

2019 NEW YORK STATE MWBE FORUM



LEADING THE NATION

NYS Office of General Services Power of Procurement: Vendor Opportunities



Office of General Services
Procurement Services



Your Conference Resource Tools

1 Be sure to use your Conference app!



2 Access the NYS Opportunity eBook as your guide to State contracts!



3 Does your firm need financing?
Visit the Small Business
Financing Center!



Agenda

- Who we are & what we do
- Understanding NYS Procurement Process
- MWBEs
- Helpful resources
- Contact information

Presenters

- Sean Carroll
Chief Procurement Officer
- Cindy Miner
Director, Intergovernmental Relations
- Tryphina Ramsey
Director, OGS MWBE
- Kylesha Davis
Assistant Director, IT & Telecom

OGS Procurement Services

Who We Are

**Building
Administration**

**Real Estate
Services**

**Design &
Construction**

**Admin. &
Support
Services**

**Business
Services Center**

**Procurement
Services**

Established in 1960, the New York State Office of General Services provides essential support services for the operations of state and local government.

Who We Are

Building
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Real Estate
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Design &
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Support
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Business
Services Center

Procurement
Services

We are the state's central procurement office responsible for establishing and managing centralized contracts for goods and services needed by authorized users across New York.

We manage approximately 1,500 contracts worth \$4.5 billion per year! We effectively oversee the 7th largest economy in the world!

Imagine the Possibilities

- With more than 8,200 registered authorized users (customers) in NYS, there are many opportunities for businesses
- Get the complete list of eligible organizations at <https://ogs.ny.gov/procurement/ogs-procurement-services-centralized-contract-eligibility-application>

Who Can Use Our Contracts?

- State agencies
- Local governments
- School districts & private schools
- SUNY & CUNY colleges
- Charitable non-profit organizations
- Public authorities
- Public benefit corporations



More than 8,200 authorized users currently buy from OGS centralized contracts!

You Are Now Part of a Strategic Shift

- OGS is committed to increasing MWBE participation in the procurement process
- It's all about the customer
- Let's build a partnership

We want to understand:

- What your experience has been?
- What the barriers to participation are?
- How we can work together?

Understanding the NYS Procurement Process

Not All Government Entities Are Alike

- State agencies operate under State Finance Law
- Municipalities (counties, cities, towns, etc.) operate under General Municipal Law
- Public authorities operate under Public Authorities Law
- School districts operate under General Municipal Law & State Education Law

Why do we care?

Their rules for purchasing are different, but they all use OGS centralized contracts.

The Order of Purchasing Priority

- State Finance Law requires government to follow a process to make purchases



Must meet form, function, & utility

1. Preferred Sources



Commodities
produced by the
Department of
Corrections and
Community
Supervision,
Division of
Correctional
Industries

www.corcraft.org



Commodities and Services
produced by any qualified,
non-profit organization for
the blind and approved by
the Commissioner of Office
of Children and Family
Services

www.nyspsp.org

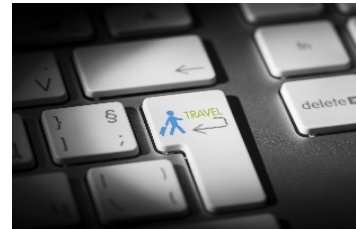


Commodities and Services
produced by any qualified,
non-profit organization for
severely disabled persons
and approved by the
Commissioner of Education

www.nysid.org


2. Centralized Contracts

- These are statewide contracts that are competitively bid or negotiated
- There are three types:
 - **Commodities**
 - **Services**
 - **Technology**



3. Agency Established Contracts

- A state agency determines if an established government contract can be used

 **Contract Use Request Form**

Instructions:
Entities requesting OGS review of piggyback should complete and submit the following to the Customer Services Team:
• By email: customer.services@ogs.ny.gov
• By mail: NYS Office of General Services, Procurement Services | Corning Tower, 38th Floor | Albany, NY 12242

Note: Individual agency contracts are subject to the review & approval of OSC & other agency specific review as applicable.

