



Presented on June 23, 2021

2021 Procurement Report

DORMITORY AUTHORITY STATE OF NEW YORK

Procurement Contract Annual Report
For the period commencing April 1, 2020 and ending March 31, 2021
Executive Summary

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I. Introduction

The Dormitory Authority of the State of New York (“DASNY”) is one of the largest, most sophisticated issuers of low-cost, tax-exempt bonds in the nation and one of the most prominent public builders. DASNY is New York’s premiere financier and developer, creating the health care, education, and scientific infrastructure that forms the foundation of inclusive and sustainable communities, which help New York State compete worldwide.

As an engine for economic development, DASNY’s impact can be felt in every corner of New York State. This Procurement Contract Annual Report reflects that impact. This Report delineates how money flows through DASNY’s construction, public finance, financial, legal, and administrative activities into the work that DASNY delivers on behalf of New York’s world-class hospitals, higher education institutions, State agency partners and other not-for-profit entities.

Additionally, DASNY’s report to the Authorities Budget Office on operations and accomplishments, and DASNY’s forthcoming 2021 Annual Report provides information on the important work DASNY delivers every year on behalf of the People of the State of New York.

II. Scope

Section 2879 of the Public Authorities Law requires DASNY to annually prepare, approve and submit to DASNY’s Board a report on procurement contracts, which shall include DASNY’s Procurement Policy and Procurement Guidelines, with an explanation of any amendments thereto since the previous annual report (the “Report” or “DASNY’s Procurement Contract Annual Report”).

This Report covers the period commencing April 1, 2020 and ending March 31, 2021 (the “Reporting Period”). Unless otherwise specified, all figures presented in the Executive Summary are for the Reporting Period. The Report lists detailed information on all DASNY contracts existing on April 1 of the Reporting Period and those awarded during the Reporting Period. The Report also includes DASNY’s Procurement Policy and Procurement Contract Guidelines.

The Report includes all original procurements made by DASNY by contract, purchase order, or other written agreement, with a value of \$5,000 or more. This Report excludes certain non-contractual obligations of DASNY, including reimbursement of expenses paid to private institutions, grants, insurance settlements, fees paid to state regulatory agencies, land purchases and payroll and fringe benefits. This Report also excludes amendments, change orders to original procurements.

This Executive Summary combines and analyzes the Report’s data in four broad areas:

- Construction Services
- Public Finance and Financial Services
- Counsel’s Office
- Administration and Operations Services

The Procurement Policy and Procurement Contract Guidelines describe the policies and procedures of DASNY regarding the use, award, monitoring, and reporting of procurement contracts. The Procurement Policy and Procurement Contract Guidelines were last amended on December 11, 2019.

The tables below highlight activity in various procurement categories.

Note: Some of the table totals may not equal 100% due to rounding.

III. Construction Services Awards

Overview

DASNY's Construction Division, which includes planning, design, and quality assurance, is responsible for the largest amount of spending at DASNY. The Construction Division ended the Reporting Period managing a pipeline of 1,034 full and modified services projects valued at approximately \$7.80 billion.

Table 1. Construction Services Contracts Awarded

Table 1 presents a summary of the Professional Services Contracts, Construction Services Contracts, and Purchase Orders issued for Construction Services that DASNY awarded during the Reporting Period. Original General Contract (GC) Minor Maintenance Work Orders, Job Order Contract Job Orders and Professional Service Term Contract Work Authorizations are excluded and are presented separately below in Table 2.

Category	Contract \$ Awarded	% of Total Contract \$ Awarded	Number of Contracts Awarded	% of Total Number of Contracts Awarded
Professional Services Contracts	\$16,540,588	5%	10	3%
Construction Contracts	\$289,508,527	88%	102	29%
Purchase Orders	\$22,186,678	7%	238	68%
Total	\$328,235,793	100%	350	100%

Table 2. GC Minor Maintenance Work Orders, Job Order Contract Work Orders and Professional Services Term Contract Work Authorizations

Table 2 presents a summary of original GC Minor Maintenance Work Orders, Job Order Contract Job Orders, and Professional Services Term Contract Work Authorizations that DASNY issued against existing term contracts during the Reporting Period.

Category	\$ Issued	% of Total \$ Issued	Number Issued	% of Total Number Issued
GC Minor Maintenance Work Orders	\$1,002,722	1%	24	4%
Job Order Contract Job Orders	\$25,187,419	39%	164	28%
Professional Services Term Contract Work Authorizations	\$38,528,540	60%	394	68%
Total	\$64,718,541	100%	582	100%

Awards to New York State Vendors

DASNY helps drive New York State’s economy in many ways, including hiring and buying from New York State companies. Table 3 represent the dollar value of original procurements to New York State vendors and Table 4 represents the combined new term consultant and work order contracting activity that went to New York State vendors.

The definition of “New York State Vendor” is different for services and goods, which results in the vast percentage differences between contracts (services) and purchase orders (primarily goods). Services are considered New York State if the service is substantially performed in New York State. Goods are considered New York State if the goods are substantially manufactured, produced, and assembled in New York State.

Table 3. Procurements Awarded to New York State Vendors

Table 3 presents a summary of Professional Services Contracts, Construction Contracts, and Purchase Orders that DASNY awarded to New York State vendors during the Reporting Period. Original GC Minor Maintenance Work Orders, Job Order Contract Job Orders and Professional Service Term Contract Work Authorizations are excluded and are presented separately below in Table 4.

Category	Contract \$ Awarded	% of Total \$ Awarded in Category
Professional Services Contracts	\$16,540,588	5%
Construction Contracts	\$289,508,527	94%
Purchase Orders	\$2,053,519	1%
Total	\$308,102,634	100%

Table 4. GC Minor Maintenance Work Orders, Job Order Contract Job Orders and Professional Services Term Contract Work Authorizations Issued to New York State Vendors

Table 4 presents a summary of original GC Minor Maintenance Work Orders, JOC’s Job Orders and Professional Services Term Contract Work Authorizations that DASNY issued to New York State vendors during the Reporting Period. This represents new activity procured against existing term contracts.

Category	\$ Issued	% of Total \$ Issued in Category
GC Minor Maintenance Work Orders	\$1,002,722	2%
Job Order Contract Job Orders	\$25,187,419	43%
Professional Services Term Contract Work Authorizations	\$32,065,977	55%
Total	\$58,256,118	100%

Awards by Client Program

DASNY provides construction services to and makes purchases on behalf of a variety of clients statewide.

Table 5. Construction Services Contracts Awarded by Client Program

Table 5 summarizes, by client program, the dollar value of Professional Services Contracts, Construction Contracts, and Purchase Orders that DASNY awarded during the Reporting Period.. Original GC Minor Maintenance Work Orders, Job Order Contract Job Orders and Professional Service Term Contract Work Authorizations are excluded and are presented separately below in Table 6.

Client Program	Contract \$ Awarded	% of Total Contract \$ Awarded
City University of New York	\$114,064,960	35%
Mental Hygiene	\$36,633,483	11%
State University of New York	\$143,540,301	44%
Other	\$34,247,049	10%
Total	\$328,235,795	100%

Table 6. GC Minor Maintenance, Job Order Contracts Job Orders and Professional Services Term Contract Work Authorizations Issued by Client Program

Table 6 summarizes, by client program, the dollar value of original GC Minor Maintenance Work Orders, Job Order Contract Job Order and Professional Service Term Contract Work Authorizations DASNY that issued during the Reporting Period. This represents new activity procured against existing term contracts.

Client Program	\$ Issued	% of Total \$ Issued
City University of New York	\$24,913,133	38%
Mental Hygiene/Department of Health	\$21,562,558	33%
State University of New York	\$4,058,091	6%
Other	\$14,848,899	22%
Total	\$64,718,541	100%

Professional Services

Professional services are services of a consulting, technical, and professional nature and include such services as architecture, engineering, construction management, and construction manager and pre-construction services on (CM) at risk contracts, whereby the construction manager holds the construction contracts.

DASNY primarily uses two types of contracts to engage professional services providers:

1. Project-specific contracts

Project-specific, professional service contracts are procured and awarded through a qualification-based, request-for-proposal (RFP) process.

2. Professional Services Term Contracts

Professional Services Term Contracts are zero-dollar-based, competitively-procured, professional-services contracts issued for a specified period, usually a four-year term. The specific scope of work and location where the services are to be provided are added to the contract via a work authorization. Professional services provided under term contracts include architectural design, engineering, testing, asbestos abatement design, and other specialized professional services.

The term contracting structure allows DASNY to quickly mobilize consultants to advance design and construction projects, promoting DASNY's ability to efficiently deliver for its clients.

Table 7. Professional Service Project-Specific Contracts Awarded by Type of Service

Table 7 summarizes, by broad service category, the dollar value and number of all project-specific professional service contracts DASNY awarded during the Reporting Period (i.e. excludes term contracts that are discussed in item 2 above).

Type of Service	Contract \$ Awarded	% of Total Contract \$ Awarded	Number of Contracts Awarded	% of Total Number of Contracts Awarded
Architect	\$6,952,339	42%	3	30%
Construction Management	\$9,588,249	58%	7	70%
Total	\$16,540,648	100%	10	100%

Table 8. Professional Services Term Contract Work Authorizations Issued by Type of Service

Table 8 summarizes, by broad service category, the dollar value and number of work authorizations DASNY issued against all open term contracts during the Reporting Period.

Type of Service	Work Authorization \$ Issued	% of Total Work Authorization \$ Issued	Number of Work Authorizations	% of Total Number of Work Authorizations
Architect	\$4,989,795	13%	58	15%
Asbestos Consultant	\$2,329,534	6%	86	22%
Commissioning	\$5,558,173	14%	46	12%
Construction Management	\$7,878,507	20%	29	7%
Energy Performance and Consulting	\$6,735,861	17%	9	2%
Engineer	\$3,654,349	9%	61	15%
Environmental Studies	\$2,394,225	6%	13	3%
Materials Testing and Inspection	\$4,205,642	11%	76	19%
Other	\$782,316	2%	16	4%
Total	\$38,528,540	100%	394	100%

Construction

Construction contracts are contracts for the phases of construction, such as site work, general construction, and the building trades (structural; plumbing; electrical and mechanical; and heating, ventilating, and cooling). DASNY's expansive capabilities and broad project portfolio result in a wide array of awards.

DASNY primarily uses two types of contracts to engage construction contractors:

1. Project-specific contracts

Project-specific, construction contracts are generally awarded through a public, competitive-bidding process.

Table 9. Construction Contracts Awarded by Type of Service

Table 9 summarizes, by broad service category, the dollar value and number of all project-specific construction contracts DASNY awarded during the Reporting Period (i.e. excludes GC Minor Maintenance and Job Order Contracts).

Type of Service	Contract \$ Awarded	% of Total Contract \$ Awarded	Number of Contracts Awarded	% of Total Number of Contracts Awarded
Asbestos Abatement	\$796,711	0%	1	1%
Electrical	\$2,453,136	1%	8	8%
Elevator Install & Maintenance	\$3,896,768	1%	10	10%
Energy Performance	\$24,472,073	8%	2	2%
General Construction	\$248,901,339	86%	76	75%
HVAC	8,729,000	3%	4	4%
Plumbing	\$259,500	0%	1	1%
Total	\$289,508,527	100%	102	100%

2. Job Order Contracts

Job Order Contracts are term contracts set up regionally by trade. The initial term is typically one year with three one-year renewal options. Contractors competitively bid two adjustment factors (normal work hours and other than normal work hours) that will be applied to the unit prices in the JOC construction price books. The project limits for JOCs use are generally \$500,000 upstate and \$1,000,000 downstate. The specific scope of work and location where the services are to be provided are added to the contract via a job order

JOCs are a critical and effective contracting tool used to help DASNY achieve its construction mission. JOCs enable DASNY to rapidly engage contractors to perform construction services for emergencies, critical maintenance, and small value projects.

Table 10. Job Order Contract Job Orders Issued by Type of Service

Table 10 summarizes, by broad service category, the dollar value and number of original JOC work orders DASNY issued during the Reporting Period.

Type of Service	Work Order \$ Issued	% of Total Work Order \$ Issued	Number of Work Orders Issued	% of Total Number of Work Orders Issued
Asbestos Abatement	\$437,832	2%	9	5%
Electrical	\$1,794,358	7%	12	7%
General Construction	\$16,755,942	67%	110	67%
HVAC	\$2,864,100	11%	21	13%
Plumbing	\$3,335,187	13%	12	7%
Total	\$25,187,419	100%	164	100%

- GC Minor Maintenance contracts are term contracts set up regionally. The initial term is typically two years with one two-year renewal option. The specific scope of work and location where the services are to be provided are added to the contract via a work order. Contractors competitively bid an agreed upon mark-up percentage. GC Minor Maintenance projects are typically a single scope of work ranging in value from \$10,000 - \$80,000.

Table 11. GC Minor Maintenance Issued by Type of Service

Table 11 summarizes, by service category, the dollar value and number of GC Minor Maintenance Work Orders DASNY issued during the Reporting Period.

Type of Service	Value	% of Total \$ Issued	Number Issued	% of Total Number Issued
General Construction	\$1,002,721	100%	24	100%

Purchase Orders

Purchase orders are issued for the purchase of commodities of furniture and fixtures for buildings, such as residence hall and office furniture, medical equipment, computer equipment and laboratory equipment.

DASNY primarily uses one method to procure commodities:

1. Project-specific purchase orders

Project-specific purchase orders are generally awarded through competitive quoting and bidding processes or using centralized government contracts.

Table 12. Purchase Orders Awarded by Type of Service

Table 12 summarizes, by broad service categories, the dollar value and number of all project-specific purchase orders DASNY awarded during the Reporting Period.

Type of Service	Purchase Order \$ Awarded	% of Total Purchase Order \$ Awarded	Number of Purchase Orders Awarded	% of Total Number of Purchase Orders Awarded
Technology Services & Equipment	\$11,430,704	52%	51	21%
Furniture	\$5,127,747	23%	62	26%
Laboratory Equipment	\$2,092,664	9%	46	19%
General Construction	\$842,772	4%	16	7%
Miscellaneous	\$2,692,790	12%	63	26%
Total	\$22,186,678	100%	238	100%

Minority - and Women-Owned Business Enterprises (MWBEs)

MWBE contract participation is central to DASNY's mission to create inclusive communities. DASNY has taken steps to create new opportunities for MWBEs, both by ensuring that MWBE participation is part of every contract discussion and by providing training information and guidance to facilitate their continued access and growth.

For the Reporting Period, DASNY projects total MWBE participation expenditures, including subcontractors, equaled a rate of approximately 36.39% representing a value of approximately \$154.7 million. However, Table 13 and Table 14 represent only original awards to MWBEs and does not reflect the total amount of work performed on behalf of DASNY by MWBEs. In addition, DASNY strives to achieve service-disabled, veteran-owned business participation. Further information is available in DASNY's Operations and Accomplishments report to the Authorities Budget Office.

Table 13. Construction Services Contracts Awarded to Prime MWBEs

Category	Contract \$ Value Awarded	Number of Contracts Awarded
Professional Services Contracts	\$0	0
Construction Contracts	\$45,061,552	29
Purchase Orders	\$7,163,819	149
Total	\$52,225,371	178

Table 14. GC Minor Maintenance, Job Order Contract Job Orders and Professional Services Term Contract Work Authorizations Issued to MWBEs

Table 14 shows the dollar value and number of GC Minor Maintenance Work Orders job order contracting work orders and professional service term contract work authorizations DASNY issued to MWBEs during the Reporting Period.

