



**D** SUNY  
**DOWNSTATE**  
Medical Center

**CONTRACTS & PROCUREMENT  
GUIDELINES, POLICIES  
AND  
PROCEDURES**

August 8, 2017

# PROCUREMENT AT SUNY DOWNSTATE



- **Integrity of the process**

Protect the interests of the State and its taxpayers

- **An equal playing field for all vendors**

Ensure fair and open competition

- **A clear Audit Trail**

Vendor selection, price reasonableness, document procurement activities

- **Meets NYS legal requirements**

Guard against favoritism, Fraud & corruption

# Purchase Requisition

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AGENT: [Grey Box] SUNY HEALTH SCIENCE CENTER AT BROOKLYN PO#: [Grey Box]

DO NOT FILL IN GREY AREAS  
Please Type or Print Only  
Read Instructions on Back of Last Copy

PURCHASE REQUISITION 4  EXTERNAL VENDOR  INTERNAL RECHARGE

DATE 1/10/06 1 DEPT Contracts 2 HSCB BOX # 63 3 REQ 0 6 4 6 5 0 3 9

SUGGESTED SUPPLIER <b>United Supply Corp.</b> 5	REQUISITIONED BY: NAME <b>Jane Doe</b> (718)270-0000 63 6
ADDRESS <b>250 44<sup>th</sup> Street</b>	FINAL DELIVERY POINT (BLDG. ROOM) <b>150 East 34<sup>th</sup> Street - Room 100</b> 7
CITY STATE ZIP <b>Brooklyn NY 11232</b>	PRICES WERE QUOTED BY TEL. # <b>(888)439-9387</b> 8 DATE <b>1/13/06</b> 9

ITEM	COMPLETE DESCRIPTION & SPECIFICATIONS <small>ATTACH ANY &amp; ALL JUSTIFICATION LETTERS DO NOT EXCEED 10 ITEMS PER PAGE</small>	QUAN.	UNIT	PRICE PER UNIT	TOTAL
10	11A	12	13	14	15
1	7 Gal Plastic Waste Basket Color Black #UNV-29901	2	EA	\$5.82	\$11.64
2	7 Gal Plastic Waste Basket Color Beige #UNV-29902	2	EA	\$5.82	\$11.64
3	Sharp Calculator (2 Color) #SHR-EL1192BL	2	EA	\$69.95	\$139.90
	11B				
USE CONTINUATION FORM IF MORE SPACE IS REQUIRED					TOTAL 16 \$163.18

CHECK POINTS SAM# _____ PC _____ Pre enc. _____ COMMENTS _____	CHARGE TO			Jane Doe 20 AUTHORIZED SIGNATURE Director of Procurement TITLE John Doe 21 22 AUTHORIZED SIGNATURE (WHEN SECOND SIGNATURE IS NEEDED) Assistant Vice President of Materials Management 23 TITLE
	ACCOUNT CODE	OBJECT CODE	AMOUNT	
	17	18	19	
	860760	3001	\$163.18	
VENDOR TAX ID NUMBER				

DISCT. _____	BATCH TYPE _____
FOB SHPG. PT. _____	
FOB DEST. _____	COMMODITY GROUP NUMBER _____
	CONTRACT NU _____
M	
S	
W	
PURCHASING AGEN _____	
DATE _____	

It is important to complete a requisition in its entirety and with comprehensive information. Please type all info on reqs. so it is legible. It could make the difference in your purchase being delayed or in obtaining the wrong or incomplete service/product. Make sure you have obtained the correct signatures before forwarding to the Contract & Procurement Department. If the proper authorizing signatures are not on the requisition when Purchasing receives the requisition, it will be returned to the department to obtain them. This will also delay your purchase.

