

# Final Proposed Preferred Sources List Definitions

July 14, 2016

## SECTION D: Approved Services

† **Electronics Recycling** is the gathering and collection of defective and obsolete electronics, including, but not limited to, computers, televisions, telephones, or other electronic equipment after all data has been removed pursuant to the purchasing agency's policy. Once collected the electronics are examined and any remaining data is removed and destroyed by the preferred source. The remaining physical components are properly separated, processed, and either safely disposed of or converted into reusable parts. **NOTE:** State agencies must first follow applicable Surplus Property requirements and provide a disposition authorization prior to recycling computer equipment through the electronics recycling offering.

### **Workgroup Comments:**

NYSID Proposed Edits: Electronics Recycling is the gathering and collection of defective and obsolete electronics, including, but not limited to, computers, televisions, telephones, or other electronic office equipment after all data has been removed per agency guidelines. Once collected the electronics will first be examined and any remaining data will be removed and destroyed and then the remaining physical components are properly separated, processed, and either safely disposed of or converted into reusable parts.

NYSID Comments: Data removal is sometimes required as part of the recycling process.

### **Procurement Council Staff Response:**

The staff received comments and edits from ITS, SUNY, OPWDD, and NYSID, and where appropriate incorporated the suggestions and edits. The staff also reviewed the original 2005 application by NYSID to add Electronics Recycling to the List of Preferred Source Services relative to the concerns expressed by the Procurement Council during the May 25, 2016 meeting and revised the definition to address those concerns.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

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### Information & Records Conversion Management:

† **Data Imaging Services** is the conversion of paper documents or other media including, but not limited to, microfilm and microfiche into electronic files that may be easily stored or accessed, and may include the transportation, short term storage, organization, preparation, scanning, indexing, quality control, and output of data and images to electronic media to be provided to the customer. This service may include Data Entry and Secure Document Destruction. It is recommended that these services be separately priced out. Short term storage shall not exceed six (6) months following completion of the contract.

### **Workgroup Comments:**

NYSID Proposed Edits: Data Imaging Services is the conversion of paper documents or other media including, but not limited to, microfilm and microfiche into electronic files that may be easily stored or accessed, and may include the transportation, [storage](#), organization, preparation, scanning, indexing, quality control and output of data and images to be provided to the customer. This service may include Data Entry and Secure Document Destruction. It is recommended that these services be separately priced out. ~~This service does not include the warehousing or storage of the original documents or media after the conversion is complete.~~

NYSID Comments: If a specific time frame is to be included in the definition for the storage component I would recommend a “not to exceed” 6 months after the expiration of the contract term. This would also apply to microfilm and microfiche.

### **Procurement Council Staff Response:**

The staff received comments and edits from NYSID, and where appropriate incorporated the suggestions and edits. The above definition addresses the concerns expressed by the Procurement Council during the May 25, 2016 meeting relative to the storage component of this service offering.

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† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

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### Information & Records Conversion Management:

† **Microfilm (recommend changing title to Microfilm Conversion)** is converting paper documents or other media onto a tape known as microfilm. The images captured are photographic representations of individual pages at a much reduced scale. The original paper documents or other media imaged may be stored by the preferred member for a term not to exceed six (6) months after the completion of the contract.

### **Workgroup Comments:**

NYSID Comments: If a specific time frame is to be included in the definition for the storage component I would recommend a “not to exceed” 6 months after the expiration of the contract term.

### **Procurement Council Staff Response:**

The staff received comments from NYSID, and where appropriate incorporated the suggestions. The above definition addresses the concerns expressed by the Procurement Council during the May 25, 2016 meeting relative to the storage component of this service offering.

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† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

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### Information & Records Conversion Management:

† **Microfiche (recommend changing title to Microfiche Conversion)** is converting paper documents or other media onto a sheet of film bearing a grid of small photographs known as microfiche. The images captured are photographic representations of individual pages at a much reduced scale. The original paper documents or other media imaged may be stored by the preferred member for a term not to exceed six (6) months after the completion of the contract.

### **Workgroup Comments:**

NYSID Comments: If a specific time frame is to be included in the definition for the storage component I would recommend a “not to exceed” 6 months after the expiration of the contract term.

### **Procurement Council Staff Response:**

The staff received comments from NYSID, and where appropriate incorporated the suggestions. The above definition addresses the concerns expressed by the Procurement Council during the May 25, 2016 meeting relative to the storage component of this service offering.