1. Please provide contact information.

For Your Agency/Organization:
Agency Organization: _____
Contact Name: _____
Address: _____
Phone: _____
Email: _____
Fax: _____

For the Original Contracting Entity:
Entity: _____
Name: _____
Address: _____
Phone: _____
Email: _____
Fax: _____

For the Contractor:
Contractor: _____
Name: _____
Address: _____
Phone: _____
Email: _____
Fax: _____

2. Please provide details of the procurement.

Describe the product or service on the original contract: _____

Describe the product or service which you intend to acquire: _____

Original contract ID/Reference #: _____
Original contract Award Date: _____
Contract Term: _____
Your Acquisition Timeframe: _____

This piggyback will take the form of an:
☐ Amendment to the original contract
☐ Independent contractual agreement

A copy of the original contract & its pricing is required with this application. Have you included a hard copy or forwarded an electronic copy of both to OGS Customer Services? Yes ☐ No ☐

Does the original contract contain language for contract extensions to additional users? Yes ☐ No ☐

Written approval for using this contract must be obtained & provided from both the original contracting entity & the vendor. Have these been included with your application? Yes ☐ No ☐

Does the original contract provide for appropriate discounts? Yes ☐ No ☐

If yes, have these discounts been applied to the intended piggyback volume? Yes ☐ No ☐

For the product or service you wish to acquire, provide the following information:

Major/Primary Product(s), or Type(s) of Service or Job Title(s) to be Acquired*	Estimated Quantity Required	Unit Price Per Original Contract	Anticipated Total Item Price for Piggyback

Estimated Total Value of Piggyback (including secondary contract items): _____

Last updated: 02/2016 * attach additional information as necessary

3. Provide information on the procurement method.

What was the original method of award for this contract?
☐ Competitive
☐ Mini-bid
☐ Non-Competitive Based On:
☐ Preferred Source
☐ Under Discretionary Threshold
☐ Sole ☐ Single Source
☐ Emergency
☐ Other

What procurement alternative(s) could be used for your acquisition?
☐ Competitive
☐ Mini-bid
☐ Non-Competitive Based On:
☐ Preferred Source
☐ Under Discretionary Threshold
☐ Sole ☐ Single Source
☐ Emergency
☐ Other

Please describe why piggybacking is the appropriate mechanism for this procurement (i.e. timing, level playing field, nature of use). Were other procurement methods considered? Are there any special, unusual, or extenuating circumstances underlying this extension request? Make sure to answer all questions and attach additional documents if you need more space.

4. Please provide price justification information.

Have market conditions changed since the original award (i.e. availability of supply, price fluctuations)? Yes ☐ No ☐ If yes, please describe: _____

Is there a mechanism in the contract for an adjustment to the original contract terms to reflect current pricing or market conditions? Yes ☐ No ☐ If yes, please describe: _____

How have you determined the reasonableness of price for the piggyback volume? Is there additional discount being provided in consideration of your use of this agreement? Please describe: _____

5. Agency Representation:

In providing the above information to the Office of General Services for piggybacking approval under State Finance Law, § 103.10 (a), the entity making this submission represents that it has done a thorough review of the original procurement documents, and that the information forwarded in this "Contract Use Request" provides a complete and accurate summary of both the original contract and intended system piggyback procurements.

Date: _____ Name & Title (Printed): _____

Authorized Signature: _____

For OGS Use Only

Date: _____ Name & Title (Printed): _____

Authorized Signature: _____

☐ Approved ☐ Approved with Comment (see attached) ☐ Disapproved

Last updated: 02/2016 * attach additional information as necessary

The Contract Use Request Form can be found at:
<https://ogs.ny.gov/procurement/piggybacking-using-other-existing-contracts-0>

4. Conduct Own Procurement

- A state agency conducts its own procurement or uses discretionary spending

Learn more about the buying process at:
<https://ogs.ny.gov/procurement/buyer-information>

BUYING 101

Understand the Procurement Process

State Agencies

Municipalities

School Districts

SUNY

More on Centralized Contracts

Contract Terms

- Maybe awarded up to 5+ years
- Contracts are for estimated quantities
- Sales result when purchases are made off the contract
- Sales are not guaranteed! Marketing is necessary to generate sales.