Category	\$ Value Issued	Number Issued
GC Minor Maintenance	\$0	0
Job Order Contract Job Orders	\$7,752,153	48
Professional Services Term Contract Work Authorizations	\$4,533,511	73
Total	\$12,285,665	121

IV. Public Finance and Portfolio Monitoring, and Finance

DASNY's Public Finance and Portfolio Monitoring Division works on the behalf of public and private clients to issue low-cost, tax-exempt bonds. These municipal bonds play a critical role in helping New York State, and its health care and higher education institutions meet their capital needs so they can expand their resources and focus their attention and resources on service delivery.

For purposes of this analysis, DASNY's Public Finance and Portfolio Monitoring, and Finance Divisions are properly presented together because, in many instances, vendors and subject matter overlap. Most procurements relate to costs of issuance for DASNY's financing process. Procurements primarily include underwriting/remarketing, financial consulting, trustee and custodian fees and printing.

Table 15. Summary of Expenditures Public Finance and Portfolio Monitoring, and Finance

Table 15 shows procurements by DASNY during the Reporting Period.

Category	\$ of Service Expenditures	% of Total \$ of Service Expenditures
Underwriting*	\$16,857,104	98%
Financial Consultant	\$130,000	1%
Trustee/Custody	\$140,880	1%
Printing	\$81,658	0%
Other	\$65,538	0%
Total	\$17,275,180	100%

(*Underwriters are generally compensated by utilizing a discount on the purchase of bonds and the amount of that discount includes expenses incurred by the underwriter including underwriter's counsel fee. This category also includes placement agent fees.)

V. Legal Services

Table 16. Summary of Expenditures Legal Services

Table 16 shows procurements made by DASNY for legal services during the Reporting Period.

Category	\$ of Service Expenditure	% of Total \$ of Service Expenditures
Bond Counsel	\$6,107,778	92%
Personal Injury Counsel	\$198,826	3%
Special Counsel	\$21,225	0%
Bankruptcy/Restructuring/ Workout Counsel	\$93,000	1%
Labor Counsel	\$64,000	1%
Litigation Counsel	\$103,175	2%
Real Estate Counsel	\$25,000	0%
Total	\$6,613,014	100%

Expenditures for Bond Counsel relate to costs of issuance incurred in connection with DASNY's financing process, which include a series of individual fixed-price transactions rather than multi-year contracts, and therefore, expenditures made during the period have been summarized.

VI. Administration and Operations Services

DASNY's Administration and Operations Services includes costs incurred for the ongoing administration and operations of DASNY, such as occupancy, information services and telecommunications, and general operating expenses. These items are included within DASNY's operating budget or are paid from other program operating funds and have also been summarized by expenditures made during the period.

Table 17. Summary of Expenditures Administration and Operations

Table 17 summarizes Administration and Operations Services expenditures by DASNY by major category during the Reporting Period. Expenditures relate to DASNY operations only.

Category	\$ of Service Expenditure	% of Total \$ of Service Expenditures
Technology Services & Equipment	\$3,708,887	40%
Office Equipment and Supplies	\$1,623,904	17%
Risk Management/Insurance	\$1,408,618	15%
Furniture	\$1,254,182	13%
Building/Utilities	\$1,011,001	11%
Consulting/Human Resources	\$159,392	2%
Other	\$153,653	2%
Total	\$9,319,637	100%

VII. Procurement Contract Policy and Guidelines

DASNY has a Procurement Contract Policy and Procurement Contract Guidelines that are reviewed and approved annually by the DASNY Board in accordance with Public Authorities Law Section 2879. Copies of the DASNY Procurement Policy and DASNY Procurement Contract Guidelines follow.

As part of its annual compliance obligations, Public Authorities Law Section 2879[7] requires that DASNY annually prepare and approve a report on procurement contracts, which shall include DASNY's Procurement Policy and Procurement Contract Guidelines, and an explanation of any amendments thereto since the last annual report.

No changes have been made to DASNY's Procurement Policy and Procurement Contract Guidelines during the Reporting Period.

PROCUREMENT POLICY OF THE DORMITORY AUTHORITY
OF THE STATE OF NEW YORK

1. Purpose

It is the policy of the Dormitory Authority of the State of New York (“DASNY”) to procure goods and services in a manner which ensures: (i) compliance with all provisions of law governing procurements by DASNY; (ii) the acquisition of quality goods and services at the lowest possible cost in a timely and efficient manner; (iii) the wise and prudent use of the resources of DASNY, its clients and the taxpayers of the State of New York; (iv) the use of Procurement Contractors and subcontractors that are qualified, responsive and responsible; (v) the promotion of the use of certified Minority and Women-Owned Enterprises in Procurement Contracts in accordance with law; (vi) the promotion of the use of certified Service-Disabled Veteran-Owned (“SDVO”) Business Enterprises in Procurement Contracts in accordance with law; (vii) that Procurement Contractors and their subcontractors remain responsible throughout the term of the applicable Procurement Contract; and (viii) guards against favoritism, extravagance, fraud and corruption.

2. Competitive Procurement Methods

(a) All procurements of goods and services shall be made by DASNY on a competitive basis except as otherwise provided in this Policy. The competitive methods used to make procurements shall include: (i) sealed competitive bids; (ii) requests for proposals; (iii) written quotations; (iv) verbal quotations; (v) purchases made pursuant to centralized contracts let by other public and private entities pursuant to a competitive process; or (vi) any other competitive method of procurement that is consistent with the purposes of this Policy.

(b) For every contract awarded pursuant to sealed competitive bids, DASNY shall maintain procedures designed to ensure that the contract is awarded to the lowest responsible and responsive bidder submitting a bid that meets the specifications. In determining responsibility, staff shall consider factors such as financial responsibility, reliability, skill, past performance by the

contractor on DASNY projects, judgment and integrity. The written procedures shall further require, among other things, that: (i) to the extent required by law, there be separate specifications for major categories for work; (ii) all advertisements for sealed bids be published in the manner required by law and in such other publications as are appropriate to ensure reasonable competition; and (iii) the rationale for awarding the contract to other than the apparent low bidder be documented and retained in the procurement file.

(c) For every contract awarded pursuant to a request for proposal process, DASNY shall maintain procedures governing the solicitation, evaluation and selection of consultants and contractors designed to ensure that the contract is awarded to a responsible and responsive contractor evidencing proven experience with projects of the scope, magnitude and complexity of the type that are the subject of the contract and that the contractor has the ability to perform all work required in a professional and timely manner. The written procedures shall require, among other things, that: (i) there be a written request for proposals setting forth the criteria and standards upon which the award is to be based; (ii) the notice for request for proposals be published in the manner required by law and in such other publications as are appropriate to ensure reasonable competition; (iii) the rationale for awarding the contract be documented and retained in the procurement file; and (iv) any competitive negotiations with a proposer be in the best interests of the procurement and documented in the procurement file.

(d) DASNY shall not let a construction contract under which the contractor is to provide both design and construction services ("design/build contract") unless: (i) this method of procurement is permitted under applicable law; and (ii) DASNY and its client concur in writing prior to the commencement of the procurement process that the use of a design/build contract is in the best interests of the project and in support of that determination, identify the specific benefits, such as schedule, financial, or project feasibility, expected to be gained from a design/build method of procurement. All design/build contracts shall be awarded pursuant to a documented request for proposal process.

(e) To further promote the awareness and utilization of certified Small Businesses and Minority and Women-Owned Business Enterprises, and increase the capacity and capabilities of such firms to bid on State Procurement Contracts, it is the policy of DASNY to establish, subject to the legislative authorization at Chapter 97 of the Laws of 2019, a pilot program for the award of Procurement Contracts for goods and services from, or for the construction, reconstruction, rehabilitation or improvement of facilities by, Small Businesses as defined in § 131 of the Economic Development Law, and Minority-Owned and Women-Owned Business Enterprises as defined in § 310 of the Executive Law. The required terms of this pilot program are set forth in the DASNY Procurement Contract Guidelines, and DASNY shall maintain written procedures for the solicitation of bids or other proposals for Procurement Contract and selection of Procurement Contractors pursuant to this authorization.

(f) DASNY shall, in addition to the procedures required above, maintain written procedures for any other method of competitive procurement to be used by DASNY. These procedures shall, among other things: (i) identify the category of procurement to which the procedure relates; (ii) ensure reasonable competition given the cost and type of procurement; and (iii) require written documentation of the rationale for awarding the procurement.

(g) DASNY shall implement and maintain a process for reviewing inquiries from unsuccessful bidders and proposers. Such process shall ensure that unsuccessful bidders and proposers are treated in a fair and equitable manner.

3. Non-Competitive Procurement Methods

(a) DASNY, subject to the provisions of paragraph b of this Section, shall not be required to use a competitive method of procurement in the following instances:

(i) Selection By Client. DASNY may enter into contracts with contractors selected by clients of DASNY in appropriate instances where the client has provided adequate written rationale justifying the selection.

(ii) Emergency Contract. In the case of an emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting property or other interests of DASNY or life, health or safety require immediate action, the President or his or her designee may authorize the award of a contract on other than a competitive basis. For each such procurement, there shall be a written record setting forth the basis for concluding that there was an emergency and the methods used to identify the selected contractor.

(iii) Discretionary Purchases. DASNY may purchase commodities or services from small business concerns or Minority or Women-Owned Business Enterprises, or commodities or technology that are recycled or remanufactured, in an amount not exceeding five hundred thousand dollars without a formal competitive process.

(iv) Preferred Sources. Goods or materials may be obtained from any provider, such as the Department of Correctional Services Industries Program and qualified charitable agencies for the blind, which, by law, are exempt from competitive bidding or similar requirements.

(v) Single Source. The President or his or her designee may authorize the award of a contract on other than a competitive basis, even though two or more firms can supply the required service, good, or material, provided that DASNY determines that either: (a) one particular firm has unique knowledge or expertise with respect to the required service, good or material rendering the use of competitive procedures impractical; or (b) other material or substantial reasons exist for awarding the contract on other than a competitive basis. For each such procurement, there shall be a written record setting forth the basis for concluding that a single source procurement was in the best interests of the project and the methods used to identify the selected contractor.

(vi) Sole Source. When there is only one source for a required service, good or material, the President or his or her designee may the

authorize the award of a contract for that service, good or material on other than a competitive basis.

(vii) Miscellaneous Exempt Contracts. Other types of goods or services for which a competitive procurement process is impractical may be awarded on other than a competitive basis. Such exempt contacts may include: tuition and other expenses incurred for employee training; services provided by monopolies, utilities and hotels; transportation services; contracts for computer or telephone hardware, software or services where current Authority license or use restrictions render competition impractical; and contracts for the completion of existing contracts that have been the subject of contractor default, termination or the exercise of owner's right to do work. Miscellaneous Exempt Contracts may be awarded without the approval of the President.

(b) All procurements made pursuant to this Section 3 shall be done in accordance with law and in furtherance of the purposes enumerated in Section 1 of this Policy. In addition, even if procurements need not be made on a competitive basis under this Policy, it is still the policy of DASNY to seek competition to the maximum extent practicable under the circumstances.

4. Procurement Guidelines.

In furtherance of this Policy and section 2879 of the Public Authorities Law, the Board of DASNY hereby adopts the attached Procurement Guidelines. The Members of DASNY shall annually review this Policy and the attached Guidelines, together with the procurement report required by section 2879.

Dated: December 11, 2019



**DORMITORY AUTHORITY
STATE OF NEW YORK**

PROCUREMENT CONTRACT GUIDELINES

AMENDED	6/27/01
	9/22/04
	9/27/06
	9/22/10
	6/22/11
	6/26/13
	1/14/15
	6/24/15
	12/9/15
	10/5/16
	9/12/18
	12/11/19

**DORMITORY AUTHORITY OF THE STATE NEW YORK
PROCUREMENT CONTRACT GUIDELINES**

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Section 1. STATEMENT OF PURPOSE

These Guidelines are adopted pursuant to the provisions of the Act (as defined below), Section 2879 of the Public Authorities Law, as amended, and the Procurement Policy of the Dormitory Authority of the State of New York (“DASNY”). These Guidelines are designed to ensure the wise and prudent use of the resources of DASNY, its Clients and taxpayers; to guard against favoritism, extravagance, fraud and corruption; and, to facilitate the efficient and timely acquisition of goods and services for DASNY and its Clients. To help ensure that the purposes of these Guidelines are met and that there is compliance with applicable law and procedures governing procurements by DASNY, each operating division within DASNY shall involve the Procurement Unit within the Division of Construction in all purchases of goods and services by DASNY.

Section 2. DEFINITION OF TERMS

Definitions. The following terms shall, for purposes of these Guidelines, have the following meanings unless the context shall clearly indicate otherwise:

- (1) “Act” shall mean the Dormitory Authority Act.
- (2) “Alternative Project Delivery System” shall mean any project delivery system, including (but not limited to) Construction Manager Build, Construction Manager at Risk and Design/ Build, pursuant to which one or more contracts for the provision of design or construction services are awarded pursuant to an open, objective and competitive method of procurement. To the extent not prohibited by applicable law, such contracts may be awarded by DASNY prior to the completion of developed designs. To the extent not prohibited by applicable law, and in a manner consistent with these Procurement Contract Guidelines, such contracts may be awarded based upon qualifications-based selection criteria which may include but not be limited to: approach to and understanding of the scope of work; technical qualifications; ability to meet project schedule; designated staff, experience and availability; MWBE participation on project team; similar project experience and/or overall responsiveness to the procurement request. DASNY may require, in its sole discretion as a condition of award, that the proposer assume all or a portion of the risk on budget, schedule or other requirements, as provided in the applicable procurement.
- (3) “Client” shall mean those entities for which DASNY is authorized to perform work under the Act or by other statute.
- (4) “DASNY” shall mean the Dormitory Authority of the State New York.
- (5) “Goods” shall mean tangible goods, materials, supplies, products or other standard articles of commerce other than technology and printing. For purposes of these Procurement Guidelines, the term “goods” shall also

include “commodities” as defined elsewhere in applicable law and/or DASNY policies and procedures.

- (6) “Construction Manager At Risk” shall mean a method of procurement whereby: (i) a construction manager serves as part of a team in conjunction with the owner in the design phase of the project; (ii) during the construction phase, acts as general contractor for agreed upon compensation as set forth in the construction manager at risk agreement; and (iii) assumes the risk of construction costs exceeding an amount specified in the Construction Manager at Risk agreement.
- (6-a) Construction Manager Build (“CM-Build”) is a project delivery method whereby a construction manager: (i) serves as part of a team in conjunction with the owner in the design phase of the project; (ii) under the oversight of the owner acts as the single source of responsibility to bid, select and hold construction contracts on behalf of the owner during the construction phase; and (iii) manages the construction project on behalf of the owner.
- (7) “Counsel” shall mean an attorney in the regular employment of DASNY.
- (8) “Competitive Basis” shall mean any of the Source Selection Methods enumerated in Paragraph B of Section 3 of these Guidelines.
- (9) “Completion Contract” shall mean contracts for the completion of existing contracts that have been the subject of contractor default, termination or the exercise of owner’s right to do work.
- (10) “Critical Contracts” shall mean Procurement Contracts which must be awarded within a specific time period because delay of award would have a serious adverse effect on DASNY that outweighs the benefits of advertising or reporting in the Contract Reporter as determined by the President or his or her designee.
- (11) “Design/Build” shall mean a Procurement Contract under which the contractor is to provide both design and construction services under a single contract but further requires that any professional services regulated by articles one hundred forty-five, one hundred forty-seven and one-hundred forty-eight of the education law be performed by a professional licensed in accordance with such articles.
- (12) “Diversity Practices” shall mean the contractor’s practices and policies with respect to:
 - a. utilizing or mentoring Minority and Women-Owned Business Enterprises as subcontractors and suppliers on contracts awarded by DASNY to the contractor; and
 - b. entering into partnerships, joint ventures or other similar arrangements

with Minority and Women-Owned Business Enterprises, including without limitation establishment of a mentor-protégé program pursuant to State Finance Law Section 147.