# Purchase Requisition Guide

1. Date Requisition Prepared
2. Department Name
3. Interoffice Mail Box Number
4. Req. # - First two boxes represents the last two digits of the fiscal year. Third and fifth boxes represents the departments ID number;( which are assigned by Contracts & Procurement Management): the last three numbers are sequence numbers assigned by User department starting from 001.
5. Suggested Vendor/Supplier by User Department, Requisitioner.
6. Requisitioner's Name, Telephone Number, Box Number
7. Delivery Address. Include Bldg. and Room Number
8. Suggested Vendor/Supplier's Telephone Number & Contact Person
9. Requested Delivery Date. (need by date)
10. Line Item Number
11. A & B- Detailed description of Products/Services: equipment serial numbers, model numbers, location of equipment, length of contract, etc. Attach all pertinent documents if appropriate (quotations, statement of need, service agreements, renewals, etc.)
12. Quantity (# of equipment/machines)
13. Unit of Measure UOM (annual cost per machine)

# Purchase Requisition Guide con't

14. N/A
15. N/A
16. Total cost of Requisition (Total 1<sup>st</sup> year encumbrance)
17. Account Code (8 digits)
18. Object Code
19. Amount – When using multiple account codes, you must specify total dollar amount for each account code for the total amount of the requisition. Indicate Fiscal Year of Funding Allocation (i.e. SCF 2006 or 2008)
20. Authorized Signature
21. Title of authorized signature
22. Second authorized Signature
23. Title of authorized signature
24. Page number, if more than one page (top right corner)

**Purchase Requisition must be printed legibly or typed**

# Procurement Requirements

Procurements are made in the following order:

## 1<sup>st</sup> – Preferred Sources

- State Law mandates all State Agencies purchase from certain vendors
  - Correctional Industries (Corcraft)
  - Industries for the Blind of New York (IBNYS)
  - NYS Industries for the Disabled (NYSID)

## 2<sup>nd</sup> – Office of General Services Contracts

- Negotiated statewide, for all State “Agencies”
  - Staples
  - Dell

## 3<sup>rd</sup> – Agency’s own or Multi-Agency Established Contracts

- We could potentially piggy back onto other State Agencies contracts

## 4<sup>th</sup> – Single/Sole Source Procurements

- Need a strong justification

# THRESHOLDS

- All vendors doing business with DMC must provide proof of Workers Compensation and Disability Benefits
- < \$10,000 – justification for vendor selection – 3 verbal or written quotations
- \$10,000 - \$50,000 – justification with documentation showing that the price is reasonable and Quarterly Ad in NYSCR
- > \$15,000 – SFL 139 J&K and G-226 Consultant Services required
- > \$25,000 – must have goals of 30% for State certified MWBE
- > \$50,000 – must advertise in the NYSCR, Albany Times & Brooklyn Minority (Competitive Bidding)
- > \$75,000 – may need AG and must have approval of OSC prior to execution of the procurement (due to DMC De-certification)
- \$100,000 – ST220, G-221 and Vendor Responsibility

# CONTRACTS

- **Contracts** are used to procure any type of service—including, but not limited to, consulting services, banking services, technology, maintenance agreements on equipment and construction services.
- It is every requestor's duty to adhere to the procurement guidelines, plan appropriately to implement contracts, be accountable to ensuring receipt of contract services, and to track spending on all contracts.



# CONTRACTS

There are several things to consider when you want to enter into a contract to procure a service:

- What needs to be procured?
- What are the specifications or scope of work?
- What are the requirements of someone doing the job?
- Does the procurement require a competitive bid?
- What is the best procurement vehicle for this good/service transaction? (i.e. lowest bid, best value, single/sole source, etc.)
- What evaluation/award methodology will be used?
- What are the steps involved?
- How much time will it take?
- What is the budget?
- Are there many vendors offering the product? Is there only one optimal choice?
- How many years will this contract be in place? (i.e. 3 years, 5 years, more?)
- What is my role and responsibility?

# WRITING SPECIFICATIONS

- Writing specifications is the responsibility of the requesting department
- The Contracts & Procurement Department is responsible for reviewing the specifications with the requesting department to ensure a proper description of the product or service
- Vendors preparing formal specifications will be precluded from bidding for that job
- Specifications must include what the product or service need to do, must do, and must not do
- Specifications must be as detailed as possible and state the need clearly, yet not so specific as to limit competition

# DEPARTMENT'S ACCOUNTABILITY

- All contracts must be reviewed by the end user to ensure the department is receiving the products or services stipulated in the contract
- Invoice rate must be verified against the pricing listed in the contract
- Funds are available
- Recommend a Payment Grid Sheet is maintained
- Track PMs and retain copies of all service reports

# CONFIRMING ORDERS

Guidelines, OSC Bulletin No.G-195

“A STATE EMPLOYEE WHO DIRECTS A VENDOR TO START PROVIDING GOODS OR SERVICES WITHOUT AN APPROVED CONTRACT MAY BE PERSONALLY LIABLE FOR ANY INDEBTEDNESS THAT IS ULTIMATELY HELD TO BE OWED TO THE CONTRACTOR.”

