



SUNY DOWNSTATE Medical Center

Overview of Procurement Guidelines for “Project Sunlight”

PRESENTED BY:

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SUNY – PROJECT SUNLIGHT

Project Sunlight is part of the amended legislative law enacted as part of omnibus ethics legislation and is an important component of the Public Integrity Reform Act (Ch. 399, Part A §4) of 2011:

Effective January 1, 2013, the Office of General Services (OGS) established a new data base, “Project Sunlight” which provides the public with an opportunity to see the individuals and entities that are interacting with government decision-makers. (<http://projectsunlight.ny.gov>)

Project Sunlight applies to every state agency, department, division, office, and board; every public benefit corporation, public authority, the State University of New York (SUNY) and the City University of New York (CUNY).

Project Sunlight applies to procurements \$25,000 and over.



COMPLIANCE MANDATE

SUNY campuses are now required to report on an electronic OGS database appearances by individuals and firms (whether they represent themselves or others) who or which appear before State decision makers or persons who advise decision makers.

SUNY Downstate Medical Center will mostly be impacted in the area of procurement and activity related to contracts. SUNY DMC will be required to report procurement appearances related to the spending of **STATE FUNDS or appearances related to potential SUNY DMC CONTRACTS.**

In the procurement area, campuses will have different levels of employees who have the authority to make or influence procurement decisions and therefore these individuals would be covered under **Project Sunlight. (i.e. Presidents, Vice Presidents, Director of Procurement, Director Of Contracts, Deans, Hospital Directors and Administrators, Senior Managers, Purchasing Agents etc.)**



PROJECT SUNLIGHT

In order for an interaction to be covered by Project Sunlight it must:

1. Be an 'appearance'
2. Between covered individuals and
3. Concern one of the five subject areas covered by Project Sunlight
 - procurement
 - rate making
 - regulatory matters,
 - judicial or quasi-judicial proceedings
 - adoption or repeal of a rule or regulation.

Appearance shall mean: An interaction that is an in person meeting or a video conference between covered individuals. The location and formality of the interaction is irrelevant as to whether it constitutes an appearance and it is irrelevant who initiates the interaction. There can be numerous appearances to a single matter.



Appearances Related to the Procurement of Goods and Services

- **Project Sunlight's reporting requirement for appearances related to the procurement of goods and services applies to those appearances between covered individuals that are for the purpose of procuring a State contract, irrespective of whether there is a governmental procurement planned. Thus, reporting is required for appearances relating to State contracts for which a Restricted Period under the Procurement Lobbying Law has not been established and without regard to whether a governmental procurement is anticipated.**
- **Appearances during the Restricted Period, whether they are bid clarification meetings or bid interviews or any other permissible contact under State Finance Law, do not need to be reported.**
- **Unsolicited appearances by vendors to attempt to influence a covered individual to purchase the vendor's products, even if not associated with a specific procurement, must be reported.**
- **Appearances must be reported within the OGS database (Project Sunlight) within five (5) business days of the occurrence**



What is NOT 'Appearances'

- Appearances that are purely informational and occur at the request of the state entity
e.g. a state agency is conducting market research, seeking information of its own accord to make a policy decision, or reaching out to an M/WBE firm to determine interest in and availability to provide goods or services – need not to reported.
- Appearances related to procurements under \$25,000 do not need to be reported.
- Appearances related to emergency procurements do not need to be reported.
- Appearances related to public auctions do not need to be reported.



What is NOT 'Appearances'

- ▶ Participation in industry meetings, conferences, or panels not related to a specific procurement
- ▶ Short and informal meet-and-greets, introductions, or purely social interactions
- ▶ Appearances during a restricted period, such as bid meetings and presentations
- ▶ Bid Clarifications
- ▶ Appearance as part of a formal procurement that are otherwise covered by the Lobbying Law.



Related “SUNY” Categories of matter

- Rate Making – Does not apply to SUNY campuses
SUNY Campuses are not engaged in Rate-making Determining fees & charges applicable to students, staff or visitors are NOT Ratemaking.
- SUNY campuses are not engaged in regulatory matters or proceedings.
- SUNY Campuses are not engaged in judicial proceedings that are subject to Project Sunlight.
- SUNY campuses are not involved in Rulemaking
- Telephone appearances are now OPTIONAL to report, ONLY with in-person and teleconference appearances is reporting to the database MANDATED



PROJECT SUNLIGHT ON LINE TRAINING

Access to the training module for DMC employees, for Project Sunlight is available via SLMS, the new State Learning Management System. Most DMC employees are already set-up to access SLMS by logging in through the SUNY webpage at **Suny.edu** by clicking on **FACULTY AND STAFF** and then selecting **SUNY SECURE SIGN ON (link)** and logging in with your campus credentials (use the drop down to select your campus, Downstate Medical Center, and then enter your credentials).

