the gathering and collection of discarded and unwanted materials that have been rejected or thrown out and have no useful life, or no resale value. This service may include the rental of dumpsters or collection bins.

### **Comments from Procurement Council Members:**

NYSID: Insert “or collection bins” to the last sentence.

† **Recycling** is the gathering and collection of discarded and unwanted materials, including, but not limited to, paper, plastics, glass, aluminum, cardboard, or metals that can be converted into new products and may have a resale value. This service may include the rental of dumpsters or collection bins. This service does not include Electronics Recycling, which is a separate service within Section D.

### **Comments from Procurement Council Members:**

NYSID: Insert “or collection bins” to the last sentence.

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† **Inventory Control Services** is the counting, sortingmanagement, tracking, replenishing, and reporting of commodities in the possession of the customer. This service may be done through manual processes or through electronic, scanning and Radio Frequency Identification (RFID) technology. This service does not include the management or oversight of real property.

### **Comments from Procurement Council Members:**

DOH: What is meant by “management” of commodities?

SUNY: Would this include “property control” for State agencies?

### **Procurement Council Staff Response:**

Reference to “management” has been removed from the definition and the last sentence has been added to provide additional clarification.

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\* † **Secure Document Destruction** ~~is the shredding, pulverizing, or incinerating of sensitive or confidential papers so that there is no record of the original paper. This service may include gathering and collecting the papers for transfer to a secure location for off-site or on-site destruction. the gathering and collection of sensitive or confidential papers for transfer to a safe location where the papers will be either shredded, pulverized or incinerated so that there will be no record of the original paper.~~ This service may include the utilization ~~rental~~ of secure collection bins.

### **Comments from Procurement Council Members:**

DOH: Unclear if this includes the actual transfer to a safe location where the papers will be destroyed. It says “gathering and collection...for transfer” which would mean that someone else actually transfers. Should it say “and transfer”?

NYSID: In the last sentence replace rental with utilization

### **Procurement Council Staff Response:**

The definition has been rewritten to clarify the service, and indicate that transfer of the documents may or may not be requires, we have also included the requested references.

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† **Electronics Recycling** is the gathering and collection of defective and obsolete electronics, including, but not limited to, computers, televisions, telephones, or other electronic office equipment **after** all data has been removed. Once collected the electronics will first be examined and any remaining data will be removed and destroyed ~~rechecked to confirm any remaining data is removed~~ and then the remaining physical components are properly separated, processed, and either safely disposed of or converted into reusable parts.

### **Comments from Procurement Council Members:**

NYSID: Insert at the end of the definition “Supporting tasks may also include data removal.”

Comment: This step is sometimes required prior to actual recycling.

SUNY: Is the removal of data something that the preferred source could do under this definition? Does this definition allow the preferred source the ability to sell the electronics for parts/scrap and provide monies to the state agency?

### **Procurement Council Staff Response:**

Reference to data removal has been included. Customers seeking a portion of any monies obtained from the sale of electronics recycling service would detail this requirement as part of the form, function and utility analysis and would not be considered a definitional component.

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### Information & Records Conversion Management:

† **Data Imaging Services** is the conversion of paper documents or other media including, but not limited to, microfilm and microfiche into electronic files that may be easily stored or accessed, and may include the transportation, organization, preparation, scanning, indexing, quality control and output of data and images to be provided to the customer. ~~The service may also include archiving files for future retrieval by the customer.~~ This service may include Data Entry and Secure Document Destruction.<sup>7</sup> It is recommended that these services be separately priced out. ~~This service may be performed at the customer location or the Preferred Source location. This service does not include the warehousing or storage of the original documents or media after the conversion is complete.~~

### **Comments from Procurement Council Members:**

DOH: Third sentence seems to be two disparate things. Perhaps break into two sentences.

### **Procurement Council Staff Response:**

Inclusion of references to Data Entry and Secure Document Destruction Services is to make clear to customers that those are also approved Preferred Source Service offerings that are typically offered as part of a Data Imaging Service contract. The main intent and purpose of this offering, is to provide data imaging, not destroy documents or provide data entry services.

† **Microfilm (recommend changing title to Microfilm Conversion)** is capturing images with a special high precision camera capable of high frequency exposure and printing those images onto a tape known as microfilm. The images captured are photographic representations of individual pages at a much reduced scale. ~~This service may be performed at the customer location or the Preferred Source location.~~

### **Procurement Council Staff Recommendation:**

Change title to Microfilm Conversion.

† **Microfiche (recommend changing title to Microfiche Conversion)** is capturing images with a special high precision camera capable of high frequency exposure and printing those images onto a sheet of film bearing a grid of small photographs known as microfiche. The images captured are photographic representations of individual pages at a much reduced scale. ~~This service may be performed at the customer location or the Preferred Source location.~~

### **Procurement Council Staff Recommendation:**

Change title to Microfiche Conversion.

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## SECTION D: Approved Services

### Food Services:

† **Food Warehousing, Storage & Distribution Service** is the storing of food in a safe and clean environment complying with all pertinent safety requirements and Food and Drug Administration regulations. The food is inventoried, rotated, and delivered to various customer locations. Services may include refrigerated and freezer storage and distribution for cold and frozen items. This service shall not include obtaining, sourcing, and procuring items on behalf of the customer.