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### Assemblies:

\* † **Kit Assembly & Maintenance** is the process in which separate but related items are grouped, packaged, and supplied together as one unit according to customer specification. This service may include the assembly of two or more finished products into a larger group, such as a first aid kit. This service may include the fulfillment of multiple kits packaged into shipper cartons for delivery of finished kits, the storing of assembled kits for future distribution, or the replenishing of used or expired kit components or complete kits. This does not include the necessary assembly of parts of a commodity, to create the final commodity being sold by a preferred source.

### **Workgroup Comments:**

NYSID Proposed Edits: Kit Assembly & Maintenance is the process in which separate but related items **provided by the customer** are grouped, packaged, and supplied together as one unit according to customer specification. This service may include the assembly of two or more finished products into a larger group. This service may include the fulfillment of multiple kits packaged into shipper cartons for delivery of finished kits, the storing of assembled kits for future distribution, or the replenishing of used or expired kit components or complete kits.

NYSID Comments: The addition of this language addresses the council discussion to differentiate this as a service vs a commodity

### **Procurement Council Staff Response:**

The staff received comments and edits from OSC and NYSID, and where appropriate incorporated the suggestions and edits. The above definition addresses the concerns expressed by the Procurement Council during the May 25, 2016 meeting relative to the assembling of various pieces of a commodity to create the final commodity sold by the preferred source.

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### VOTE TO REMOVE HEADINGS FROM SECTION D

Procurement Council Staff is recommending that all headings be removed from Section D as their inclusion has created confusion and in some instances the headings have been used to identify a service as approved, when no such approval had been granted by the Procurement Council. The headings were included by OGS as a way to assist purchasing agencies in finding similar approved services identified on Section D. The headings are confusing to many users, including the preferred source members themselves.

The heading Mail Fulfillment Services is a great example of this confusion. For many years purchasing agencies and preferred source members thought that Mail Fulfillment Services was an approved service offering. Mail Fulfillment Services is not an approved service offering, but rather is a heading for approved service offerings related to mail. The approved service offerings are Collating, Packaging, Distribution, Chesire Labeling, Folding & Inserting, Inkjet Labeling, Offsite Mailroom Services, Onsite Mailroom Services, and Presort, but the full suite of steps offered by NYSID under the heading of mail fulfillment services, such as the printing of the documents to be mailed, has not been approved by the Procurement Council.

Procurement Council Staff believe that with the suggested title changes approved by the Council to date, the need for headings has been eliminated and service offerings can be placed in alphabetical order. For example under the heading of Furniture Refurbishment the service offerings of Re-upholstery, Repair, and Stripping and Refinishing have all been re-named to Furniture Re-upholstery, Furniture Repair, and Furniture Stripping and Refinishing.

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### VOTE TO REMOVE FOUR SERVICES FROM THE LIST OF PREFERRED SOURCE OFFERINGS

Pursuant to State Finance Law § 162 (3)(b), the Procurement Council may only make a non-binding recommendation to the relevant preferred source to delete a commodity or service from the List of Preferred Source Offerings as it was developed in late 1995. Only the Preferred Source may request the deletion of an item from the List.

NYSID has requested the deletion of the following items as they are either no longer being provided or are included in other approved Preferred Source Offerings.

#### FOR REMOVAL FROM SECTION D:

**Cheshire Labeling-** No longer offered

#### FOR REMOVAL FROM SECTION E:

**Freight & Trucking-** No longer offered

**Optical Imaging-** No longer offered

**Temporary Personnel – Office-** Previously approved and included on List D.

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### Mail Fulfillment Services:

\*† **Collating (recommend changing title to Mail Collating)** is the combining of documents into a standard order for mailing.

### **Workgroup Comments:**

NYSID Comments: The category whereby these individual services are performed should remain Mail Fulfillment. This would be true for collating, distribution, folding and inserting, inkjet labeling, packaging, presort all classes, etc.

### **Procurement Council Staff Response:**

The staff received comments and edits from SUNY, OPWDD, and NYSID, and where appropriate incorporated the suggestions and edits.

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### Mail Fulfillment Services:

\*† **Distribution (recommend changing title to Mail Distribution)** is to deliver items that have been mailed or shipped to customers.

### **Workgroup Comments:**

NYSID Comments: The category whereby these individual services are performed should remain Mail Fulfillment. This would be true for collating, distribution, folding and inserting, inkjet labeling, packaging, presort all classes, etc.