DMC Systems Access Administrator: Anita Beckles ([eMail link](#))



Project Sunlight - SUNY.edu

SUNY The State University of New York

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Project Sunlight

ABOUT SUNY **PROSPECTIVE STUDENTS** **CURRENT STUDENTS** **FACULTY & STAFF** **ALUMNI & SUPPORTERS** **ACADEMIC AFFAIRS** **OUTREACH & ENGAGEMENT** **RESEARCH & ECONOMIC DEVELOPMENT** **NEWS & INFORMATION**

Faculty & Staff

Employment Resources

- Human Resources
- Employment Opportunities
- SUNY Benefits
- Employee Relations
- SUNY Giving Campaign Form (txt) (pdf)*
- Faculty & Staff PC Discount Program: Apple Dell

Professional Development

- SUNY Center for Professional Development
- Faculty Access to Computing Technologies (FACT)
- Google Learning

SUNY Secure

Unauthorized use prohibited

start | Removable Disk (E:) | Microsoft PowerPoint ... | suny.edu - Faculty & ... | 10:22 AM Tuesday 4/30/2013



Select Downstate Medical as campus. Type in YOUR User ID and Password

SUNY Secure Sign On - Windows Internet Explorer

https://www.suny.edu/security/login/loginForm.do?redirectUrl=https://www2.sysadm.suny.edu/EmployeeS

File Edit View Favorites Tools Help

Convert Select Contribute Edit Post to Blog

Favorites Suggested Sites Free Hotmail Web Slice Gallery

SUNY Secure Sign On

Page Safety Tools

SUNY SECURE Sign On

Please select your campus, then enter the appropriate credentials below. [Help](#)

* Required Fields

Campus:*

User ID:*

Password:*

Remember me?

Login

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Error on page. Internet 100%



APPEARANCES MUST BE REPORTED WITHIN THE OGS DATABASE (PROJECT SUNLIGHT) WITHIN FIVE (5) DAYS OF ITS OCCURRENCE

SUNY Employee Services Portal - Windows Internet Explorer

https://www2.sysadm.suny.edu/employeeServices/main/employeePortal.cfm?category=E-Business%20Services

SUNY SECURE
Employee Services Portal

Portal Home Reports Sign Off Contact Us

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[Confluence / SUNY Collaboration Service](#)
[NYS - Project Sunlight](#)
[Retirees Service Corps](#)
[SLMS - Statewide Learning Management System](#)

Account Activity Quick View

Account-Sub Account-Fiscal Year	Total Allocated	Total Expended	Total Encumbered	Balance
There are no accounts assigned at this time.				

*ALL Fields are Required

Account: Add Delete

Sub- Account:

Welcome DDESOUZA
28100 - Downstate Medical, 5/6/13

My Profile (-)
[Configure initial web access](#)

My Tools (-)
[SUNY Online Directory](#)

My Links (-) (edit)
[Would you like to add some personal Links?](#)

Training/Presentation Materials Employee Directory

Done Internet 100%

start A - i307 (admin.down...) Diane DeSouza - Inbo... Removable Disk (E:) SUNY Employee Servi...

7:21 PM Monday 5/6/2013



Project Sunlight - SUNY.edu

The screenshot shows a Windows Internet Explorer browser window displaying the SUNY Search results page. The browser's address bar shows the URL: https://www2.sysadm.suny.edu/templates/SUNY/SharedFiles/swis_vSearchResult.cfm?searchTerm=Project+Sunli. The page header features the SUNY logo and the text "The State University of New York". A navigation menu includes links for "ABOUT SUNY", "PROSPECTIVE STUDENTS", "CURRENT STUDENTS", "FACULTY & STAFF", "ALUMNI & SUPPORTERS", "ACADEMIC AFFAIRS", "OUTREACH & ENGAGEMENT", "RESEARCH & ECONOMIC DEVELOPMENT", and "NEWS & INFORMATION".

