



2014
**Purchasing Forum
& Trade Show**
May 14 & 15

Keep Your Purchasing Records on the Right Road



Andrew M. Cuomo
Governor
State of New York

RoAnn M. Destito
Commissioner
Office of General Services

In cooperation with the Office of the State Comptroller:

Thomas P. DiNapoli
New York State Comptroller



Keep Your Purchasing Records on the Right Road

Contract Document Submission Guide

Mia Graham and Randy McConnach

Office of the State Comptroller

Bureau of Contracts

2014 Purchasing Forum & Trade Show

Planting Seeds Today for Tomorrow's Success



The Procurement Record



The Procurement Record is documentation that carefully details the procurement process to ensure compliance with all bidding requirements.



This guide had been designed to assist New York State purchasing officials with submitting required documentation for contract approval.

Procurement Record Resources



The Office of the State Comptroller:

www.osc.state.ny.us/



Open Book New York:

www.openbooknewyork.com/



Guide to Financial Operations (GFO):

www.osc.state.ny.us/agencies/guide/MyWebHelp/

New York State Comptroller Thomas P. DiNapoli
Office of the State Comptroller

Our Office | Newsroom | Resources For... | Find Info About... | Search

Open Book

See where your tax dollars go with Open Book's state and local government spending and contract information.

Latest News
DiNapoli: State Fiscal Picture Stable
State Comptroller DiNapoli Statement on Anniversary of Superstorm Sandy
DiNapoli: Quarter of Property Value in New York Considered Tax Exempt
More News...

Get to know New York State Comptroller **Thomas P. DiNapoli**

New York State Comptroller Thomas P. DiNapoli
Office of the State Comptroller
OPEN BOOK NEW YORK

Search Local Gov. Spending
See how your county, city, town, village, fire or school district gets and spends your money. This site is updated daily.

Search State Contracts
Look at active New York State contracts and see who is doing business with the State. Data is updated daily.

Search State Spending
A summary level view of all state spending. Data is updated monthly.

Search State Payments
Find payments made by the State since April 1, 2012. Data is updated daily.

State of New York
Office of the State Comptroller
Thomas P. DiNapoli, State Comptroller

Guide to Financial Operations

You are here: Welcome

Guide to Financial Operations

What's New »
View the latest content updates

Guide to Financial Operations

http://www.osc.state.ny.us/index.htm

Office of the New York Stat...

Search Unclaimed Funds

Search Now

New York State Comptroller Thomas P. DiNapoli

Office of the State Comptroller



Our Office | Newsroom | Resources For... | Find Info About...

Search

Open Book

See where your tax dollars go with Open Book's state and local government spending and contract information.

Latest News

DiNapoli: State Fiscal Picture Stable

State Comptroller DiNapoli Statement on Anniversary of Superstorm Sandy

DiNapoli: Quarter of Property Value in New York Considered Tax Exempt

More News...

Get to know
New York State Comptroller
Thomas P. DiNapoli



Sign up for emails



Guide to Financial Operations

http://www.osc.state.ny.us/index.htm

Office of the New York Stat...

Search Unclaimed Funds

Search Now

New York State Comptroller Thomas P. DiNapoli

Office of the State Comptroller



Our Office | Newsroom | Resources For... | Find Info About...

Search

- Current & Former State Employees
- NYS Agency Payroll Officers
- NYS & Local Retirement System Members, Employers and Retirees
- NYS Public Authorities Representatives
- State Agency Representatives
- Vendors Doing Business With NYS

Latest News

DiNapoli: State Fiscal Picture Stable

State Comptroller DiNapoli Statement on Anniversary of Superstorm Sandy

DiNapoli: Quarter of Property Value in New York Considered Tax Exempt

More News...

Get to know
New York State Comptroller
Thomas P. DiNapoli



Guide to Financial Operations

http://www.osc.state.ny.us/agencies/index.htm

Office of the New York Stat...

New York State Comptroller Thomas P. DiNapoli

Office of the State Comptroller



Our Office | Newsroom | Resources For... | Find Info About...

Search

OSC Home > State Agencies

State Agencies

State Employees & Retirees

New Yorkers

State Vendors

Local Government & School Districts



Resources for Payroll Officers



Get Forms



Employee Travel Guidelines

Find Accounting Policies and Operational Guidance

Access the single source for agency information concerning state financial transactions. It includes accounting policies, procedures and mandates.



