

**DRAFT**  
**New York State Procurement Council Meeting | Minutes of the Meeting**  
January 26, 2022 | 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 Acting Commissioner of General Services, called the meeting to order.

Mr. Carroll welcomed Acting Commissioner Jeanette Moy, OGS.

Mr. Carroll welcomed Chief of Staff Alexandra Greene, OGS.

Mr. Carroll welcomed Chief Risk Officer Germain Difo, OGS.

**Old Business**

**Meeting Minutes:** Mr. Carroll called for a motion to adopt the minutes of the November 6, 2021 meeting. The motion passed unanimously.

**Legislative Update**

Tyler Feane, OGS, reported that Chapter 1 of the Laws of 2022 was signed on January 14, 2022, extending the authorization for public bodies to hold meetings remotely under the Open Meetings Law.

Mr. Feane reported Assembly Bill No. 2591A Senate Bill 542A amending State Finance Law in relation to the procurement of low embodied carbon concrete. This is intended to help New York State meet its carbon emissions goals by requirement and incentivizing the use of concrete that emits lower levels of carbon during the production process. This would require OGS to establish a stakeholder advisory group to develop guidelines and minimum standards for State contracts involving the use of concrete. The bill was signed on December 22, 2021 as Chapter 724 of the Laws of 2021. Its effective date is June 20, 2022 and it will apply to any State contracts advertised on or after that date.

**Approval of Preferred Source Designation Applications Under OGS Standing Authority**

Sean Hume, OGS, reported that as of January 25, 2021, OGS has approved one item under its standing authority since the last report given on November 4, 2021: NYSID’s Eco-Bageez resealable sandwich bags.

Mr. Hume reported that the Procurement Council received NYSID’s report of mail fulfillment on January 5, 2022. A copy of that report has been distributed to the Council members and has been posted to the Procurement Council website.

**Preferred source Applications Denials Report**

Mr. Carroll reported that the SFL 162 (8)(b) Preferred Source Application Denials report was submitted to the Governor on December 28, 2021. This report stated that during the 2021 calendar year the Council did not deny any Preferred Source applications.

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**New Business**

**Changes to Vendor Responsibility Questionnaires and Definition List:** Tyler Feane presented proposed revisions to the Vendor Responsibility Questionnaires and Definition list.

Some changes were intended to clarify questions that were either being interpreted by vendors differently from what was intended, or that required additional language to clarify the information sought. Some other minor changes were made to improve the internal consistency within questionnaires and to improve consistency across the questionnaires. The certification language was revised, and the notarization requirement removed by having vendors make the certification under penalty of perjury making submittal of the hard copy questionnaire more business friendly and consistent with the electronic version of the questionnaire, which is accepted without a notarization requirement. Minor edits were made to the definitions list for clarity.

Mr. Carroll called for a motion to adopt the changes to the Vendor Responsibility Questionnaires and Definition list. The motion was passed by a vote of 14-0. The Chair abstained.

**GovBuy:** Save the Dates May 4 & 5, 2022

**Appointments:** Mr. Carroll appointed Dan Rice as Clerk to the Procurement Council.

**Open Council Discussion**

Mr. Carroll asked the Procurement Council if they had any topics to discuss. No topics were raised.

**Meeting Closure**

Procurement Council Members voted unanimously to adjourn the meeting at 12:17 p.m.

**Next Meeting**

Wednesday April 26, 2022

Alternate date: May 11, 2022

**Also in Attendance**

Tyler Feane - OGS

Ian MacCallum - OGS

Sean Hume - OGS

**Webcast Location:** <https://ogs.ny.gov/event/nys-procurement-council-meeting-january-26-2022>

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<b>Procurement Council Member Attendance at the January 26, 2022 Meeting</b>						
MEMBER TYPE	ORGANIZATION	ROLE	NAME	IN ATTENDANCE		NOT IN ATTENDANCE
				IN PERSON	REMOTE	
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	Empire State Development (ESD)	Primary	Martha Otero		X	
Agency Representative	Department of Agriculture & Markets (DAM)	Primary	Lisa Brooks		X	
Agency Representative	Department of Corrections & Community Supervision (DOCCS)	Primary	Paul Guenette		X	
Agency Representative	Department of Health (DOH)	Primary	Andrew Ruby		X	
Agency Representative	Information Technology Services (ITS)	Primary	Elaine Blanchet	X		
Agency Representative	Office of Mental Health (OMH)	Primary	Paul Murray			X
Agency Representative	Office of Mental Health (OMH)	Alternate 1	Bill Gwynn			X
Agency Representative	Office of Mental Health (OMH)	Alternate 2	Le'ana Williams		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	
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			
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		
			<b>TOTALS</b>		<b>16</b>	<b>4</b>

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<b>Motion to Approve the Meeting Minutes for the November 3, 2021 Meeting</b>									
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	Chief Diversity Officer (CDO)	Primary	Julissa Gutierrez			x			
Ex-Officio	Empire State Development (ESD)	Primary	Martha Otero			x			
Agency Representative	Department of Agriculture & Markets (DAM)	Primary	Lisa Brooks			x			
Agency Representative	Department of Corrections & Community Supervision (DOCCS)	Primary	Paul Guenette						x
Agency Representative	Department of Health (DOH)	Primary	Andrew Ruby	x		x			
Agency Representative	Information Technology Services (ITS)	Primary	Elaine Blanchet			x			
Agency Representative	Office of Mental Health (OMH)	Alternate 2	Le'ana Williams			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			
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	The Kasarda Law Group, LLC	Primary	Steven Kasarda		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			
			<b>TOTALS</b>			14	0	0	2

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<b>Motion to Approve the Changes to Vendor Responsibility Questionnaires and Definition List</b>									
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	Chief Diversity Officer (CDO)	Primary	Julissa Gutierrez			x			
Ex-Officio	Empire State Development (ESD)	Primary	Martha Otero			x			
Agency Representative	Department of Agriculture & Markets (DAM)	Primary	Lisa Brooks			x			
Agency Representative	Department of Corrections & Community Supervision (DOCCS)	Primary	Paul Guenette						x
Agency Representative	Department of Health (DOH)	Primary	Andrew Ruby			x			
Agency Representative	Information Technology Services (ITS)	Primary	Elaine Blanchet			x			
Agency Representative	Office of Mental Health (OMH)	Alternate 2	Le'ana Williams			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			
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	The Kasarda Law Group, LLC	Primary	Steven Kasarda			x			
Legislative Appointee	Jaclyn A. Brillling, Attorney at Law	Primary	Jaclyn A. Brillling	x		x			
Ex-Officio	Office of General Services (OGS)	Council Chair	Sean Carroll		x			A	
			<b>TOTALS</b>			14	0	1	1