- (13) “Emergency Contract” shall mean a Procurement Contract awarded in the case of an emergency arising out of an accident or other unforeseen occurrence or condition affecting property or other interests of DASNY or situations endangering life, health or safety requiring immediate action as determined by the President or his or her designee.
- (14) “Exempt Contracts” shall mean: (i) any written agreement for goods or services for which a procurement process is impractical, including but not limited to, tuition and other expenses incurred for employee training; services provided by monopolies, utilities and hotels; transportation services; contracts for computer or telephone hardware, software or services where current DASNY license or use restrictions render competition impractical; and (ii) Completion Contracts.
- (15) “Foreign Business Enterprise” shall mean a business enterprise, including a sole proprietorship, partnership or corporation, which offers for sale, lease or other form of exchange, goods sought by DASNY and which are substantially produced outside New York State, or services sought by DASNY and which are substantially performed outside New York State. For purposes of construction services, a Foreign Business Enterprise shall mean a business enterprise, including a sole proprietorship, partnership or corporation, which has its principal place of business outside New York State.
- (16) “Minority-Owned Business Enterprise” shall mean, unless the context requires otherwise, those minority business enterprises certified as such pursuant Article 15-A of the Executive Law.
- (17) “New York State Business Enterprise” shall mean a business enterprise, including a sole proprietorship, partnership, or corporation, which offers for sale or lease or other form of exchange, goods which are sought by DASNY and which are substantially manufactured, produced or assembled in New York State, or services which are sought by DASNY and which are substantially performed within New York State. For purposes of construction services, a New York State Business Enterprise shall mean a business enterprise, including a sole proprietorship, partnership or corporation that has its principal place of business in New York State.
- (18) “New York Resident” shall mean a natural person who maintains a fixed, permanent and principal home located within New York State and to which such person, whenever temporarily located, always intends to return.
- (19) “Non-Competitive Basis” shall mean any of the Source Selection Methods enumerated in Paragraph C of Section 3 of these Guidelines.

- (20) "Officer" shall mean any person so defined in the By-Laws of DASNY.
- (21) "Procurement Contract" shall mean any written agreement to which DASNY is a party for the acquisition of goods or services of any kind in the actual or estimated amount of five thousand dollars (\$5,000) or more.
- (22) "Procurement Contractor" shall mean any contractor, consultant or vendor who enters into a Procurement Contract with DASNY.
- (23) "Procurement Contracts for Goods" shall mean any written agreement entered into by DASNY primarily for the acquisition of goods in the actual or estimated amount of five thousand dollars (\$5,000) or more unless the goods are procured as part of a Procurement Contract for Non-Professional Services.
- (24) "Procurement Contracts for Non-Professional Services" shall mean any written agreement entered into by DASNY for the acquisition of services (other than Professional Services) and related goods, including construction contracts and Alternative Project Delivery System contracts, in the actual or estimated amount of five thousand dollars (\$5,000) or more.
- (25) "Procurement Contract for Professional Services" shall mean any written agreement for services involving the exercise of discretion, knowledge or expertise that are performed for fee, commission or other compensation by persons or organizations not providing such services in their capacities as officers or employees of DASNY or of any state agency or public corporation in the actual or estimated amount of five thousand dollars (\$5,000) or more. Professional Services include, but are not limited to, management consulting, investment banking, financial services, insurance, planning, training, statistical, research, public relations, architectural, engineering, surveying or any other services of a consulting, technical or professional nature. Professional Services shall not include any contract for the retention of outside counsel or independent auditors, which are procured separately and shall remain subject to independent approval of the DASNY Board of Directors in accordance with the DASNY By-Laws. Professional Services that may be required by DASNY include without limitation:
- a. Intentionally deleted.
 - b. Appraisal - independent appraisals of properties or art work.
 - c. Art Work - provide selected art objects for display to enhance the aesthetic appearance of DASNY projects.
 - d. Construction and Design Consulting.
 - i. Architectural - professional architectural services related to the design and construction of DASNY and Client-owned facilities.

- ii. Construction Management - management services on certain designated DASNY projects including on-site inspections and overall coordination of all prime construction contracts.
- iii. Controlled Inspection - professional engineering services to assure conformance to certain requirements of New York State and City Building Code.
- iv. Engineering - professional engineering services related to the design and construction of DASNY and Client-owned facilities.
- v. Scheduling - construction Critical Path Method (CPM) scheduling services or other scheduling services as may be required.
- vi. Surveying - surveys of DASNY and Client-owned, or to be acquired, properties to establish boundaries, utility locations, etc.
- vii. Test Boring - test borings services for the purpose of analyzing sub-surface soil conditions on DASNY construction sites.
- viii. Testing - technical testing services on various construction projects to assure adherence to quality of materials and design intent.
- e. Credit Facility - municipal bond insurance, letters of credit, surety bonds or other contracts that secure the repayment of obligations issued by DASNY, constitute part of a debt service reserve fund or provide liquidity for obligations rendered for purchase or redemption.
- f. Custody and Safekeeping Services - custody and safekeeping services to secure DASNY investments and receive and evaluate underlying collateral.
- g. Data Processing Services - including report generating and printing services for DASNY which are not programmed to be run on site, programming services as may be required and systems maintenance and support.
- h. Equipment Maintenance - maintenance for the routine service and repair of office, data processing or other equipment.
- i. Financial Advice - independent advice with regard to DASNY investments and the structure of DASNY debt instruments.
- j. Legal - bond and other outside counsel retained by DASNY.
- k. Investment Banking - purchase of DASNY bonds, including assistance in

the preparation, marketing, distribution and sale of DASNY debt issues.

- l. Management Consulting - analysis and recommendations concerning DASNY's structure and operation, including but not limited to, data processing and telecommunications services and training.
 - m. Minority Business Enterprise Consultants - technical assistance services to Minority Owned Business Enterprises to facilitate their participation in DASNY's construction program
 - n. Mortgage Servicing - services involving the collection of monthly mortgage payments on insured mortgages, maintaining escrow accounts, transmittal of mortgage insurance premiums to the insurer, submission of advances for insurance, filing of notices, and in the event of default, processing claims for benefits to the insurer.
 - o. Trustee Banking Services - banking services to monitor the timely receipt of debt service payments, compliance with reserve requirements, retirement of debt, collateral evaluations, and other services as required by the various bond resolutions.
 - p. Training - supervisory and special skills training to DASNY employees.
 - q. Typographical/Printing – financial printing services based upon specifications and detail developed by DASNY; technical printing services relative to the reproduction of construction documents for the purpose of securing completion; graphic, layout, and printing services in connection with production of DASNY's annual report and any special reports that may be required.
 - r. Cloud computing, hosting and software as a service.
 - s. Such other Professional Services DASNY determines to be necessary pursuant to paragraph A of Section 5 hereunder.
- (26) "Procurement Policy" shall mean the Procurement Policy of DASNY that was developed by the Board of DASNY pursuant to which these Guidelines were adopted.
- (27) "Procurement Record" shall mean: (i) the documentation of the deliberative process by which a Procurement Contractor is selected and the approach taken in the procurement process; and (ii) the documentation pertaining to each contract amendment to any Procurement Contract.
- (28) "Re-bid Contracts" means contract opportunities being re-bid or re-solicited within forty-five business days after bids or proposals were originally due pursuant to publication in the Contract Reporter.

- (29) "Service-Disabled Veteran-Owned Business" shall mean those service-disabled veteran-owned businesses certified as such by the New York State Office of General Services pursuant to Article 17-B of the Executive Law.
- (30) "Small Business" shall, unless the context requires otherwise, have the same meaning ascribed thereto by Article 15-A of the Executive Law and shall include a business which has a significant business presence in the State of New York, is independently owned and operated, not dominant in its field and employs, based on its industry, a certain number of persons as determined by the Director of the Division of Minority and Women's Business Development, but not to exceed three hundred, taking into consideration factors which include, but are not limited to, Federal small business administration standards pursuant to 13 CFR part 121 and any amendments thereto.
- (31) "Source Selection Method" shall mean any method of procurement set forth in Paragraphs B and C of Section 3 of these Guidelines.
- (32) "The Disparity Study" shall refer to the disparity study regarding Minority and Women-Owned Business Enterprises and other matters pursuant to Article 15-A of the Executive Law.
- (33) "Women-Owned Business Enterprise" shall mean, unless the context requires otherwise, those women-owned business enterprises certified as such pursuant to Article 15-A of the Executive Law.

Section 3. SOURCE SELECTION METHODS

- A.
1. All Procurement Contracts shall be awarded using a Competitive Basis unless these Guidelines, the Procurement Policy and any applicable provisions of law permit the use of another Source Selection Method. Such contracts shall be awarded: (i) in accordance with the Act, other applicable provisions of law, the Procurement Policy, these Guidelines and other applicable DASNY procedures, including without limitation any procedure relating to the solicitation of quotes from qualified vendors; (ii) on terms most favorable to DASNY and its Clients; and (iii) be supported by a written Procurement Record.
 2. Prior to using any other Source Selection Method, DASNY must, in accordance with the requirements of section 162 of the State Finance Law insofar as it applies to public authorities, first ascertain whether the goods or services are required to be obtained from a Preferred Source as provided in Section 3.C.6 of these Guidelines.
- B. SOURCE SELECTION METHODS (COMPETITIVE BASIS): Subject to the requirements of these Guidelines, Procurement Contractors may be selected

using one of the following competitive Source Selection Methods:

1. Centralized Contracts. Services, goods or materials may be obtained through contracts or other arrangements of the State of New York (e.g., New York State Office of General Services) or the United States General Services Administration or contracts or other arrangements of any health care, educational institution or local governmental Clients provided that the procurement complies with applicable procurement laws, regulations and guidelines for the use of such contracts.
2. Comparative Pricing. Solicitation of qualified potential contractors and analysis of the cost of each good, material or service required.
3. Competitive Bid. Solicitation of price bids by advertising for specified services (other than Professional Services), goods, materials, to be awarded to the lowest responsible bidder after the submission of a responsive bid.
4. Competitive Negotiations. Solicitation of qualified potential contractors who have submitted materials for a Procurement Contract not subject to Competitive Bid, which permits further negotiation of their proposals, including prices for contract award, on the basis of a formal evaluation of the characteristics, quality and cost of such proposals.
5. Mental Hygiene and SUNY Dormitory Projects Under \$80,000. DASNY may award Procurement Contracts valued at eighty thousand dollars (\$80,000) or less (or such other monetary limit as shall be specified in applicable law) utilizing Comparative Pricing for authorized Mental Hygiene and SUNY Dormitory projects.
6. Job Order Contracts. DASNY may award Procurement Contracts or work orders to Procurement Contractors who have been selected, pursuant to a Competitive Basis, to participate in the Job Order Contract program. A Job Order Contract consultant shall be selected to develop contract documents necessary to procure Job Order Contractors, and to implement execution procedures and training.
7. Requests for Proposals. Solicitation of specific proposals to determine the proposer's understanding of identified financial, organizational, logistical and technical requirements and/or problems and detailing elements of performance including techniques and procedures as well as prices. Award of a Procurement Contract using this method is made on the basis of a formal evaluation of the qualifications of the proposers and the characteristics, quality and cost of such proposals.

8. Requests for Qualifications. A solicitation used in connection with any Procurement Contract to be awarded on a Competitive Basis for which DASNY is authorized by law to establish a pre-qualified list of Procurement Contractors in order to retain a qualified pool of Procurement Contractors.
9. Term Contracts. Procurement Contracts entered into by DASNY on a Competitive Basis for a specific period of time for either (i) Professional Services or (ii) other than Professional Services.
10. Other State Authority Procurement Contracts Procurement Contracts of other state authorities as defined in section 2 of the Public Authorities Law shall be deemed a Procurement Contract of DASNY subject to:
 - (i) written approval from the President, in his or her sole discretion, which approval shall include a statement that the use of the applicable state authority Procurement Contract is necessary to address a DASNY and/or DASNY client need; and
 - (ii) a written determination by DASNY's General Counsel that:
 - (a) the subject matter of the other state authority Procurement Contract is not covered by another valid and existing DASNY procurement (in lieu of which, the DASNY procurement shall apply); and
 - (b) the selected vendor has been procured by the other state authority on a competitive basis in a manner which is substantially consistent with DASNY's Guidelines and consistent with all other applicable law.

C. SOURCE SELECTION METHODS (NON-COMPETITIVE BASIS): Subject to the requirements of these Guidelines, Procurement Contractors may be selected using one of the following non-competitive Source Selection Methods:

1. Assignment. DASNY may acquire contracts through assignment from Clients or their legal subsidiaries. The assignor shall certify that such contracts were awarded pursuant to applicable procurement laws, regulations and guidelines and, if required, that a competitive process was employed.
2. Completion Contract. DASNY may enter into contracts for the completion of existing contracts that have been the subject of contractor default, termination or the exercise of owner's right to do work. Except as otherwise required by any law or regulation, DASNY shall seek competition to the extent required by procedures adopted

by DASNY.

3. Designation. DASNY may enter into Procurement Contracts with Procurement Contractors that are designated by Clients or their legal subsidiaries, provided that such designation is not inconsistent with any legal requirement applicable to DASNY. The designator, in the case of public clients, shall certify that such Procurement Contractors were selected pursuant to applicable procurement laws, regulations and guidelines and, if required, that a competitive process was employed.
4. Emergency Contract. In the case of an emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting property or other interests of DASNY or life, health or safety require immediate action, the President or an Officer designee may award a Procurement Contract without the use of a Competitive Basis. A record setting forth the circumstances under which such contract was let shall be maintained with the contract.
5. Certain Discretionary Purchases: Public Authorities Law §2879[3][b][i] authorizes the Board of Directors to define the circumstances under which DASNY may facilitate (a) the purchase of goods or services from Small Businesses or Minority or Women-Owned Business Enterprises, and (b) goods or technology that are recycled or remanufactured, in an amount not exceeding five hundred thousand dollars without a formal competitive process. In accordance with this authority, DASNY has established a Discretionary Purchases Procedure setting forth the parameters under which procurements for such goods or services may be made. Such procedure at a minimum contain provisions relating to: the development and maintenance of a list or lists of qualified Small Business and Minority or Women-Owned Business Enterprises; the provision of notice and compliance with State publication requirements; and the duty to maintain a written Procurement Record in accordance with these Guidelines. Such Discretionary Purchases shall not exceed five hundred thousand dollars and shall comply with applicable law (including section 162 of the State Finance Law insofar as it applies to public authorities). Notwithstanding the definition of “small business” contained in Section 2(30) hereof, for purposes of certain discretionary purchases, “small business” shall mean a business that is resident in this State, independently owned and operated, not dominant in its field, and employs not more than one hundred people.
6. Preferred Sources. Goods or services may be available from any provider who has been afforded Preferred Source status in accordance with section 162 of the State Finance Law, including the Department of Correctional Services Industries Program and

qualified charitable agencies for the blind. If a Preferred Source has goods or services available in the form, function and utility consistent with the needs of DASNY, such goods or services shall be procured in accordance with the requirements of State Finance Law section 162. If a good or service is not available in form, function and utility consistent with the needs of DASNY from a Preferred Source, DASNY may then exercise its authority to utilize any of the Source Selection Methods set forth in these Guidelines.