Guide to Financial Operations

http://www.osc.state.ny.us/agencies/guidelines.htm

Office of the New York Stat...

New York State Comptroller Thomas P. DiNapoli
Office of the State Comptroller



Our Office | Newsroom | Resources For... | Find Info About... Search

OSC Home > Office of Operations Home > Accounting Policies and Operational Guidance

Find Accounting Policies and Operational Guidance

- [The Guide to Financial Operations](#)
- Bulletins
 - [A Bulletins](#)
 - [P Bulletins](#)
- Advisories
 - [Accounts Payable Advisories](#)
 - [Contract Advisories](#)
 - [Operational Advisories](#)
 - [Vendor File Advisories](#)
- [Lapsing Resources](#)
- [Fiscal Year End Resources](#)



Our Office <ul style="list-style-type: none">About the Comptroller's OfficeAbout Comptroller DiNapoliFighting Government FraudIntergovernmental & Community	Hot Topics <ul style="list-style-type: none">Comptroller's Legislative ProgramComptroller's Green InitiativeReporting Government FraudGovernment Transparency	Resources For... <ul style="list-style-type: none">Current & Former State EmployeesLocal Government OfficialsNYS Agency Payroll OfficersNYS & Local Retirement System	Find Info About... <ul style="list-style-type: none">College Savings ProgramEmployment Opportunities at the Comptroller's OfficeFreedom of Information Law (FOIL)
---	---	---	--

Guide to Financial Operations

Search this Guide - Windows Internet Explorer provided by OSC

http://osc.state.ny.us/agencies/guide/MyWebHelp/

File Edit View Favorites Tools Help

Search this Guide

Search this page

madcap

State of New York
Office of the State Comptroller
Thomas P. DiNapoli, State Comptroller

Guide to Financial Operations

Welcome

Guide to Financial Operations

New »
Best content

TOC

- Welcome
- Chapter I OSC Guide to Financial Operations Overview
- Chapter II New York State (NYS) Financial Accounting
- Chapter III Statewide Financial System (SFS) Overview
- Chapter IV Accounting Codes – Uses and Descriptions
- Chapter V Chart of Accounts (COA) Governance
- Chapter VI Budgets
- Chapter VII State Revenues and Appropriated Loans
- Chapter VIII Journal Entries and Journal Vouchers
- Chapter IX Federal Grants
- Chapter X Guide to Vendor/Customer Management
- Chapter XI Procurement and Contract Management
- Chapter XII Expenditures
- Chapter XIII Procurement and Contract Management
- Chapter XIV Special Procedures
- Chapter XV End of Year
- Chapter XVI Financial Reporting
- Chapter XVII Lapsing Appropriations

TOC

Index

Search this Guide

Internet 105%



Mailing Address

Contracts requiring OSC approval are submitted to:

**New York State Office of the State Comptroller
110 State Street, 11th Floor
Albany, New York 12236
Attention: Bureau of Contracts**



2014 Purchasing Forum & Trade Show
Planting Seeds Today for Tomorrow's Success



Required Approvals

Division of Budget (DOB) 1184 Approval:



A Division of Budget-approved 1184 Attachment A is required for state agencies, excluding public benefit corporations, the State University of New York and non-executive agencies.



An agency-approved 1184 Attachment B is required for health and safety purchases or purchases with 75 percent federal reimbursement.



All Budget Bulletins currently in effect are located on the DOB website:

www.budget.ny.gov/guide/bprm/bulletins/bulletinindex.html

2014 Purchasing Forum & Trade Show

Planting Seeds Today for Tomorrow's Success



Required Approvals

Contract Breakout on Blanket 1184:



Occasionally, an approved 1184 will reference more than one obligation: The sum of all obligated agreements must not exceed the total value of the Attachment.

Required Approvals

Information Technology Services (ITS) Plan to Procure (PTP) Letter:



Transactions for technology-related materials and services require an ITS PTP letter.



