## **Final**

Minutes of the Meeting
New York State Procurement Council
November 29, 2012 - 11:00 A.M.
Meeting Rooms 2 - 4
North Concourse
Empire State Plaza
Albany, NY

#### I. Call to Order

John Traylor, Chief Procurement Officer for the New York State Office of General Services, called the meeting to order and thanked everyone for attending.

#### **II.** Minutes of Meetings

Mr. Traylor asked Council members for additions or corrections to the draft minutes from the September 27, 2012 meeting. There being no changes offered, a motion to adopt the draft minutes was made, seconded and passed unanimously.

## III. 2<sup>nd</sup> Annual NYS MSWBE Meeting – NY Works for MWBE's

Yrthya Dinzey-Flores, Chief Diversity Officer, reported that the Governor's Office hosted its second annual NYS MWBE Forum at the Empire State Plaza October 25-27, 2012. Ms. Dinzey-Flores advised that more than 700 businesses attended this event. An unprecedented number of commissioners and agency leadership participated in the Forum, in addition to agency procurement officers. Several workshops were conducted to provide MWBEs with guidance for doing business with New York State. A new application was introduced as well; the NYS Contract System for Small Business provides access for New York MWBEs who want to do business with the state. Much positive feedback on this event was received from the business community. The list of attendees is available at: www.nys.mwbe.forum.org Ms. Dinzey-Flores offered to provide an overview of the NYS Contract System for Small Business application at a future Council meeting.

### IV. NYS Industries for the Blind

Brian Daniels, Associate Commissioner for the Commission for the Blind & Visually Handicapped announced that effective December 1, 2012 the National Industries for the Blind (NIB) will be the oversight agency for blind workshops, replacing Industries for the Blind of New York State (IBNYS). Mr. Daniels thanked OGS for its assistance in achieving the goals of today's announcement, and said the Commission for the Blind & Visually Handicapped is looking forward to partnering with the NIB. Mr. Thomas Panek, NIB Vice President, was introduced and acknowledged New York State's lead role in providing employment opportunities for the blind, citing 1938 legislation as the first of its kind in the nation. Mr. Panek thanked the Preferred Source Program, particularly CPO John Traylor and staff in OGS who administer the program.

## V. Proposed Changes to Appendix A

Noreen VanDoren, OGS Associate Attorney, advised the Council of recent changes made to Appendix A - Standard Clauses for New York State Contracts, including the removal of Office of the State Comptroller (OSC) pre-audit of OGS centralized contracts and changes to Empire State Development (ESD) contact information relative to the Omnibus Procurement Act of 1992. No questions were raised. A motion was made to approve these changes, seconded and unanimously approved.

#### VI. Preferred Source Guidelines Update

Noreen VanDoren, OGS Associate Attorney, reviewed the final draft of the Preferred Source Guidelines dated November 2012, highlighting key areas where changes were made. New Value Added Statements (VAS) were created and provided for use by Preferred Sources in conjunction with commodity and service price approval. David Russo, Director of Consolidated Business Office, Office of Mental Health, asked if these VAS's will be submitted at the time of application and whether they would be periodically updated in the event of long-standing approvals. Ms. VanDoren stated that it is expected that the VAS will be submitted at the time of the application and

there was no requirement to update thereafter except in limited circumstances. Mr. Russo asked with regard to prevailing wage if it is necessary to provide evidence that they are applying prevailing wage during the life of the contract. Ms. VanDoren advised that this is not the intent of this document, that would be a procurement specific issue. Ron Romano, President & CEO, NYSID advised that NYSID compiles quarterly reports that monitor the percentage of disabled labor on each contract and offered to share them publicly if there is an interest.

Mr. Russo referred to products or services offered through Preferred Sources that are precluded from the competitive bid process. Does this new process exclude an agency from the Request for Information (RFI) process in order to determine market availability of a product or service? Anne Phillips, OGS Deputy Counsel & Director of Legislative Affairs, said that while an agency may be precluded from going to bid for a particular commodity or service, an RFI is not precluded; doing factual based information gathering is not seen as being harmful to the preferred source status of commodities and services. OGS will provide more definitive information on this specific topic.