#### **Comments from Procurement Council Members:**

NYSID: Delete the last sentence. Comment: The definition should focus on what the service “is” rather than what it “is not.”

#### **Procurement Council Staff Response:**

Inclusion of prohibited related services is recommended to ensure clarity of the scope of services approved by the Procurement Council to be offered as a preferred source offering.

† **Meal Preparation and Delivery** is the transforming of food products ~~raw foods~~ into prepared meals (hot or cold) using any variety of techniques whereby the prepared meals comply with all pertinent requirements, Food and Drug Administration regulations and NYS New York State Department of Health Code Requirements. The prepared meals are then packaged, labeled, and distributed for consumption off site. This service may also include ordering and storing ~~raw-food~~ products. This service shall not include food cafeteria services or food warehousing.

#### **Comments from Procurement Council Members:**

DOH: Could this also apply to partially cooked foods or foods eaten raw without cooking? Must they always prepare from raw?

NYSID: Delete the last sentence. Comment: The definition should focus on what the service “is” rather than what it “is not.”

#### **Procurement Council Staff Response:**

Reference to “raw” has been removed to provide clarity. Inclusion of prohibited related services is recommended to ensure clarity of the scope of services approved by the Procurement Council to be offered as a preferred source offering.

Food Cafeteria Services is identified on Section E of the List and is not approved to be offered as a preferred source service.

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## SECTION D: Approved Services

### Call Center Services:

\* **Inbound Tele-response & Fulfillment (recommend changing title to Call Center Services – Inbound)** is the receiving of calls on behalf of a customer and providing responsive information and direction as requested by the customer. This may be in the form of a hotline, switchboard, receptionist, customer service call center or help desk support representatives. Services may be performed at the Preferred Source or customer location. Supporting tasks may include inbound text messages or other means of electronic communication, data collection, data entry, reporting, or transferring & escalating calls. This service may also include outbound calling directly related to an inbound call. This service does not include Information Technology (IT) support.

### **Comments from Procurement Council Members:**

OSC: The definition states this can be in the form of "Help desk support representatives". I don't believe this is intended to replace Information Technology (IT) help desks such as level 1 and level 2 support. IT should be specifically excluded from this definition. For instance, we could easily say the new ITS End User Help Desk RFP is a preferred source option under the current definition.

NYSPPS: The tasks performed by Help Desk representatives are to receive requests for help, support or information for a specific department or organization, primarily through inbound telephone calls and provide a resolution.

There are potentially different levels of support. The person is trained to answer or escalate accordingly. Level 1 support is basic help, low to moderate training needed. Level 2 support would be more advanced technical help or emergency needs - moderate to highly trained). Levels can increase beyond this for highly specialized IT or high security functions.

The rep takes the phone calls and respond via the following ways:

- Provide an answer or information to the caller
- Take down the information and call back with information or once an answer is available.
- Refer the caller to a different number
- Escalate the call to higher level of support

In addition to phone calls, other tasks are entering information about the call into a computer system for tracking and providing reporting of calls. Tasks also include handling email requests for support and making follow up calls to determine resolution.

### **Procurement Council Staff Response and Recommendation:**

The definition has been amended to exclude IT help desk support. Change title to Call Center Services – Inbound.

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\* **Outbound Telephone Survey & Fulfillment (recommend changing title to Call Center Services – Outbound)** is the initiation of calls on behalf of a customer to complete a survey or other assigned phone inquiries as requested by the customer. Services may be in the form of verbal surveys which include data collection, follow-up or satisfaction measurement. Services may also include debt collections, customer service, and patient monitoring. Services may be performed at the Preferred Source location or at the customer location. Supporting tasks may include initiating or receiving accompanying e-mailed surveys, text messaging or other means of electronic communication, purchasing of telemarketing lists, data collection, data entry, reporting, or demographic and statistical analysis. Patient monitoring refers to the process of using outbound telephone calls to follow-up with patients after procedures or treatments. Patient monitoring does not include telemedicine or services where patients relay data by a medical device (e.g.: heart monitoring through a voice/data line).

## Comments from Procurement Council Members:

OSC: This includes the following: "Services may also include debt collections, customer service, and patient monitoring." Since many NYSID service contracts are received by BOC well after the start date (i.e. 6-8 months late), I can envision a situation where confidentiality and privacy provisions in the contract are lacking and modifications would need to be made. I understand if we don't have the ability to change or remove this statement, but this would seem to be troublesome when trying to amend agreements in the best interest of the State.

SUNY: What is meant by "patient monitoring?" The definition may impact SUNY hospitals.

NYSPPSP: "Patient monitoring" refers to the process of using outbound telephone calls to follow-up with patients after procedures or treatments. Hospitals may outsource services where a contractor is provided a weekly/monthly list of patients seen and are given a series of questions to ask – i.e.

- Comments on your experience
- Are there any changes/issues with your condition?
- Did you obtain the prescription medication prescribed by the doctor and are you successfully self-administering them?
- Do you have any questions for the physician?
- Reminder of follow-up appointment

This term was not meant to include services where patients relay data, i.e. heart monitoring, through a voice/data line. It also does not include Telemedicine, where for the purposes of Medicaid for example, it is allowable to permit two-way, real time interactive communication between the patient, and the physician or practitioner at the distant site.