### **Procurement Council Staff Response:**

The staff received comments and edits from OPWDD and NYSID, and where appropriate incorporated the suggestions and edits.

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### Mail Fulfillment Services:

\*† **Folding & Inserting (recommend changing title to Mail Folding & Inserting)** is the creasing of a document to fit an envelope size and then placing that document into an envelope for mailing. These services can be offered separately or together.

### **Workgroup Comments:**

NYSID Comments: The category whereby these individual services are performed should remain Mail Fulfillment. This would be true for collating, distribution, folding and inserting, inkjet labeling, packaging, presort all classes, etc.

### **Procurement Council Staff Response:**

The staff received comments and edits from DOH, OPWDD, and NYSID, and where appropriate incorporated the suggestions and edits.

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### Mail Fulfillment Services:

\*† **Inkjet Labeling (recommend changing title to Mail Inkjet Labeling)** is the addressing of mail either directly onto the envelope or labels through the use of an Inkjet printer. When addresses are put onto labels, those labels are manually affixed to envelopes.

### **Workgroup Comments:**

NYSID Comments: The category whereby these individual services are performed should remain Mail Fulfillment. This would be true for collating, distribution, folding and inserting, inkjet labeling, packaging, presort all classes, etc.

### **Procurement Council Staff Response:**

The staff received comments and edits from DOH, OPWDD, and NYSID, and where appropriate incorporated the suggestions and edits.

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## SECTION D: Approved Services

### Mail Fulfillment Services:

\*† **Packaging (recommend changing title to Mail Packaging)** is enclosing or protecting documents for mailing and shipping.

### **Workgroup Comments:**

NYSID Comments: The category whereby these individual services are performed should remain Mail Fulfillment. This would be true for collating, distribution, folding and inserting, inkjet labeling, packaging, presort all classes, etc.

### **Procurement Council Staff Response:**

The staff received comments and edits from DOH, SUNY, OPWDD, and NYSID, and where appropriate incorporated the suggestions and edits. This definition is limited to the packaging of documents rather than all types of packaging as “Packaging Services” is a non-approved Preferred Source title contained on Section E of the List. We believe the distinction between the two service offerings is that this definition is contained within the List associated with document related services such as folding, collating, and inserting.

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### Mail Fulfillment Services:

\*† **Presort, All Classes (recommend changing title to Mail Presort)** is sorting mail according to zip codes before delivering to a post office to reduce the cost of postage. The cost of postage must be separately identified and shall not be included in the cost of the service upon which an administrative fee or facilitating entity fee is charged.

### **Workgroup Comments:**

NYSID Comments: The category whereby these individual services are performed should remain Mail Fulfillment. This would be true for collating, distribution, folding and inserting, inkjet labeling, packaging, presort all classes, etc.

### **Procurement Council Staff Response:**

The staff received comments and edits from OPWDD and NYSID, and where appropriate incorporated the suggestions and edits.

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# Final Proposed Preferred Sources List Definitions

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### Mail Fulfillment Services:

\*† **Offsite Mailroom, Services (recommend changing title to Mailroom Services – Offsite)** is work that occurs at Preferred Member's or Corporate Partner's site performing one or more of the below identified tasks:

- Folding, inserting, addressing, tabbing, sorting, tying, and bagging or traying documents, weighing and metering outbound mail;
- Delivering mail to post office or courier;
- Picking-up, time stamping, opening, reading, sorting, routing, and delivering inbound postal and interoffice mail;
- Handling and processing overnight or express mail, and performing inter-facility mail runs;
- Filing necessary records and completed forms, such as return receipts on certified mailings; or
- Post-mailing services, including, but not limited to, handling returned undeliverable mail, data scrubbing, and correcting or updating mailing lists.

The cost of postage must be separately identified and shall not be included in the cost of the service upon which an administrative fee or facilitating entity fee is charged. **This service shall not include printing of any kind, including Digital Printing.**

NOTE: Digital Printing is defined as a physical process that transfers an image stored in a digital format on a computer or other storage media (e.g.: flash/thumb drive) to paper or other media. Digital Printing does not use metal printing plates as the mechanical means to affix the image to the paper and does not include a press set-up process. The term expressly does not include the mechanical processes of offset lithography and offset printing (traditional printing). Neither Digital Printing nor traditional printing are approved as services that may be offered either alone or in conjunction with other preferred source service offerings.