There being no questions from the floor, Mr. Traylor called for a motion to accept the document. The motion was seconded and passed unanimously. The revised Preferred Source Guidelines dated November 2012 will be posted on the OGS Website at <a href="http://www.ogs.ny.gov/BU/PC/Preferred.asp">http://www.ogs.ny.gov/BU/PC/Preferred.asp</a>

#### VII. New Business

John Traylor advised that the Attorney General's Office asked OGS to develop standard text specifically related to the Iran Divestment Act and to add this new language to Appendix A in order to provide standardized language for use by all agencies. Anne Phillips asked the Council to review this draft and forward comments to either herself or Ms. VanDoren. The clause will be finalized and presented to the Council for approval at the next meeting. If more information is needed, the OGS website has a list of entities that are debarred; this list consists primarily of foreign banking institutions and is located at http://www.ogs.ny.gov/about/regs/ida.asp.

### VIII. Preferred Source Applications Requiring Procurement Council Approval

Mr. Traylor stated that OGS is following a new practice to get information out to Council members for review as far in advance of the Council meeting as possible. This should provide members ample opportunity to review and ask questions of OGS or the Preferred Source provider in advance of the meeting if necessary. OGS will also be providing a written summary developed by staff which identifies salient points about the product or service, type of goods/services, pricing comparisons, etc. Commissioner Destito has asked that we implement this going forward. This practice will become a regular part of how OGS will be doing business with the Council.

Don Greene stated that there were no applications to report on which fall under OGS' Standing Authority for approvals. OGS has however prepared summary statements for the two Preferred Source applications presented at the current meeting, the first application discussed was for White, Multi-Purpose Copy Paper and the second was for Diesel Exhaust Fluid.

### White, Multi- Purpose Copy Paper

A question was raised and some discussion held regarding the timing of the Preferred Source offerings for recycled paper relative to the OGS bid solicitation for the same items. Don Greene advised that an application was offered by NYSID, then the bid opening for the OGS Centralized contract was held and thereafter, a revised application, with reduced pricing was submitted by NYSID.

Ron Romano, President and CEO, NYSID, prefaced his presentation with some general statistics related to NYSID and its member agencies (details on copy of presentation available at http://www.ogs.ny.gov/About/Meetings/), including information on partnership with small and MWBE companies in New York State, as well as employment of military veterans.

Mr. Romano provided information relative to the application for white, multi-purpose paper; 30% recycled post-consumer content in less than truckload lots for Zones 2 (Central NY counties) and 3 (Northwest NYS counties) only. Mr. Romano stated that this application represents a partnership with the Association for Vision Rehabilitation and Employment Inc. (AVRE) and showed a brief video describing the production of the copy paper.

Mr. Romano questioned the applicability of relying on the OGS Centralized Contract's statewide bid pricing as representative of current market price, but stated that NYSID's pricing is less than 10% above the pricing of International paper for the cumulative estimated volume of all sizes of paper included for Zones 2 and 3 and is also within the acceptable statutory thresholds for each paper item. Mr. Romano reported that this opportunity to be the preferred source supplier of 30% recycled copy paper in less than truck load lots for zones 2 and 3 will provide nine new full-time jobs to individuals with disabilities.

Council members had several questions related to this application, including:

- Q Why did NYSID only make offers on Regions 2 and 3 when the OGS solicitation contained multiple regions?
- A NYSID indicated the OGS solicitation did not require bidders to bid on all regions. Mr. Romano further indicated that this is a large contract for NYSID and they wanted to continue to provide the high quality product to ensure high customer satisfaction. NYSID was not required to bid on the whole contract to be competitive.
- Q Compared to OGS bids for Zones 2 and 3, what percentage of the total contract does the NYSID bid represent?
- A The NYSID bid represents about 16% of the total contract for less than truckload quantity. NYSID did not want to have a large impact on New York State businesses which was another consideration for not making an offer for the entire state.
- Q NYSID said that they had changed procedures to speed up processing and to decrease the number of workers. What steps were taken to insure quality control?
- A A new ream wrapper at a cost of \$468,000 has recently been installed. This new equipment replaced an old antiquated piece of equipment requiring several people to run allowing for a reduction in the number of people required for production and also providing a much higher quality product. This new equipment provides the capacity to go faster if necessary, however it is presently being run at a level to produce a very high quality product in an efficient manner.
- Q NYSID mentioned the employment gap between persons with disability and those without disabilities. What is being done to get people with disabilities involved?
- A NYSID and IBNYS (NIB) provide avenues of employment; OPWDD has work programs; several state agencies utilize work programs; state agencies continue to use the 55-B program. There are programs on the national levels like Ability One that deal with federal contracts that employ individuals with disabilities.
- Q Why did NYSID target 30% recycled paper rather than 100% recycled since state agencies are required to buy 100% whenever possible?
- A NYSID chose 30% since this is what they currently produce for the federal market. This is their best source of supply. NYSID has not yet created a relationship with suppliers for 100% recycled paper, although they are moving in that direction.
- Q Was the benchmark for pricing included in the slides based upon the prices from the previous contract?
- A Two applications were submitted by NYSID. The first application used the previous OGS contract (multiple awardees, bid in 2008, expired in February of 2012, extended to August of 2012). OGS advised that there were no price adjustments to the previous contract pricing, and that the new contract was bid to determine the current market price and to get better pricing. The revised application was submitted by NYSID after the bid opening. NYSID explained that their application utilized pricing that was an average of all the bidders, not the awarded low bid companies' prices. OGS explained that if an OGS contract is in place, OGS uses that pricing as the market price of a commodity. If a contract is not in place, OGS determines market price by averaging a variety of products available in the marketplace.
- Q Is there anything in the OGS rules and regulations to establish this precedence for establishing market price or is it subject to every bid?
- A An average of available market pricing is used when there is no contract in place, usually eliminating high and low outliers. OGS is currently working on alternative ways to develop market price.

- Q Was OGS able to do a comparison of what the Preferred Source charges other customers to the prices they are offering in this application? Does OGS make sure the state isn't paying more than what is being offered to the Federal Government?
- A OGS did not make that comparison. NYSID maintained that an average of bid prices is a better representative of the market price than relying solely on the low bid. OGS disagreed with this statement.
- Q The Preferred Source offer would be used only when purchasing less than a truckload, so when purchasing a truck load or more agencies would go to the rest of the contract. What does this mean and what does a truckload represents?
- A The NYSID offer would be used for purchases made in Zones 2 and 3, up to 600 cartons. A truckload represents up to 840 cartons.
- Q What is the estimated volume of sales?
- A Zones 2 & 3 are not the largest zones on contract. The average sales are estimated to be between four and five million dollars.
- Q Under the previous OGS centralized contract, what was the dollar volume?
- A The centralized contract just awarded utilizes previous historical volume numbers. OGS bid contract estimates were the actual contract sales volumes reported by the State contractors. OGS indicted they could provide if necessary. (see answer to the previous question.)
- Q If this is approved today, will the award be time limited? How does pricing get monitored over time as industry changes?
- A OGS responded that the approval itself is in perpetuity. To date, price changes have been requested by Preferred Sources based on market conditions; sometimes the market no longer sustains pricing provided. Many applications approved by OGS and not reported to the Council are price changes made for applications processed as a normal part of doing work, approved and placed on the Preferred Source site for that product.
- Q Over the past few years, agencies have been asked to reach out to contractors and ask for price concessions. It seems these price differentials would cause this margin to grow. Does OGS do that with the Preferred Source contractors?
- A OGS has not done this yet but the Commissioner has asked that it be done. OGS is establishing a record of current market prices; an example is the recent strategically sourced office supply contract.

  NYSID responded that their best measure is that people stop buying. If there has been a decline in price in the marketplace and NYSID prices do not reflect this reduction, people will stop buying.
- O Is the bid subject to MWBE guidelines and requirements? How is this figured into Preferred Source?
- A OGS does not control purchasing transactions that exist under the preferred source contracts: it is up to the purchasers to establish goals on a transaction level. The marketplace for paper does not lend itself strongly to MWBE participation at the supplier level. There are other commodity areas which would be more likely to require MWBE goals.
- Q Are MWBE goals and subcontracting opportunities taken into consideration in this area?
- A Ms. Dinzey-Flores responded that every agency engaged in subcontracting has to also ensure to the Executive Chamber that they provide enough evidence demonstrating that they have attempted to subcontract with available MWBEs who provide that service within reasonable Procurement Guidelines within the confines of Preferred Source Rules. NYSID has provided evidence in their presentation that they are already engaged in this practice.
- Q Moving forward if we are not being allowed to go out to bid for these products, determining market value may be more difficult. How do we ensure that we are not paying more for a case of paper since we are not able to do that analysis?
- A This is the analysis that OGS is undertaking as part of its responsibility in centralized contracting. OGS is also looking for opportunities to save New York State more money.