If this term being included in the definition presents confusion or is problematic I would just ask that the definition somehow convey to medical facilities that outsource telephone surveys to monitor patients, that this is a part of the Preferred Source offering.

## Procurement Council Staff Response and Recommendation:

The definition cannot address a government entity's failure to secure an approved contract prior to disclosing confidential information to NYSID. The definition has been amended to provide a

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description of patient monitoring as currently provided by NYSPSP. Change title to Call Center Services – Outbound.

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## SECTION D: Approved Services

### Assemblies:

† **Electronic Assembly** is the aligning and connecting of electronic components, ~~provided by a customer at the customer's location~~ to create a final product not sold by the preferred member. This may be performed by using hand or power tools, machines and equipment, connecting wires and using soldering, welding or other bonding procedures and equipment. This service includes the testing and inspecting to ensure parts and assemblies meet production specifications and standards issued by the customer. ~~If the task is performed at the Preferred Source location the final product is a commodity and not a service offering.~~

### **Comments from Procurement Council Members:**

NYSID: Delete the last sentence. The location where the service is performed should not be used as a determining factor of whether this is a service or commodity. If the final product is not owned and sold by the Preferred Source as a product then it is clearly a service offering and not a commodity.

OSC: It includes the following statement, "if the task is performed at the Preferred Source location the final product is a commodity and not a service offering." I don't understand why the location of the assembly makes the determination if it is a commodity vs. a service offering. It would seem to always be a service offering.

### **Procurement Council Staff Response:**

NYSID sells lights and electronic signs that are assembled at a Preferred Source location and offered as a commodity. Consequently the definition originally included reference to the location of the assembly in order to distinguish between commodities needing electronic assembly prior to sale and the service of electronic assembly. That language has been deleted in response to the comments. The proposed definition now states that the preferred member is not the seller of the product being assembled, which Staff believes provides the necessary clarification.

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\* † **Kit Assembly & Maintenance** is the process in which separate but related items are grouped, packaged, and supplied together as one unit according to customer specification. This service may include the assembly of two or more finished products into a larger group. This service may include the fulfillment of multiple kits packaged into shipper cartons for delivery of finished kits, the storing of assembled kits for future ~~sales~~ distribution, or the replenishing of used or expired kit components or complete kits.

### Comments from Procurement Council Members:

NYSID: Kit Assembly & Maintenance is the process in which separate but related items provided by a customer are specifically grouped, packaged, and supplied together as one unit according to customer specification. It can also include the grouping of raw materials together in order to create a finished product or the assembly of two or more finished products into a larger group. This service may include the fulfillment of multiple kit packaging in shipper cartons for delivery of finished kits, the storing of assembled kits for future distribution, and replenishing used or expired kit components to refresh and resupply complete kits according to original specifications. Comment: The recommended changes provide clarity of definition for both the assembly and maintenance portions of this service.

### Procurement Council Staff Response:

Changes were made to clarify this service.

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### Temporary Personnel:

† **Office (recommend changing title to Temporary Personnel – Office)** is a temporary worker hired for a pre-determined period of time to assist a customer in an office environment. The worker may be asked to complete administrative and clerical tasks including, but not limited to, answering and directing calls, opening and distributing mail, operating office equipment, or other similar tasks as assigned. The worker may assist with a wide range of clerical and administrative functions. This service does not include professional, IT, or trade services.

### **Comments from Procurement Council Members:**

NYSID: Office (recommend changing title to Temporary Personnel – Office) is a temporary worker hired for a pre-determined period of time to assist a customer in an office environment to assist with a wide range of clerical, administrative and professional functions. The worker may be asked to complete administrative tasks including, but not limited to, answering and directing calls, opening and distributing mail, operating standard office equipment, performing computer related work or other similar tasks as assigned.

Comment: Office personnel encompasses both clerical and professional positions as is demonstrated by the OGS centralized contract for administrative services. As such, professional and IT services should be included in this offering.

### **Comments from Non-Procurement Council Members:**

Attached is a letter from Senator Catharine M. Young and Goodwill Industries of Greater New York and Northern New Jersey, Inc. commenting on the definition.

### **Procurement Council Staff Response and Recommendation:**

While it is understood that office personnel will use computers when performing office functions, persons hired to perform IT and professional services are different categories of workers that are not typically identified under a heading of office worker. Change title to Temporary Personnel – Office.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

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† **Warehouse (recommend changing title to Temporary Personnel – Warehouse)** is a temporary worker hired for a pre-determined period of time to assist a customer in a warehouse environment. The worker may be asked to perform a wide range of warehouse tasks including, but not limited to, order processing, pulling of materials and stock, packing boxes, loading and unloading, shipping, receiving, and other similar tasks as assigned. This service shall not include delivery or driving off site.

### Comments from Procurement Council Members:

NYSID: Delete last sentence. Comment: The definition should focus on what the service "is" rather than what it "is not."

