



Purchasing Forum & Trade Show

Service-Disabled Veteran-Owned Business: Program Overview

May 18 & 19, 2016



Service-Disabled Veteran-Owned Business Act



What?

“Achieve a statewide goal for participation on state contracts by service-disabled veteran-owned business enterprises of six percent.”

Service-Disabled Veteran-Owned Business Act
(Chapter 22 of the Laws of 2014)



Why?

“This new law sets an ambitious and aggressive goal to make businesses owned by disabled veterans a more active part of state contracting and gives our heroes the recognition that they truly deserve.”

Governor Andrew M. Cuomo

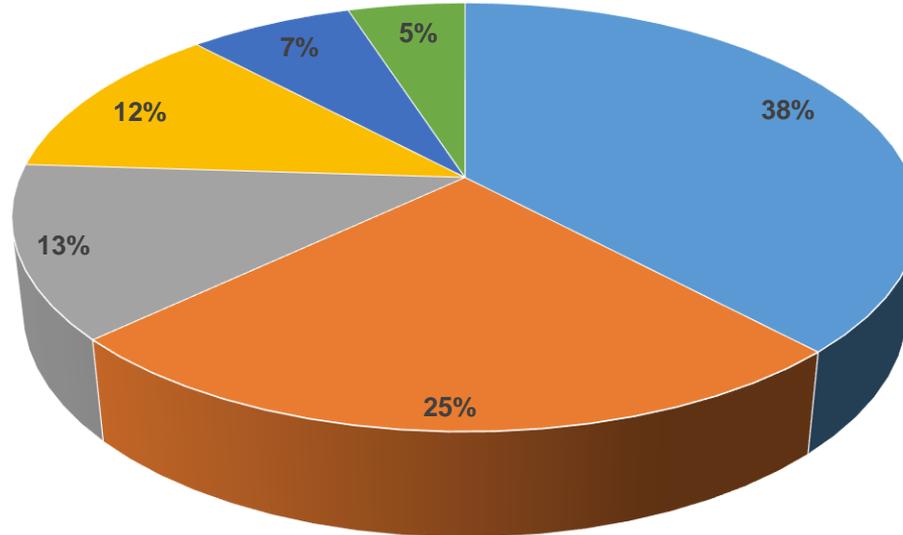


Who?

- Honorably discharged veterans including NY Guard and NY Militia and/or Reserves
- Service-connected disability of 10% or greater
- At least 51% owned by one or more service-disabled veterans (SDVs)
- Certified by the Division of Service-Disabled Veterans' Business Development (DSDVBD)
- Significant NY Business Presence
- Other qualifying criteria



More Than 212 NYS Certified SDVOBs



- Specialized Services
- Construction
- Commodities
- Construction Professional
- Information Technology
- Financial Services

Who?

Breadth of Specialized Services

App Development and Video Production
Automotive Repair/Tow Service
Copywriting
Construction Professional Business Consultant
CPR/First Aid/Safety Training
Custodial/Janitorial
Educational Services
Energy Consulting
Environmental Waste Management Consulting
Environmental Quality Services
Equipment/Vehicle Leasing
Forensic Products and Training, Lab Supply
Freight/Hauling
Home Inspections

Interoperable Comm. Consulting
Law Firm
Leadership/Management Consulting
Life Coach
Line Striping
Library Services
Logistical Consulting
Machine Shop
Marketing Consultant
Medical/Healthcare Consulting
Mortuary Services
Navigational Systems Support
Occupational Therapist
Pest Control

Photographer
Printing/Graphics/Marketing
Property Management
Real Estate
Safety Equipment and Vehicle Sales/Service
Screen Printing and Embroidery
Security Services
Staffing
Telecommunications
Transcription Services
Transportation/Rail Consultant
Unmanned Aerial Systems Training
Utility Control Systems, Security, Microgrids



How?

- Prime Contracting
- Discretionary Spend
- P Card (SDVOBs on Centralized Contracts)
- Sub Contracting
- Set Asides

When?

NOW

The state-wide rollout began April 1st



Anthony Tomaselli, Excelsior Service Fellow

Agency / Authority Requirements & Responsibilities

Contract Inclusion Requirements

- All contracts must include or reference the *“Use of Service-Disabled Veteran-Owned Business Enterprises in Contract Performance”*
www.ogs.ny.gov/Core/docs/Contract_Performance_Use.pdf
- The attachment (See Next Slide) serves two purposes
 - Program explanation/encouragement
 - Information gathering



Attachment
Use of Service-Disabled Veteran-Owned Business Enterprises
In Contract Performance

Article 17-B of the Executive Law enacted in 2014 acknowledges that Service-Disabled Veteran-Owned Businesses (SDVOBs) strongly contribute to the economies of the State and the nation. As defenders of our nation and in recognition of their economic activity in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles. SDVOBs can be readily identified on the directory of certified businesses at:

http://ogs.ny.gov/Core/docs/CertifiedNYS_SDVOB.pdf

Bidders/proposers need to be aware that all authorized users of this contract will be strongly encouraged to the maximum extent practical and consistent with legal requirements of the State Finance Law and the Executive Law to use responsible and responsive SDVOBs in purchasing and utilizing commodities, services and technology that are of equal quality and

functionality to those that may be obtained from non-SDVOBs. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women-owned businesses consistent with current State law.

Utilizing SDVOBs in State contracts will help create more private sector jobs, rebuild New York State's infrastructure, and maximize economic activity to the mutual benefit of the contractor and its SDVOB partners. SDVOBs will promote the contractor's optimal performance under the contract, thereby fully benefiting the public sector programs that are supported by associated public procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of SDVOBs by its contractors. The State, therefore, expects bidders/proposers to provide maximum assistance to SDVOBs in their contract performance. The potential participation by all kinds of SDVOBs will deliver great value to the State and its taxpayers.