- Q Approval of this application will add full-time jobs for nine people. How many employees are there now?
- A Total agency size is 70 across the board. Out of 70 staff, about 65% are individuals that are blind. In the copy paper production area, about six people are presently employed. Approval of this new application will increase this number to 15 full-time positions.
- Q The application is specific to two zones. Is NYSID acceptable to approval here subject to the condition that only two zones will be approved? If there is interest in expanding either geographically or into other product lines does NYSID agree that they will come back to the Council for approval for such expansion.
- A Ron Romano responded "Yes."
- Q Is it a statutory requirement that an approved Preferred Source offering be available statewide?
- A There is no such requirement. The only requirement is that the offering must be to more than one agency.

A motion was made and seconded to approve the application. CPO Traylor asked if there was any further discussion. ESD representative Nancy Fisher stated that these applications are approved in perpetuity, which has been an issue in other approved areas, such as janitorial services, as NYS businesses have been precluded from the bidding process throughout the years. She further indicated approval of this application has the potential of impacting NYS business in several different supply areas, such as office supplies, as all state and municipal agencies will be required to purchase from the preferred sources. This may impact not only the centralized contract holders but also office supply contracts. As such, ESD sees the impact on approval of this proposal as being far reaching. Based on this, Ms. Fisher advised that ESD is unable to approve the application at this time. Ms. Fisher asked if we had a sense if there were other contractors that can provide this service to change prices or provide additional opportunities in other NY regions?

There was some discussion regarding the ability to time limit the approval and OGS responded that such a practice has not been used in the past. There was also a suggestion that the motion be tabled.

Mr. Russo asked what grounds does the Council have for not approving this application? It was indicated that the Council has the authority to not recommend approval during the vote.

Michael Hurt, DOCCS stated ESD's comments were outside the scope of the Council's review. He stated that there is no requirement on enforcing the utilization of Preferred Source contracts. Mr. Hurt suggested that a subcommittee be formed to review the issues raised during discussion and bring back to Council for review and discussion. He indicated the issues raised at today's meeting were more policy in nature than related directly to the NYSID proposal. Tabling this item may be helpful to understand the potential final impact of approving this contract on the regions in question and the other suppliers but has no bearing on this application which is up for a vote.

Given the level of questioning, Mr. Traylor sought an amendment to the motion from Michael Hurt, the original proposer of the motion to approve the application for white, multi-purpose paper; 30% recycled post-consumer content in less than truckload lots for Zones 2 and 3, and asked if he would consider withdrawing or tabling the motion and delay the vote to another meeting. Mr. Hurt declined the request and the original motion for a vote proceeded. The result of that vote was a denial of the application.

A motion was then made to investigate the broader issues raised by ESD relative to impact on NYS businesses from the approval of the application for NYSID to provide white, multi-purpose paper; 30% recycled post-consumer content in less than truckload lots in Zones 2 (Central NY counties) and 3 (Northwest NYS counties) with a request that the results be reported back to the Council for further discussion. Mr. Traylor put this motion to a formal vote. The motion was seconded and passed by a majority of the Council members.

## **Diesel Exhaust Fluid (DEF)**

Michael Elmendorf, Deputy Director of Marketing and Sales, Division of Industries, Department of Corrections & Community Supervision (DOCCS) presented on the application by Corcraft Products for Preferred Source Status of Diesel Exhaust Fluid. He advised that DEF is used in 90% of all diesel powered vehicles manufactured after January 2010 using a catalytic reduction technology as directed from the US environmental protection agency. This process and product are designed to regulate and lower exhaust emissions using selective catalytic reductions which reduce emissions of oxides of nitrogen. This product currently has a preferred source status as a NYSID offering. Under the statutory authority of preference, Corcraft product would obtain priority status above NYSID. Sales between \$500,000 and \$1,000,000 annually are anticipated, as DEF demand is growing. Corcraft will manufacture the product at its Great Meadow Facility, ensuring that strict quality control standards are maintained. 100% of the labor will be performed by inmates, and pricing will be competitive with OGS contract. There being no questions from the floor a motion to approve was made, seconded, and approved unanimously.

