

DRAFT

New York State Procurement Council Meeting | Minutes of the Meeting

April 22, 2021 | 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 January 27, 2021 meeting. The motion passed by a vote of 15-0.

Rules Workgroup Update: Mr. Carroll reported that this item remains on the agenda to provide an update to the Council, and though many of the staff involved in the Rules Workgroup have been working on COVID activities. Mr. Carroll stated that there was hopefulness that the rest of the year would bring back a fair amount of regular business. Mr. Carroll stated that the Rules Workgroup will be engaging the Council concerning the Rules.

Presentation – Overview of State Archives: Tom Ruller and Jennifer O’Neal, NYS Education Department (NYSED), gave a presentation on retaining procurement records and defined retention schedules and the disposal of records.

Legislative Update: Marc Hiller, OGS, reported the following extensions to procurement related statutes:

1. State Finance Law Section 163 of the, Purchasing Services and Commodities, has been extended for 5 years until June 30, 2026.
2. The Procurement Lobbying Law, State Finance Law Sections 139- J and 139-k, was also extended for 5 years until July 31, 2026.

The enactment of the New York Medical Supplies Act (State Finance Law Section 148 and Section 2878-C in the Public Authorities Law) which requires in all State contracts over \$50,000 for purchases of personal protective equipment (PPE) and medical supplies, as defined, that the PPE and medical supplies be produced or made in the United States. This requirement can be waived by the head of the agency making the purchase under circumstances relating to cost, public interest, availability, and timeliness. The Department of Economic Development, in consultation with OGS and the Division of the Budget, shall establish rules and regulations to carry out this provision. The provisions affect solicitations issued on and after April 1, 2021.

Approval of Preferred Source Designation Applications Under OGS Standing Authority: Sean Hume, OGS, reported that as of April 21, 2021, OGS had not approved any new items for addition to the Preferred Source List under its standing authority since the last report given on January 27th, 2021. Mr. Hume reported that the Procurement Council received NYSIDs report on mail fulfillment on April 9, 2021. This document has been posted to the Procurement Council website.

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New Business/Open Council Discussion:

Mr. Carroll asked the Procurement Council if they had any topics to discuss. Dennis Quinn, ITS, asked if there would be a periodic recruitment for the IT Umbrella Manufacturer Centralized Contract. Mr. Carroll stated that there would be a periodic recruitment coming forth. Mr. Carroll explained to the Council that there would be no gap in the contract, and that the current contract is effective until November of 2022.

Meeting Closure: Procurement Council Members voted unanimously to adjourn the meeting at 12:01 p.m.

Next Meeting

Wednesday September 15, 2021

Alternate date – September 22, 2021

Also in Attendance

Marc Hiller - OGS

Noreen VanDoren - OGS

Webcast Location: <https://ogs.ny.gov/procurement/nys-procurement-council>

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New York State Procurement Council Meeting April 22, 2021 Meeting Room 6 North Concourse Empire State Plaza Albany, NY Procurement Council Member Attendance at the April 22, 2021 Meeting							
MEMBER TYPE	ORGANIZATION	ROLE	NAME	IN ATTENDANCE			NOT IN ATTENDANCE
				IN PERSON	REMOTE	LATE	
Ex-Officio	Office of General Services (OGS)	Council Chair	Sean Carroll	X			
Ex-Officio	Office of the State Comptroller (OSC)	Primary	Patricia Warrington		X		
Ex-Officio	Division of the Budget (DOB)	Primary	Jason DiGianni		X		
Ex-Officio	Chief Diversity Officer (CDO)	Primary	Julissa Gutierrez				X
Ex-Officio	Chief Diversity Officer (CDO)	Alternate 1	Dwight Flynn				X
Ex-Officio	Chief Diversity Officer (CDO)	Alternate 2	Many Tadesse				X
Ex-Officio	Empire State Development (ESD)	Primary	Pravina Raghavan			X	
Agency Representative	Department of Agriculture & Markets (DAM)	Primary	Lisa Brooks		X		
Agency Representative	Department of Corrections & Community Supervision (DOCCS)	Primary	JP (John) Behrle		X		
Agency Representative	Department of Health (DOH)	Primary	Andrew Ruby		X		
Agency Representative	Information Technology Services (ITS)	Primary	Dennis Quinn	X			
Agency Representative	Office of Mental Health (OMH)	Primary	Daniel Clark				X
Agency Representative	Office of Mental Health (OMH)	Alternate 1	Paul Murray		X		
Agency Representative	Office for People with Developmental Disabilities (OPWDD)	Primary	Lisa Davis				X
Agency Representative	Office for People with Developmental Disabilities (OPWDD)	Alternate 1	Deborah Grieco		X		
Agency Representative	State University of New York (SUNY)	Primary	Thomas Hippchen				X
Agency Representative	State University of New York (SUNY)	Alternate 1	Michele Feathers		X		
Governor's Appointee	Cornell University College of Agriculture & Life Sciences	Primary	Julie M. Suarez				X
Legislative Appointee	Local Government Representative	Primary	Shawn Cullinane		X		
Legislative Appointee	Optimized Diversity Solutions, LLC	Primary	Carra Wallace		X		
Legislative Appointee	The Kasarda Law Group, LLC	Primary	Steven Kasarda		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			
Legislative Appointee	The Business Council of New York State, Inc	Primary	John T. Evers, PhD				X
TOTALS				16			8

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Motion to Approve the Meeting Minutes for the January 27, 2021 Meeting

MEMBER TYPE	ORGANIZATION	ROLE	NAME	ACTION		VOTE			
				Motion	2nd	Aye	Nay	Abstain (A) Recusal (R)	Absent for Vote
Ex-Officio	Office of the State Comptroller (OSC)	Primary	Patricia Warrington			x			
Ex-Officio	Division of the Budget (DOB)	Primary	Jason DiGianni			x			
Ex-Officio	Empire State Development (ESD)	Primary	Pravina Raghavan						x
Agency Representative	Department of Agriculture & Markets (DAM)	Primary	Lisa Brooks			x			
Agency Representative	Department of Corrections & Community Supervision (DOCCS)	Primary	JP (John) Behrle			x			
Agency Representative	Department of Health (DOH)	Primary	Andrew Ruby		x	x			
Agency Representative	Information Technology Services (ITS)	Primary	Dennis Quinn			x			
Agency Representative	Office of Mental Health (OMH)	Alternate 1	Paul Murray			x			
Agency Representative	Office for People with Developmental Disabilities (OPWDD)	Alternate 1	Deborah Grieco			x			
Agency Representative	State University of New York (SUNY)	Alternate 1	Michele Feathers			x			
Legislative Appointee	Local Government Representative	Primary	Shawn Cullinane			x			
Legislative Appointee	Optimized Diversity Solutions, LLC	Primary	Carra Wallace			x			
Legislative Appointee	The Kasarda Law Group, LLC	Primary	Steven Kasarda			x			
Legislative Appointee	Interagency Council of Developmental Disability Agencies, Inc	Primary	Winifred Schiff	x		x			
Legislative Appointee	Jaclyn A. Brillling, Attorney at Law	Primary	Jaclyn A. Brillling			x			
Ex-Officio	Office of General Services (OGS)	Council Chair	Sean Carroll			x			
			TOTALS			15	0	0	1