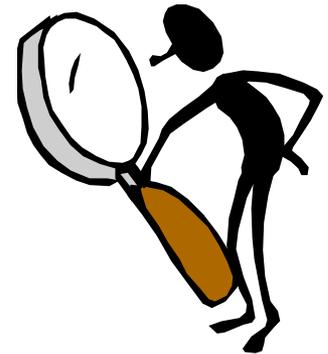
Link to Technology Policy and Agency Submission Requirements:

www.its.ny.gov/ptp

Cover Letter

Transmittal / Cover Letters to OSC explaining the nature of the contract should include the following elements:

-  **Contract Number**
-  **Contractor's Name**
-  **Total Contract Amount**
-  **Description of Goods or Services**
-  **Explanation of Procurement Activities**
-  **Detailed Explanation of Rejected Bids or Protests**
-  **Name of Contact Person & Contact Information**



Statewide Financial System



Report ID:	State of New York Statewide Financial System Procurement Contract Request	Page No: Run Date: Run Time:
DOCUMENT TYPE		AUDIT TYPE
Contract No		Sequence #
Department Name		
Unit	Begin Date (MM/DD/YYYY)	Renewal Amendme
Preparer's Phone No		Date
Number of Bids		Special Code
Date Rejected		Auditor's Initials

Business Unit

Dept ID

Vendor ID

Transaction Amount

Intended Encumbrance Amount

Procurement Record Checklist

OFFICE OF THE STATE COMPTROLLER
BUREAU OF CONTRACTS
THE PROCUREMENT RECORD CHECKLIST

Business Unit ID: _____ Business Unit Name: _____

Department ID: _____ Department Name: _____

Contact: _____ Telephone: _____ E-Mail: _____

Contract No. or Purchase Order No.: _____

Contractor Name: _____ Vendor ID No.: _____

Contract Period: _____ Renewal Period: _____

1. Description of the Commodity/Service Being Procured: _____

2. Need Statement: _____

3. This item (product/service) is an approved Preferred Source Offering Yes No

4. Procurement Method:

- | | |
|--|--|
| <input type="checkbox"/> IFB - Lowest Bid Meeting Specifications | <input type="checkbox"/> Emergency |
| <input type="checkbox"/> RFP - Evaluation of Technical and Cost (Best-Value Specified) | <input type="checkbox"/> Mini Bid |
| <input type="checkbox"/> Single Source | <input type="checkbox"/> Discretionary |
| <input type="checkbox"/> Sole Source | <input type="checkbox"/> Piggyback |
| <input type="checkbox"/> Preferred Source (If selected skip to #9) | <input type="checkbox"/> Other _____ |

5. Summary of Competitive Procurement:

- a. Number of Bids Solicited: _____
- b. Number of Bids Received: _____
- c. Number of Rejections: _____
- d. Number of Protests/Disputes*: _____

*Protest/Dispute Related Documents Must be Included in the Record Submitted to OSC.

6. Debriefings Requested? Yes No

If yes, number of debriefings requested and status/dates of debriefings held: _____

7. Procurement Opportunities Newsletter (New York State Contract Reporter, also known as NYSCR)

- Advertisement Notice/Agency Certification Attached
- Copy of OSC Exemption Attached _____ (include Contract Reporter Exemption Request number)
- Exempted Per Statute _____ (if the exemption is not provided under Article 4-C of the Economic Development Law please provide citation)

8. THE FOLLOWING INFORMATION (8 a-e) MUST ALSO BE PROVIDED ONLY WHEN AN RFP IS USED. (A separate document may be used, or an agency may reference specific documents and/or sections of the RFP.)

a. Explain the process used to ensure a competitive field: _____

b. Explain the scope of work to be performed under the contract: _____

c. List the evaluation criteria and relative weights used to evaluate the proposals:

Technical Weight: _____%

Cost Weight: _____%

Identify where in the RFP detailed evaluation criteria is set forth: _____

d. Explain the methodology used for evaluating the proposals: _____

e. Provide a summary of the evaluation results, and the basis for the selection of the successful offeror: _____

9. Submit all documentation required by the OSC Bureau of Contracts. Specific requirements can be obtained by calling the OSC Bureau of Contracts at 518-474-6494.

10. Required Signatures (check those which apply):

- Agency
- Contractor
- Contractor's Acknowledgment

11. Approvals (check those which apply):

- Division of the Budget
- Office of State Operations Approval of the B-1184
- Civil Service
- Attorney General
- Office for Technology PTP Approval
- OGS Approval of the Price for Preferred Source Service Acquisitions
- OGS Piggyback Approval

Agency Signature: _____ Date: _____

OSC Auditor: _____ Date: _____

The Agreement

Where applicable, the following must be included in the contract or amendment:

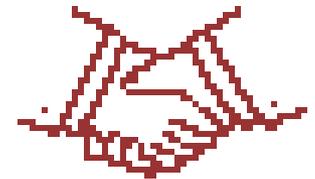


Attorney General Approval



Civil Service Approval

- **For service contracts with individuals**
- **“S” contracts**



2014 Purchasing Forum & Trade Show

Planting Seeds Today for Tomorrow's Success



APPENDIX A

STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS

PLEASE RETAIN THIS DOCUMENT
FOR FUTURE REFERENCE.