There being no additional business to discuss, a motion was made to adjourn. This motion was seconded and unanimously approved. The meeting adjourned at 12:45 p.m.

The next meeting of the Procurement Council will be announced in the near future. An agenda will be circulated in advance of the meeting.

## Members in Attendance on November 29, 2012

James Bays - Ag & Mkts Mary Beth Hefner - DOH Andrew Bechard - ITS Michael Hurt - DOCCS

Charlotte Breeyear - OSC Gerard Minot-Scheurmann – DOB

Robert Coyner - OPWDD David Russo - OMH Yrthya A. Dinzey-Flores - CDO John Traylor - OGS

Nancy Fisher - ESD

## At-Large Members in Attendance on November 29, 2012

Ronald Romano – NYSID Richard St. Paul - Local Government Representative

Gregory Weston - Pillsbury, Winthrop, Shaw, Pittman, LLP

### **Members Absent**

Thomas Hippchen - SUNY

### At Large Members Absent:

Edul Ahmad — The Ahmad Group Richard Healey — President & CEO IBNYS

James Haggerty – Veterans Advocate Rashida Mendes – RM Capital LLC

### Also in Attendance

Don Greene - OGS Anne Phillips - OGS

Meeting Date: November 29, 2012

**Question, Motion, or Issue:** Meeting Minutes – September 27, 2012

| MEMBER  | VOTE |     |         | VOTE   |  |  |
|---|------|-----|---------|--------|--|--|
|   | AYE  | NAY | ABSTAIN | ABSENT |  |  |
| Commissioner of General Services John Traylor (Anne G. Phillips) (Don Greene) |      |     |         |        |  |  |
| Chief Diversity Officer<br>Yrthya A. Dinzey-Flores                            | X    |     |         |        |  |  |
| Office of the State Comptroller  Margaret Becker (Charlotte Breeyear)         | X    |     |         |        |  |  |
| Director of the Budget Susan Knapp (Gerard Minot-Shermann)                    | X    |     |         |        |  |  |
| Commissioner of Economic Development Steven Cohen (Nancy Fisher)              | X    |     |         |        |  |  |
| AGENCY REPRESENTATIVES  |      |     |         |        |  |  |
| James Bays – Ag & Mkts (Lucy Roberson) (Carol Casale)                         | X    |     |         |        |  |  |
| Michael Hurt – DOCCS (Michael Elmendorf)                                      | X    |     |         |        |  |  |
| Thomas Hippchen – SUNY (Kellie Depuis)  |      |     |         | X      |  |  |
| John Smith – OPWDD (Robert Coyner)  | X    |     |         |        |  |  |
| Marybeth Hefner – DOH (Frederick J. Genier)                                   | X    |     |         |        |  |  |
| Andrew Bechard – ITS (Valerie VanderWal)                                      | X    |     |         |        |  |  |
| David Russo – OMH (David Milstein)  | X    |     |         |        |  |  |
| At-Large Members  |      |     |         |        |  |  |
| James Haggerty  |      |     |         | X      |  |  |
| Richard Healey  |      |     |         | X      |  |  |
| Rashida Mendes  |      |     |         | X      |  |  |
| Richard St. Paul  | X    |     |         |        |  |  |
| Gregory Weston  | X    |     |         |        |  |  |