7. Single Source. When DASNY determines, and the President or his or her designee approves in writing, that a Procurement Contract may be awarded on other than a Competitive Basis because, even though two or more firms can supply the required goods or services, one particular firm has unique knowledge or expertise with respect to the required goods or services rendering the use of a Competitive Basis method of selection impractical or other material or substantial reasons exist for awarding the Procurement Contract on other than a Competitive Basis.
8. Sole Source. When DASNY determines, and the President or his or her designee approves in writing, that there is only one source for required goods or services, a Procurement Contract for that good or service may be awarded on other than a Competitive Basis. In addition, Exempt Contracts, other than Completion Contracts, may also be procured on a Sole Source basis without the approval of the President.

Section 4. PUBLICATION REQUIREMENTS FOR SOURCE SELECTION METHODS

The following publication requirements shall apply to Procurement Contracts:

- A. Methods of obtaining Bids and Proposals. The solicitation of bids, proposals or submissions of qualification data or offers for Procurement Contracts shall be made by DASNY in a manner determined by DASNY to be the most cost-effective method of providing reasonable competition. For Procurement Contracts that must be awarded on a Competitive Basis, the requirements may include advertisement in appropriate newspapers or trade journals and may also include direct mailings to firms considered qualified and such other outreach mechanisms as are consistent with the policy of these Guidelines, including the Minority and Women-Owned Business Enterprise provisions herein.
- B. Procurement Opportunities Newsletter – Contracts Under \$50,000. In the case of Procurement Contracts having a value greater than five thousand dollars (\$5,000) but less than fifty thousand dollars (\$50,000), DASNY will provide a quarterly listing of such Procurement Contracts for publication in the Procurement Opportunities Newsletter (“Contract Reporter”) published by the New York State Department of Economic Development to the extent

permitted or required by law.

- C. Procurement Opportunities Newsletter – Contracts \$50,000 or More. In the case of Procurement Contracts in the actual or estimated amount of fifty thousand dollars (\$50,000) or more, DASNY will place a notice of all such opportunities in the Contract Reporter.
- D. Publication on DASNY’s Website. All competitive Procurement Contracts should be made available on DASNY’s website concurrent with or after publication in the NYS Contract Reporter.
- E. Exemptions from Publication Requirement. The requirements in Paragraphs B, C and D above relative to publications in the Contract Reporter and on DASNY’s website shall not apply to Procurement Contracts awarded pursuant to the following methods:
 - 1. Assignment;
 - 2. Centralized Contracts;
 - 3. Critical Contracts;
 - 4. Designation;
 - 5. Emergency Contracts;
 - 6. Exempt Contracts;
 - 7. Preferred Sources;
 - 8. Re-bid Contracts;
 - 9. Single Source; or,
 - 10. Sole Source.
- F. Post-Award Publication Requirements. Whenever a Procurement Contract is let or awarded as a Critical Contract, Emergency Contract, Single Source or Sole Source and a notice has not been published in the Contract Reporter prior to the award or letting of the contract as permitted by Paragraph E above, DASNY shall, after the award or letting of the Procurement Contract, publish a notice of such award or letting stating the basis for not publishing advance notice of the procurement.

Section 5. REQUIREMENTS REGARDING THE SELECTION OF PROCUREMENT CONTRACTORS

- A. Procurement Contracts for Professional Services. DASNY shall award Procurement Contracts for Professional Services on a Competitive Basis unless the Procurement Contract is an Exempt Contract or is awarded using any of the non-competitive Source Selection Methods. Before entering into a Procurement Contract for Professional Services, DASNY should consider whether the contemplated services are best provided by DASNY staff or external consultants. Capacity, expertise and cost shall be considered in making the determination. In addition, DASNY shall assure that the award of such contract is made to a Procurement Contractor evidencing proven experience with projects of the scope, magnitude and complexity that are

the subject of the contract and that such contractor has the ability to perform all work required in a professional and timely manner. DASNY shall also consider factors such as financial responsibility, reliability, skill, past performance on DASNY projects, judgment and integrity. As part of the competitive process, DASNY shall:

1. solicit proposals from several firms known to be qualified in the area of the service to be provided;
2. evaluate those proposals received on the basis of the proposers' qualifications and other appropriate factors recited in the Request for Proposals. Contract price and fee may be the subject of Competitive Negotiation;
3. establish a Procurement Record;
4. in the procurement of architectural, engineering, construction management and surveying services with respect to DASNY projects, DASNY may request such professional firms to submit statements of their qualifications (RFQ's) and performance data and rank each professional firm submitting such statements and performance data on the basis of its demonstrated competence and qualifications for the type of professional services rendered. DASNY may utilize Competitive Negotiations for architectural, engineering construction management and surveying services with the highest qualified professional firm at a fee determined by DASNY to be fair and reasonable;
5. DASNY shall not refuse to negotiate with an architecture, engineering or surveying firm solely because the ratio of the "allowable indirect costs" to direct labor costs of such professional firm or the hourly labor rate in any labor category of such professional firm exceeds a limitation generally set by DASNY in the determination of the reasonableness of the estimated cost of services to be rendered by such professional firm, but rather DASNY should also consider the reasonableness of cost based on the total estimated cost of the service of such professional firm which should include, among other things, all the direct labor costs of such professional firm for such services plus all "allowable indirect costs," other direct costs, and negotiated profit of such professional firm. "Allowable indirect costs" of such a professional firm are defined as those costs generally associated with overhead which cannot be specifically identified with a single project or contract and are considered reasonable and allowable under specific State contract or allowable limits;
6. maintain written procedures to be used in connection with Requests

for Proposals and Competitive Negotiations that are consistent with these Guidelines and that contain provisions relating to the solicitation, evaluation and selection of service contractors to which Procurement Contracts for Professional Services are to be awarded. These procedures shall also provide for, among other things, the promotion of Minority and Women-Owned Business Enterprises, New York State Business Enterprises, New York State Residents and Small Businesses and an assessment of the Diversity Practices of Procurement Contractors in accordance with the provisions of Article 15-A of the Executive Law and any regulations promulgated thereunder; and

The requirements of this subsection shall also apply to the award of contracts for the retention of outside counsel and independent auditors.

- B. Procurement Contracts for Non-Professional Services-Construction. The award of construction contracts by DASNY is authorized by legislation that may or may not require contracts to be awarded pursuant to Competitive Bids and the drawing of separate specifications for the major categories of work, i.e., plumbing, electrical and heating, ventilating, and air conditioning work. In those program areas where Competitive Bids are not required by statute, DASNY shall select its construction contractors using a Competitive Basis (including Competitive Bids) unless the Procurement Contract is an Exempt Contract or is made using any of the following Source Selection Methods: Assignment, Designation, Emergency Contract, Single Source or Sole Source. In addition, all DASNY-held construction contracts must require compliance by contractors and subcontractors with the provisions of the Labor Law requiring the payment of prevailing wage rates.

Any method of procurement employed for any construction contract shall assure that the work is done by qualified and experienced contractors at the lowest price to DASNY. If a contract is awarded on a Competitive Basis, DASNY shall assure that the award of such contract is made to a contractor evidencing proven experience with projects of the scope, magnitude and complexity of the facilities that are the subject of the contract and that such contractor has the ability to perform all work required in a professional and timely manner. In addition, DASNY shall consider factors such as financial and other responsibility, reliability, skill, past performance on DASNY projects, judgment and integrity.

DASNY shall maintain written procedures consistent with these Guidelines concerning the solicitation, evaluation and selection of Procurement Contractors to which Procurement Contracts for construction services are to be awarded. These procedures shall also provide for, among other things, the promotion of Minority and Women-Owned Business Enterprise, New York State Business Enterprises, New York State Residents and Small Businesses and an assessment of the Diversity Practices of Procurement Contractors in accordance with the provisions of Article 15-A of the

Executive Law and any regulations promulgated thereunder.

All Alternative Project Delivery System contracts shall be awarded pursuant to a Request for Proposals Source Selection Method. Alternative Project Delivery System contracts shall not be utilized unless: (i) this method of procurement is permitted under applicable law; and (ii) DASNY and its client concur in writing prior to the commencement of the procurement process that the use of an Alternative Project Delivery System contract is in the best interests of the project and in support of that determination, identify the specific benefits, such as schedule, financial, or project feasibility, expected to be gained from an Alternative Project Delivery System method of procurement.

C. Procurement Contracts for Goods and Other Non-Professional Services. DASNY shall award Procurement Contracts for goods (including but not limited to, materials, fixtures, furnishings and equipment) and services (other than Professional Services and construction services) in the following manner:

1. Consult with the Client to establish a realistic furnishings and equipment budget based upon that Client's program.
2. Prepare, when required, Competitive Bid documents and comply with advertisement requirements or, if Competitive Bidding is not required by statute, utilize a Competitive Basis (including Competitive Bids) unless the Procurement Contract is an Exempt Contract or is made using one the following Source Selection Methods: Assignment, Centralized Contracts, Designation, Emergency Contract, Preferred Source, Discretionary Purchases, Single Source or Sole Source.
3. Evaluate Competitive Bids received or analyze Comparative Pricing costs and make recommendations to the client.
4. Prepare contracts and/or purchase orders.
5. Monitor vendors for quality control and timely deliveries.
6. Assist the Client in the receipt and placing of furnishings and equipment.
7. Verify the quantities received and the quality of the products in light of the specifications, and monitor the vendor invoices for timely payments.
8. DASNY shall maintain written procedures that are consistent with these Guidelines concerning the solicitation, evaluation and

selection of vendors and suppliers to which Procurement Contracts for goods and materials shall be awarded. These procedures shall provide for, among other things, the promotion of Minority and Women-Owned Business Enterprises, New York State Business Enterprises, New York State Residents and Small Businesses and an assessment of the Diversity Practices of Procurement Contractors in accordance with the requirements of Article 15-A of the Executive Law and any regulations promulgated thereunder.

- D. Review of Unsuccessful Bids (Debriefing Requirements). In the event that an unsuccessful bidder or proposer requests DASNY to review the award of a Procurement Contract to a bidder or proposer other than itself, DASNY shall afford the unsuccessful bidder or proposer the opportunity to review its bid or proposal with DASNY. In addition, DASNY shall provide the reasons to the unsuccessful bidder or proposer for not receiving the award of the Procurement Contract. DASNY shall ensure that in the process of reviewing the bid or proposal of an unsuccessful bidder or proposer that such bidder or proposer is treated in a fair and equitable manner.
- E. Promotion of Service-Disabled Veteran-Owned Businesses. It is the goal of DASNY to (a) promote and assist participation by Service-Disabled Veteran-Owned Businesses in competition for Procurement Contracts and to (b) award a fair share of Procurement Contracts to Certified Service-Disabled Veteran-Owned Businesses. All Procurement Contracts, where required, shall be in compliance with Article 17-B of the Executive Law.
- F. Promotion of Minority and Women-Owned Business Enterprises. It is the goal of DASNY to (a) promote and assist participation by Minority and Women-Owned Business Enterprises in competition for Procurement Contracts and to (b) award a fair share of Procurement Contracts to Minority and Women-Owned Business Enterprises. It is also DASNY's goal to award contracts to those contractors who have evidenced compliance with the laws of the State of New York prohibiting discrimination in employment. DASNY recognizes that this goal may be achieved by awarding Procurement Contracts to those firms who have demonstrated that they do not discriminate in employment. Furthermore, if the performance of any contract permits or requires the use of a subcontractor, said contract shall require the contractor to act affirmatively to secure participation by Minority and Women-Owned Business Enterprises in such subcontract and to report the nature and extent of such efforts to DASNY. All Procurement Contracts, where required, shall be in compliance with Article 15-A of the Executive Law.
1. In furtherance of the above, and to promote the use of Minority and Women-Owned Enterprises in Procurement Contracts, DASNY shall:

- i. establish appropriate goals for participation of Minority and Women-Owned Business Enterprises in Procurement Contracts and for the utilization of Minority and Women-Owned Business Enterprises as subcontractors and suppliers by entities having Procurement Contracts with DASNY in accordance with Article 15-A of the Executive Law and any regulations promulgated thereunder.
- ii. solicit offers from Minority and Women-Owned Business Enterprises known to have experience in the area of the goods or service to be provided, regardless of the type of contract.
- iii. provide notice of any procurement to appropriate professional organizations that serve Minority and Women-Owned Business Enterprises so that members of these organizations are apprised of potential opportunities to contract with DASNY.
- iv. maintain a database of Minority and Women-Owned Business Enterprises that have expressed interest in doing business with DASNY and ensure that such entities receive direct notice of any impending procurements.
- v. consult any list maintained by any State agency or department known to DASNY, including the Department of Economic Development, which identifies Minority and Women-Owned Business Enterprises by area of expertise and shall contact appropriate Minority and Women-Owned Business Enterprises listed therein to solicit their offers.
- vi. designate appropriate staff to oversee DASNY's programs established to promote and assist: (i) participation by Minority or Women-owned Business Enterprises in DASNY's procurement opportunities and facilitation of the award of procurement contracts to such enterprises; (ii) the utilization of Minority and Women-Owned Business Enterprises as subcontractors and suppliers by entities having procurement contracts with DASNY; and (iii) the utilization of partnerships, joint ventures or other similar arrangements between Minority and Women-Owned Business Enterprises and other entities having procurement contracts with DASNY. Such staff shall be familiar with the procurement of the types of construction, financial, legal or professional services utilized by DASNY, report directly to DASNY's President and either directly or through their designees participate in the procurement process.
- vii. Establish requirements to conduct procurements in a manner that will enable DASNY to achieve the maximum feasible portion of

the goals established pursuant to subparagraph (i) of this subsection and that eliminates barriers to participation by Minority and Women-Owned Business Enterprises on Procurement Contracts. Such requirements shall, in accordance with the requirements of section 2879 of the Public Authorities Law, include, without limitation:

- a. a condition that each contract solicitation document accompanying each solicitation provide the expected degree of Minority and Women-Owned Business Enterprise participation;
- b. provisions relating to joint ventures, under which a bidder may count toward meeting its Minority Business Enterprise Participation goal, the Minority and Women-Owned Business Enterprise portion of the joint venture;
- c. provisions under which DASNY may waive obligations of the contractor relating to Minority and Women-Owned Business Enterprise participation after a showing of good faith efforts to comply with the Minority and Women-Owned Business Enterprise requirements of the contract and all applicable laws pursuant to the waiver provisions contained in Article 15-A of the Executive Law; and
- d. verification that Minority and Women-Owned Business Enterprises listed in a successful bid are participating to the extent listed on the project for which the bid was submitted.

