

**[DRAFT] Minutes of the Meeting  
New York State Procurement Council  
September 10, 2015 at 11:00 A.M.  
Meeting Room 6 | North Concourse | Empire State Plaza | Albany, NY**

**I. Call to Order**

Susan Filburn, Deputy Chief Procurement Officer, called the meeting to order and thanked everyone for attending. Ms. Filburn proceeded to adoption of minutes.

**II. Minutes of Meetings**

Link to: [Agenda/Minutes](#)

Susan Filburn asked Council members for a motion to approve the May 27, 2015 meeting minutes. A motion to accept the minutes as presented was made by Gerald Minot-Scheurmann (DOB), seconded by Ronald Romano (NYSID) and unanimously approved.

**III. Legislative Updates**

Anne Phillips, OGS Deputy Counsel & Director of Legislative Affairs, discussed several bills that may have an impact on procurement. While the legislative session ended in June, these items are advancing for Governor's approval.

This is the second year of a two (2) year legislative session therefore; bills introduced during 2015 will remain active in 2016. At this time of year, the Governor sends out a "call letter" which sets up the process for agencies advance bills that are of particular interest to their operations, during the coming session. It is anticipated that the call letters will be arriving during the month of September.

Assembly #	Senate #	Description
A7850	S4856	165 State Finance Law: Extend discretionary purchasing authority up to \$200,000 to Service Disabled Veteran Owned Businesses. This was an OGS Departmental Bill, which, may be approved by the Governor in the near term.
		163 State Finance Law: Sunsets June 30, 2016. OGS will be supporting an extension of this statute. This is the operating engine for how state agencies do procurement.
		139 j, k State Finance Law: Governs restrictions on procurement lobbying expires June 30, 2016. OGS will be supporting an extension. These statutes govern transparency and fairness to ensure an even playing field for participants in state procurements.

OGS would like all three (3) laws to become permanent, but traditionally the legislature has opted for extension. OGS will be looking to the Procurement Council for support of either solution.

Dialogue from participants about other possible changes to state Finance Law about Procurement Lobbying and procurement in general is anticipated as these bills come to everyone's attention. Procurement Council members may submit suggestions for improvements or additions that would be valuable to the procurement process to Anne Phillips via e-mail ([anne.philips@ogs.ny.gov](mailto:anne.philips@ogs.ny.gov)). Procurement Council Member input may be submitted as a MS Word document and should be delivered at least one (1) week prior to the next Procurement Council Meeting for discussion at that meeting. This discussion will take place before the legislative session starts, and will help determine if any of the submissions should be included in efforts to have the sunsets removed from the statutes previously referenced.

#### **IV. E-Catalog Demonstration**

Erin Boyce and Susan Bixby from the Procurement Services, Data Analytics Team provided a web-based demonstration of the eCatalog and the eMarketplace Project, which has been discussed at previous Procurement Council meetings. These e-commerce solutions for NYS Procurement make OGS centralized contracts available to authorized users in modern user-friendly way. Purchasers will make their product selections, add items to their shopping cart and proceed to a checkout process. The OGS eMarketplace will interface with the Statewide Financial System (SFS) for state agencies, and will accommodate non-SFS users. The result is a streamlined, efficient purchasing process for all.

It is anticipated that at time of launch, OGS will host seven (7) catalogs including three (3) from Preferred Sources. The initial eMarketplace contract offerings will focus on copy paper and industrial supplies. The OGS eMarketplace solution can be linked to a vendor site for contractors with huge catalogs where a discount is applied to all products. Purchasers follow the same process of adding items to the cart on the vendor site, and once they click "submit" the order is pulled back to Perfect Commerce where it turns it into a requisition that is prepopulated with buyer information, including SFS coding and chart-field data.

The eMarketplace will create a requisition and will move through standard agency workflow. Once approved by the agency it will be auto-sourced to a purchase order and dispatched to vendor. Buyers may use a credit card (P-Card) or they can select the "bill me later" option and generate a purchase order (PO). Credit card data must be entered for each transaction, and will not be saved to the website. When a requisition has been submitted with product(s) from multiple vendors, the system will create a separate SFS PO for each contractor. Vendors can login to the vendor portion of the site and will have the ability to manage their PO's.

The team developed a series of unique identifiers (icons) that will make it possible to identify Preferred Sources, MWBE and SDVE offerings at a glance. Ron Tascarella asked how the website would accommodate regional awards. Erin Boyce responded by saying the eMarketplace is able to address vendors who have awards in multiple regions and awards that are made to multiple vendors in multiple regions.

The launch of the OGS eMarketplace is dependent on a successful upgrade to SFS version 9.2 is scheduled for October 2015; however, there is a soft-rollout planned for later in September. Once the SFS upgrade has been completed, there will be a formal outreach and rollout of this program.

#### **V. Navigating the OGS Website**

Cindy Miner from the Procurement Services Administration Team provided the Procurement Council with an overview of Procurement Services outreach efforts and a summary of recent and upcoming outreach events.