Meeting Date: November 29, 2012

**Question, Motion, or Issue:** Proposed changes to Appendix A

| MEMBER  | VOTE |     |         |        |
|---|------|-----|---------|--------|
|   | AYE  | NAY | ABSTAIN | ABSENT |
| Commissioner of General Services John Traylor (Anne G. Phillips) (Don Greene) |      |     |         |        |
| Chief Diversity Officer<br>Yrthya A. Dinzey-Flores                            | х    |     |         |        |
| Office of the State Comptroller  Margaret Becker (Charlotte Breeyear)         | Х    |     |         |        |
| Director of the Budget Susan Knapp (Gerard Minot-Shermann)                    | Х    |     |         |        |
| Commissioner of Economic Development Steven Cohen (Nancy Fisher)              | X    |     |         |        |
| AGENCY REPRESENTATIVES  |      |     |         |        |
| James Bays – Ag & Mkts (Lucy Roberson)<br>(Carol Casale)                      | Х    |     |         |        |
| Michael Hurt – DOCCS (Michael Elmendorf)                                      | X    |     |         |        |
| Thomas Hippchen – SUNY (Kellie Depuis)  |      |     |         | X      |
| John Smith – OPWDD (Robert Coyner)  | X    |     |         |        |
| Marybeth Hefner – DOH (Frederick J. Genier)                                   | X    |     |         |        |
| Andrew Bechard – ITS (Valerie VanderWal)                                      | X    |     |         |        |
| David Russo – OMH (David Milstein)  | X    |     |         |        |
| At-Large Members  |      |     |         |        |
| James Haggerty  |      |     |         | X      |
| Richard Healey  |      |     |         | X      |
| Rashida Mendes  |      |     |         | X      |
| Richard St. Paul  | X    |     |         |        |
| Gregory Weston  | X    |     |         |        |

Meeting Date: November 29, 2012

**Question, Motion, or Issue:** Preferred Source Guidelines dated November 2012

| MEMBER  | VOTE |     |         |        |
|---|------|-----|---------|--------|
|   | AYE  | NAY | ABSTAIN | ABSENT |
| Commissioner of General Services John Traylor (Anne G. Phillips) (Don Greene) |      |     |         |        |
| Chief Diversity Officer<br>Yrthya A. Dinzey-Flores                            | X    |     |         |        |
| Office of the State Comptroller Margaret Becker (Charlotte Breeyear)          | Х    |     |         |        |
| Director of the Budget Susan Knapp (Gerard Minot-Shermann)                    | Х    |     |         |        |
| Commissioner of Economic Development Steven Cohen (Nancy Fisher)              | X    |     |         |        |
| AGENCY REPRESENTATIVES  |      |     |         |        |
| James Bays – Ag & Mkts (Lucy Roberson)<br>(Carol Casale)                      | Х    |     |         |        |
| Michael Hurt – DOCCS (Michael Elmendorf)                                      | X    |     |         |        |
| Thomas Hippchen – SUNY (Kellie Depuis)  |      |     |         | X      |
| John Smith – OPWDD (Robert Coyner)  | X    |     |         |        |
| Marybeth Hefner – DOH (Frederick J. Genier)                                   | X    |     |         |        |
| Andrew Bechard – ITS (Valerie VanderWal)                                      | X    |     |         |        |
| David Russo – OMH (David Milstein)  | X    |     |         |        |
| At-Large Members  |      |     |         |        |
| James Haggerty  |      |     |         | X      |
| Richard Healey  |      |     |         | X      |
| Rashida Mendes  |      |     |         | X      |
| Richard St. Paul  | Х    |     |         |        |
| Gregory Weston  | X    |     |         |        |

Meeting Date: November 29, 2012

Question, Motion, or Issue: NYSID Paper Application

Motion to Approve the application

| MEMBER  | VOTE |     |         |        |
|---|------|-----|---------|--------|
|   | AYE  | NAY | ABSTAIN | ABSENT |
| Commissioner of General Services John Traylor (Anne G. Phillips) (Don Greene) |      |     |         |        |
| Chief Diversity Officer<br>Yrthya A. Dinzey-Flores                            |      | x   |         |        |
| Office of the State Comptroller  Margaret Becker (Charlotte Breeyear)         | х    |     |         |        |
| Director of the Budget Susan Knapp (Gerard Minot-Shermann)                    |      | x   |         |        |
| Commissioner of Economic Development Steven Cohen (Nancy Fisher)              |      | X   |         |        |
| AGENCY REPRESENTATIVES  |      |     |         |        |
| James Bays – Ag & Mkts (Lucy Roberson) (Carol Casale)                         |      | X   |         |        |
| Michael Hurt – DOCCS (Michael Elmendorf)                                      | X    |     |         |        |
| Thomas Hippchen – SUNY (Kellie Depuis)  |      |     |         | X      |
| John Smith – OPWDD (Robert Coyner)  | X    |     |         |        |
| Marybeth Hefner – DOH (Frederick J. Genier)                                   |      | X   |         |        |
| Andrew Bechard – ITS (Valerie VanderWal)                                      |      | X   |         |        |
| David Russo – OMH (David Milstein)  |      | X   |         |        |
| At-Large Members  |      |     |         |        |
| James Haggerty  |      |     |         | X      |
| Richard Healey  |      |     |         | X      |
| Rashida Mendes  |      |     |         | X      |
| Richard St. Paul  |      | X   |         |        |
| Gregory Weston  |      | X   |         |        |

