

New York State Procurement Council Meeting | Minutes of the Meeting

November 15, 2023 | 11:30 a.m.

Meeting Room 6 | North Concourse | Empire State Plaza | Albany, NY

Call to Order

Welcome and Introductions

Moses Kamya, New York State Office of General Services (“OGS”) Acting Chief Procurement Officer (“CPO”) and acting Chair of the New York State Procurement Council (“Procurement Council”) as the designee of the Commissioner of OGS, called the meeting to order and thanked everyone for attending.

Mr. Kamya opened the meeting by welcoming new Procurement Council member, Melody Goetz with the Office of the State Comptroller (“OSC”), followed by taking attendance of Procurement Council members, and informing the Procurement Council that Jaclyn Brillling was attending the meeting remotely.

Old Business

Meeting Minutes: Mr. Kamya called for a motion to adopt the draft minutes of the September 13, 2023, meeting as presented. The motion was made by Melody Goetz, seconded by Paul Murray and passed by the Council unanimously.

Legislative Updates

Tyler Feane, OGS, reported that since the September Procurement Council meeting, there were no legislative updates to report.

Approval of Preferred Source Designation Applications Under OGS Standing Authority

Sean Hume, OGS reported on:

1. Preferred Source Commodity Applications for New Offerings Approved Under OGS Standing Authority

As of November 14, 2023, OGS has not approved any commodities under its standing authority since the last report was given on September 13, 2023.

2. OGS Recommendation for NYSID’S application to add the definition for Cleaning Services – Other than Buildings to be approved as a new service category – Council PASSED

Cleaning Services – Other than Buildings: The OGS Preferred Source team reviewed the NYSID application submitted to OGS and ESD on July 16, 2023, and revised on October 10, 2023. The application meets the requirements of the Preferred Source Guidelines. The application is to add Cleaning Services – Other than Buildings as a new service category to the list of Preferred Source offerings. The staff recommendation to the Procurement Council is to approve NYSID’s application. Following such approval, Section D of the list will be updated with a checkmark and will be added to identify NYSID’s preferred source status for Cleaning Services – Other than Buildings.

New Business

Procurement Guidelines Update:

Tyler Feane, OGS reported:

A version of the Procurement Guidelines was passed at the September meeting. SUNY then raised an issue about an exception in the law that allows for purchases to be made from a consortium in lieu of using OGS centralized contracts when justified by price. OGS and SUNY came up with appropriate language, and it’s been included in a few different places throughout the Guidelines. There was also another substantive change where there was reference made to conducting a solicitation of interest, which was not described. We included a new description of what that solicitation of interest might entail. The rest of the updates were editorial changes, grammatical, formatting things, standardizing terminology, and repairing broken links. There were also

New York State Procurement Council Meeting | Minutes of the Meeting

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a couple statutory references that needed to be updated relating to the relocation of the SDVOB Statute from the Executive Law to the new Veterans' Services Law.

It was determined that a standing item for Procurement Guidelines Updates would be included on each Procurement Council agenda going forward and if there were updates, they would bring those to the Council, and they could be voted on.

Member Thomas Hippchen raised the topic of distinguishing modifications that needed Procurement Council approval from those that were only administrative. Tyler recommended that all updates be presented to the Procurement Council for consideration, regardless of whether they are considered to be administrative or not.

Preferred Source Guidelines Update

A draft of the Preferred Source Guidelines was presented to the workgroup. The next Workgroup meeting will be November 27th. An update will be provided at the next Council meeting.

Open Council Discussion

The Chair asked if there were any additional items. No issues were raised.

Meeting Closure

The Chair moves to close the meeting: All in favor.

Next Meeting

The next meeting is January 24, 2024, and the alternate date is February 7, 2024.

Also, in Attendance

Tyler Feane - OGS

Brett Bush - OGS

Sean Hume - OGS

Webcast Location

<https://ogs.ny.gov/event/nys-procurement-council-meeting-november-15-2023>

New York State Procurement Council Meeting | Minutes of the Meeting

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ATTENDANCE FOR THE NYS PROCUREMENT COUNCIL MEETING HELD NOVEMBER 15, 2023						
TYPE	ORGANIZATION	ROLE	NAME	IN ATTENDANCE		NOT IN ATTENDANCE
				IN PERSON	REMOTE	
Ex-Officio	Office of General Services (OGS)	Council Chair	Moses Kamya	X		
Ex-Officio	Office of the State Comptroller (OSC)	Primary	Melody Goetz	X		
Ex-Officio	Office of the State Comptroller (OSC)	Alternate 1	James Iwaneczko			X
Ex-Officio	Office of the State Comptroller (OSC)	Alternate 2	Brian Fuller			X
Ex-Officio	Division of the Budget (DOB)	Primary	Michelle Heaslip	X		
Ex-Officio	Office of Governor Kathy Hochul	Primary	Julissa Gutierrez			X
Ex-Officio	Office of Governor Kathy Hochul	Alternate 1	Priya Nair	X		
Ex-Officio	Empire State Development (ESD)	Primary	Elizabeth Lusskin			X
Ex-Officio	Empire State Development (ESD)	Alternate 1	Christine McCann	X		
Agency Representative	Department of Agriculture & Markets (Ag & Mkts)	Primary	Lisa Brooks	X		
Agency Representative	Department of Corrections & Community Supervision (DOCCS)	Primary	Paul Guenette	X		
Agency Representative	Department of Corrections & Community Supervision (DOCCS)	Alternate 1	John (JP) Behrle			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 for People with Developmental Disabilities (OPWDD)	Primary	Marc Kleinhenz	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	Village of Lindenhurst Business Improvement District Executive Board	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, Esq	Primary	Jaclyn A. Brillling		X	
			Total in Attendance	14	1	

New York State Procurement Council Meeting | Minutes of the Meeting

November 15, 2023 | 11:30 a.m.