Contract work should not begin until all necessary approvals are received

# Split Ordering

- Split Ordering is prohibited.
- Split Ordering is the practice of “splitting” a transaction into two or more smaller dollar value transactions to avoid competitive bidding requirements.
- Office of General Services (OGS) purchasing guidelines state that multiple purchases by an agency of similar materials, equipment, and supplies within a 12 month period shall be considered a single purchase. Agencies are to consider their total annual need for a particular good or service and then determine the most appropriate procurement method.

# Emergency Procurement Orders

- ❑ An emergency is defined as an urgent and unexpected event where health and public safety or the conservation of public resources is at risk. A failure to properly and timely plan in advance for a procurement, which then results in a situation in which normal procurement practices cannot be followed, will not constitute an emergency.
- ❑ In the event of an emergency, the relevant DMC User Department must immediately alert the Contracts & Procurement Department of the nature of the situation followed by a complete written explanation of the emergent situation.
- ❑ (If the emergency occurs on off hours, 5pm – 8am, or on the week-end, Saturday or Sunday, the notification to the Contracts & Procurement department should be the next business day.)

# NYS CERTIFIED MINORITY & WOMEN OWNED BUSINESS (MWBE)

NYS Executive Law Article 15-A and SUNY policy require all campuses and vendors/contractors with whom they do business, to make a ***good faith effort*** to procure materials, supplies, equipment, and services from NYS certified MWBE and meet established goals for MWBE participation in contracts.

# BAA - BUSINESS ASSOCIATE AGREEMENTS

- The BAA is to ensure that all business associates (BA) enter into an appropriate contract with SUNY Downstate that will provide satisfactory assurance to SUNY Downstate that the BA will appropriately safeguard the protected health information (PHI), in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- A Business Associate is a person who is not a member of SUNY Downstate's workforce who on behalf of SUNY performs or assists in the performance of a function or activity involving the use or disclosure of individually identifiable health information (IIHI).



# PROJECT SUNLIGHT

## DEFINITION OF TERMS

**Restricted Period** - the earliest written notice, advertisement or solicitation of a RFP, IFB or any other method for soliciting a response from vendors intending to result in a Contract with DMC ending with the final contract award and approval by DMC and when applicable, the Office of State Comptroller

**Contact** - oral, written or electronic communication with governmental entity under circumstances where a reasonable person would infer that the communication was intended to influence the governmental procurement

**Designated Contact** - person or persons designated by SUNY DMC Contract & Procurement Dept. to receive communications about the procurement

# PROJECT SUNLIGHT

## **MUST REPORT ALL APPEARANCES WITHIN 5 BUSINESS DAYS**

- meeting or interaction that is meant to have an impact on the decision making process of a state entity
- in person meeting or a video conference (including most webinars); phone conversations are now optional reports
- does not matter WHO initiated the appearance or where it happens
- the potential good/service is over \$25,000
- you are the decision-maker or have an affect on the decision-maker

## **NOT REQUIRED TO REPORT**

- contacting MWBEs to determine interest & capability
- vendor conferences and expos, and SUNY Conferences where vendors attend are no longer required to be reported
- appearances related to FOIL appeals do not need to be reported

# **CONTRACT & PROCURMENT CONTACTS**

**Martin Deane – AVP, Materials Management ext. 3199**

**Raul Tosado – Executive Director, Contracts &  
Procurement ext. 8723**

**Maureen Crystal – Director, Contracts ext. 1976**

**Maria Lucido – Director, Procurement ext. 7214**

**Brian McGraw – Director, Contracts & Procurement for  
FM&D ext. 1532**