

FINAL
New York State Procurement Council Meeting | Minutes of the Meeting
September 29, 2020 | 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.

Mr. Carroll noted that consistent with Executive Order 202.1, dated March 12, 2020, which suspended Article 7 of the Public Officers Law, various members of the Procurement Council were attending the meeting by conference call and the meeting was webcast and recorded to allow the public to view or listen to the meeting.

Old Business

Meeting Minutes: Mr. Carroll called for a motion to adopt the minutes of the August 4, 2020 meeting. The motion passed by a vote of 15-0.

Rules Workgroup Update: Mr. Carroll reported that the Rules Workgroup had not met between the August 4, 2020 and the September 29, 2020 Procurement Council meetings. Mr. Carroll reported that the Rules Workgroup will continue to work on making the previously identified changes to the draft rules and present those changes to the Procurement Council when complete. In the absence of the revised rules, the Procurement Council will continue operating using basic Robert’s Rules of Order.

DOB/OTDA – Inquiry: Mr. Carroll stated there were questions directed to the Chair concerning DOB’s action pertaining to the NYSID contract with ITS, at the last Procurement Council meeting. Mr. Carroll asked Jason DiGianni, DOB, if he would like to comment. Mr. DiGianni stated that the mail contract with NYSID and ITS had not changed and remains. Mr. DiGianni stated that OTDA was exploring the use of NYSID for printing services being done by ITS. After significant review with consideration to the State’s fiscal issues, it was decided to maintain the status quo and keep the printing contract with ITS.

Presentation – Overview of OGS Surplus Property: Annemarie Garceau, OGS, gave a presentation on the management of State Surplus Property across State Agencies, under State Finance Law §167.

Legislative Update: Marc Hiller, OGS, reported that the suspension of State Finance Law Sections §112 and §163, as provided in the Executive Order 202, dated March 7, 2020 continues in effect until October 4, 2020.

Approval of Preferred Source Designation Applications Under OGS Standing Authority: Mr. Carroll reported that as of September 28, 2020, OGS had not approved any new items for addition to the Preferred Source List under its standing authority since the last report given on August 4, 2020.

NYSID Report on Mail Fulfillment: Mr. Carroll stated that NYSID filed the required report and the report has been posted to the Procurement Council Website.

Provisional definition of Mail Fulfillment: Mr. Carroll explained that the “Conditions for Approval of NYSID to provide Mail Fulfillment Services” requires the Procurement Council to discuss next steps at the third meeting in 2020, which is this meeting today. Among the options the Procurement Council may consider are the following: (i) add Mail Fulfillment Services permanently to the List of Preferred Source Offerings (“the List”), (ii) extend the provisional effectiveness of Mail Fulfillment Services, or (iii) eliminate Mail Fulfillment Services from the List. Mr. Carroll stated that OGS has recommended extending the provisional effectiveness of Mail Fulfillment Services.

As the Chair, Mr. Carroll moved to continue the provisional inclusion of the definition of Mail Fulfillment Services to the List of Preferred Source Offerings, until the third meeting of the Procurement Council taking place in 2023, at which time the Procurement Council would decide between options (i), (ii), and (iii) as stated above. Mr. Carroll added that during the provisional approval period, the Procurement Council could move to modify or eliminate the definition of Mail Fulfillment

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Services. Carra Wallace, Legislative Appointee, seconded the motion. Maureen O'Brien, NYSID, stated that NYSID was also in support of this motion.

Dennis Quinn, ITS, motioned to amend the main motion: to continue the Provisional inclusion of Mail Fulfillment until the third meeting of 2021 instead of 2023. Jaclyn Brillling seconded this motion. The Procurement Council voted against the motion to amend the main motion, by a vote of 14-2-1. The Chair abstained.

The Procurement Council approved the original motion to continue the provisional inclusion of the definition of Mail Fulfillment Services with a vote of 16-0-1. The Chair abstained.

Winifred Schiff made a motion to add the definition of Mail Fulfillment Services permanently to the List of Preferred Source Offerings effective at the close of the September 29, 2020 Procurement Council meeting, which was seconded by Dennis Quinn. The Procurement Council voted against the motion, 13-3-1. The Chair abstained.

