

FINAL
New York State Procurement Council Meeting | Minutes of the Meeting
September 5, 2019 | 11:30 a.m.
Meeting Room 6 | North Concourse | Empire State Plaza | Albany, NY

Call to Order

Welcome and Introductions

Sean Carroll, New York State Office of General Services (“OGS”) Chief Procurement Officer (“CPO”) and acting Chair of the New York State Procurement Council (“Procurement Council”) as the designee of the Commissioner of General Services, called the meeting to order.

Announcement of new Procurement Council Members:

1. Clinton Rickards, Director of Procurement and Contract Support, NYS Information Technology Services.
2. Andrew Ruby, Director of Fiscal Management, NYS Department of Health.
3. Jaclyn Brilling, Senate Minority Leader Appointee.
4. Jason DiGianni, Director of Procurement, NYS Division of Budget.

Old Business

Meeting Minutes: Mr. Carroll called for a motion to adopt the minutes of the April 17th, 2019 meeting. The motion to adopt the minutes passed by a vote of 11-0-2.

Rules Workgroup Update: Mr. Carroll reported that the Rules Workgroup had their first meeting and discussed potential rules for the Procurement Council; procedural rules (e.g. concerning voting and requesting to be on the speakers list) and rules to assist the Procurement Council effectuate its statutory responsibilities.

The Rules Workgroup requested OGS staff draft an initial proposed set of rules, to be reviewed by the Rules Workgroup at its October 3rd, 2019 meeting. The Rules workgroup will evaluate what items belong in the rules, Procurement Council guidelines or bulletins. The Rules Workgroup will also develop procedures on how the Procurement Council will update the rules.

Procurement Guidelines Workgroup Update: Mr. Carroll reported that, although the final draft of the Procurement Guidelines had been scheduled to be voted on at the September 5th, 2019 meeting, the Procurement Guidelines Workgroup still had one set of comments to review. As such, the Procurement Guidelines Workgroup has postponed its presentation of the draft Procurement Guidelines to the Procurement Council until such review is completed.

New Business

Proposed 2020 Procurement Council meeting dates:

1. January 30th, 2020 with an alternate February 6th, 2020
2. April 22nd, 2020 with an alternate April 29th, 2020
3. September 10th, 2020 with an alternate September 15th, 2020
4. November 5th, 2020 with an alternate November 12th, 2020.

Legislative Update: Tyler Feane, OGS Legal, reported on the amendments to Article 15-A of the Executive Law, Participation by Minority Group Members and Women with Respect to State Contracts, which included:

1. the extension of the Minority and Women-Owned Business Enterprise (MWBE) program for 5 years, through 2024;
2. the increase of the discretionary purchasing threshold for State agencies and authorities from \$200,000 to \$500,000, for purchases (excluding the purchase of food) from MWBEs, SBEs, and SDVOBs; and
3. the creation of a workforce diversity program requirement for State agencies doing construction projects.

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Approval of Preferred Source Designation Applications Under OGS Standing Authority: John Normile, OGS Procurement Services, reported that OGS has not approved any new items for addition to the Preferred Source List under its standing authority since the last report given on April 27th, 2019.

NYSID Report on Mail Fulfillment: Mr. Normile stated that the NYSID Report was provided to Procurement Council members on August 13th, 2019. OGS requested and received clarification on September 4th, 2019. The report indicated that there was no action. Procurement Council members had no comments on the NYSID Report.

Single Source Reporting Reminder: Procurement Council members representing State agencies were reminded of the requirement to annually report on single source procurements.

Presentation – EO 190: Mark Kissinger, DOH, gave a presentation on Executive Order 190: Incorporating Health Across all policies into State Agency Activities.

Open Council Discussion

Mr. Carroll stated that an additional presentation on the local food purchases, previously requested by one of the Procurement Council members, had been postponed.

Mr. Carroll encouraged Procurement Council members to submit any subjects they believe should be included on a Procurement Council meeting agenda.

Shawn Cullinane, Legislative Representative, asked if Procurement Council members could be allowed to attend meetings via conference call. Mr. Carroll said he would take the inquiry back for consideration and analysis.

Thomas Hippchen, SUNY, reminded the Procurement Council of the upcoming OSC Forum training in October, 2019.

Valerie White, Chief Diversity Officer Alternate, reminded the Procurement Council that the 2019 MWBE Forum will be taking place on October 2nd and 3rd.

Meeting Closure

Procurement Council members voted unanimously to adjourn the meeting at 12:05 PM.

Next Meeting:

Proposed 2019 Procurement Council meeting dates:

1. November 7th, 2019 with an alternate of November 13th, 2019.

Webcast Location: <https://ogs.ny.gov/event/nys-procurement-council-meeting-september-5-2019>

Members in Attendance:

Sean Carroll – OGS
Andrew Ruby – Department of Health
James Iwaneczko – Office of the State Comptroller
Paul Murray – Office of Mental Health
John Behrle – Department of Corrections
Beth Warren – Empire State Development
Valerie White – Chief Diversity Officer Alternate
John Evers – Legislative Rep.

Shawn Cullinane – Legislative Rep.
Jason DiGianni – Division of Budget
Thomas Hippchen – SUNY
Clinton Rickards – ITS
Julie Suarez – Gubernational Agriculture Rep.

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Also in **Attendance:**

Tyler Feane - OGS

Noreen VanDoren - OGS

John Normile - OGS

Members not in Attendance:

Lisa Brooks – Agriculture & Markets

Winifred Schiff – Legislative Rep

Lisa Davis – OPWDD

Howard Zemsky – ESD

Steven Kasarda – Legislative Rep.

Jaclyn Brillling - Senate Minority Leader Appointee.

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 Motion to approve the Meeting Minutes for the April 17, 2019 Meeting

Member Type	Organization	Role	Name	ACTION		VOTE			
				Motion	2nd	Aye	Nay	Abstain	Recuse
Ex-Officio Members (Voting Member)	OGS CPO		Sean Carroll			X			
Ex-Officio Members (Voting Member)	Division of Budget	Primary	Jason DiGianni		X	X			
Ex-Officio Members (Voting Member)	Office of the State Comptroller	Alternate 1	James Iwaneczko			X			
Ex-Officio Members (Voting Member)	Empire State Development	Alternate 3	Beth Warren			X			
Ex-Officio Members (Voting Member)	Division of MWBE	Alternate 1	Valerie White			X			
Governor's Appointee (Voting Member)	Cornell University College of Agriculture & Life Sciences	Primary	Julie M. Suarez					X	
Legislative Appointee (Voting Member)	Local Government Representative	Primary	Shawn Cullinane	X		X			
Legislative Appointee (Voting Member)	Director, Government Affairs, NYS Business Council	Primary	John Evers			X			
Agency Designee (Voting Member)	Information Technology Services	Primary	Clinton Rickards			X			
Agency Designee (Voting Member)	Department of Health	Alternate 1	Andrew Ruby			X			
Agency Designee (Voting Member)	Dept of Corrections	Primary	John Behrle			X			
Agency Designee (Voting Member)	State University of New York	Primary	Thomas Hippchen					X	
Agency Designee (Voting Member)	Office of Mental Health	Alternate 1	Paul Murray			X			
Totals:						11		2	