- At the request of Tom Hippchen, Procurement Services provided CUNY and SUNY with an overview of who we are, what we do, how to navigate the OGS Website and how to use centralized contracts. A video from this outreach will be published to the Procurement Services website.
- Fall outreach events included attendance at the State Association of Municipal Purchasing Officers (SAMPO), Annual Western Conference on September 16, 2015. Procurement Services anticipates attending the SAMPO Long Island Conference in late November, as well as the SAMPO Albany Training event in May 2016 when Procurement Services will discuss collaborative procurement efforts.
- Procurement Services team members attended Capital for a Day events in Rochester and Utica. During these events procurement experts answered questions from the communities. Procurement Services will attend a third Capital for a Day event scheduled for late September in Syracuse.
- On October 1, 2015, Procurement Services will participate in the 2015 MWBE Forum at the Empire State Plaza. This forum is the largest statewide business event for MWBE's with an estimated 1,500 attendees. OGS Procurement Services, OGS Design & Construction, and the OGS MWBE Office will all sponsor booths.
- Procurement Services will join Rockland County Procurement Technical Assistance Center (PTAC) on October 9<sup>th</sup> to present a class on doing business with NYS. This training helps business understand government contracting at no cost to attendees.

- Other upcoming outreach events include meeting with the NYS Government Finance Officers Association, the Association of Towns of the State of NY, the Association of Town Superintendents of Highways and the Association of Mayors.
- Procurement Services Administration is working with Empire State Development to update the “Doing Business with NYS Guide”, which can be found on the OGS website under “Information for Business”
- The 2016 Purchasing Forum is scheduled for May 18-19, 2016. Vendor training will be offered on load-in day, May 17. Past Purchasing Forum resources are available on the OGS web site.

#### **VI. Revisions to NYS Insurance Guidelines**

At the last meeting, Michelle Reale, Counsel in OGS Legal, appeared before the Procurement Council to explain the revisions to the Guidelines for Insurance Requirements in Contracts approved by the Council of Contracting Agencies. (The prior version of this document was approved by the NY Procurement Council in 2010.) In May 2015, the Procurement Council vote was tabled until the September meeting to allow for further discussion and review time. Michelle did not receive any comments from the Procurement Council, and requested Procurement Council approval of the revisions to the insurance guidelines.

Susan Filburn called for a motion to accept, Ron Tascarella (NIB) made the motion to accept the revisions; Mike Hurt (DOCCS) seconded the motion. There was no discussion. The vote to accept was unanimous. Updated insurance documents will be posted to the OGS Website.

#### **VII. Finding Preferred Source and Procurement Council Information on the OGS Website**

Christine Irvine, Procurement Services Assistant Director, Intergovernmental Relations provided information on navigating to both NYS Procurement Council and NYS Preferred Source resources from the OGS Procurement Services website. Christine outlined the resources available under each site and announced that these websites will be updated to make them more user friendly. Suggestions and ideas are welcome. Procurement Services Customer Service Team can provide assistance navigating these websites.

#### **VIII. Preferred Source Status Update**

Christine Irvine, Procurement Services Assistant Director, Intergovernmental Relations has nothing to report on new applications for this period. The agenda mistakenly indicated that there is a handout.

#### **IX. Annual Report of Single Source Procurements**

Christine Irvine, Procurement Services Assistant Director, Intergovernmental Relations referenced NYS Finance Law Section 163, subdivision 14 that requires state agencies to provide an annual report of Single Source Procurements, based on Fiscal Year by July 1 of the ensuing year. This report is to be distributed to the NY State Procurement Council, Governor’s Office, Office of the State Comptroller, and the Legislative Fiscal Committees (Assembly Ways and Means Committee and Senate Finance Committee). Agencies are required to report the total number and dollar value of Single Source Contracts, by agency, and the percentage that such contracts represent for their agency. All reports are available for public inspection and under Public Officers Law Section 87; agencies are responsible for redacting confidential information such as employee name or social security number, if included in the document.

As of August 1, 2015, we have received in the Procurement Council Mailbox reports from the following agencies:

- NYS Gaming Commission
- NYS OSC
- NYS Insurance Fund
- NYS Higher Education Services Corporation
- NYS Department of Taxation and Finance

Christine noted that other agencies including OGS may have completed the report, but have not submitted the report to Procurement Council.

#### **X. Update on Subcommittee to Update Preferred Source List**

Susan Filburn thanked Council members who provided representatives to participate in the review of the Preferred Source offerings from The List that was created in 1996. The Committee met twice and did a lot of independent research on the subject of document processing and mail fulfillment. Participation included 12

members of the Procurement Council, which is a quorum. This was intended to be a subcommittee; therefore, we will look at how to do this. Christine Irvine will take this back and it will be presented at the Procurement Council meeting in November 2015.

**XI. Open Council Discussion**

Susan Filburn opened the floor for Procurement Council member discussion. There were no questions or statements.

**XII. Closing**

Susan Filburn thanked everyone for attending. She asked for a motion to end the meeting. The motion to close was moved by DOCCS representative Michael Hurt and was seconded by DOB representative Gerald Minot-Scheurmann.

The meeting concluded at 11:57 A.M.

**Next Quarterly Meeting:** Tuesday November 17, 2015  
Meeting Room 6, North Concourse, Empire State Plaza

**Members in Attendance on September 10, 2015**

Susan Filburn – OGS  
Michael Hurt – DOCCS  
Gerard Minot-Scheurmann – DOB  
Margaret Becker – OSC  
Ronald Romano – NYSID

Christine McCann – ESD  
Lisa Davis – OPWDD  
Andrew Bechard – ITS  
Phil Giltner – Ag & Mkts  
David Russo – OMH

Michelle Feathers – SUNY  
Ronald Tascarella – NIB  
Robert Drummond – AB Ranch Beef  
Joseph Zeccolo – DOH

**Also in Attendance**

Christine Irvine – OGS

Anne Phillips – OGS

**Members Absent on September 10, 2015**

Rose Rodriguez – CDO  
Richard St. Paul – Local Gov. Rep.

Rashida Mendes – RM Capital, LLC