### Procurement Council Staff Response and Recommendation:

Inclusion of services related to warehousing, but falling outside the scope of a temporary warehouse worker is recommended to ensure clarity of the scope of services approved by the Procurement Council to be offered as a preferred source offering. The intent and purpose of this service is to provide warehouse workers, not provide delivery persons or drivers. Change title to Temporary Personnel – Warehouse.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

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## SECTION D: Approved Services

† **Laundry Service (Industrial)** is the handling and collection of soiled linen and apparel including, but not limited to, patient or surgical gowns, lab coats, table linens, pillow cases, sheets, blankets, towels, adult bibs, baby shirts, underpads, medical apparel, bedding, washcloths, diapers, patient clothing, and treated mops. This service includes the sorting, washing, extraction, drying, finishing, folding, mending and storage of said products. ~~as well as disinfecting of linen transport carts.~~ This service includes the stocking, picking, and wrapping of clean laundry as well as the delivery of hygienically clean, reusable linen and apparel which can be either customer owned or on a rental basis. Industrial laundry service should meet or exceed accreditation standards for processing reusable linen and apparel for use in healthcare facilities as determined by the Healthcare Laundry Accreditation Council (HLAC). This service may include the disinfecting of linen transport carts and decontaminating any surfaces or equipment that may be contaminated with blood or other potentially infectious materials and fluids to be in compliance with HLAC requirements.

### **Comments from Procurement Council Members:**

NYSID: Laundry Service (Industrial) is the handling and collection of soiled linen and apparel including, but not limited to, patient or surgical gowns, lab coats, table linens, pillow cases, sheets, blankets, towels, adult bibs, baby shirts, underpads, medical apparel, bedding, washcloths, diapers, patient clothing, and treated mops. This service includes the sorting, washing, extraction, drying, finishing, folding, mending and storage of said products. Supporting tasks may include other functions required to insure the hygienic integrity of the processed textiles, such as minimizing potential environmental contamination: i.e. vermin, lint, moisture, disinfecting of linen transport carts, maintaining functional separation of soiled and clean room areas and the decontamination of any surfaces/equipment that may be contaminated with blood or other potentially infectious materials and fluids. This service includes the stocking, picking, and wrapping of clean laundry as well as the delivery of hygienically clean, reusable linen and apparel which can be either customer owned or on a rental basis. Industrial laundry service should meet or exceed accreditation standards for processing reusable linen and apparel for use in healthcare facilities as determined by the Healthcare Laundry Accreditation Council (HLAC).

Comment: The definition of laundry service should also include other functions required to insure the standards of HLAC as noted.

SUNY: Jobs related to meeting the HLAC standards (e.g., maintaining transition or clean rooms should be considered as part of the definition).

### **Comments from Non-Procurement Council Members:**

Attached is a letter from Senator Catharine M. Young and Jawonio commenting on the definition.

### **Procurement Council Staff Response**

The proposed definition identifies the direct labor tasks to be performed by the visually impaired and severely disabled worker to provide the provision and cleaning of linens and apparel on a laundry

\* NYSPPS is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

## **Final Proposed Preferred Sources List Definitions**

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contract. The comments suggest adding in the supporting indirect labor tasks involved in cleaning the facility to comply with the Healthcare Laundry Accreditation Council (HLAC) requirements.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

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## SECTION D: Approved Services

### Mail Fulfillment Services (recommend changing title to Mail Services):

#### **Comments from Procurement Council Members:**

NYSID: In all the steps outlining the category of Mail Fulfillment Services the definition only allows for a "manual" process. As stated previously the definition should focus on "what" not "how" in order to provide relevant and clear guidance to purchasers. However, if "how" is important in this particular definition, then each step should be modified to include "manually or by machine" in order to bring the definition into the 21<sup>st</sup> Century and also allow the Preferred Source to provide pricing that is competitive with the market.

#### **Comments from Non-Procurement Council Members:**

Attached is a letter from Senator Catharine M. Young commenting on the definition.

#### **Procurement Council Staff Response and Recommendation:**

The definitions were developed based upon the understanding of the scope of the service at the time the service was added to the List of Approved Preferred Source Offerings. The emphasis on "manual" processes was intended to ensure that a majority of the direct labor necessary for the service is performed by persons with visual impairments or severe disabilities rather than by machines. In light of advancements in technology all manual references are removed. All future applications involving the use of machines for these services must evidence that direct labor ratios are being met. Change title to Mail Services.

\*† **Collating (recommend changing title to Mail Collating)** is the ~~manual~~-collecting and combining of documents in the proper order for mailing.

#### **Procurement Council Staff Recommendation:**

Change title to Mail Collating.

\*† **Distribution (recommend changing title to Mail Distribution)** is to ~~manually~~-give or deliver items that have been mailed or shipped to customers.

#### **Procurement Council Staff Recommendation:**

Change title to Mail Distribution.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

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\*† **Folding & Inserting (recommend changing title to Mail Folding & Inserting)** is the bending of a document ~~by hand~~ so that one part covers another and then ~~manually~~ placing that document into an envelope for mailing. These services can be offered jointly or singularly.

## Comments from Procurement Council Members:

DOH: They can't use a machine to do this? What if a letter comes to them pre-folded, can they still be used to simply insert?