2. In implementing the provisions of this Section F, DASNY shall:

- i. Consider, where practicable, the severability of construction projects and other bundled contracts;
- ii. Implement a program that will enable it to evaluate each contract to determine the appropriateness of the established goal;
- iii. Consider compliance with the requirements of any federal law concerning opportunities for Minority and Women-Owned Business Enterprises which effectuates the purpose of this section; and
- iv. Consult the most recent disparity study pursuant to Article 15-A of the Executive Law.

G. Small Businesses or Minority or Women-Owned Business Enterprises Pilot Program: Public Authorities Law §1678[29] authorizes the establishment of a pilot program (the “Pilot Program”) for the award of contracts for the procurement of Goods or Services from, or for the construction, reconstruction, rehabilitation or improvement of facilities by, Small Businesses (as defined in § 131 of the Economic Development Law) or Minority or Women-Owned Business Enterprises (as defined in § 310 of the Executive Law). The total value of Procurement Contracts awarded pursuant to this Pilot Program shall not exceed the greater of twenty million dollars or five percent of the value of all Procurement Contracts awarded by DASNY in any given fiscal year. Procurements made pursuant to the Pilot Program shall be designated as such by DASNY prior to the advertisement and request for bids or proposals. Any advertisement or request shall clearly indicate such designation. Designated procurements made pursuant to this Pilot Program may be undertaken in conjunction with § 147 of the State Finance Law authorizing a mentor-protégé program to foster long-term relationships between approved mentor firms and Small Business concerns and Minority and Women-Owned Business Enterprises certified pursuant to Article 15-A of the Executive Law. Prior to such designation, DASNY shall determine the availability of Small Businesses or Minority or Women-Owned Business Enterprises to assure adequate competition for the applicable procurement of Goods or Services. In making this determination, DASNY shall consider the availability, capacity and capability of Small Businesses or Minority or Women-Owned Business Enterprises to submit bids or other proposals for, and perform the relevant work under the applicable Procurement Contract. This evaluation may include, but shall not be limited to: the nature and geographic location of the work; the nature and geographic location of the qualified, responsible, responsive and certified Small Businesses, Minority or Women-Owned Business Enterprises; potential prime contract, subcontract or supplier contracting opportunities; financial capacity, experience, qualifications of principals, integrity, bonding capacity and maintenance of compliant insurance. If the total number or parties responding and considered capable of meeting the specifications and terms of a designated advertisement and request for bids or proposals is less than three, or if DASNY determines that acceptance of any bid or proposal will result in the payment of an unreasonable price, DASNY shall reject all responses and withdraw such Pilot Program designation.

H. Promotion of New York State Business Enterprises and New York State Residents. It is the goal of DASNY to promote the participation of New York State Business Enterprises and New York State Residents in Procurement Contracts. Accordingly, the following procedures shall apply:

1. DASNY shall collect and consult the specifications of New York State

Business Enterprises in developing specifications for any Procurement Contract for the purchase of goods where possible, practicable, feasible and consistent with open bidding. DASNY shall, where feasible, make use of the stock item specification forms prepared by the New York State Commissioner of General Services, and where necessary, consult with said Commissioner in developing such specifications and making such determinations.

2. DASNY shall, with the cooperation of the Department of Economic Development and through cooperative efforts with contractors, provide for the notification of New York State Business Enterprises of opportunities to participate as subcontractors and suppliers on Procurement Contracts let by DASNY in an amount estimated to be equal to or greater than one million dollars and promulgating procedures which will assure compliance by contractors with such notification as a condition of awarding bids. Such contractors shall, as supplementary materials to their bids, document their efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors on Procurement Contracts equal to or greater than one million dollars; attest to compliance with the federal Equal Employment Opportunity Act of 1972 (P.L. 92-261) as amended; and document their efforts to provide notification to New York State Residents of employment opportunities through listing any such positions with the community service division of the New York State Department of Labor or providing for such notification in such manner as is consistent with existing collective bargaining contracts or agreements.
3. DASNY shall include in all bid documents provided to potential bidders a statement that information concerning the availability of New York State subcontractors and suppliers is available from the New York State Department of Economic Development; a statement notifying potential bidders located in foreign countries that DASNY may assign or otherwise transfer offset credits created by such Procurement Contracts to third parties located in New York State, and it is the policy of New York State to encourage the use of New York State subcontractors and suppliers, and to promote the participation of Certified Minority and Women Owned Business Enterprises and Service-Disabled Veteran-Owned Businesses where possible, in the procurement of goods and services.
4. DASNY, with the cooperation of the community service division of the New York State Department of Labor and through cooperative effort with contractors, shall provide for the notification of New York State Residents of employment opportunities arising in New York State out of Procurement Contracts let by DASNY in an amount estimated to be equal to or greater than one million dollars, and shall require contractors to submit post-award compliance reports

documenting their efforts to provide such notification through listing any such positions with the community service division, or providing for such notification in such manner as is consistent with existing collective bargaining contracts or agreements.

5. DASNY shall notify the New York State Commissioner of Economic Development of the award of a Procurement Contract for the purchase of goods from a Foreign Business Enterprise in an amount equal to or greater than one million dollars simultaneously with notifying the successful bidder therefore. DASNY shall not thereafter enter into a Procurement Contract for said goods until at least fifteen days has elapsed, except for Procurement Contracts awarded on an emergency or critical basis. The notification to the Commissioner of Economic Development shall include the name, address and telephone and facsimile number of the Foreign Business Enterprise, the amount of the proposed Procurement Contract and the name of the individual at the Foreign Business Enterprise or acting on behalf of the same who is principally responsible for the proposed Procurement Contract.
 6. DASNY shall comply with the provision of paragraphs (b), (c) and (d) of subdivision five of section 2879 of the Public Authorities Law in relation to dealing with discriminatory jurisdictions as such term is defined therein.
- I. Approval and Annual Review of Certain Contracts. DASNY may enter into Procurement Contracts for periods of longer than one year in accordance with these Guidelines provided such contracts are presented to the Board of DASNY for approval and review annually as part of the approval of the Annual Report on Procurement Contracts. Such Procurement Contracts may also be terminated by the Board of DASNY.
 - J. Contracts Requiring Approval of the Board of DASNY. All Procurement Contracts for the general corporate purposes of DASNY, other than Exempt Contracts, that are in excess of three hundred thousand dollars (\$300,000.00), or are for the retention of outside legal counsel or independent auditors must be approved by the Board of DASNY.
 - K. Vendor Integrity. 1. As a public entity, DASNY may only contract with entities that are determined to be responsive and responsible at the time of contract award, and said entities are required to maintain responsibility throughout the term of the applicable Procurement Contract. Pursuant to DASNY's vendor responsibility determination processes, prospective Procurement Contractors shall submit a Vendor Responsibility Questionnaire ("VRQ") which is designed to provide information to assess a proposed vendor's responsibility to conduct business in New York State. All VRQ shall be reviewed in accordance with applicable law, policy, rules,

regulations and guidelines, including without limitation Executive Order Nos. 125, 170.1 and 192; the procedures adopted by the Council of Contracting Agencies in accordance therewith; and the procedures adopted by DASNY pursuant to these Guidelines. Procurement Contracts shall require Procurement Contractors and their subcontractors, if any, remain responsible during the term of a Procurement Contract and shall have a continuing obligation to update the information provided in any VRQ, upon request and when there is a material change to information provided therein.

In furtherance of the above, and to promote the use of responsive and responsible subcontractors, DASNY shall include in all bid and contract documents to potential bidders a statement that: (i) when selecting all subcontractors, a Procurement Contractor shall consider whether the proposed subcontractor has legal authority to do business in New York State and possesses the integrity, experience, qualifications, and organizational and financial capacity to perform; (ii) the Procurement Contractor shall not subcontract with any entity on the list of non-responsible entities maintained by the NYS Office of General Services pursuant to Executive Order No. 192 or that is otherwise debarred pursuant to New York State Law; and that (iii) the Procurement Contractor shall also monitor each subcontractor for responsibility during the term of the Procurement Contract and shall immediately notify DASNY of any material or adverse information.

DASNY may request additional information from Procurement Contractors and their subcontractors deemed necessary to assist in making responsibility determinations.

- L. Requirement that Procurement Contracts be in Writing. All Procurement Contracts shall be in writing, and except as provided in the DASNY By-Laws or separate Board resolution, approved and executed by an authorized officer of DASNY.
- M. Limitations on Contracts with Former Officers and Employees. DASNY shall not enter into a Procurement Contract with a former officer or employee of DASNY or any entity in which such officer or employee has an interest (including a position of employment with such entity) unless there has been compliance with these Guidelines and the applicable provisions of the Public Officers Law.
- N. Joint Source Selections. No provision of these Guidelines shall prohibit DASNY from undertaking any Source Selection Method (Competitive Basis) pursuant to Section 3[B] hereof for one or more Procurement Contracts jointly with one or more state authorities as defined in section 2 of the Public Authorities Law, provided however, that each requirement of such Source Selection Method (Competitive Basis) shall be satisfied with respect to any

contractor selected by DASNY under a Joint Source Selection procurement, and that no other state DASNY shall be a party to any specific Procurement Contract authorizing the purchase of goods or services by DASNY resulting from such Source Selection Method (Competitive Basis).

Section 6. STANDARD PROVISIONS FOR PROCUREMENT CONTRACTS

- A. Procurement Contracts for Professional Services. Procurement Contracts for Professional Services shall detail the scope of services to be performed and the time frame for performance, the monitoring or reviewing of that performance by DASNY personnel and, where appropriate, any permitted use of DASNY supplies, facilities or personnel. Such contracts shall also state the compensation for the services, the schedule of payment, the pre-conditions for receiving payment from DASNY, procedures for termination of the contract and any other provisions deemed necessary or appropriate for each particular Contract. In addition, if performance of a particular Procurement Contract for Professional Services will require the use of subcontractors, the contract shall require the contractor to act affirmatively to secure such participation by Minority and Women-Owned Business Enterprises and to report such efforts to DASNY.
- B. Requirements for All Procurement Contracts: All Procurement Contracts shall generally include, without limitation, the following provisions:
1. Scope of Services;
 2. Contract Price or Fee Structure;
 3. Method of Monitoring Work Performed;
 4. Use of DASNY Supplies and Facilities;
 5. Use of DASNY Personnel;
 6. Method or Basis of Payment;
 7. Compliance with Laws, Rules and Regulations;
 8. Contract Deemed Executory;
 9. Termination of Agreement for Cause and for Convenience;
 10. Suspension or Alteration of Agreement;
 11. Death of Consultant, if such consultant is an individual or partnership;
 12. Laws of New York State Apply;
 13. Creation of Independent Contractor Relationship;
 14. Provisions Required by Law Deemed Inserted;
 15. Certification of Non-Segregated Facilities and Non-Discrimination in Employment in Northern Ireland, compliance with Federal Equal Employment Opportunity Act, Commitment to New York State Business Enterprises and Non Collusive Bidding Requirement;
 16. Indemnity and Insurance;
 17. Severability;
 18. Promotion of Minority and Women-Owned Business Enterprises; and
 19. Promotion of New York State Business Enterprises, New York State Residents and Small Businesses.

20. Integrity Certification.

- C. Compliance with Procedures of the Procurement Unit. All Procurement Contracts shall be awarded in compliance with procedures adopted by the Procurement Unit within the Division of Construction for the applicable type of Procurement Contract.
- D. Compliance with Title 4 of Article 9 of Public Authorities Law. DASNY shall comply with all provisions of Title 4 of Article 9 of the Public Authorities Law as they relate to Procurement Contracts of DASNY; provided however, that DASNY shall not be required to comply with the provisions of subdivision one of section 2603-a of that statute (relating to the use of domestic steel) if the Managing Director of Construction has advised the Board of DASNY that the criteria contained in subdivision two of that section is satisfied. Under Public Authorities Law §2879-a and the regulations promulgated thereunder, Procurement Contracts in excess of one million dollars that either: (i) are to be paid for in whole or in part from moneys appropriated by the State to DASNY for the purpose of paying such contractual expenditure; or (ii) are not to be awarded after a competitive process (regardless of funding source) are subject to approval by the Office of the State Comptroller ("OSC") if OSC has notified DASNY in writing that any such contract or category of contracts requires the OSC's approval. Upon the receipt of any such notice from OSC, DASNY shall include appropriate language in the affected Procurement Contract stating that the OSC's approval is required for the Procurement Contract to be effective and valid and enforceable against the parties thereto.
- E. Compliance with State Finance Law §§ 139-j and 139-k (the Procurement Lobbying Law). In order to comply with the Procurement Lobbying Law, DASNY has established Policy and Procedures pertaining to contacts regarding Procurement Contracts. Consistent with the Procurement Lobbying Law and DASNY's Policies and Procedures, DASNY shall designate one or more persons who may be contacted by Procurement Contractors regarding a given procurement and shall require disclosure from Procurement Contractors of persons or organizations designated, retained or employed to attempt to influence the procurement process. DASNY shall incorporate a summary of the Policy and Procedures in all solicitation of proposals, bid documents or specifications. Procurement Contracts must contain a certification by the Procurement Contractor that all information provided to DASNY with respect to the Procurement Lobbying Law is complete, true and accurate, and a provision authorizing termination of the Procurement Contract where it is found that the Procurement Contractor intentionally violated the Procurement Lobbying Law. DASNY shall consider as part of its determination of responsibility of a Procurement Contractor whether there has been past or present non-compliance with the Procurement Lobbying Law.
- F. Requirements for Procurement Contracts Based on Procurements of Other

State Authorities. Where a DASNY contract is procured in accordance with the provisions of Section 3.B.10. hereof, to the extent the other state authority has negotiated a procurement contract with the subject vendor, the terms of the procurement contract of the other state authority shall apply to the DASNY Procurement Contract with said vendor to the extent the terms do not conflict with DASNY policy and standard contract terms. In the event the other state authority has not yet entered into a procurement contract with the subject vendor by the time the subject DASNY Procurement Contract is negotiated, the terms negotiated in the DASNY Procurement Contract shall control, provided however, that to the extent the other state authority subsequently negotiates more favorable terms with the subject vendor, the more favorable terms of the other state authority procurement contract shall be incorporated into DASNY's Procurement Contract with the subject vendor.

Section 7. REPORT ON PROCUREMENT CONTRACTS

A. Annual Report. Following each fiscal year, the Board of DASNY shall approve an annual report on Procurement Contracts as required by subdivision 7 of section 2879 of the Public Authorities Law. Such annual report will include: (i) these Guidelines and any amendments hereto; (ii) an explanation of these Guidelines and any amendments hereof; (iii) a list of the year's Procurement Contracts; (iv) a list of the aforesaid contracts entered into with New York State Business Enterprises (as defined in Public Authorities Law, §2879(3)(i)), and the subject matter and value thereof; (v) a list of the aforesaid contracts entered into with Foreign Business Enterprises and the subject matter and value thereof; (vi) a list of contracts exempted from reporting in the Contract Reporter and the basis for each 27 exemption; and, (vii) the total fees, commissions or other compensations, by payee, paid for Professional Services and (viii) the total number and total dollar value of procurement contracts awarded to minority and women-owned business enterprises pursuant to Public Authorities Law § 2879(3)(b)(i). The percent of contracts awarded, and total compensation paid, to Minority and Women-Owned Business Enterprises as well as all referrals made and penalties imposed pursuant to Executive Law § 316 shall be reported in accordance with the provisions of Article 15-A of the Executive Law and need not be included in the Annual Report required by these Guidelines.