### **Workgroup Comments:**

NYSID Proposed Edits: Offsite Mailroom Services (recommend changing title to Mailroom Services – Offsite) is work that occurs at Preferred Member's or Corporate Partner's site performing one or more of the below identified tasks:

- Production of documents received from a customer in either paper or electronic format which may require variable data (text only). Produced in black, and white or color as required.
- Inserting, addressing, folding, tabbing, sorting, tying and bagging or traying documents, weighing and metering outbound mail;
- Delivering mail to post office or courier;
- Picking-up, time stamping, opening, reading, sorting, routing and delivering inbound postal and interoffice mail;
- Handling and processing overnight/express mail, and performing inter-facility mail runs; or
- Keeping necessary records and completed forms.
- Post-mailing Services

~~The cost of postage must be separately identified and shall not be included in the cost of the service upon which an administrative fee or facilitating entity fee is charged. This service shall not include printing of any kind, including Digital Printing.~~

~~NOTE: Digital Printing is defined as a physical process that transfers an image stored in a digital format on a computer or other storage media (e.g.: flash/thumb drive) to paper or other media. Digital Printing does not use metal printing plates as the mechanical means to affix the image to~~

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~~the paper and does not include a press set-up process. The term expressly does not include the mechanical processes of offset lithography and offset printing (traditional printing). Neither Digital Printing nor traditional printing are approved as services that may be offered either alone or in conjunction with other preferred source service offerings.~~

NYSID Comments: These comments are not relevant to the definition of Offsite Mailroom Services. As an aside, NYSID has never nor will it in the future charge a fee on postage.

### **Procurement Council Staff Response:**

The staff received comments and edits from DOH, ESD, OPWDD, and NYSID, and where appropriate incorporated the suggestions and edits. NYSID's proposed definition for this service mirrors NYSID's proposed definition for Mail Fulfillment Services, a new service offering currently before the Procurement Council. Offsite Mailroom Services are similar to the services provided by the post office. The post office would never print letters. There needs to be a clearer distinction made between Offsite Mailroom Services, Onsite Mailroom Services, and Mail Fulfillment Services to enable purchasing agencies to make procurement decisions.

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## SECTION D: Approved Services

### Mail Fulfillment Services:

\*† **Onsite Mailroom Services (recommend changing title to Mailroom Services – Onsite)** is work that occurs at the customer's mailroom location performing one or more of the below identified tasks:

- Folding, inserting, addressing, tabbing, sorting, tying, and bagging or traying documents, weighing and metering outbound mail;
- Delivering to post office or courier;
- Picking-up, time stamping, opening, reading, sorting, routing, and delivering of inbound postal and interoffice mail;
- Handling and processing overnight or express mail, and performing inter-facility mail runs;
- Filing necessary records and completed forms, such as return receipts on certified mailings; or
- Post-mailing services, including, but not limited to, handling returned undeliverable mail, data scrubbing, and correcting or updating mailing lists.

The cost of postage must be separately identified and shall not be included in the cost of the service upon which an administrative fee or facilitating entity fee is charged. **This service shall not include printing of any kind, including Digital Printing.**

NOTE: Digital Printing is defined as a physical process that transfers an image stored in a digital format on a computer or other storage media (e.g.: flash/thumb drive) to paper or other media. Digital Printing does not use metal printing plates as the mechanical means to affix the image to the paper and does not include a press set-up process. The term expressly does not include the mechanical processes of offset lithography and offset printing (traditional printing). Neither Digital Printing nor traditional printing are approved as services that may be offered either alone or in conjunction with other preferred source service offerings.

### **Workgroup Comments:**

NYSID Proposed Edits: Onsite Mailroom Services (recommend changing title to Mailroom Services – Onsite) is work that occurs at the customer's mailroom location performing one or more of the below identified tasks:

- **Production of documents received from a customer in either paper or electronic format which may require variable data (text only). Produced in black and white or color as required.**
- Inserting, addressing, folding, tabbing, sorting, tying and bagging or traying documents, weighing and metering outbound mail;
- Delivering to post office or courier;
- Picking-up, time stamping, opening, reading, sorting, routing and delivering of inbound postal and interoffice mail
- Handling and processing overnight/express mail, and performing inter-facility mail runs; or
- Keeping necessary records and completed forms.
- **Post Mailing Services**

~~The cost of postage must be separately identified and shall not be included in the cost of the service upon which an administrative fee or facilitating entity fee is charged. This service shall not include printing of any kind, including Digital Printing.~~

~~NOTE: Digital Printing is defined as a physical process that transfers an image stored in a digital format on a computer or other storage media (e.g.: flash/thumb drive) to paper or other media.~~

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~~Digital Printing does not use metal printing plates as the mechanical means to affix the image to the paper and does not include a press set-up process. The term expressly does not include the mechanical processes of offset lithography and offset printing (traditional printing). Neither Digital Printing nor traditional printing are approved as services that may be offered either alone or in conjunction with other preferred source service offerings.~~

NYSID Comments: These comments are not relevant to the definition of Onsite Mailroom Services. As an aside, NYSID has never nor will it in the future charge a fee on postage.