Meeting Room 6 | North Concourse | Empire State Plaza | Albany, NY

VOTE TO APPROVE THE MEETING MINUTES AT THE PROCUREMENT COUNCIL MEETING HELD NOVEMBER 15, 2023									
TYPE	ORGANIZATION	ROLE	NAME	MOTION	2ND	AYE	NAY	ABSTAIN	
Ex-Officio	Office of the State Comptroller (OSC)	Alternate 2	Melody Goetz	x		x			
Ex-Officio	Division of the Budget (DOB)	Primary	Michelle Heaslip			x			
Ex-Officio	Office of Governor Kathy Hochul	Alternate 1	Priya Nair			x			
Ex-Officio	Empire State Development (ESD)	Primary	Christine McCann			x			
Agency Representative	Department of Agriculture & Markets (Ag & Mkts)	Primary	Lisa Brooks			x			
Agency Representative	Department of Corrections & Community Supervision (DOCCS)	Alternate 1	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	x			
Agency Representative	Office for People with Developmental Disabilities (OPWDD)	Primary	Marc Kleinhenz			x			
Agency Representative	State University of New York (SUNY)	Primary	Thomas Hippchen			x			
Legislative Appointee	Village of Lindenhurst Business Improvement District Executive Board	Primary	Shawn Cullinane			x			
Legislative Appointee	Optimized Diversity Solutions, LLC	Primary	Carra Wallace			x			
Legislative Appointee	Jaclyn A. Brillling, Esq	Primary	Jaclyn A. Brillling			x			
Ex-Officio	Office of General Services (OGS)	Council Chair	Moses Kamya					x	
Totals						14	0	1	

New York State Procurement Council Meeting | Minutes of the Meeting

November 15, 2023 | 11:30 a.m.

Meeting Room 6 | North Concourse | Empire State Plaza | Albany, NY

VOTE TO APPROVE NYSID CLEANING SERVICES - OTHER THAN BUILDINGS AT THE PROCUREMENT COUNCIL MEETING HELD NOVEMBER 15, 2023									
TYPE	ORGANIZATION	ROLE	NAME	MOTION	2ND	AYE	NAY	ABSTAIN	
Ex-Officio	Office of the State Comptroller (OSC)	Alternate 2	Melody Goetz			x			
Ex-Officio	Division of the Budget (DOB)	Primary	Michelle Heaslip			x			
Ex-Officio	Office of Governor Kathy Hochul	Alternate 1	Priya Nair			x			
Ex-Officio	Empire State Development (ESD)	Primary	Christine McCann	x		x			
Agency Representative	Department of Agriculture & Markets (Ag & Mkts)	Primary	Lisa Brooks			x			
Agency Representative	Department of Corrections & Community Supervision (DOCCS)	Alternate 1	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	x			
Agency Representative	Office for People with Developmental Disabilities (OPWDD)	Primary	Marc Kleinhenz			x			
Agency Representative	State University of New York (SUNY)	Primary	Thomas Hippchen			x			
Legislative Appointee	Village of Lindenhurst Business Improvement District Executive Board	Primary	Shawn Cullinane			x			
Legislative Appointee	Optimized Diversity Solutions, LLC	Primary	Carra Wallace			x			
Legislative Appointee	Jaclyn A. Brillling, Esq	Primary	Jaclyn A. Brillling				x		
Ex-Officio	Office of General Services (OGS)	Council Chair	Moses Kamya						x
Totals						13	1		1

New York State Procurement Council Meeting | Minutes of the Meeting

November 15, 2023 | 11:30 a.m.

Meeting Room 6 | North Concourse | Empire State Plaza | Albany, NY

VOTE TO APPROVE THE PROCUREMENT GUIDELINE UPDATES AT THE PROCUREMENT COUNCIL MEETING HELD NOVEMBER 15, 2023								
TYPE	ORGANIZATION	ROLE	NAME	MOTION	2ND	AYE	NAY	ABSTAIN
Ex-Officio	Office of the State Comptroller (OSC)	Alternate 2	Melody Goetz			x		
Ex-Officio	Division of the Budget (DOB)	Primary	Michelle Heaslip			x		
Ex-Officio	Office of Governor Kathy Hochul	Alternate 1	Priya Nair			x		
Ex-Officio	Empire State Development (ESD)	Primary	Christine McCann			x		
Agency Representative	Department of Agriculture & Markets (Ag & Mkts)	Primary	Lisa Brooks			x		
Agency Representative	Department of Corrections & Community Supervision (DOCCS)	Alternate 1	Paul Guenette		x	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 for People with Developmental Disabilities (OPWDD)	Primary	Marc Kleinhenz			x		
Agency Representative	State University of New York (SUNY)	Primary	Thomas Hippchen	x		x		
Legislative Appointee	Village of Lindenhurst Business Improvement District Executive Board	Primary	Shawn Cullinane			x		
Legislative Appointee	Optimized Diversity Solutions, LLC	Primary	Carra Wallace			x		
Legislative Appointee	Jaclyn A. Brillling, Esq	Primary	Jaclyn A. Brillling			x		
Ex-Officio	Office of General Services (OGS)	Council Chair	Moses Kamyra					x
Totals						14		1