B. Submission of Annual Report. The annual report on Procurement Contracts, after being approved by the Board of DASNY, shall be submitted to the Division of the Budget with copies to the Department of Audit and Control, the Department of Economic Development, the Senate Finance Committee and the Assembly Ways and Means Committee.

C. Availability to Public. Copies of the annual report on Procurement Contracts shall also be available to the public upon reasonable request at DASNY's main office.

D. Article 15-A Reports. Reports made pursuant to Article 15-A of the Executive Law, with respect to activities undertaken by DASNY to promote and increase participation by certified Minority and Women Business

Enterprise Procurement Contractors, shall also include, without limitation, DASNY's annual goals for contracts with Minority-owned and Women-owned Business Enterprises; the number of actual contracts issued to Minority-owned and Women-owned Business Enterprises; and a summary of all waivers of the requirements of subdivisions 6 and 7 of section 313 of Article 15-A of the Executive Law allowed by DASNY during the preceding year, including a description of the basis of the waiver request and the rationale for granting such waiver. DASNY shall also include in such annual report whether or not it has been required to prepare a remedial plan, and, if so, the plan and the extent to which DASNY has complied with each element of the plan.

Section 8. MISCELLANEOUS PROVISIONS

- A. Amendment of Guidelines. Any modification or amendment of these Guidelines may be made by a Supplemental Resolution adopted at any duly constituted meeting of the Board of DASNY; provided, however, that no such modification or amendment shall abrogate the rights and duties of existing DASNY contracts, the terms of which were established pursuant to these Guidelines.
- B. No Recourse Under these Guidelines. No provision contained solely in these Guidelines shall be the basis for any claim based on these Guidelines against any member, officer or employee of DASNY or DASNY itself.
- C. Effect of Noncompliance of Guidelines. Nothing contained in these Guidelines shall be deemed to alter, affect the validity of, modify the terms of or impair any contract or agreement made or entered into in violation of, or without compliance with, the provisions of these Guidelines.

Dated: December 11, 2019

	A	B	C	D	E	F	G	H
1	Executive Summary-Appendix A						DASNY Procurement Report	
2	Awarded Professional Services Contracts						April 1, 2020 - March 31, 2021	
3								
4	Award Date	Contractor/Consultant Name	Contract Type	Contract No	Original Encum. Value	Serv/Co mm Code	Serv/Comm Description	Award Code
5	4/1/2020	TDX Construction Corp.	O1	211143	\$ 221,601.34	302	Construction Management	A2
6	4/27/2020	Urbahn Architects PLLC	O1	212477	\$ 714,423.00	255	Architect	C
7	6/10/2020	TDX Construction Corp.	O1	212309	\$ 648,183.00	302	Construction Management	A2
8	6/10/2020	TDX Construction Corp.	O1	212308	\$ 1,072,812.00	302	Construction Management	A2
9	10/5/2020	STV A-R JV	O1	212892	\$ 3,330,994.00	255	Architect	A2
10	10/21/2020	Legacy a Joint Venture of AECOM USA Inc	O1	213124	\$ 396,000.00	302	Construction Management	A2
11	10/21/2020	Legacy a Joint Venture of AECOM USA Inc	O1	213123	\$ 6,770,127.00	302	Construction Management	A2
12	11/4/2020	Jacobs Project Management Co.	O1	214748	\$ 175,337.10	302	Construction Management	A2
13	12/17/2020	Davis Brody Bond LLP	O1	212690	\$ 2,906,922.00	255	Architect	E
14	1/25/2021	TDX Construction Corp.	O1	215374	\$ 304,189.00	302	Construction Management	A2
15								
16								
17					\$ 16,540,588.44			

**Executive Summary- Appendix B
Awarded Construction Services**

**DASNY Procurement Report
April 1, 2020 - March 31, 2021**

Award Date	Contractor/Consultant Name	Contract Type	Contract No	Committed Transaction Amt	Contractor/ Consultant	Serv/Comm Code	Serv/Comm Description	Award Code
4/9/2020	Corporate Construction & Project	OS	212084	\$ 134,900.00	158729	600	General Construction	A1
4/10/2020	Davis-Ulmer Sprinkler Co., Inc.	OS	210078	\$ 38,693.00	116570	600	General Construction	B1
4/15/2020	AAA Contracting Services Corp.	OS	212082	\$ 1,286,000.00	164539	600	General Construction	A1
4/16/2020	Valmar Electric Corp	OS	212079	\$ 435,000.00	165104	600	General Construction	A1
4/20/2020	Kasselman Electric Co Inc	OS	212380	\$ 207,795.00	103774	700	Electrical	A1
4/20/2020	Zerodraft of CNY, Inc.	OS	212366	\$ 368,328.00	165194	600	General Construction	A1
4/20/2020	Kasselman Electric Co Inc	OS	212377	\$ 497,500.00	103774	700	Electrical	A1
4/20/2020	DiGesare Mechanical, Inc.	OS	212476	\$ 1,363,000.00	108654	800	HVAC	A1
4/23/2020	Nelcorp Electrical Contracting Corp.	OS	212376	\$ 234,900.00	125797	700	Electrical	A1
4/27/2020	Vacri Construction Corportation	OS	212162	\$ 320,000.00	155153	600	General Construction	A1
4/27/2020	SH5 Construction Corp	OS	212361	\$ 866,185.00	157090	600	General Construction	A1
4/27/2020	A.B.C.D. Construction Corp.	OS	212417	\$ 4,290,840.00	129232	600	General Construction	A1
5/6/2020	CFI Contracting, Inc.	OS	212639	\$ 548,900.00	157624	600	General Construction	A1
5/11/2020	Louis C. Allegrone, Inc.	OS	212424	\$ 1,022,000.00	164623	600	General Construction	A1
5/11/2020	Kircher Construction Inc.	OS	212034	\$ 1,243,000.00	145173	600	General Construction	A1
5/11/2020	Niram, Inc.	OS	212536	\$ 1,283,000.00	105588	600	General Construction	A1
5/11/2020	Niram, Inc.	OS	212537	\$ 1,283,000.00	105588	600	General Construction	A1
5/28/2020	EMCOR/Betlem Service Corporation	OS	212814	\$ 162,000.00	153984	600	General Construction	A1
5/29/2020	UTB-United Technology, Inc.	OS	212356	\$ 5,467,450.00	145499	600	General Construction	A1
6/4/2020	A1 Construction Service, Inc.	OS	212349	\$ 1,703,000.00	162725	600	General Construction	A1
6/4/2020	Stalco Construction Inc.	OS	212315	\$ 2,339,534.00	143164	600	General Construction	A1
6/8/2020	G & M Earth Moving Inc	OS	213107	\$ 710,000.00	158311	600	General Construction	A1
6/8/2020	NY Asphalt Inc	OS	213023	\$ 3,491,492.00	160592	600	General Construction	A1
6/16/2020	NY Asphalt Inc	OS	213020	\$ 4,933,118.53	160592	600	General Construction	A1
6/24/2020	AMG Demolition, Inc.	OS	212849	\$ 50,000.00	159408	600	General Construction	E
6/24/2020	PTL Contracting Corp.	OS	213125	\$ 170,000.00	133062	600	General Construction	A1
6/24/2020	Wilkins Mechanical Inc.	OS	213137	\$ 399,000.00	153310	600	General Construction	A1
7/2/2020	Sienia Construction Inc	OS	213205	\$ 1,142,250.00	164964	600	General Construction	A1
7/13/2020	Jobco Incorporated	OS	213302	\$ 1,433,000.00	129914	600	General Construction	A1
7/14/2020	Pen Enterprises, Inc.	OS	212728	\$ 1,500,000.00	119034	600	General Construction	A1
7/16/2020	Tredent Contracting Services Inc.	OS	212891	\$ 639,000.00	165453	600	General Construction	A1
7/20/2020	Agustin Construction Corp	OS	212080	\$ 172,000.00	164818	600	General Construction	A1
7/20/2020	APS Electric, Inc.	OS	213350	\$ 1,357,000.00	165663	600	General Construction	A1
7/21/2020	East Coast Environmental Restoration Inc	OS	214256	\$ -	165653	600	General Construction	A1
7/21/2020	Nicholson & Galloway, Inc.	OS	214261	\$ -	112249	600	General Construction	A1
7/21/2020	Pullman SST Inc	OS	214263	\$ -	159558	600	General Construction	A1
7/21/2020	Exo Industries Corp	OS	214259	\$ -	165650	600	General Construction	A1
7/21/2020	PB Contracting Corp.	OS	214262	\$ -	161005	600	General Construction	A1
7/30/2020	Frey Electric Construction Co. Inc.	OS	212466	\$ 744,000.00	108916	700	Electrical	A1
8/6/2020	SH5 Construction Corp	OS	213281	\$ 2,506,633.15	157090	600	General Construction	A1
8/6/2020	SRR Holdings LLC	OS	213924	\$ 3,888,786.00	163242	600	General Construction	A1
8/7/2020	Boland's Excavating & Topsoil Inc.	OS	213430	\$ 268,300.00	151282	600	General Construction	A1

8/7/2020	Fanshawe Inc. dba Rockland Electric	OS	213114	\$ 287,000.00	103690	700	Electrical	A1
8/7/2020	AGD Contracting Corp.	OS	213118	\$ 796,711.00	165626	906	Asbestos Abatement	A1
8/7/2020	Titan Roofing Inc	OS	212960	\$ 2,035,760.00	107285	600	General Construction	A1
8/7/2020	Mengler Mechanical, Inc.	OS	213940	\$ 4,872,000.00	136785	800	HVAC	A1
8/18/2020	Open Systems Integrators Inc	OS	212895	\$ 184,900.00	158591	700	Electrical	A1
8/27/2020	SRR Holdings LLC	OS	212423	\$ 514,000.00	163242	600	General Construction	A1
9/14/2020	Slade Industries, Inc.	OS	213856	\$ 723,505.00	152868	905	Elevator Install & Maintenance	E
9/15/2020	Slade Industries, Inc.	OS	213855	\$ 331,050.00	152868	905	Elevator Install & Maintenance	E
9/16/2020	Slade Industries, Inc.	OS	213723	\$ 896,205.00	152868	905	Elevator Install & Maintenance	E
9/17/2020	Slade Industries, Inc.	OS	214033	\$ 116,970.00	152868	905	Elevator Install & Maintenance	E
9/17/2020	Slade Industries, Inc.	OS	213722	\$ 769,950.00	152868	905	Elevator Install & Maintenance	E
9/18/2020	Dunwell Elevator Electrical Industries	OS	213861	\$ 91,588.00	144137	905	Elevator Install & Maintenance	E
9/18/2020	Siemens Industry Inc	OS	213910	\$ 196,252.00	152894	600	General Construction	E
9/18/2020	Slade Industries, Inc.	OS	213857	\$ 258,750.00	152868	905	Elevator Install & Maintenance	E
9/22/2020	Kone, Inc.	OS	213862	\$ 353,050.00	135025	905	Elevator Install & Maintenance	E
9/23/2020	Kone, Inc.	OS	213864	\$ 71,500.00	135025	905	Elevator Install & Maintenance	E
9/23/2020	Kone, Inc.	OS	213863	\$ 284,200.00	135025	905	Elevator Install & Maintenance	E
9/29/2020	Alliance Tri-State Construction, Inc.	OS	212154	\$ 2,180,000.00	163200	600	General Construction	A1
10/19/2020	NY Asphalt Inc	OS	212945	\$ 5,841,200.00	160592	600	General Construction	A1
10/19/2020	MST General Contracting Restoration Inc	OS	213565	\$ 6,725,325.00	147493	600	General Construction	A1
10/19/2020	Infinity Contracting Services Corp	OS	212089	\$ 9,296,000.00	161292	600	General Construction	A1
10/21/2020	Louis Del Prince & Sons, Inc.	OS	214682	\$ 303,300.00	157088	600	General Construction	A1
10/23/2020	Related Services LLC	OS	213961	\$ 2,896,904.00	165781	600	General Construction	A1
10/23/2020	JEMCO Electrical Contractors, Inc.	OS	212365	\$ 6,979,500.00	133410	600	General Construction	A1
10/23/2020	E.E. Cruz & Company, Inc.	OS	212920	\$ 10,779,675.00	165593	600	General Construction	A1
10/23/2020	Forte Construction Corp	OS	213384	\$ 113,551,000.00	155205	600	General Construction	A1
10/26/2020	The Hayner Hoyt Corporation	OS	214518	\$ 518,800.00	132239	600	General Construction	A1
11/19/2020	Ex Air Inc dba DDC Air Conditioning	OS	214764	\$ 498,500.00	125524	600	General Construction	A1
11/19/2020	Empire Construction & Property	OS	212090	\$ 3,205,460.00	164869	600	General Construction	A1
12/4/2020	Johnson Controls, Inc.	OS	213913	\$ 676,277.00	108884	600	General Construction	A1
12/7/2020	KS Construction of NY Inc	OS	214091	\$ 1,925,000.00	165794	600	General Construction	A1
12/7/2020	Lipsky Enterprises, Inc.	OS	213578	\$ 6,580,000.00	143205	600	General Construction	A1
1/5/2021	Burns Bros. Contractors, LLC	OS	215066	\$ 259,500.00	165659	805	Plumbing	A1
1/11/2021	Johnson Controls Inc	OS	214410	\$ 311,067.70	141887	600	General Construction	B1
1/13/2021	S&L Roofing & Sheetmetal, Inc.	OS	214926	\$ 330,900.00	127498	600	General Construction	A1
1/13/2021	New York Concrete Corp.	OS	214948	\$ 680,000.00	129730	600	General Construction	A1
1/13/2021	DiGesare Mechanical, Inc.	OS	215065	\$ 1,345,000.00	108654	800	HVAC	A1
1/19/2021	KS Construction of NY Inc	OS	214711	\$ 456,000.00	165794	600	General Construction	A1
1/19/2021	JEMCO Electrical Contractors, Inc.	OS	214798	\$ 1,098,864.00	133410	600	General Construction	A1
1/19/2021	Dominion Construction Corp.	OS	213490	\$ 1,747,000.00	152516	600	General Construction	A1
1/26/2021	Trane U.S. Inc.	OS	214407	\$ 178,103.00	132709	600	General Construction	B1
1/26/2021	Genesys Engineering P.C.	OS	214592	\$ 24,043,140.78	142949	266	Energy Performance	A1
1/29/2021	JEMCO Electrical Contractors, Inc.	OS	215035	\$ 1,311,973.00	133410	600	General Construction	A1
1/29/2021	B&B Contracting Group, LLC	OS	213778	\$ 1,999,794.00	165530	600	General Construction	A1
2/2/2021	BRG Corporation	OS	215232	\$ 619,900.00	147126	600	General Construction	A1
2/19/2021	J. Pizzirusso Landscaping Corp	OS	214961	\$ 1,655,550.00	165922	600	General Construction	A1
2/19/2021	PCI Industries Corp	OS	214962	\$ 1,679,664.00	165923	600	General Construction	A1

