

Proposed Definition
Temporary Personnel-Office
List of Preferred Source Offerings Section D Approved Services
September 20, 2017

Background

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 source facilitating entities were approved to sell that commodity or provide the service. The offerings on the List had not 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 was approved by the Procurement Council during the November 17, 2015 meeting and additional definitions have been presented and approved for all other approved service offerings except Temporary Personnel-Office, which was sent to a workgroup for development of a definition. The resultant definition is presented to the Procurement Council for discussion and approval today.

It should be noted, that 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 that 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, comment, and vote, at Procurement Council meetings throughout 2016.

The workgroup to define Temporary Personnel-Office services first met on June 15, 2017 and continued to meet for a total of seven two-hour sessions. The workgroup was chaired by OGS and consisted of representatives from ESD, ITS, OSC, OMH, NYSID, New York State Department of Labor (“DOL”), GoodTemps, and AccuStaff. Despite the efforts of all participants, a consensus could not be reached, therefore, the workgroup was adjourned on August 3, 2017 and it was agreed that in accordance with past practice, Procurement Council Staff would present a proposed definition of the service offering for adoption, together with comments from Procurement Council members and their suggested modifications to the proposed definition.

NOTES

1. Procurement Council Staff is providing two different versions of the proposed definition. One version is the complete definition as proposed by Procurement Council Staff. The second version of the definition contains new text or requests for deletions that was not approved by the full workgroup. These changes are reflected in bold font with strike throughs for deletion as requested by NYSID or ESD or underlined for addition. Comments regarding each requested change, together with Staff response to the request follow each requested change and are in italics and highlighted.
2. The approved definition will be applicable to all future contracts and extensions of existing contracts.
3. There is no prohibition against the Procurement Council amending a definition previously approved.
4. NYSID is approved to offer Temporary Personnel-Office, therefore Ronald Romano has recused himself from discussion and vote.