## Procurement Council Staff Response and Recommendation:

All references limiting the service to manual performance only have been removed. Change title to Mail Folding and Inserting.

\*† **Inkjet Labeling (recommend changing title to Mail Inkjet Labeling)** is the application of addresses either directly onto an envelope or a label through the use of an Inkjet printer. When addresses are put on labels, those labels are manually affixed to envelopes.

## Comments from Procurement Council Members:

DOH: Why limited to inkjet? Not impact, dot matrix, laser jet, or others?

## Procurement Council Staff Response and Recommendation:

The title of this service as identified on the List of Approved Preferred Source Offerings specifically references "Inkjet" labeling, not labeling in general. (Cheshire Labeling is also identified on the List and is recommended for removal). In order to permit all different types of labeling services to be provided by the Preferred Sources, an application to provide generic labeling, without limitation as to the type of equipment utilized, would have to be submitted to the Procurement Council for approval. Change title to Mail Inkjet Labeling.

\*† **Packaging (recommend changing title to Mail Packaging)** is ~~manually~~ enclosing or protecting ~~documents~~ ~~products~~ for mailing and shipping.

## Comments from Procurement Council Members:

DOH: Can they label the box? (or does that require an inkjet labeling award also?)

## Procurement Council Staff Response and Recommendation:

Based upon the separate Preferred Source Service titles of Cheshire Labeling and Inkjet Labeling as well as the non-approved service of Packaging Services on List E, it is believed this service should be limited to the tasks of physically putting documents into envelopes on behalf of a customer. If the customer also required labeling of boxes into which the envelopes are placed, such service would need to be separately procured either through the approved services of Presort, All classes, Offsite Mailroom Services or Onsite Mailroom Services. Change title to Mail Packaging.

\* NYSISP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

## Final Proposed Preferred Sources List Definitions

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\*† **Presort, All Classes (recommend changing title to Mail Presort, All Classes)** is to ~~manually~~ sort mail according to zip codes before delivering to a post office to reduce the cost of postage. The cost of postage must be separately identified and shall not be included in the cost of the service upon which an administrative fee or facilitating entity fee is charged.

### Comments from Procurement Council Members:

DOH: Does this include delivering envelopes and packages to the post office? Does this include affixing postage?

NYSID: Presort, All Classes (recommend changing title to Mail Presort, All Classes) is to manually sort mail according to zip codes before delivering to a post office to reduce the cost of postage.  
Comment: This is not pertinent to the definition and should be eliminated.

### Procurement Council Staff Response and Recommendation:

The definition does include delivery to the post office and the affixing of postage. The cost of postage should be a pass-through fee, without a mark-up added, and Staff believes it is important to note this limitation for the benefit of customers. Change title to Mail Presort, All Classes.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

## Final Proposed Preferred Sources List Definitions

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\*† **Offsite Mailroom Services (recommend changing title to Mailroom Services – Offsite)** is work that occurs at Preferred Member's or **Corporate Partner's** site performing one or more of the below identified tasks:

- ~~Manually~~ Inserting, addressing, folding, tabbing, sorting, tying and bagging or trayng documents, weighing and metering outbound mail;
- Delivering mail to post office or courier;
- Picking-up, time stamping, opening, reading, sorting, routing and delivering inbound postal and interoffice mail;
- Handling and processing overnight/express mail, and performing inter-facility mail runs; or
- Keeping necessary records and completed forms.

The cost of postage must be separately identified and shall not be included in the cost of the service upon which an administrative fee or facilitating entity fee is charged. **This service shall not include printing of any kind, including Digital Printing.**

NOTE: Digital Printing is defined as a physical process that transfers an image stored in a digital format on a computer or other storage media (e.g.: flash/thumb drive) to paper or other media. Digital Printing does not use metal printing plates as the mechanical means to affix the image to the paper and does not include a press set-up process. The term expressly does not include the mechanical processes of offset lithography and offset printing (traditional printing). Neither Digital Printing nor traditional printing are approved as services that may be offered either alone or in conjunction with other preferred source service offerings.

### Comments from Procurement Council Members:

NYSID: Offsite Mailroom Services (recommend changing title to Mailroom Services - Offsite) is work that occurs at a contractor's site and not the State or Local Agency's site and may include one or more of the identified tasks:

- Production of static documents received from the customer in either paper or electronic form produced in black and white or color as required. Production of certain documents such as standard letters, statements, or other customer communications may require the insertion of different names into the document which would be provided through production/printing of variable data documents. Similarly, production would also include printing of return address and indicia on envelopes as well as address labels using inkjet, laser or pressure sensitive methods by which labels are generated.
- Manually inserting, addressing, folding, tabbing, sorting, tying and bagging or trayng documents, weighing and metering outbound mail;
- Delivering mail to post office or courier;
- Picking-up, time stamping, opening, reading, sorting, routing and delivering inbound postal and interoffice mail;
- Handling and processing overnight/express mail, and performing inter-facility mail runs; or
- Keeping necessary records and completed forms.