More on Centralized Contracts

Where to Start

- Search our existing contracts:
<https://ogs.ny.gov/procurement/ogs-centralized-contracts>
- Review our bid opportunities:
<https://ogs.ny.gov/procurement/bid-opportunities>
- Register for **NYS Contract Reporter** email notifications:
www.nyscr.ny.gov

Opportunities

- Contracts may allow for vendor participation so reach out directly to existing contractors
- Benefits:
 - Maximize manufacturer's ability to market and support a statewide contract
 - Provide opportunities for sale from contractor's designated local resellers, dealers, distributors, or agents
 - Promote NY small, minority, women, service-disabled veteran-owned business participation

Service-Disabled Veterans Business Development (SDVOB)

Monitor compliance with the Service-Disabled Veteran-Owned Business Act

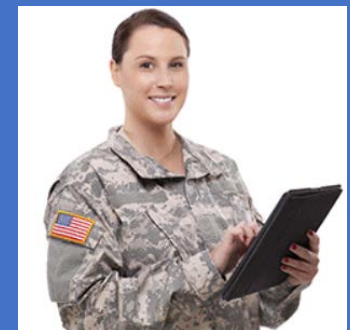
- Agencies/authorities have options for using SDVOBs
 - Prime contractors (SDVOB set-asides possible)
 - Subcontracting
 - Discretionary purchases up to \$200,000

Service-Disabled Veteran's Business Development

We offer businesses:

- NYS SDVOB certification
- Answers to FAQs
- Assistance finding opportunities
- Helpful resources

Find resources online:
<https://ogs.ny.gov/veterans>



MWBEs

Minority and Women-Owned Business Enterprises (MWBE)



NYS Executive Law Article 15-A requires that all State contracts (with a value in excess of \$25,000 for commodities, services and technology or \$100,000 for construction) be reviewed to identify possible subcontracting or supplier opportunities to be performed or supplied by NYS Certified Minority and Women-Owned Business Enterprises (MWBE).

Minority and Women-Owned Business Enterprises (MWBE)

- Finding MWBEs by searching the ESD Directory can be challenging

TIPS: Searching by “business description” instead of commodity codes often yields a larger pool of MWBEs. Use descriptive KEY WORDS to improve search results.

- All MWBEs should ensure that...
 - ✓ ...their business description is up-to-date
 - ✓ ...their business description accurately reflects scope of services/products
 - ✓ ...all CSI, NAICS, and NIGP codes as it relates to your business services are included
- Questions?

Contact the MWBE Office: mwbe@ogs.ny.gov or (518) 486-9284

How to Do Business with NYS

1. Get certified!
2. Look for reseller opportunities!
3. Find discretionary spending opportunities

Get Certified

- As a minority or women-owned business (MWBE) there are many advantages to being certified with New York State
- Empire State Development offers certification, training, and other resources
- Visit <https://ny.newnycontracts.com/Default.asp> today for more information

Why get certified? NYS MWBE goal is 30%. OGS contracts include MWBE goals, which encourage businesses to work with you.

Look for Reseller Opportunities

There are many opportunities for resellers, distributors, or agents on our contracts.

- Contracts portal:
<https://ogs.ny.gov/procurement/ogs-centralized-contracts>



Find Discretionary Spending Opportunities

- For purchases made below legally established monetary thresholds, agencies don't have to use a formal competitive bidding process
- In most cases, this is \$50,000 for state agencies, but it increases to \$200,000 for purchases:
 - From a NYS small business or certified minority or woman-owned business enterprise (MWBE)
 - For commodities or technology that are recycled or remanufactured
 - For food (including milk and milk products) that are grown, produced, or harvested in NYS. This is the Buy NY initiative
 - Service-Disabled, Veteran-Owned businesses

View the discretionary spending thresholds table at:

<http://www.ogs.ny.gov/purchase/spg/pdfdocs/PnpDiscretionaryThresholds.pdf>

When You Find Bid Opportunities...