2/19/2021	Probuildero Corp	OS	215036	\$ 3,646,399.00	165869	600	General Construction	A1
2/22/2021	Watson Electric Inc.	OS	215064	\$ 119,000.00	135581	700	Electrical	A1
2/25/2021	NRC East Environmental Services, Inc.	OS	214937	\$ 178,950.00	165955	600	General Construction	A1
3/1/2021	Tameer, Inc.	OS	214985	\$ 888,008.00	165103	600	General Construction	A1
3/1/2021	Tameer, Inc.	OS	214783	\$ 3,069,000.00	165103	600	General Construction	A1
3/10/2021	Burns Bros. Contractors, LLC	OS	215473	\$ 1,149,000.00	165659	800	HVAC	A1
3/12/2021	Watson Electric Inc.	OS	215456	\$ 178,041.00	135581	700	Electrical	A1
3/12/2021	Arold Construction Co., Inc.	OS	215460	\$ 1,221,095.00	151943	600	General Construction	A1
3/12/2021	Preferred Construction, Inc.	OS	215176	\$ 1,490,000.00	165963	600	General Construction	A1
3/12/2021	Euro Castle Construction Corp.	OS	215010	\$ 1,988,468.00	158653	600	General Construction	A1
3/12/2021	Urban Ecospaces, Inc.	OS	214960	\$ 3,979,123.57	163426	600	General Construction	A1
3/12/2021	O'Brien & Gere/Dewberry Joint Venture	OS	212262	\$ 428,932.38	156136	266	Energy Performance	A1
3/31/2021	Continental Construction, LLC	OS	215650	\$ 216,117.00	145175	600	General Construction	A1

\$ 289,508,527.11

**Executive Summary - Appendix C
Awarded Purchase Orders**

**DASNY Procurement Report
April 1, 2021 - March 31, 2021**

Encumbered Date	Vendor Name	Contract Type	PO Number	Committed Transaction Amt	Vendor No	Serv/Comm Code	Serv/Comm Description	Award Code
04/02/2020	Redhawk Equipment LLC	OP	213087	9,512.00	151827	DRA	Window Treatments	A1
04/02/2020	CDW Government LLC	O2	213097	9,532.20	152132	409	Repair & Maintenance	A1
04/02/2020	Ergonom Corporation d/b/a Erg Internatio	OP	213088	39,010.00	143315	FUR	Furniture	B1
04/02/2020	Jasper Seating Company Inc dba	OP	213101	52,334.40	150101	FUR	Furniture	B1
04/02/2020	Jennings Equipment Co Inc	O2	213105	149,000.00	164619	TOO	Tools	A1
04/06/2020	Sterling Floor Designs Ltd	O2	213115	36,277.18	134795	607	Flooring	B1
04/07/2020	Via, Inc.	OP	213142	8,973.60	157591	FUR	Furniture	B1
04/07/2020	CBT Supply Inc. d/b/a Smart Desks	OP	213141	12,852.06	134132	FUR	Furniture	B1
04/07/2020	New York State Industries for the	O2	213139	47,267.70	108048	FUR	Furniture	B4
04/08/2020	VWR Funding Inc dba VWR International	OP	213164	13,134.17	145760	LAB	Laboratory Equipment	A1
04/09/2020	U & S Services Inc	O2	213178	29,745.00	164700	409	Repair & Maintenance	B1
04/13/2020	Custom Computer Specialists, Inc.	O2	213231	190,006.38	143259	409	Repair & Maintenance	C
04/14/2020	Lincoln Moving & Storage of Buffalo Inc	O2	213240	18,400.00	119900	410	Moving & Logistical	B1
04/15/2020	Mobile Mini Inc dba Mobile Mini Tank +	OP	213244	8,510.00	165673	409	Repair & Maintenance	A1
04/15/2020	Fairway Floor Covering Inc	O2	213255	9,887.77	160393	607	Flooring	B1
04/16/2020	Via, Inc.	OP	213270	6,245.70	157591	FUR	Furniture	B1
04/16/2020	Video Hi-Tech Corp dba Adwar Video	OP	213269	7,629.89	104448	TEL	Telephony	B1
04/16/2020	Sterling Floor Designs Ltd	O2	213267	9,423.22	134795	607	Flooring	B1
04/16/2020	Source International Corp.	OP	213268	11,026.90	130968	FUR	Furniture	B1
04/16/2020	Sterling Floor Designs Ltd	O2	213266	36,277.18	134795	607	Flooring	B1
04/17/2020	Sterling Floor Designs Ltd	O2	213286	9,423.22	134795	607	Flooring	B1
04/17/2020	InfoPeople Corporation	OP	213304	331,200.00	133057	406	Technology Services & Equipmnt	C
04/17/2020	Dell Marketing L.P.	OP	213293	446,402.00	108294	406	Technology Services & Equipmnt	B1
04/17/2020	Apple Inc.	OP	213289	2,105,675.00	150217	406	Technology Services & Equipmnt	E
04/20/2020	K & R Design Enterprises	O2	213321	24,474.00	153610	DRA	Window Treatments	C
04/21/2020	Lincoln Moving & Storage of Buffalo Inc	O2	213342	6,750.00	119900	410	Moving & Logistical	A1
04/21/2020	The Chambers Corp.	OP	213326	8,399.25	104028	FUR	Furniture	A1
04/22/2020	Crafted Coolers Corp	O2	213358	21,244.00	165707	APP	Appliances	A1
04/23/2020	John Savoy & Son Inc. dba Savoy Contract	OP	213362	570,192.35	101969	FUR	Furniture	B1
04/24/2020	Imperial Bag & Paper Co LLC dba Imperial	OP	213372	14,814.98	165706	OFF	Office Equipment & Supplies	A1
04/24/2020	Imperial Bag & Paper Co LLC dba Imperial	OP	213371	15,040.66	165706	OFF	Office Equipment & Supplies	A1
04/24/2020	Jasper Seating Company Inc dba	OP	213381	28,273.52	150101	FUR	Furniture	B1
04/24/2020	A+ Technology & Security Solutions Inc	O2	213369	50,260.66	136768	405	Security	B1
04/27/2020	DBR Window Fashions Inc	O2	213386	8,235.00	153097	DRA	Window Treatments	DS
04/27/2020	Agilent Technologies Inc.	OP	213385	64,923.01	130309	LAB	Laboratory Equipment	C
05/06/2020	Business Environments LLC	O2	213589	19,524.06	151681	FUR	Furniture	B1
05/11/2020	The Brooklyn Union Gas Company dba	O2	213630	18,515.83	122661	BLG	Building Utilities/Taxes	ED
05/21/2020	Everest Scaffolding Inc.	O2	213752	16,600.00	145525	409	Repair & Maintenance	E
05/21/2020	Everest Scaffolding Inc.	O2	213753	16,600.00	145525	409	Repair & Maintenance	E
05/21/2020	Compulink Technologies Inc.	OP	213735	77,950.01	151249	406	Technology Services & Equipmnt	B1
05/26/2020	Quality & Assurance Technology Corp	OP	213769	108,840.00	160231	406	Technology Services & Equipmnt	B1
05/28/2020	Quality & Assurance Technology Corp	OP	213789	79,410.00	160231	406	Technology Services & Equipmnt	B1
06/04/2020	Dell Marketing L.P.	OP	213915	7,540.62	127515	406	Technology Services & Equipmnt	A1
06/04/2020	Siemens Industry Inc	O2	213911	7,860.73	152894	409	Repair & Maintenance	A1
06/04/2020	Web House Inc.	OP	213914	10,168.00	145640	406	Technology Services & Equipmnt	B1
06/04/2020	Siemens Industry Inc	O2	213912	25,991.56	152894	409	Repair & Maintenance	B1
06/05/2020	AECOM USA Inc.	O2	213928	10,700.00	142889	256	Architect & Engineering	A1
06/08/2020	DynTek Services Inc.	OP	213934	142,063.24	155770	406	Technology Services & Equipmnt	B1
06/15/2020	Web House Inc.	OP	213995	44,911.38	145640	406	Technology Services & Equipmnt	A1
06/16/2020	Jamestown Mattress Co Inc	OP	213996	20,511.00	158948	FUR	Furniture	A1
06/16/2020	Jamestown Mattress Co Inc	OP	214001	36,750.00	158948	FUR	Furniture	A1
06/16/2020	Foliot Furniture Pacific Inc	OP	214013	45,320.40	163708	FUR	Furniture	B1

06/17/2020	Foliot Furniture Pacific Inc	OP	214041	187,280.45	163708	FUR	Furniture	B1
06/18/2020	Arc-Com Fabrics Inc.	OP	214068	7,324.50	150056	FUR	Furniture	A1
06/18/2020	Aspire Technology Partners LLC	OP	214071	135,923.00	161456	406	Technology Services & Equipmnt	B1
06/22/2020	Red Hawk Fire & Security (NY) LLC	O2	214081	16,800.38	157886	409	Repair & Maintenance	B1
06/23/2020	Jamestown Mattress Co Inc	OP	214084	32,400.00	158948	FUR	Furniture	A1
06/24/2020	Jamestown Mattress Co Inc	OP	214086	12,600.00	158948	FUR	Furniture	A1
06/24/2020	Dell Marketing L.P.	OP	214087	44,386.49	108294	406	Technology Services & Equipmnt	B1
06/24/2020	Tecniplast USA Inc.	OP	214089	58,037.26	144707	LAB	Laboratory Equipment	A1
06/25/2020	Sterling Floor Designs Ltd	OP	214092	110,894.01	134795	607	Flooring	B1
06/26/2020	National Grid USA Service Company Inc	O2	214102	18,515.83	165796	BLG	Building Utilities/Taxes	ED
06/29/2020	SDVOSB Materials Technology & Supply LLC	O2	214111	7,094.37	164176	903	Storage	A1
06/29/2020	Liberty Moving & Storage Co., Inc.	O2	214107	195,000.00	156105	410	Moving & Logistical	C
06/30/2020	Jamestown Mattress Co Inc	OP	214114	30,840.00	158948	FUR	Furniture	A1
07/06/2020	Allsteel Inc.	O2	214145	19,524.06	111794	FUR	Furniture	B1
07/08/2020	Web House Inc.	OP	214165	112,888.20	145640	406	Technology Services & Equipmnt	B1
07/09/2020	Liberty Utilities (St. Lawrence Gas)	O2	214174	457,969.07	165809	BLG	Building Utilities/Taxes	ED
07/13/2020	Aramark Management Services Limited	O2	214180	9,396.63	160356	406	Technology Services & Equipmnt	A1
07/14/2020	New York State Industries for the	OP	214206	12,087.04	108048	FUR	Furniture	B4
07/14/2020	Jamestown Mattress Co Inc	OP	214205	48,000.00	158948	FUR	Furniture	A1
07/16/2020	DBR Window Fashions Inc	O2	214232	8,499.96	153097	DRA	Window Treatments	DS
07/16/2020	The Chambers Corp.	O2	214226	32,075.00	104028	DRA	Window Treatments	C
07/16/2020	RF Peck Co Inc	OP	214224	87,810.00	165146	800	HVAC	A1
07/17/2020	George Michael's Industries Inc dba	O2	214242	48,107.50	165401	LAB	Laboratory Equipment	A1
07/17/2020	Jamestown Mattress Co Inc	OP	214241	49,548.00	158948	FUR	Furniture	A1
07/17/2020	Vandis Inc.	OP	214247	154,951.08	147940	406	Technology Services & Equipmnt	B1
07/20/2020	Foliot Furniture Pacific Inc	OP	214255	101,753.42	163708	FUR	Furniture	B1
07/23/2020	Ritz Pump Service Inc.	OP	214278	7,350.00	165769	800	HVAC	A1
07/27/2020	Modern Custodial Services Inc.	O2	214300	7,833.00	154938	409	Repair & Maintenance	A1
07/27/2020	JES Lighting Inc.	OP	214303	22,000.00	144195	LIG	Lighting	A1
07/27/2020	Sauder Manufacturing Co dba Sauder	OP	214306	68,083.40	108474	FUR	Furniture	B1
07/27/2020	Pamper Decorating Inc	O2	214304	100,590.00	108937	FUR	Furniture	C
07/28/2020	SVAM International, Inc.	OP	214337	275,080.00	142970	406	Technology Services & Equipmnt	C
08/05/2020	SHI International Corp	OP	214427	48,720.00	148714	406	Technology Services & Equipmnt	B1
08/06/2020	Allentown Inc.	O2	214434	305,063.00	152006	LAB	Laboratory Equipment	A1
08/12/2020	Sierra Delta Contracting	O2	214463	177,383.00	161927	SIG	Signage	DS
08/13/2020	SHI International Corp	OP	214485	68,675.62	148714	406	Technology Services & Equipmnt	B1
08/14/2020	Waldners Business Environments, Inc.	OP	214514	16,207.66	127835	FUR	Furniture	A1
08/17/2020	Quality & Assurance Technology Corp	OP	214548	183,241.74	160862	406	Technology Services & Equipmnt	B1
08/18/2020	Start Elevator LLC	O2	214588	18,424.00	130453	905	Elevator Install & Maintenance	E
08/18/2020	PSH Corp dba John Herbert Company	O2	214587	94,035.37	163868	607	Flooring	B1
08/21/2020	EnerFusion Inc	OP	214602	9,980.00	165866	FUR	Furniture	A1
08/24/2020	Intivity Inc	OP	214606	17,856.15	165403	FUR	Furniture	A1
08/26/2020	Harold R. Clune, Inc.	O2	214623	8,925.00	108573	700	Electrical	A1
08/27/2020	Sky Testing Services, Inc.	O2	214641	6,199.03	160310	303	Materials Testing & Inspection	A1
08/27/2020	Intivity Inc	OP	214643	6,504.76	165403	FUR	Furniture	B1
08/27/2020	VWR Funding Inc dba VWR International	OP	214644	6,933.05	156714	LAB	Laboratory Equipment	A1
09/01/2020	Majik Cleaning Service Inc.	O2	214680	9,360.00	154939	409	Repair & Maintenance	A1
09/02/2020	Metro North Railroad	O2	214683	100,000.00	146290	600	General Construction	ED
09/03/2020	Apple Inc.	OP	214697	5,580.00	150217	406	Technology Services & Equipmnt	A1
09/03/2020	Install It Inc	O2	214695	7,992.00	165604	406	Technology Services & Equipmnt	A1
09/04/2020	Advanced Cell Diagnostics Inc	OP	214699	9,212.32	165903	LAB	Laboratory Equipment	A1
09/08/2020	Fisher Scientific Company LLC	OP	214707	6,884.00	126492	FUR	Furniture	A1
09/10/2020	National Grid USA Service Company Inc	O2	214732	7,342.46	165796	700	Electrical	ED
09/11/2020	Shimadzu Scientific Instruments, Inc.	OP	214741	43,000.00	125306	LAB	Laboratory Equipment	B1
09/11/2020	Insight Public Sector Inc.	OP	214745	45,968.03	133662	406	Technology Services & Equipmnt	B1
09/11/2020	Keyence Corporation of America	OP	214747	145,225.00	165909	LAB	Laboratory Equipment	C