### **Procurement Council Staff Response:**

The staff received comments and edits from DOH, ESD, OPWDD, and NYSID, and where appropriate incorporated the suggestions and edits. NYSID's proposed definition is exactly the same as the proposed definition for Mail Fulfillment Services. Onsite Mailroom Services are similar to the services provided by the post office. The post office would never print letters. There needs to be a clearer distinction made between Offsite Mailroom Services, Onsite Mailroom Services, and Mail Fulfillment Services to enable purchasing agencies to make procurement decisions.

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### Laundry Service (Industrial):

† **Laundry Service (Industrial)** is the handling and collection of soiled linen and apparel including, but not limited to, patient or surgical gowns, lab coats, table linens, pillow cases, sheets, blankets, towels, adult bibs, baby shirts, underpads, medical apparel, bedding, washcloths, diapers, patient clothing, and treated mops. This service includes the sorting, washing, extraction, drying, finishing, folding, mending, and storage of said products. This service includes the stocking, picking, and wrapping of clean laundry as well as the delivery of hygienically clean, reusable linen and apparel which can be either customer owned or provided on a rental basis. Industrial laundry service should meet or exceed accreditation standards for processing reusable linen and apparel for use in healthcare facilities as determined by the Healthcare Laundry Accreditation Council (HLAC). This service may include the disinfecting of linen transport carts as well as decontaminating tabletop and counter surfaces upon which clean laundry may be folded, but does not include the cleaning of equipment, walls, floors, or emptying of lint traps and garbage cans or other tasks typically associated with janitorial duties necessary for the laundry facility to be in compliance with HLAC requirements.

### **Workgroup Comments:**

NYSID Proposed Edits: Laundry Service (Industrial) is the handling and collection of soiled linen and apparel including, but not limited to, patient or surgical gowns, lab coats, table linens, pillow cases, sheets, blankets, towels, adult bibs, baby shirts, underpads, medical apparel, bedding, washcloths, diapers, patient clothing, and treated mops. This service includes the sorting, washing, extraction, drying, finishing, folding, mending and storage of said products. This service includes the stocking, picking, and wrapping of clean laundry **and may include other functions required to insure the hygienic integrity of the processed textiles in order to comply with Healthcare Laundry Accreditation (HLAC) requirements, such as minimizing potential environmental contamination: i.e. vermin, lint, moisture, disinfecting of linen transport carts, maintaining functional separation of soiled and clean room areas and the decontaminating of any surfaces/equipment that may be contaminated with blood or other potentially infectious materials and fluids. Supporting tasks include as well as pickup of soiled laundry and the delivery of hygienically clean, reusable linen and apparel which can be either customer owned or on a rental basis . Industrial laundry service should meet or exceed accreditation standards for processing reusable linen and apparel for use in healthcare facilities as determined by the Healthcare Laundry Accreditation Council (HLAC). This service may include the disinfecting of linen transport carts and decontaminating any surfaces or equipment that may be contaminated with blood or other potentially infectious materials and fluids to be in compliance with HLAC requirements.**

NYSID Comments: The definition has been further clarified to group the production oriented tasks including the disinfecting and decontamination component which are properly considered direct labor for this service and to appropriately highlight the supporting tasks of pickup and delivery which is considered indirect labor for application purposes.

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### **Procurement Council Staff Response:**

The staff received comments and edits from OSC, SUNY, and NYSID. OSC and SUNY were concerned that the definition failed to separate out the direct disabled labor hours of services provided for actual handling of the laundry as opposed to tasks typically performed by janitorial or cleaning staff. The revised definition clarifies that only services directly related to the laundering of the linen and apparel are considered as laundry services and cleaning or janitorial tasks would be classified as indirect labor or overhead services.