January 2014

2014 Purchasing Forum & Trade Show
Planting Seeds Today for Tomorrow's Success



The Evaluation

For State Finance Law § 163 Procurements, include:



Best Price Awards:

- **Certified Bid Tab**
- **Three Quotes for Emergencies**



Best Value Awards:

- **Evaluation Instrument**
- **Completed Evaluation Score Sheets**
- **Evaluation Summary**

2014 Purchasing Forum & Trade Show

Planting Seeds Today for Tomorrow's Success



The Solicitation

State Finance Law § 163 Procurements require:

- 🍏 **Blank solicitation document (IFB or RFP), including all appendices**
- 🍏 **All addenda**
- 🍏 **Contractor questions & agency answers**
- 🍏 **Any proposer correspondence, such as clarifications or negotiations with the apparent awardees**

Advertisement

New York State Contract Reporter:



www.nyscr.org/Public/Index.aspx



Advertisements must be designed to promote competition.



Refrain from making brand-specific references.

- If a particular item must be specified, include an “or equal” to avoid limiting competition.



Indicate the full period of time, including optional renewals.



Consider announcing mandatory site visits in the advertisement.

2014 Purchasing Forum & Trade Show

Planting Seeds Today for Tomorrow's Success



Advertisement

If applicable, please include:



An *Approved* Contract Reporter Exemption Request

- **Signed Declaration of Emergency**



The
**New York State
Contract Reporter**

*NYS' official source of contracting opportunities
Bringing business and government together*

személyes és vállalkozásaink
jelölésére. Lásd a Pályát

HELP WANTED

Közvetítői és kiskereskedelmi
személyes és vállalkozásaink
jelölésére. Lásd a Pályát a
Kiskereskedelmi és kiskereskedelmi

2014 Purchasing Forum & Trade Show
Planting Seeds Today for Tomorrow's Success



Enhance Competition

In addition to advertising for 15 Business Days in the NYS Contract Reporter:



All competitive procurements must include a list of potential contractors invited to participate to enhance competition.



2014 Purchasing Forum & Trade Show
Planting Seeds Today for Tomorrow's Success

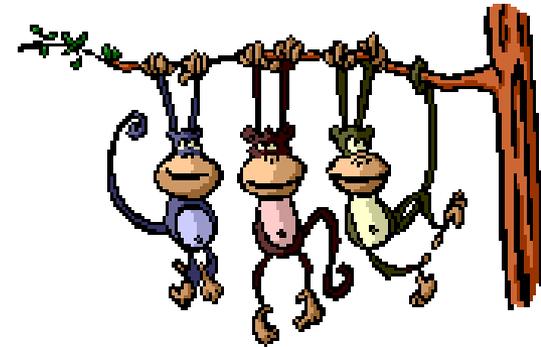


Price Reasonableness

When less than 3 bids or proposals are received:

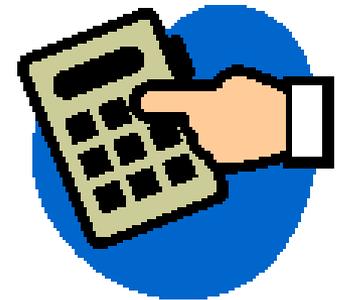


- Canvass No Bids**
- Address Specifications**
- Provide Price Justification**



Tools for Price Comparisons

-  Purchase made by other state agencies (Check SFS & Open Book)
-  Purchase made by other states (look at other state's websites)
-  Purchase made by similar facilities (within your agency)
-  GSA pricing: available online at www.gsaelibrary.gsa.gov/ElibMain/home.do
-  Discounts from published price lists
-  OGS pricing
-  Historical cost
-  Manufacturing costs plus profit
-  Cost of similar projects or items
-  Description of due diligence process



Responsibility

Vendor Responsibility Profiles are required for all new contracts and amendments.

A Vendor Responsibility Questionnaires (VRQ) is required for all transactions valued over \$100,000, and all contracts exceeding \$100,000 for the first time.