Welcome Patricia Warrington: Mr. Carroll introduced Patricia Warrington, OSC's new representative to the Procurement Council.

New Business

2021 Procurement Council Dates with Alternates: Mr. Carroll reported that the dates for the 2021 Procurement Council meetings had been set:

Meeting Dates

January 27, 2021 (Wednesday)
April 22, 2021 (Thursday)
September 15, 2021 (Wednesday)
November 3, 2021 (Wednesday)

Alternate Dates

February 3, 2021 (Wednesday)
April 28, 2021 (Wednesday)
September 22, 2021 (Wednesday)
November 10, 2021 (Wednesday)

Open Council Discussion: There was no open Council discussion.

Meeting Closure: Procurement Council Members voted unanimously to adjourn the meeting at 1:21 p.m.

Next Meeting

Proposed 2020 Procurement Council meeting dates:

Thursday, November 5, 2020

Alternate date - Thursday, November 12, 2020

Also in Attendance

Marc Hiller - OGS

Noreen VanDoren - OGS

Webcast Location: <https://ogs.ny.gov/event/nys-procurement-council-meeting-september-29-2020>

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New York State Procurement Council Meeting September 29, 2020 Meeting Room 6 North Concourse Empire State Plaza Albany, NY Procurement Council Member Attendance at the September 29, 2020 Meeting
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				ATTENDANCE	
Member Type	Organization	Role	Name	In Attendance	Not in Attendance
Ex-Officio Member	Office of General Services (OGS)	Council Chair	Sean Carroll	X	
Ex-Officio Member	Division of the Budget (DOB)	Primary	Jason DiGianni	X	
Ex-Officio Member	Office of the State Comptroller (OSC)	Primary	Patricia Warrington	X	
Ex-Officio Member	Empire State Development (ESD)	Primary	Pravina Raghavan	X	
Ex-Officio Member	Chief Diversity Officer (CDO)	Primary	Julissa Gutierrez		X
Legislative Appointee	Local Government Representative	Primary	Shawn Cullinane	LATE	
Legislative Appointee	Optimized Diversity Solutions, LLC	Primary	Carra Wallace	X	
Legislative Appointee	The Kasarda Law Group, LLC	Primary	Steven Kasarda		X
Legislative Appointee	Affairs, NYS Business Council	Primary	John T. Evers		X
Legislative Appointee	Interagency Council of Developmental Disability Agencies, Inc	Primary	Winifred Schiff	X	
Legislative Appointee	Jaclyn A. Brillling, Attorney at Law	Primary	Jaclyn A. Brillling	X	
Governor's Appointee	Cornell University College of Agriculture & Life Sciences	Primary	Julie M. Suarez	X	
Agency Designee	Department of Corrections & Community Supervision (DOCCS)	Primary	John Behrle	X	
Agency Designee	Office for People with Developmental Disabilities (OPWDD)	Primary	Lisa Davis	X	
Agency Designee	Department of Agriculture & Markets (DAM)	Primary	Lisa Brooks	LATE	
Agency Designee	State University of New York (SUNY)	Primary	Thomas Hippchen	X	
Agency Designee	Office of Mental Health (OMH)	Primary	Daniel Clark		X
Agency Designee	Information Technology Services (ITS)	Primary	Dennis Quinn	X	
Agency Designee	Department of Health (DOH)	Primary	Andrew Ruby		X
Ex-Officio Member	Chief Diversity Officer (CDO)	Alternate 1	Dwight Flynn	X	
Agency Designee	Department of Health (DOH)	Alternate 1	Sue Mantica	X	
Agency Designee	Office of Mental Health (OMH)	Alternate 1	Paul Murray	X	
TOTALS				17 including Chair	5

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New York State Procurement Council Meeting September 29, 2020 Meeting Room 6 North Concourse Empire State Plaza Albany, NY Motion to Approve the Meeting Minutes for the August 4, 2020 Meeting