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### Temporary Personnel:

† **Office (recommend changing title to Temporary Personnel – Office)** is a temporary worker hired for a pre-determined period of time to assist a customer in an office environment. The worker may be asked to complete administrative and clerical tasks including, but not limited to, answering and directing calls, opening and distributing mail, operating office equipment, or other similar tasks as assigned. The worker may assist with a wide range of clerical and administrative functions. This service does not include professional, IT, or trade services.

### **Workgroup Comments:**

NYSPSP: We would like to for this description to not exclude professional, IT, or trade services. State agencies often use temporary personnel for these functions and we would like the option to do that through Preferred Source. Please let us know your reasoning to specifically exclude it.

NYSID Proposed Edits: Office (recommend changing title to Temporary Personnel – Office) is a temporary worker hired for a pre-determined period of time to assist a customer in an office environment with a wide range of clerical, administrative, professional and IT functions. ~~The worker may be asked to complete administrative and clerical tasks including, but not limited to, answering and directing calls, opening and distributing mail, operating office equipment, or other similar tasks as assigned. The worker may assist with a wide range of clerical and administrative functions. This service does not include professional, IT, or~~ trade services.

NYSID Comments: Office personnel encompasses both clerical and professional positions as demonstrated by the OGS centralized contract for administrative services. Additionally, the introduction to the definition process provided by OGS staff states, “the majority of the proposed definitions are based on information presented to Procurement Council Staff in pricing applications previously submitted for approval.....” NYSID provided copies of existing contracts for this service based upon recent OGS price approvals which include professional and IT titles. This is further documented by the May 2, 2016 letter provided by Goodwill enumerating that 151 individuals with disabilities were placed in professional or IT titles in the last 2 years and 105 professional or IT titles available to employers.

### **Procurement Council Staff Response:**

The staff received comments and edits from DOH, NYSPSP, and NYSID and performed internet searches to determine the usual and customary meaning of “office personnel.” We reached the conclusion that professional, IT, and trade service positions do not fall within the meaning of a temporary office worker. An internet search of the leading Temporary Employment agencies demonstrates that the following job titles are included under this heading: Office Assistant, Administrative Assistant, and File Clerk. Job responsibilities include: answering phones, greeting guests, handling all inbound communication, pulling reports, filing, scanning, managing records, generating documents, and utilizing basic office technology (fax, photocopying equipment, and Microsoft Office software). None of these jobs or responsibilities require a license or specialized skills such as are required for professional, IT, and trade positions.

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In addition, the OGS Hourly Based Information Technology Contract (HBITS) was developed in response to the State's strategic sourcing analysis. The study concluded that it was in the best interests of the state to require competitive bidding to obtain qualified skilled temporary IT workers for government agencies. Allowing IT workers to be provided by preferred sources without competitive bidding would undermine the very purpose of the HBITS contract.

There is an OGS Centralized Contract for trade workers, which was awarded following a competitive bid based upon the lowest mark-up over prevailing wage rates. The inclusion of trade workers under the Temporary Personnel - Office title will be in direct conflict with the representations made by OGS to the winning company that all state agencies, authorities, local governments, and school districts would obtain workers from that contract in the first instance, and OGS would be at risk of a claim of possible breach were we to agree to include trade workers under the temporary office worker title.

Lastly, professional workers such as lawyers, paralegals, doctors, dentists, nurses, social workers, and accountants must have licenses or certifications to perform their positions and their pay rates vary greatly depending on their years of experience and field of expertise. Therefore, the determination of the prevailing market rate for such workers will be difficult, if not impossible to determine. Without a competitive bid to confirm the price charged is no greater than 15% above such prevailing market prices, we believe it will not be possible to ensure price reasonableness for such workers.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

July 14, 2016

## SECTION D: Approved Services

### Temporary Personnel:

† **Warehouse (recommend changing title to Temporary Personnel – Warehouse)** is a temporary worker hired for a pre-determined period of time to assist a customer in a warehouse environment. The worker may be asked to perform a wide range of warehouse tasks including, but not limited to, order processing, pulling of materials and stock, packing boxes, loading and unloading, shipping, receiving, and other similar tasks as assigned. This service shall not include delivery or driving off site.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

July 14, 2016

## SECTION D: Approved Services

### Document Processing:

† **Photocopying** is making a duplicate image of a hard copy document that has been placed on an analog copier. The only type of binding permitted is a single stapled corner.