A few things to keep in mind:

- Participate in all pre-bid activities
- Carefully review the specifications and delivery instructions
- Make sure to review any solicitation updates and amendments
- Contact the designated contact with questions
- Take advantage of post-bid debriefings

How to Find Business Opportunities

Find Bid Opportunities Online

NYS Contract Reporter

- www.nyscr.ny.gov
- Official publication of procurement activities for NYS agencies, public authorities, and public benefit corporations
- State agencies must advertise procurements of \$50,000 or more (including discretionary purchases) when they solicit bids from the business community



The screenshot shows the homepage of the NYS Contract Reporter website. At the top, there is a navigation bar with links for Services, News, Government, and Local. Below this, a large banner features the NYS logo and the text "The New York State Contract Reporter" with the tagline "NYS' official source of contracting opportunities Bringing business and government together". To the left of the banner, a statistics box displays: "Opportunities posted today: 37", "Opportunities posted in the last 7 days: 163", and "Total available opportunities: 690". To the right of the banner, there are links for "Log in", "Sign up and register for your free account!", and "Click here to get started". Below the banner, a horizontal menu contains links: "I want to find contracts to bid on", "I want to advertise opportunities", "Learn about the New York State Business Registry", and "Learn about doing business with New York". The main content area features the headline "Every opportunity, every contract for a price that can't be beaten: free!" followed by a welcome message and detailed information about the site's services, including bid advertising and the Business Registry. At the bottom, there are two buttons: "Browse contracting opportunities now!" and "Register now for your free account!". On the right side of the main content area, there is a graphic showing a computer monitor displaying the website interface, with a circular inset showing a map of New York State.

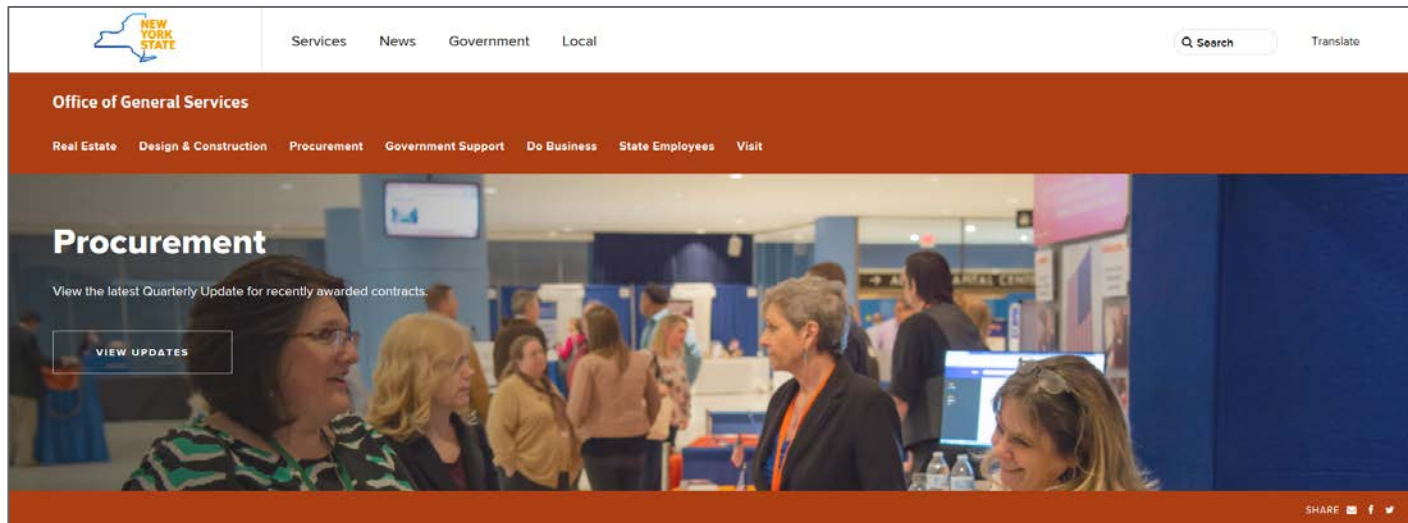
Procurement Services Website

Where to Find It:

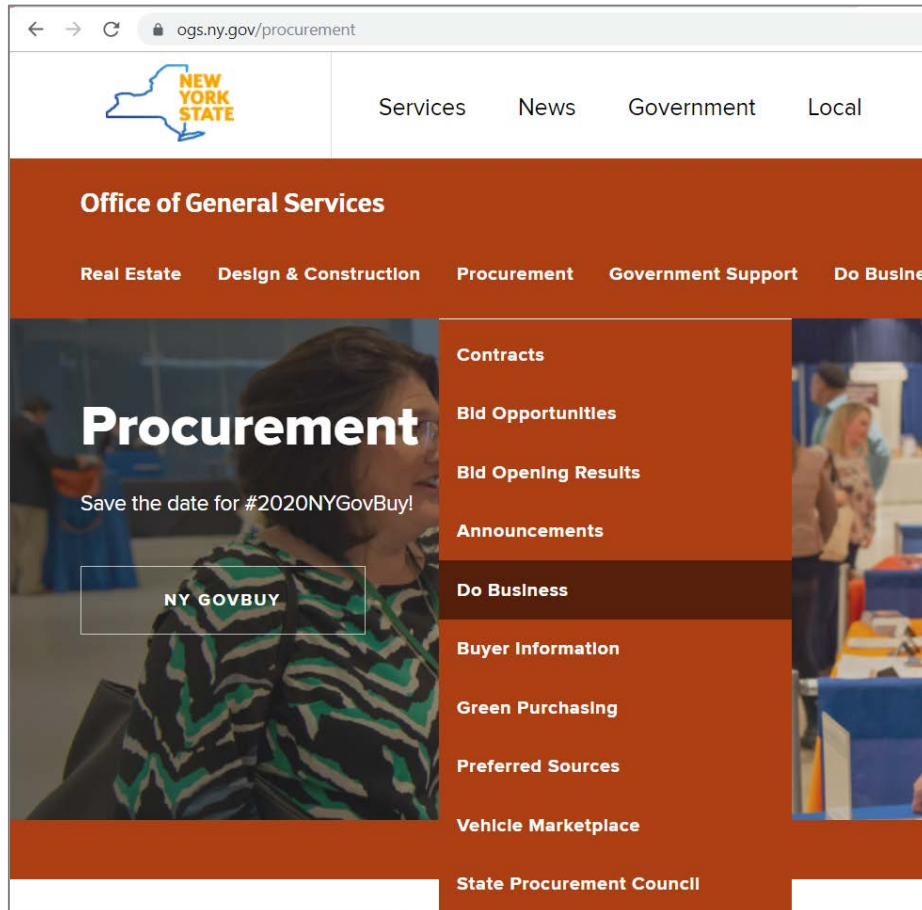
- www.ogs.ny.gov
- www.ogs.ny.gov/procurement (home page)

What It Offers:

- Information for buyers & businesses
- Contracts portal
- Contact information
- Links to other websites