Bidders/proposers can demonstrate their commitment to the use of SDVOBs by responding to the questions below and including the responses with their bid/proposal:

Are you a bidder/proposer that is a NYS-certified SDVOB? Yes No If yes, what is your DSDVBD Control #?

Will NYS-certified SDVOBs be used in the performance of this contract? Yes No

If yes, identify the NYS-certified SDVOBs that will be used below (if more than 4 identified, please attach an additional form):

NYS-Certified SDVOB 1:

Name

Address

Control #	Contract #	Total % Work Performed	\$ Amount
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Nature of Participation

NYS-Certified SDVOB 2:

Name

Address

Control #	Contract #	Total % Work Performed	\$ Amount
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Nature of Participation

NYS-Certified SDVOB 3:

Name

Address

Control #	Contract #	Total % Work Performed	\$ Amount
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Nature of Participation

NYS-Certified SDVOB 4:

Name

Address

Control #	Contract #	Total % Work Performed	\$ Amount
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Nature of Participation

Contractor will report on **actual** participation by each SDVOB during the term of the contract to the contracting agency/authority on a quarterly basis according to policies and procedures set by the contracting agency/authority.

NOTE: Information about set asides for SDVOB participation in public procurement can be found at: <http://www.ogs.ny.gov/Core/SDVOB.asp>, which provides guidance for State agencies in making determinations and administering set asides for procurements from SDVOBs.



Information Gathering from Contractors

- For all SDVOB usage by prime contractors, the completed attachment must be provided by the contractor to the contracting agency/authority to track SDVOB usage
- Information will be used to monitor SDVOB use and establish future SDVOB goals

Using SDVOBs

- **Directory of NYS Certified SDVOBs** Excel PDF and Searchable Database online at:

www.ogs.ny.gov/Core/docs/CertifiedNYS_SDVOB.pdf

- If you would like to receive the **Directory of NYS Certified SDVOBs** in excel format each time it is updated, contact veteransdevelopment@ogs.ny.gov



Using SDVOBs

- For all contracts, Contract Management Specialists should consult the **Directory of NYS Certified SDVOBs** prior to issuance of bid documents
- Each contract should be examined to determine the potential for use to achieve the 6% goal
- Determine if the contract can be a discretionary spend or if it provides opportunities for subcontracting or unbundling for a set-aside opportunity

Find helpful online SDVOB resources at:
www.ogs.ny.gov/Core/SDVOBA.asp



Set-Asides

- Set-asides for SDVOBs may be done for any \$ amount
- At least two SDVOBs must be able to respond
- Identify in the Contract Reporter as SDVOB set-aside
- Proceed with procurement as usual
- Must be competitive/reasonable/fair market value
 - Otherwise open up to all qualified vendors
- **Set-Aside Guidelines** at www.ogs.ny.gov/Core/docs/Guidelines.pdf



Using SDVOBs

An internal agency process must be in place to account for the following situations:

1. If it is determined that there is no opportunity for SDVOB participation on a given contract, the agency needs to document the reasons so the contract may be excluded for the agency's quarterly report
2. Waivers (where contractors are unable to meet the SDVOB goal on a given contract)

Using SDVOBs

- DSDVBD is available for consultation if needed
 - 518.474.2015
 - veteransdevelopment@ogs.ny.gov
- DSDVBD should be included as a designated contact in contracts with SDVOB goals or set-aside contracts
- Be sure to include goals (or identify as a SDVOB set-aside) in NYS Contract Reporter Ad

Using SDVOBs

- *Service-Disabled Veteran-Owned Business Enterprises Set-Aside Report* must be completed for all set-aside contracts
- **Agencies/Authorities** are responsible for submission of set-aside reports to DSDVBD after each quarterly reporting period (SDVOBreports@ogs.ny.gov)
- *Service-Disabled Veteran-Owned Business Enterprises Set-Aside Report*

www.ogs.ny.gov/Core/docs/Set-Aside_Report.pdf



CMS Responsibilities Checklist

- Include or reference attachment *Use of SDVOB Enterprises in Contract Performance* in all contracts
 - (Accept completed attachment for records if SDVOBs are used)
- Consult certified SDVOB directory for capable SDVOBs
- Conduct discretionary spending, add SDVOB goals, or create set-aside if appropriate
- If a set-aside:*
 - Two or more SDVOBs appear capable
 - Contact SDVOBs to ensure they are capable and willing
 - Complete *SDVOB Enterprises Set-Aside Report*
 - Agency* submits *SDVOB Enterprises Set-Aside Report* (Quarterly)
- Include DSDVBD as designated contact if necessary
- Include goals or identify as SDVOB set-aside when applicable in NYS Contract Reporter Ad



SDVOB Compliance Reporting

- Agencies and authorities must submit the SDVOB Activity Quarterly Report to the DSDVBD for the following reporting periods:

Q1: April 1 – June 30

due July 31

Q2: July 1 – September 30

due October 31

Q3: October 1 – December 31

due January 31

Q4: January 1 – March 31

due April 30



SDVOB Compliance Reporting

- The SDVOB Activity Report is made up of three forms:
 - SDVOB Awards (form 1)
 - SDVOB Disbursements/Utilization (form 2)
 - SDVOB Waivers (form 3).
- The three forms will be provided by the DSDVBD in excel along with instructions for completing them
- Submit completed reports via email
(SDVOBreports@ogs.ny.gov)



Our Contact Information

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