### **Workgroup Comments:**

NYSID Proposed Edits: Photocopying is using photographic techniques to copy print or graphic images. May range from producing single color forms, reading material and other documents to those requiring the merge of covers, text and indices and related items in single or multi-color. Photocopying is distinguished from document reproduction in that it involves a hard copy original and generally produces a limited number of hard copy duplicates.

NYSID Comments: This definition is technical and does not provide a practical application for use by a procuring agency in determining form, function, and utility of the service to be provided. A definition from Webster's dictionary was previously recommended and is provided above.

### **Procurement Council Staff Response:**

The staff received comments and edits from DOH and NYSID, and where appropriate incorporated the suggestions and edits.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

July 14, 2016

## SECTION D: Approved Services

### Document Processing:

† **Reproduction** is making one or more duplicates of a pre-existing original hard copy document. Example: Physically place a document or book on a screen and press start. The only type of binding permitted is a single stapled corner. If the document to be reproduced is in an electronic format it is not covered under this definition. **This service shall not include original printing of any kind, including Digital Printing.**

NOTE: Digital Printing is defined as a physical process that transfers an image stored in a digital format on a computer or other storage media (e.g.: flash/thumb drive) to paper or other media. Digital Printing does not use metal printing plates as the mechanical means to affix the image to the paper and does not include a press set-up process. The term expressly does not include the mechanical processes of offset lithography and offset printing (traditional printing). Neither Digital Printing nor traditional printing are approved as services that may be offered either alone or in conjunction with other preferred source service offerings.

### **Workgroup Comments:**

NYSID Proposed Edits: **Reproduction is the process of copying something such as a document and/or graphic image. In current usage, both the original and the reproduced copy may be in a variety of hard-copy or electronic formats including paper copies, pdf files, or other data stored on CD-Roms, DVD's USB flash drives or other storage devices.**

NYSID Comments: The proposed definition does not recognize all forms of media (examples provided) to be reproduced and does not consider 21st century media used to deliver documents or files in electronic format which are then reproduced unaltered on paper. The definition provided is not practical for use by a procuring agency or a NYSID member agency employing individuals with disabilities. It does not bring the definition into the 21st century by requiring an original hard copy and prohibiting unaltered electronic files.

### **Procurement Council Staff Response:**

The staff received comments and edits from DOH and NYSID, and where appropriate incorporated the suggestions and edits.

\* NYSPSP is approved to offer this service, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

July 14, 2016

The Preferred Source Service List contains **Section E**, which identifies services that were being offered when the Procurement Stewardship Act was first adopted, but were not approved as Preferred Source Offerings. The List was created in late 1995 and Sections C (non-approved commodities) and E (non-approved services) were included as a way to assist the Preferred Sources to market other commodities and services they were offering at the time, but were not given Preferred Source status in accordance with State Finance Law § 162 (3)(a). Since 1995, both Sections C and E have remained on the List and this inclusion is confusing to many users, especially new employees at customer agencies. Such confusion could result in agencies unintentionally violating State Finance Law by procuring the services from Corcraft, NYSID or NYSPSP as a preferred source when the procurement should have been obtained following the procuring agency's competitive bidding requirements.

Sections C and E were useful in the 1990s to assist the Preferred Sources in marketing other commodities and services they offered, outside of the Preferred Sources program. However, such assistance with marketing is no longer necessary as Corcraft, NYSID and NYSPSP have public websites, where users can view or download a copy of the Preferred Sources' catalogs to assist in finding additional commodities and services being offered outside of the Preferred Source program. The List was recently updated and made public on the OGS website, the updated version of the List includes links to all three catalogs.

Pursuant to State Finance Law § 162 (3)(b), the Procurement Council may only make a non-binding recommendation to the relevant preferred source to delete a commodity or service from the List of Preferred Source Offerings as it was developed in late 1995. Only the Preferred Source may request the deletion of an item from the List.

## **Procurement Council Staff Recommendation:**

The Procurement Council should vote to make a formal recommendation to NYSID and Corcraft that Section E be removed from the List of Preferred Source Offerings as inclusion of these service titles on the List creates confusion for the customers seeking to obtain services in accordance with State Finance Law §§ 162 and 163.