The main content area is titled "SUNY Search" and shows a search term of "Project Sunlight" and a search within "All of suny.edu". The results for "Project Sunlight" are displayed, indicating that about 410 results were found, with the top 200 sorted by relevance. The first two results are:

Search Result	Relevancy
Project Sunlight Reporting Decision Tree ...Project Sunlight SUNY Reporting Decision Tree Page...Tree Page 1 of 3 Project Sunlight Reporting Decision Tree Is interaction...over the reporting requirements of Project Sunlight. Project Sunlight SUNY Reporting Decision Tree... http://www.suny.edu/compliance...eporting%20Decision%20Tree.pdf - 415.4K	89%
suny.edu - Project Sunlight ...Project Sunlight NYS Law ...Project Sunlight NYS Law ...Project Sunlight ... http://www.suny.edu/compliance/topics/projectsunlight/index.cfm - 101.1K	87%

The Windows taskbar at the bottom shows the Start button, several application icons, and the system tray displaying the time as 10:26 AM on Tuesday, 4/30/2013.



http://www.suny.edu/compliance/topics/projectsunlight/

The screenshot shows a web browser window with the address bar displaying "http://www.suny.edu/compliance/topics/projectsunlight/index.cfm". The browser's menu bar includes "File", "Edit", "View", "Favorites", "Tools", and "Help". The address bar also shows "Convert", "Select", "Contribute", "Edit", and "Post to Blog". The browser's status bar at the bottom indicates "Internet" and "100%".

The website header features the SUNY logo and the text "The State University of New York". Below the header is a navigation menu with the following items: ABOUT SUNY, PROSPECTIVE STUDENTS, CURRENT STUDENTS, FACULTY & STAFF, ALUMNI & SUPPORTERS, ACADEMIC AFFAIRS, OUTREACH & ENGAGEMENT, RESEARCH & ECONOMIC DEVELOPMENT, and NEWS & INFORMATION. A search bar is located to the right of the navigation menu.

The main content area is titled "Compliance" and contains a list of links on the left side, including "SUNY System Fraud Hotline", "Seven Elements of an Effective Compliance Program", "SUNY Compliance Initiative Participants Training", "Topics in Compliance", "Accessibility and Disability Services Audit", "Athletics Compliance", "Conflicts of Interest & Ethics", "Education and Student Relations", "Environmental Health and Safety Compliance", "Employee Relations and Human Resources Compliance", "Equity and Diversity", "Financial Aid", "Financial Management Practices", "Fraud Reporting", "Healthcare", "Information Management", "Copyright", "HIPAA - Health Insurance Portability and Accountability Act", "HIPAA Compliance Checklist: Policies and Procedures Needed for HIPAA Compliance", "FERPA - Student Records", "Project Sunlight NYS Law", "Records Retention and Management", and "Records Retention and Disposition".

The main content area is titled "Project Sunlight" and contains the following text:

Project Sunlight

What is Project Sunlight?

Project Sunlight, a component of the Public Integrity Reform Act of 2011 ([Ch. 399, Part A, §4, L. 2011](#)), is a [New York State online database](#) that provides the public with an opportunity to see what entities and individuals are interacting with government decision-makers at the various State entities. Effective January 1, 2013, State entities (including SUNY & SUNY State-operated campuses) are required to report to the OGS database 'appearances' by individuals/firms who 'appear' before State decision-makers or persons who advise decision-makers. The Project Sunlight database, hosted by the NYS Office of General Services, aggregates the inputted data and makes it available to the public for viewing on the [Project Sunlight website](#). A [policy was developed by New York State](#) to clearly define what 'appearances' must be reported under the law.

COMPLIANCE MANDATE: SUNY is now required to report to an electronic OGS database appearances by individuals and firms (whether they represent themselves or others) who or that appear before State decision-makers or persons who advise decision-makers, with respect to five categories of matters if:

- the appearance is in-person or by video-conference (but NOT contacts by letter, e-mail, fax, or phone),
- the cost of service/ good would equal more than \$25,000 (or could cost \$25 thousand if you are unsure of exact amount), and
- the appearance is meant to have an impact on SUNY's decision-making process.

5 categories of matters:

- (1) procurement of a State contract for real property, goods, or services over \$25,000 (including SUNY purchases, revenue contracts, real estate sale contracts, facilities use contracts, etc.)
- (2) rate-making
- (3) regulatory matters
- (4) judicial or quasi-judicial proceedings, and
- (5) rule-making per the State Administrative Procedures Act

Time Requirement: Appearances must be reported to the database within five (5) business days of the appearance.



