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

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

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

Project Sunlight - SUNY.edu

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

http://www.downstate.edu/procurement/documents/ProjectSunlightCampusUseForm.pdf
This is the form you download and complete to document an appearance

http://www.downstate.edu/procurement/documents/ProjectSunlightCampusUseForm.pdf - Windows Internet Explorer

http://www.downstate.edu/procurement/documents/ProjectSunlightCampusUseForm.pdf

Google

File   Edit   Go To   Favorites   Help

Convert   Select   Contribute   Edit   Post to Blog

Favorites   Suggested Sites   Free Hotmail   Web Slice Gallery

http://www.downstate.edu/procurement/do...

Page   Safety   Tools

SUNY System Administration
PROJECT SUNLIGHT REPORTING FORM

New legislation effective January 1, 2013 (enacted as part of omnibus ethics legislation Ch. 399, Part A, §4, L. 2011) establishes a database, "Project Sunlight," which makes available to the public data concerning individuals and firms who appear before State entities with respect to five categories of matters: (1) procurement of State contracts, (2) rate-making, (3) regulatory matters, (4) judicial or quasi-judicial proceedings, or (5) rule-making per the State Administrative Procedures Act. **SUNY is mostly impacted in the area of procurement. We are required to report appearances by individuals and firms who appear before SUNY decision-makers or persons who advise decision-makers.**
Each time you have an appearance that must be reported, fill out the following form and return via e-mail to _____ within three days of the communication/ appearance so that the appearance may be reported in the required five day period.

Date of Appearance: _____/_____/_____
                              MONTH   DAY   YEAR

Type of Meeting: (Check all that apply)   ☐ In-Person   ☐ Telephone   ☐ Video Conference

Location of Appearance: _____ _____ _____
(MUST INCLUDE ALL FIELDS)   STREET ADDRESS   CITY   STATE,   ZIP

Purpose of Meeting (CATEGORY of meeting): _____
(5 CATEGORIES ONLY: PROCURING, RATE MAKING, REGULATORY MATTERS, JUDICIAL, ADOPTION OF A RULE)

Name of SUNY Contact and Affiliation: (SUNY SYS ADMIN, SUCF, CAMPUS)

_____	_____	_____
NAME	AFFILIATION	CAMPUS (IF FROM CAMPUS)
_____	_____	_____
NAME	AFFILIATION	CAMPUS (IF FROM CAMPUS)
_____	_____	_____
NAME	AFFILIATION	CAMPUS (IF FROM CAMPUS)