Information for Businesses

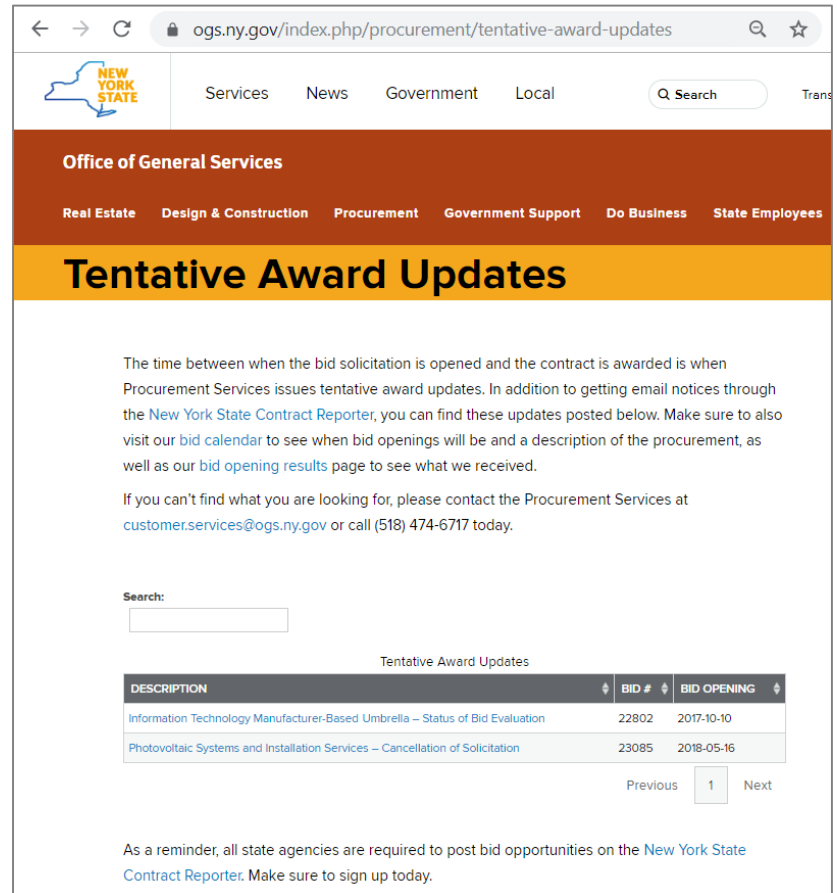


Click on “Do Business” tab to find:

- Bidding 101
- Getting NYS Certified
- Guide to Doing Business with NYS
- Bid opening results
- Glossary of Terms
- Obtaining a Vendor Identification

How to Find Solicitation Updates Online

- Sign up for email updates with the [NYS Contract Reporter](#) and you can find these updates posted on our website
- Visit our [bid calendar](#) to see when bid openings will be, a description of the procurement, and the [bid opening results](#) page to see what we received



The screenshot shows the website ogs.ny.gov/index.php/procurement/tentative-award-updates. The page is titled "Tentative Award Updates" and contains the following text:

The time between when the bid solicitation is opened and the contract is awarded is when Procurement Services issues tentative award updates. In addition to getting email notices through the [New York State Contract Reporter](#), you can find these updates posted below. Make sure to also visit our [bid calendar](#) to see when bid openings will be and a description of the procurement, as well as our [bid opening results](#) page to see what we received.

If you can't find what you are looking for, please contact the Procurement Services at customer.services@ogs.ny.gov or call (518) 474-6717 today.

Search:

Tentative Award Updates		
DESCRIPTION	BID #	BID OPENING
Information Technology Manufacturer-Based Umbrella – Status of Bid Evaluation	22802	2017-10-10
Photovoltaic Systems and Installation Services – Cancellation of Solicitation	23085	2018-05-16

Previous 1 Next

As a reminder, all state agencies are required to post bid opportunities on the [New York State Contract Reporter](#). Make sure to sign up today.

Market Yourself Directly to State Agencies

- It is important for you to identify and market to those agencies that are most likely to purchase what you sell
- Discretionary spending opportunities valued at under \$50,000 are not required to be advertised in the [NYS Contract Reporter](#)
- Use archived solicitations to find agency matches
- The [NYS Contract Reporter](#) lists quarterly and semi-annual reports of projected procurements by state agencies too