09/15/2020	CKEPUSA LLC	OP	214768	10,719.32	161323	APP	Appliances	A1
09/15/2020	Waldners Business Environments, Inc.	OP	214767	15,836.85	127835	FUR	Furniture	B1
09/15/2020	Spectra Vista Corporation	OP	214775	22,390.00	143176	LAB	Laboratory Equipment	C
09/15/2020	Nickerson Corporation	OP	214779	37,303.20	102232	FUR	Furniture	B1
09/15/2020	Metro-North Commuter Railroad Company	O2	214773	100,000.00	165912	600	General Construction	ED
09/15/2020	PC Richard & Son Long Island Corporatio	OP	214766	182,600.00	143781	APP	Appliances	A1
09/17/2020	Prizmatix Ltd	OP	214801	8,700.00	160688	LAB	Laboratory Equipment	A1
09/18/2020	Trendway Corp.	OP	214803	8,236.50	127012	FUR	Furniture	B1
09/21/2020	Haier US Appliance Solutions Inc dba	OP	214806	47,680.00	162232	APP	Appliances	A1
09/23/2020	FM Office Express Inc dba FM Office	OP	214829	75,682.71	155821	FUR	Furniture	B1
09/25/2020	Noldus Information Technology Inc.	OP	214851	46,291.00	114685	LAB	Laboratory Equipment	C
09/28/2020	FieldTurf USA Inc	O2	214864	20,978.57	165932	600	General Construction	A1
09/28/2020	Consolidated Edison Co. of N.Y., Inc.	O2	214866	55,673.88	112953	700	Electrical	ED
09/29/2020	GE Precision Healthcare LLC	OP	214868	48,000.00	165944	LAB	Laboratory Equipment	C
09/30/2020	Ted Pella, Inc.	OP	214885	25,215.16	109363	LAB	Laboratory Equipment	C
09/30/2020	Anton Paar USA Inc	OP	214872	66,101.00	159415	LAB	Laboratory Equipment	C
10/01/2020	Consolidated Edison Co. of N.Y., Inc.	O2	214896	25,476.53	112953	700	Electrical	ED
10/05/2020	Alpha Medical Equipment of NY Inc.	O2	214902	122,676.60	132301	MED	Med/Dental Equip & Supplies	A1
10/08/2020	Metro-North Commuter Railroad Company	O2	214924	31,000.00	165912	600	General Construction	ED
10/13/2020	Dewitt Systems Inc	OP	214928	39,150.00	165957	LAB	Laboratory Equipment	C
10/15/2020	Haier US Appliance Solutions Inc dba	OP	214938	5,420.00	162232	APP	Appliances	A1
10/21/2020	Li-Cor, Inc.	OP	214966	25,645.00	133643	LAB	Laboratory Equipment	A1
10/26/2020	Blackwood Associates Inc	OP	214996	2,952,752.40	165988	406	Technology Services & Equipmnt	B1
10/27/2020	EMC Corporation	OP	215001	312,232.99	125944	406	Technology Services & Equipmnt	B1
10/29/2020	Apple Inc.	OP	215016	6,054.00	150217	406	Technology Services & Equipmnt	A1
10/29/2020	JZA Training Systems Inc	OP	215015	144,927.99	166009	TOO	Tools	B1
10/30/2020	Thorlabs Inc.	OP	215029	5,767.35	124600	LAB	Laboratory Equipment	A1
11/02/2020	Nickliancos LLC dba College Hunks	O2	215031	6,141.00	166024	410	Moving & Logistical	A1
11/04/2020	Insight Public Sector Inc.	OP	215054	43,456.20	133662	409	Repair & Maintenance	B1
11/10/2020	Coherent, Inc.	OP	215079	12,990.00	108208	LAB	Laboratory Equipment	E
11/12/2020	New York City Parks & Recreation	O2	215084	90,000.00	130525	600	General Construction	ED
11/12/2020	City of New York - Department of Parks	O2	215085	90,000.00	134695	600	General Construction	ED
11/13/2020	National Grid USA Service Company Inc	O2	215092	9,392.70	165796	700	Electrical	ED
11/16/2020	Agilent Technologies Inc.	OP	215110	9,765.38	125098	LAB	Laboratory Equipment	A1
11/17/2020	Trane U.S. Inc.	O2	215116	9,415.70	132709	600	General Construction	A1
11/23/2020	National Grid USA Service Company Inc	O2	215152	5,748.99	165796	700	Electrical	ED
11/23/2020	Harold R. Clune, Inc.	O2	215150	8,925.00	108573	700	Electrical	A1
12/02/2020	Crown Castle Fiber LLC	OP	215175	22,150.00	163896	406	Technology Services & Equipmnt	B1
12/04/2020	JES Lighting Inc.	OP	215224	9,678.00	144195	LIG	Lighting	A1
12/04/2020	John Savoy & Son Inc. dba Savoy Contract	OP	215226	71,030.40	101969	FUR	Furniture	B1
12/07/2020	Clark Equipment Company d/b/a Bobcat	OP	215238	157,595.64	156077	VEH	Vehicles	B1
12/08/2020	Johnson Controls Fire Protection LP	O2	215241	15,666.68	130671	803	Fire Detection & Suppression	B1
12/08/2020	Jamestown Mattress Co Inc	OP	215249	21,000.00	158948	FUR	Furniture	A1
12/09/2020	C&C Lift Truck Inc	OP	215255	32,545.00	166052	VEH	Vehicles	A1
12/10/2020	Foliot Furniture Pacific Inc	OP	215264	113,658.14	163708	FUR	Furniture	B1
12/10/2020	Foliot Furniture Pacific Inc	OP	215262	398,225.18	163708	FUR	Furniture	B1
12/14/2020	Fisher Scientific Company LLC	OP	215298	12,176.02	154123	LAB	Laboratory Equipment	B1
12/14/2020	Peak Scientific Inc	OP	215293	19,497.20	158720	LAB	Laboratory Equipment	A1
12/14/2020	Waters Technologies Corporation	OP	215297	81,940.00	155878	LAB	Laboratory Equipment	B1
12/15/2020	Edge Electronics Inc	OP	215313	11,326.76	161735	TOO	Tools	DS
12/15/2020	Fisher Scientific Company LLC	OP	215303	26,731.65	154123	LAB	Laboratory Equipment	A1
12/15/2020	Duraline Systems Inc	OP	215326	38,638.63	163476	LAB	Laboratory Equipment	A1
12/15/2020	Steelcase Inc.	O2	215324	211,646.26	148870	FUR	Furniture	B1
12/22/2020	Intivity Inc	OP	215373	13,158.00	165403	FUR	Furniture	B1
12/23/2020	New York State Technology Enterprise	O2	215377	680,224.40	148563	406	Technology Services & Equipmnt	B1
12/28/2020	Fisher Scientific Company LLC	OP	215381	8,940.67	154123	LAB	Laboratory Equipment	A1

12/28/2020	Sage Scientific LLC dba	OP	215380	27,999.00	166115	LAB	Laboratory Equipment	A1
12/29/2020	Fisher Scientific Company LLC	OP	215384	6,036.53	154123	LAB	Laboratory Equipment	A1
12/29/2020	Thermo Fisher Scientific (Asheville) LLC	OP	215386	15,338.83	148478	LAB	Laboratory Equipment	E
12/29/2020	Fisher Scientific Company LLC	OP	215388	67,853.88	154123	LAB	Laboratory Equipment	B1
12/29/2020	Thermo Fisher Scientific (Asheville) LLC	OP	215387	110,353.49	148478	LAB	Laboratory Equipment	B1
12/30/2020	Krackeler Scientific, Inc.	OP	215390	5,823.90	102005	LAB	Laboratory Equipment	A1
01/04/2021	Thermo Electron North America LLC	OP	215419	15,338.83	143962	LAB	Laboratory Equipment	E
01/04/2021	Thermo Electron North America LLC	OP	215420	110,353.49	143962	LAB	Laboratory Equipment	B1
01/11/2021	VRD Contracting Inc dba VRD Corporate	O2	215452	6,054.00	161678	FUR	Furniture	A1
01/11/2021	ThunderCat Technology LLC	OP	215455	43,576.06	166139	406	Technology Services & Equipmnt	B1
01/11/2021	ConvergeOne Inc	OP	215451	141,100.50	164796	406	Technology Services & Equipmnt	B1
01/15/2021	The Baker Company Inc	OP	215477	13,228.00	105791	LAB	Laboratory Equipment	A1
01/21/2021	Track Technology Systems Inc	OP	215489	16,280.00	166094	AUD	Audio & Video Equipment	A1
01/22/2021	Xante Corporation	OP	215503	18,469.38	166176	OFF	Office Equipment & Supplies	A1
01/22/2021	Heidelberg USA Inc	OP	215504	34,000.00	166175	OFF	Office Equipment & Supplies	A1
01/28/2021	Apple Inc.	OP	215517	6,809.00	150217	406	Technology Services & Equipmnt	A1
01/28/2021	Vicon Motion Systems d/b/a Vicon	OP	215522	30,196.30	155522	LAB	Laboratory Equipment	C
01/28/2021	Adtech Systems, Inc.	OP	215519	37,341.89	126254	LAB	Laboratory Equipment	A1
01/28/2021	Nikon Instruments Inc	OP	215518	177,078.10	166173	LAB	Laboratory Equipment	C
01/29/2021	Shimadzu Scientific Instruments, Inc.	OP	215530	13,600.00	125306	LAB	Laboratory Equipment	C
02/01/2021	University Products Inc.	OP	215534	7,975.50	110627	OFF	Office Equipment & Supplies	A1
02/02/2021	Formech USA Ltd	OP	215546	9,058.00	166180	LAB	Laboratory Equipment	A1
02/03/2021	ConvergeOne Inc	OP	215552	7,635.84	164796	406	Technology Services & Equipmnt	A1
02/03/2021	ConvergeOne Inc	OP	215548	12,565.27	164796	406	Technology Services & Equipmnt	A1
02/03/2021	Waters Technologies Corporation	OP	215564	16,640.00	155878	LAB	Laboratory Equipment	E
02/03/2021	ConvergeOne Inc	OP	215549	122,142.00	164796	406	Technology Services & Equipmnt	B2
02/03/2021	ConvergeOne Inc	OP	215551	305,581.67	164796	406	Technology Services & Equipmnt	B1
02/04/2021	Coranet Corp	OP	215571	27,248.70	165437	406	Technology Services & Equipmnt	B1
02/05/2021	Insight Public Sector Inc.	OP	215580	7,180.15	133662	406	Technology Services & Equipmnt	A1
02/08/2021	Hempstead Lincoln Mercury Motors Corp	OP	215587	93,303.00	166184	VEH	Vehicles	B1
02/10/2021	Belleayre Office Systems Inc	O2	215618	9,730.00	165920	FUR	Furniture	A1
02/10/2021	Trendway Corp.	OP	215615	10,700.28	127012	FUR	Furniture	B1
02/10/2021	Trendway Corp.	OP	215604	13,311.42	127012	FUR	Furniture	B1
02/10/2021	Trendway Corp.	OP	215616	21,272.84	127012	FUR	Furniture	B1
02/10/2021	Trendway Corp.	OP	215617	22,273.24	127012	FUR	Furniture	B1
02/11/2021	Day Automation Systems, Inc.	OP	215631	7,635.84	127920	406	Technology Services & Equipmnt	A1
02/11/2021	BaySpec Inc	OP	215633	29,980.00	166194	PHO	Photographic Equipment	E
02/11/2021	Day Automation Systems, Inc.	OP	215630	305,581.67	127920	406	Technology Services & Equipmnt	B1
02/16/2021	The Brooklyn Union Gas Company dba	O2	215649	35,000.00	122661	BLG	Building Utilities/Taxes	ED
02/16/2021	MTS Systems Corporation	OP	215651	61,592.00	116631	LAB	Laboratory Equipment	E
02/18/2021	Compulink Technologies Inc.	OP	215667	10,934.07	151249	406	Technology Services & Equipmnt	C
02/19/2021	Blue Water Management LLC dba Multivista	O2	215671	7,561.00	165862	302	Construction Management	A1
02/19/2021	Blue Water Management LLC dba Multivista	O2	215670	7,661.00	165862	302	Construction Management	A1
02/23/2021	Jamestown Mattress Co Inc	OP	215678	19,800.00	158948	FUR	Furniture	A1
02/23/2021	Delweld Industries Corp.	OP	215682	46,938.60	115561	FUR	Furniture	A1
02/24/2021	GMI Opco LLC dba Global Medical	OP	215683	31,034.20	166208	406	Technology Services & Equipmnt	C
02/25/2021	Delweld Industries Corp.	OP	215695	9,976.02	115561	FUR	Furniture	A1
03/08/2021	Anixter Inc.	OP	215767	49,996.00	128281	406	Technology Services & Equipmnt	A1
03/10/2021	MicroCAD Training and Consulting Inc	OP	215773	9,400.00	166228	406	Technology Services & Equipmnt	A1
03/10/2021	New England Woodcraft Inc.	OP	215774	350,841.55	127904	FUR	Furniture	B1
03/11/2021	Jamestown Mattress Co Inc	OP	215782	42,459.50	158948	FUR	Furniture	A1
03/11/2021	Intivity Inc	O2	215777	380,623.94	165403	FUR	Furniture	B1
03/12/2021	NeuroLux Inc	OP	215789	13,000.00	165938	LAB	Laboratory Equipment	A1
03/12/2021	Shimadzu Scientific Instruments, Inc.	OP	215793	13,974.60	125306	LAB	Laboratory Equipment	B1
03/12/2021	SVAM International, Inc.	O2	215792	456,000.00	142970	406	Technology Services & Equipmnt	C
03/15/2021	Waldners Business Environments, Inc.	O2	215798	14,700.00	127836	FUR	Furniture	E

03/16/2021	Compulink Technologies Inc.	OP	215806	14,950.00	151249	406	Technology Services & Equipmnt	A1
03/17/2021	DRB Business Interiors Inc.	OP	215835	40,925.00	152142	FUR	Furniture	B1
03/18/2021	Microsol Resources Corp	OP	215845	6,309.96	156052	406	Technology Services & Equipmnt	A1
03/18/2021	Jamestown Mattress Co Inc	OP	215870	34,292.50	158948	FUR	Furniture	A1
03/18/2021	DRB Business Interiors Inc.	OP	215871	37,240.00	152142	FUR	Furniture	B1
03/18/2021	Jamestown Mattress Co Inc	OP	215865	63,856.00	158948	FUR	Furniture	A1
03/18/2021	QED Inc dba QED National	O2	215863	190,000.00	160832	406	Technology Services & Equipmnt	C
03/19/2021	Source International Corp.	OP	215875	37,240.00	130968	FUR	Furniture	B1
03/22/2021	QED Inc dba QED National	O2	215898	180,000.00	160832	406	Technology Services & Equipmnt	C
03/22/2021	QED Inc dba QED National	O2	215897	230,000.00	160832	406	Technology Services & Equipmnt	C
03/23/2021	Intermedia Group Inc.	O2	215904	536,000.00	152786	406	Technology Services & Equipmnt	C
03/24/2021	Labrepc Inc.	OP	215908	16,743.00	107172	APP	Appliances	C
03/25/2021	IVCI LLC	OP	215913	33,606.29	152131	LAB	Laboratory Equipment	A1
03/25/2021	K2 Partnering Solutions Inc dba The	O2	215914	280,000.00	166247	406	Technology Services & Equipmnt	C
03/26/2021	Modern Office Systems LLC	O2	215921	954,953.34	145795	FUR	Furniture	B1
03/29/2021	Image Office Environments LLC	O2	215941	289,637.55	162113	FUR	Furniture	DS
03/30/2021	Day Automation Systems, Inc.	OP	215944	28,646.67	127920	406	Technology Services & Equipmnt	B1
03/30/2021	Jamestown Mattress Co Inc	OP	215943	121,000.00	158948	FUR	Furniture	A1

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