Comment: The minimum essential requirements that purchasers seek in the 21<sup>st</sup> Century encompass a turnkey mail room operation including production of documents to be mailed. The definition should focus on what the service "is" rather than what it "is not" in order to provide relevant and clear guidance to the purchaser.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

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### Procurement Council Staff Response and Recommendation:

The proposed definition was amended to allow these services to be performed at either the Preferred member's site or a Corporate Partner's site. The referenced "production" component is currently under consideration by the Procurement Council for addition to the List of Approved Preferred Source Offerings under the title of Mail Fulfillment Services. Production cannot be added as an additional preferred source service offering solely through the adoption of a mailroom service definition. In addition, mailroom services are similar to services provided by the post office and would not include the production of documents to be mailed. Change title to Mailroom Service – Offsite.

**\*† Onsite Mailroom Services\*† (recommend changing title to Mailroom Services – Onsite)** is work that occurs at the customer's mailroom location performing one or more of the below identified tasks:

- ~~Manually~~ Inserting, addressing, folding, tabbing, sorting, tying and bagging or traying documents, weighing and metering outbound mail;
- Delivering to post office or courier;
- Picking-up, time stamping, opening, reading, sorting, routing and delivering of inbound postal and interoffice mail
- Handling and processing overnight/express mail, and performing inter-facility mail runs; or
- Keeping necessary records and completed forms.

The cost of postage must be separately identified and shall not be included in the cost of the service upon which an administrative fee or facilitating entity fee is charged. **This service shall not include printing of any kind, including Digital Printing.**

NOTE: Digital Printing is defined as a physical process that transfers an image stored in a digital format on a computer or other storage media (e.g.: flash/thumb drive) to paper or other media. Digital Printing does not use metal printing plates as the mechanical means to affix the image to the paper and does not include a press set-up process. The term expressly does not include the mechanical processes of offset lithography and offset printing (traditional printing). Neither Digital Printing nor traditional printing are approved as services that may be offered either alone or in conjunction with other preferred source service offerings.

### Comments from Procurement Council Members:

NYSID: Onsite Mailroom Service (recommend changing title to Mailroom Services - Onsite) is work that is the same as Offsite Mailroom Services except that the services are performed at the State or government agency's site using either customer or contractor provided/owned equipment and utilizing contractor labor.

### Procurement Council Staff Response and Recommendation:

The proposed definition was amended to allow these services to be performed at either the Preferred member's site or a Corporate Partner's site. The referenced "production" component is currently under consideration by the Procurement Council for addition to the List of Approved Preferred Source Offerings under the title of Mail Fulfillment Services. Production cannot be added as an additional preferred source service offering solely through the adoption of a mailroom service definition. In addition, mailroom services are similar to services provided by the post office and would not include the production of documents to be mailed. Change title to Mailroom Services – Onsite.

\* NYSISP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

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## SECTION D: Approved Services

### Document Processing:

† **Photocopying** involves a physical process where a hard copy document or book is placed on an analog copier, light is reflected off the image and is projected onto a drum. The drum is then charged based on the density of the light and the toner is affixed to the drum and transferred to the paper as an image.

### **Comments from Procurement Council Members:**

NYSID: Photocopying is using photographic techniques to copy print or graphic images. May range from producing single color forms, reading material and other documents to those requiring the merge of covers, text, indices and related items in single or multi-color. Photocopying is distinguished from document reproduction in that it involves a hard copy original and generally produces a limited number of hard copy duplicates (merriam-webster.com). Comment: The definition provided is technical in nature and provides more “how” than “what” and is not practical for use by a procuring agency in determining form, function, and utility of the service to be provided. A definition from Webster’s dictionary has been provided.

OSC: Photocopying is using an analog copier, light is reflected off the image and is projected onto a drum. The drum is then charged based on the density of the light and the toner is affixed to the drum and transferred to the paper. I am not sure why the photocopier has to be analog (older technology) and not allow for new technology which performs the same function with potential benefits (efficiency) unless that conflicts with your definition of digital printing.

### **Procurement Council Staff Response:**

The definition directly relates to the title of the service, Photocopying. If the service had been titled copying, rather than photocopying, the definition would be more inclusive to allow for the use of other types of equipment. The definition is written to be clear and concise, and accounts for any conflicts with digital printing.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

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† **Reproduction** is a physical process that involves the exact duplication of a pre-existing original hard copy document. Example: ~~Go to copier~~, Physically place a document or book on a screen and press startprint. If the document to be reproduced is in an electronic format it is not covered under this definition. **This service shall not include original printing of any kind, including Digital Printing.**

NOTE: Digital Printing is defined as a physical process that transfers an image stored in a digital format on a computer or other storage media (e.g.: flash/thumb drive) to paper or other media. Digital Printing does not use metal printing plates as the mechanical means to affix the image to the paper and does not include a press set-up process. The term expressly does not include the mechanical processes of offset lithography and offset printing (traditional printing). Neither Digital Printing nor traditional printing are approved as services that may be offered either alone or in conjunction with other preferred source service offerings.