				ACTION		VOTE				
Member Type	Organization	Role	Name	Motion	2 nd	Aye	Nay	Abstain	Recuse	Absent for Vote
Ex-Officio Member	Office of General Services (OGS)	Council Chair	Sean Carroll			X				
Ex-Officio Member	Division of the Budget (DOB)	Primary	Jason DiGianni			X				
Ex-Officio Member	Office of the State Comptroller (OSC)	Primary	Patricia Warrington			X				
Ex-Officio Member	Empire State Development (ESD)	Primary	Pravina Raghavan	X		X				
Legislative Appointee	Local Government Representative	Primary	Shawn Cullinane							X
Legislative Appointee	Optimized Diversity Solutions, LLC	Primary	Carra Wallace			X				
Legislative Appointee	Interagency Council of Developmental Disability Agencies, Inc	Primary	Winifred Schiff			X				
Legislative Appointee	Jaclyn A. Brilling, Attorney at Law	Primary	Jaclyn Brilling		X	X				
Governor's Appointee	Cornell University College of Agriculture & Life Sciences	Primary	Julie Suarez			X				
Agency Designee	Department of Corrections & Community Supervision (DOCCS)	Primary	John Behrle			X				
Agency Designee	Office for People with Developmental Disabilities (OPWDD)	Primary	Lisa Davis			X				
Agency Designee	Department of Agriculture & Markets (DAM)	Primary	Lisa Brooks							X
Agency Designee	State University of New York (SUNY)	Primary	Thomas Hippchen			X				
Agency Designee	Information Technology Services (ITS)	Primary	Dennis Quinn			X				
Ex-Officio Member	Chief Diversity Officer (CDO)	Alternate 1	Dwight Flynn			X				
Agency Designee	Department of Health (DOH)	Alternate 1	Sue Mantica			X				
Agency Designee	Office of Mental Health (OMH)	Alternate 1	Paul Murray			X				
TOTALS						15				

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New York State Procurement Council Meeting September 29, 2020 Meeting Room 6 North Concourse Empire State Plaza Albany, NY Motion to Amend the Main Motion: to Continue the Provisional Inclusion of Mail Fulfillment Services until 2021 instead of 2023

				ACTION		VOTE				
Member Type	Organization	Role	Name	Motion	2 nd	Aye	Nay	Abstain	Recuse	Absent for Vote
Ex-Officio Member	Office of General Services (OGS)	Council Chair	Sean Carroll					X		
Ex-Officio Member	Division of the Budget (DOB)	Primary	Jason DiGianni				X			
Ex-Officio Member	Office of the State Comptroller (OSC)	Primary	Patricia Warrington				X			
Ex-Officio Member	Empire State Development (ESD)	Primary	Pravina Raghavan				X			
Legislative Appointee	Local Government Representative	Primary	Shawn Cullinane				X			
Legislative Appointee	Optimized Diversity Solutions, LLC	Primary	Carra Wallace				X			
Legislative Appointee	Interagency Council of Developmental Disability Agencies, Inc	Primary	Winifred Schiff				X			
Legislative Appointee	Jaclyn A. Brillling, Attorney at Law	Primary	Jaclyn Brillling		X	X				
Governor's Appointee	Cornell University College of Agriculture & Life Sciences	Primary	Julie Suarez				X			
Agency Designee	Department of Corrections & Community Supervision (DOCCS)	Primary	John Behrle				X			
Agency Designee	Office for People with Developmental Disabilities (OPWDD)	Primary	Lisa Davis				X			
Agency Designee	Department of Agriculture & Markets (DAM)	Primary	Lisa Brooks				X			
Agency Designee	State University of New York (SUNY)	Primary	Thomas Hippchen				X			
Agency Designee	Information Technology Services (ITS)	Primary	Dennis Quinn	X		X				
Ex-Officio Member	Chief Diversity Officer (CDO)	Alternate 1	Dwight Flynn				X			
Agency Designee	Department of Health (DOH)	Alternate 1	Sue Mantica				X			
Agency Designee	Office of Mental Health (OMH)	Alternate 1	Paul Murray				X			
TOTALS						2	14	1		

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New York State Procurement Council Meeting September 29, 2020 Meeting Room 6 North Concourse Empire State Plaza Albany, NY Motion to Continue the Provisional Inclusion of the Definition of Mail Fulfillment Services to the List Of Preferred Source Offerings until 2023