**Meeting Date:** November 29, 2012

Motion to review questions/issues raised by SPC members arising from the denial of the NYSID Paper Application **Question, Motion, or Issue:** 

| MEMBER  | VOTE |     |         |        |
|---|------|-----|---------|--------|
|   | AYE  | NAY | ABSTAIN | ABSENT |
| Commissioner of General Services John Traylor (Anne G. Phillips) (Don Greene) |      |     |         |        |
| Chief Diversity Officer<br>Yrthya A. Dinzey-Flores                            | х    |     |         |        |
| Office of the State Comptroller Margaret Becker (Charlotte Breeyear)          | X    |     |         |        |
| Director of the Budget Susan Knapp (Gerard Minot-Shermann)                    | X    |     |         |        |
| Commissioner of Economic Development Steven Cohen (Nancy Fisher)              | X    |     |         |        |
| AGENCY REPRESENTATIVES  |      |     |         |        |
| James Bays – Ag & Mkts (Lucy Roberson)<br>(Carol Casale)                      | Х    |     |         |        |
| Michael Hurt – DOCCS (Michael Elmendorf)                                      | X    |     |         |        |
| Thomas Hippchen – SUNY (Kellie Depuis)  |      |     |         | X      |
| John Smith – OPWDD (Robert Coyner)  |      |     | X       |        |
| Marybeth Hefner – DOH (Frederick J. Genier)                                   | X    |     |         |        |
| Andrew Bechard – ITS (Valerie VanderWal)                                      | Х    |     |         |        |
| David Russo – OMH (David Milstein)  | Х    |     |         |        |
| At-Large Members  |      |     |         |        |
| James Haggerty  |      |     |         | X      |
| Richard Healey  |      |     |         | X      |
| Rashida Mendes  |      |     |         | X      |
| Richard St. Paul  | Х    |     |         |        |
| Gregory Weston  | Х    |     |         |        |

Meeting Date: November 29, 2012

Question, Motion, or Issue: CORCRAFT Diesel Exhaust Fluid

| MEMBER  | VOTE |     |         |        |
|---|------|-----|---------|--------|
|   | AYE  | NAY | ABSTAIN | ABSENT |
| Commissioner of General Services John Traylor (Anne G. Phillips) (Don Greene) |      |     |         |        |
| Chief Diversity Officer<br>Yrthya A. Dinzey-Flores                            | Х    |     |         |        |
| Office of the State Comptroller  Margaret Becker (Charlotte Breeyear)         | Х    |     |         |        |
| Director of the Budget Susan Knapp (Gerard Minot-Shermann)                    | Х    |     |         |        |
| Commissioner of Economic Development Steven Cohen (Nancy Fisher)              | х    |     |         |        |
| AGENCY REPRESENTATIVES  |      |     |         |        |
| James Bays – Ag & Mkts (Lucy Roberson)<br>(Carol Casale)                      | x    |     |         |        |
| Michael Hurt – DOCCS (Michael Elmendorf)                                      | Х    |     |         |        |
| Thomas Hippchen – SUNY (Kellie Depuis)  |      |     |         | X      |
| John Smith – OPWDD (Robert Coyner)  | X    |     |         |        |
| Marybeth Hefner – DOH (Frederick J. Genier)                                   | X    |     |         |        |
| Andrew Bechard – ITS (Valerie VanderWal)                                      | X    |     |         |        |
| David Russo – OMH (David Milstein)  | X    |     |         |        |
| At-Large Members  |      |     |         |        |
| James Haggerty  |      |     |         | Х      |
| Richard Healey  |      |     |         | Х      |
| Rashida Mendes  |      |     |         | Х      |
| Richard St. Paul  | Х    |     |         |        |
| Gregory Weston  | Х    |     |         |        |