If the contractor has filed an online VRQ in the VendRep System, no paper VRQ is necessary.



Detailed Vendor Responsibility information, including specific exemptions, can be found here:

www.osc.state.ny.us/vendrep/.



2014 Purchasing Forum & Trade Show

Planting Seeds Today for Tomorrow's Success



Responsibility

Workers' Compensation (WC) and Disability Benefit (DB) Insurance Certification information:

 New contracts, and amendments that extend the contract term, require WC and DB certifications.

 More information regarding a contractor's Workers' Compensation and Disability Benefits coverage can be found here:

www.wcb.ny.gov/content/ebiz/icempcovsearch/icempcovsearch_overview.jsp

2014 Purchasing Forum & Trade Show

Planting Seeds Today for Tomorrow's Success



Procurement Lobbying Act

To demonstrate compliance with the Procurement Lobbying Act, the following documentation is required:

-  **OSC Governmental Entity Representation Form, an agency determination of vendor compliance regarding 139-j & 139-k of the State Finance Law**
-  **Vendor Disclosure of Prior Non-Responsibility Determinations**

Procurement Lobbying Act

- 🍏 **Affirmation that the procedures relating to permissible contacts are understood.***
- 🍏 **Certification that all information provided regarding 139-j is complete, true and accurate.***
- 🍏 **Termination provision.***

**** Vendor affirmation , certification & termination are included in the January 2014 Appendix A.***

NYS Tax Law Section 5-a

Sales and Compensating Use Tax Documentation:

- 🍏 Applies to all procurement contracts valued at \$100,000 or greater
- 🍏 Submit form ST-220-CA for OSC approval
- 🍏 Submit form ST-220-TD to the Department of Tax and Finance
- 🍏 Additional information is available:
www.tax.ny.gov/pdf/publications/sales/pub223.pdf

Consultant Disclosure

State Contractors must annually disclose the number and value of consultants used on a state contract:

-  **Form A, the NYS Consultant Services Planned Employment Form (AC-3271-S), must be included in the procurement record for new consultant contracts.**
-  **The agreement must include provisions that contractors will annually submit Form B (AC-3272-S).**

Other Considerations

When appropriate:



Review Preferred Source Offerings:

ogs.state.ny.us/procurecounc/pdfdoc/pslist.pdf



If the Preferred Source is unavailable or uninterested, include a Preferred Source Waiver



Include a Prevailing Rate Case (PRC Number)



To request a PRC Number:

www.labor.state.ny.us/workerprotection/publicwork/PWReqforOWS.shtm

2014 Purchasing Forum & Trade Show

Planting Seeds Today for Tomorrow's Success



Other Considerations

If applicable, include relevant documents:

- 🍏 **Contractor correspondences and clarifications**

When required in the solicitation, include:

- 🍏 **Mandatory Letters of Intent (to Bid)**
- 🍏 **Mandatory Bid Conference Sign-in Sheet**

Contractor's Original Bid

Complete Original Awarded Bid:



- 🍏 Submit the entire bid offered by the selected contractor.
- 🍏 Include the vendor's original dated signature.
- 🍏 Verify that the price page, price list or signed vendor quote, if applicable, is in the procurement record.

Non-Awarded Proposals

If a contractor is rejected or protests, include:

-  **Any Rejected Original Bids or Proposals with Justification for the Rejection, if applicable.**
-  **Bid Protest Letters and the Agency Protest Response, if applicable.**
-  **Non-Award Letters.**

Procurement Record Summary

- 🍏 **Single Transaction Summary or Purchase Order**
- 🍏 **Procurement Record Checklist**
- 🍏 **Contract**
- 🍏 **Bid Tab or Evaluation**
- 🍏 **Blank Solicitation**
- 🍏 **Contractor Reporter Ad or Approved Exemption**
- 🍏 **List of Bidders Invited to Participate**
- 🍏 **Miscellaneous Documents**
- 🍏 **Original Winning Proposal, Bid or Quote**
- 🍏 **Rejected Bids, Proposal and Protest Letters**

2014 Purchasing Forum & Trade Show

Planting Seeds Today for Tomorrow's Success





Questions?

Thank you!



Andrew M. Cuomo
Governor
State of New York

RoAnn M. Destito
Commissioner
Office of General Services

In cooperation with the Office of the State Comptroller:

Thomas P. DiNapoli
New York State Comptroller