				ACTION		VOTE				
Member Type	Organization	Role	Name	Motion	2 nd	Aye	Nay	Abstain	Recuse	Absent for Vote
Ex-Officio Member	Office of General Services (OGS)	Council Chair	Sean Carroll	X				X		
Ex-Officio Member	Division of the Budget (DOB)	Primary	Jason DiGianni			X				
Ex-Officio Member	Office of the State Comptroller (OSC)	Primary	Patricia Warrington			X				
Ex-Officio Member	Empire State Development (ESD)	Primary	Pravina Raghavan			X				
Legislative Appointee	Local Government Representative	Primary	Shawn Cullinane			X				
Legislative Appointee	Optimized Diversity Solutions, LLC	Primary	Carra Wallace		X	X				
Legislative Appointee	Interagency Council of Developmental Disability Agencies, Inc	Primary	Winifred Schiff			X				
Legislative Appointee	Jaclyn A. Brilling, Attorney at Law	Primary	Jaclyn Brilling			X				
Governor's Appointee	Cornell University College of Agriculture & Life Sciences	Primary	Julie Suarez			X				
Agency Designee	Department of Corrections & Community Supervision (DOCCS)	Primary	John Behrle			X				
Agency Designee	Office for People with Developmental Disabilities (OPWDD)	Primary	Lisa Davis			X				
Agency Designee	Department of Agriculture & Markets (DAM)	Primary	Lisa Brooks			X				
Agency Designee	State University of New York (SUNY)	Primary	Thomas Hippchen			X				
Agency Designee	Information Technology Services (ITS)	Primary	Dennis Quinn			X				
Ex-Officio Member	Chief Diversity Officer (CDO)	Alternate 1	Dwight Flynn			X				
Agency Designee	Department of Health (DOH)	Alternate 1	Sue Mantica			X				
Agency Designee	Office of Mental Health (OMH)	Alternate 1	Paul Murray			X				
TOTALS						16		1		

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Motion to Add the Definition of Mail Fulfillment Services Permanently to the List of Preferred Source Offerings

				ACTION		VOTE				
Member Type	Organization	Role	Name	Motion	2 nd	Aye	Nay	Abstain	Recuse	Absent for Vote
Ex-Officio Member	Office of General Services (OGS)	Council Chair	Sean Carroll					X		
Ex-Officio Member	Division of the Budget (DOB)	Primary	Jason DiGianni				X			
Ex-Officio Member	Office of the State Comptroller (OSC)	Primary	Patricia Warrington				X			
Ex-Officio Member	Empire State Development (ESD)	Primary	Pravina Raghavan				X			
Legislative Appointee	Local Government Representative	Primary	Shawn Cullinane				X			
Legislative Appointee	Optimized Diversity Solutions, LLC	Primary	Carra Wallace				X			
Legislative Appointee	Interagency Council of Developmental Disability Agencies, Inc	Primary	Winifred Schiff	X		X				
Legislative Appointee	Jaclyn A. Brilling, Attorney at Law	Primary	Jaclyn Brilling			X				
Governor's Appointee	Cornell University College of Agriculture & Life Sciences	Primary	Julie Suarez				X			
Agency Designee	Department of Corrections & Community Supervision (DOCCS)	Primary	John Behrle				X			
Agency Designee	Office for People with Developmental Disabilities (OPWDD)	Primary	Lisa Davis				X			
Agency Designee	Department of Agriculture & Markets (DAM)	Primary	Lisa Brooks				X			
Agency Designee	State University of New York (SUNY)	Primary	Thomas Hippchen				X			
Agency Designee	Information Technology Services (ITS)	Primary	Dennis Quinn		X	X				
Ex-Officio Member	Chief Diversity Officer (CDO)	Alternate 1	Dwight Flynn				X			
Agency Designee	Department of Health (DOH)	Alternate 1	Sue Mantica				X			
Agency Designee	Office of Mental Health (OMH)	Alternate 1	Paul Murray				X			
TOTALS						3	13	1		