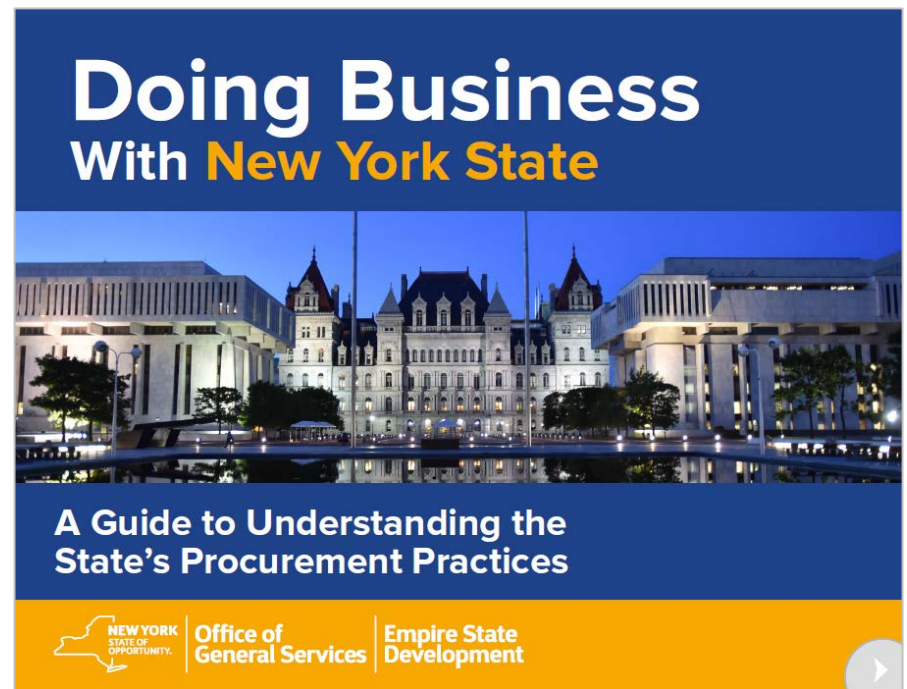
When You Don't Get a Contract

- Look for bid improvement opportunities by requesting an agency debriefing to learn how to improve on future bids
- A debriefing will detail strengths and weaknesses of your bid submission
 - Take notes and ask questions!
- Request assistance from Procurement Technical Assistance Centers and Small Business Development Centers in your area

Helpful Resources

Doing Business with NYS Guide

- This guide provides valuable information on procurement practices
- Find it online at:
https://ogs.ny.gov/system/files/documents/2019/09/DoingBusiness_9-19.pdf



Procurement Technical Assistance Centers

- PTACs provide counseling and training for businesses that want to sell to government
- What they do:
 - Help you register with the right groups
 - See if you are eligible for any special certifications
 - Research past contract opportunities
 - Help you identify bid opportunities
 - Measure your contract performance
 - Assist with contract audits
- Find your local PTAC today at: www.sba.gov/tools/local-assistance/ptac

Free Technical Assistance

Small Business Development Centers

- Administered by State University of New York (SUNY) and funded by the Small Business Administration (SBS), New York State, and host campuses for SBDC locations
- www.nyssbdc.org

Entrepreneurial Assistance Centers

- Funded in part by Empire State Development, these centers help individuals with their new and start-up businesses
- <https://esd.ny.gov/entrepreneurship-assistance-centers>

Office of the State Comptroller Open Book

State Contracts

- Search active state agency contracts and certain public authority contracts to see who is doing business with the state
- Information is updated daily

Local Government Spending

- See how your county, city, town, village, fire or school district gets and spends your money
- Data is updated annually

OSC Open Book: www.openbooknewyork.com

OSC Directory of Frequently Purchased Commodities & Services

Directory of Frequently
Purchased Commodities and
Services by New York State
Agencies

27th Edition

OFFICE OF THE NEW YORK STATE COMPTROLLER
Thomas P. DiNapoli, State Comptroller

February 2017

- Lists contact information for state agency procurement staff
- Lists what is most frequently purchased
- Updated by the Office of the State Comptroller (OSC)

Find it online:

<http://osc.state.ny.us/reports/fiscal/directorycommodities.pdf>

Customer Services

- Can't find something? Got a question? We are here to help!
- Contact OGS Procurement Services:

(518) 474-6717

customer.servces@ogs.ny.gov



Questions?

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