### Comments from Procurement Council Members:

NYSID: Reproduction is the process of copying something such as a document and/or graphic image. In current usage, both the original and the reproduced copy may be in a variety of hard-copy or electronic formats including paper copies, pdf files, or other data stored on CD-ROMS, DVDs, USB flash drives or other storage devices (us.nrc.gov or <http://ww/nrc.gov/reading-rm/pdr/fee-schedule.html>). Comment: The proposed definition does not consider all forms of media to be reproduced (examples provided) and does not consider 21<sup>st</sup> century media used to deliver documents or files in electronic media used to deliver documents or files in electronic format which are then reproduced unaltered on paper. The definition provided is not practical for use by a procuring agency in determining form, function, and utility. The definition should focus on what the service “is” rather than what it “is not.” Any reference to Digital Printing should be removed from the approved list of Preferred Source Offerings as this service has not been approved.

### Procurement Council Staff Response:

The definition directly relates to the title of the service and specifically addresses the Procurement Council’s prior denial of NYSID’s request to add digital printing as a Preferred Source Service and a reminder that no printing of any kind (other than Chesire Labeling and Inkjet labeling) is approved as a Preferred Source Offering.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

## Final Proposed Preferred Sources List Definitions

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### VOTE TO REMOVE FOUR SERVICES FROM THE LIST OF PREFERRED SOURCE OFFERINGS

Pursuant to State Finance Law § 162 (3)(b), the Procurement Council may only make a non-binding recommendation to the relevant preferred source to delete a commodity or service from the List of Preferred Source Offerings as it was developed in late 1995. Only the Preferred Source may request the deletion of an item from the List.

NYSID has requested the deletion of the following items as they are either no longer being provided or are included in other approved Preferred Source Offerings.

#### FOR REMOVAL FROM SECTION D:

**Cheshire Labeling-** No longer offered

#### FOR REMOVAL FROM SECTION E:

**Freight & Trucking-** No longer offered

**Optical Imaging-** No longer offered

**Temporary Personnel – Office-** Previously approved and included on List D.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

## Final Proposed Preferred Sources List Definitions

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The Preferred Source Service List contains **Section E**, which identifies services that were being offered when the Procurement Stewardship Act was first adopted, but were not approved as Preferred Source Offerings. The List was created in late 1995 and Sections C (non-approved commodities) and E (non-approved services) were included as a way to assist the Preferred Sources to market other commodities and services they were offering at the time, but were not given Preferred Source status in accordance with State Finance Law § 162 (3)(a). Since 1995, both Sections C and E have remained on the List and this inclusion is confusing to many users, especially new employees at customer agencies. Such confusion could result in agencies unintentionally violating State Finance Law.

Sections C and E were useful in the 1990s to assist the Preferred Sources in marketing other commodities and services they offered, outside of the Preferred Sources program. However, such assistance with marketing is no longer necessary as CORCRAFT, NYSID and NYSPSP have public websites, where users can view or download a copy of the Preferred Sources' catalogs to assist in finding additional commodities services being offered outside of the Preferred Source program. The List was recently updated and made public on the OGS website, the updated version of the List includes links to all three catalogs.

### **Procurement Council Staff Recommendation:**

The Procurement Council vote to make a formal recommendation to NYSID and CORCRAFT that Section E be removed from the List of Preferred Source Offerings as inclusion of these service titles on the List creates confusion for the customers seeking to obtain services in accordance with State Finance Law §§ 162 and 163.

\* NYSPSP is approved to offer services, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer services, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

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## SECTION E: Unapproved Services

NYSID has requested the retention of the following titles on List E, therefore, definitions are proposed:

† **Building and Ground Maintenance (recommend changing title to Building Maintenance)** is the cleaning and care of a building's exterior to prevent wear to the surface. **This is not an approved Preferred Source service.**

### **Comments from Procurement Council Members:**

NYSID: Delete the last sentence. Comment: The heading for section E in the published list of offerings denotes that those below "have not been approved as a preferred source item" therefore this notation in each item is redundant.

### **Procurement Council Staff Response and Recommendation:**

This service is easily confused with the approved service of Grounds Maintenance and Janitorial. Therefore a reminder that Building Maintenance is not an approved offering is recommended for clarity. Change title to Building Maintenance.

### **Document Processing:**

† **Binding** is the process of physically assembling an ordered stack of paper sheets into a bound volume. This can be done through the use of staples, three-hole punches, or similar means. **This is not an approved Preferred Source service.**

### **Comments from Procurement Council Members:**

NYSID: Delete the last sentence. Comment: The heading for section E in the published list of offerings denotes that those below "have not been approved as a preferred source item" therefore this notation in each item is redundant.

### **Procurement Council Staff Response:**

This service has recently been found to be included in a number of Reproduction contracts despite the notice at the top of List E that says "Services below have not been approved as a preferred source item." We believe inclusion of this limitation next to the actual definition of binding is important to ensure compliance.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

## Final Proposed Preferred Sources List Definitions

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† **Packaging Services** is the order and receipt of customer owned materials to be packaged and delivered. **This is not an approved Preferred Source service.**

### Comments from Procurement Council Members:

NYSID: Delete the last sentence. Comment: The heading for section E in the published list of offerings denotes that those below "have not been approved as a preferred source item" therefore this notation in each item is redundant.

### Procurement Council Staff Response:

This service is easily confused with the approved service of Mail Packaging. Therefore Staff believes inclusion of this limitation next to the actual definition of Packaging Services is important to ensure compliance.

### Food Services:

† **Food Cafeteria Services** is the service and sale of food and beverage in a cafeteria type setting. **This is not an approved Preferred Source service.**

### Comments from Procurement Council Members:

NYSID: Delete the last sentence. Comment: The heading for section E in the published list of offerings denotes that those below "have not been approved as a preferred source item" therefore this notation in each item is redundant.

OSC: Under NYSID Offerings in Section E, it shows the category as "Food Services." However, the definition only describes "Food Cafeteria Services". Food Cafeteria Services is the service and sale of food and beverage in a cafeteria type setting. This is not an approved Preferred Source service. Should this also reference retail food services or retail operations where food/drink could be sold?

### Procurement Council Staff Response:

This service is easily confused with the approved service of Meal Preparation and Delivery despite the notice at the top of List E that says "Services below have not been approved as a preferred source item." We believe inclusion of this limitation next to the actual definition of Food Cafeteria Services is important to ensure compliance. We have no knowledge that NYSID is offering retail food services or retail operations where food/drink could be sold. Therefore, reference to those services is not included.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

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† **Horticulture Services** is the cultivation and growing of plants, flowers, fruits, vegetables, and trees. The mere planting of said plants or trees is not enough as horticulture deals with science and technology and the business of plant growing. **This is not an approved Preferred Source service.**

### Comments from Procurement Council Members:

NYSID: **Horticulture Services** is the cultivation and growing of plants, flowers, fruits, vegetables, and trees. The mere planting of said plants or trees is not enough as horticulture deals with science and technology and the business of plant growing. Including various gardening duties such as tilling soil, preparing seed beds, transplanting, watering, mulching, weeding, and applying fertilizer or other gardening products. Other tasks may also include propagating new plants through grafting and other measures as well as pruning plants and trees. These services can also be performed in a greenhouse setting or an office environment.

### Procurement Council Staff Response:

This service is easily confused with the approved service of Grounds Maintenance and Staff believes that some of the items suggested for inclusion in this definition, such as watering, mulching and weeding, will create further confusion.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

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## SECTION E: Unapproved Services

CORCRAFT has requested the retention of the following titles on List E, therefore, definitions are proposed:

**Information & Records Conversion Management** is converting paper records into a digital format. This service may include classifying, indexing, retrieval, and storage of records. This service may involve Data Imaging Services, Microfiche & Microfilming. This service may not include the destruction of documents. **This is not an approved Preferred Source service.**

### **Comments from Procurement Council Members:**

NYSID: Delete the last sentence. Comment: The heading for section E in the published list of offerings denotes that those below "have not been approved as a preferred source item" therefore this notation in each item is redundant.

SUNY: Is this intended to be the same definition as Info & Records Conversion Management but specifically for Corcraft?

OSC: Change "This service may not" to "This service shall not". "May" leaves it open for additional interpretation when the intent is to exclude the service.

### **Procurement Council Staff Response:**

CORCRAFT is not accorded Preferred Source status for the provision of any type of service, but it does provide Information & Records Conversion Management outside of the Preferred Source program. Despite the notice at the top of List E that says "Services below have not been approved as a preferred source item," we have recently discovered customers have been utilizing CORCRAFT for certain services on a preferred source basis. We therefore believe inclusion of this limitation next to the actual definition is important to ensure compliance. We decline to say what this service "shall not include" as this is not a Preferred Source service offering, and CORCRAFT may be offering the same types of services as NYSPSP and NYSID, but not on a Preferred Source basis.

**Teleservice/Telemarketing (recommend changing title to Telemarketing)** is calling a potential customer on behalf of a government entity to solicit the purchase of products or services. **This is not an approved Preferred Source service.**

### **Comments from Procurement Council Members:**

NYSID: Delete the last sentence. Comment: The heading for section E in the published list of offerings denotes that those below "have not been approved as a preferred source item" therefore this notation in each item is redundant. Change title to Telemarketing.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

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### Procurement Council Staff Response and Recommendation:

CORCRAFT is not accorded Preferred Source status for the provision of any type of service, but it does provide these services currently to State agencies. We believe it is important to remind customers of CORCRAFT that the procurement of this service must not be based upon the Preferred Source Law.

**Work Crews** are a group of inmates from the Department of Corrections and Community ~~Supervision~~ ~~service~~ (DOCCS) engaged in manual labor under the direct supervision of a DOCCS employee. **This is not an approved Preferred Source service.**

### Comments from Procurement Council Members:

NYSID: Delete the last sentence. Comment: The heading for section E in the published list of offerings denotes that those below "have not been approved as a preferred source item" therefore this notation in each item is redundant.

SUNY: Seems to be overly broad, can this be more specifically defined as to what is considered accepted "manual labor" under this definition.

CORCRAFT: Department of Corrections and Community Supervision

### Procurement Council Staff response:

CORCRAFT is not accorded Preferred Source status for the provision of any type of service, however, currently provides work crews to state agencies. We believe it is important to remind customers of CORCRAFT that the procurement of this service must not be based upon the Preferred Source Law. We decline to specifically define the work crews as this is not an approved Preferred Source offering.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.