## **Workgroup Comments:**

NYSID Comments: As stated, in 1995 a list was prepared of all commodities and services that were available and being provided from those entities accorded preference or priority status. Whether or not the items currently included in section C and E date back to 1995 is unknown as is whether or not these sections were used solely for marketing purposes. It is clearly recognized however that these items have not been approved as a preferred source item. This does not mean that an agency is prohibited from purchasing this product or service from a Preferred Source provider, but rather that they are not mandated to do so. As a result, it is difficult to understand how these sections provide confusion or how they could result in agencies unintentionally violating State Finance Law.” The definition of Schedule C and E provided in the List of Preferred Source offerings clearly denotes this differentiation by stating that “State agencies, political subdivisions and public benefit corporations may choose to purchase these services from the preferred source but are not required to do so.”  
Schedule C and E should remain part of the List of Preferred Source offerings.

\* NYSPSP is approved to offer services, therefore Ronald Tascarella has recused himself from discussion and vote.

† NYSID is approved to offer services, therefore Ronald Romano has recused himself from discussion and vote.

## Final Proposed Preferred Sources List Definitions

July 14, 2016

### SECTION E: Unapproved Services

NYSID has requested the retention of the following titles on List E, therefore, definitions are proposed:

† **Building and Ground Maintenance (recommend changing title to Exterior Building Maintenance)** is the cleaning and care of a building's exterior to prevent wear to the surface. **This is not an approved Preferred Source service.**

#### **Workgroup Comments:**

NYSID Comments: This comment in each of the service offerings “This is not an approved Preferred Source service” should be consistent with the instructions for using the List of Preferred Source Offerings as follows “not approved as a preferred source item but available for purchase on an optional basis.”

#### **Procurement Council Staff Response:**

The staff received comments and edits from DOH, OPWDD, and NYSID, and where appropriate incorporated the suggestions and edits.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

July 14, 2016

## SECTION E: Unapproved Services

### Document Processing:

† **Binding** is assembling an ordered stack of paper sheets into a bound volume. Examples are stapling, saddle stitching, three-hole punching, or similar means. **This is not an approved Preferred Source service.**

### **Workgroup Comments:**

NYSID Comments: This comment in each of the service offerings “This is not an approved Preferred Source service” should be consistent with the instructions for using the List of Preferred Source Offerings as follows “not approved as a preferred source item but available for purchase on an optional basis.”

### **Procurement Council Staff Response:**

The staff received comments and edits from OPWDD and NYSID, and where appropriate incorporated the suggestions and edits.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

July 14, 2016

## SECTION E: Unapproved Services

† **Packaging Services** is receiving customer owned goods to be packed and delivered. **This is not an approved Preferred Source service.**

### **Workgroup Comments:**

NYSID Comments: This comment in each of the service offerings “This is not an approved Preferred Source service” should be consistent with the instructions for using the List of Preferred Source Offerings as follows “not approved as a preferred source item but available for purchase on an optional basis.”

### **Procurement Council Staff Response:**

The staff received comments and edits from OPWDD and NYSID, and where appropriate incorporated the suggestions and edits.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

July 14, 2016

## SECTION E: Unapproved Services

### Food Services:

† **Food Cafeteria Services** is serving and selling food and beverage in a cafeteria type setting. **This is not an approved Preferred Source service.**

### **Workgroup Comments:**

NYSID Comments: This comment in each of the service offerings “This is not an approved Preferred Source service” should be consistent with the instructions for using the List of Preferred Source Offerings as follows “not approved as a preferred source item but available for purchase on an optional basis.”

### **Procurement Council Staff Response:**

The staff received comments and edits from OPWDD and NYSID, and where appropriate incorporated the suggestions and edits.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

July 14, 2016

## SECTION E: Unapproved Services

† **Horticulture Services** is cultivating and growing of plants, flowers, fruits, vegetables, and trees using science and technology. Includes various duties such as tilling soil, preparing seed beds, pruning plants and trees, and propagating new plants through grafting and other measurers. These services can be performed in a greenhouse setting or an office environment. The mere planting of said plants or trees is not enough as horticulture deals with science and technology and the business of plant growing. **This is not an approved Preferred Source service.**

### **Workgroup Comments:**

NYSID Proposed Edits: Horticulture Services is the cultivation and growing of plants, flowers, fruits, vegetables, and trees. The mere planting of said plants or trees is not enough as horticulture deals with science and technology and the business of plant growing. *Includes various gardening duties such as tilling soil, preparing seed beds, transplanting, watering, mulching, weeding and applying fertilizer or other gardening products. Other tasks may also include: propagating new plants through grafting and other measurers, as well as pruning plants and trees. These services can be performed in a greenhouse setting or an office environment.* This is not an approved Preferred Source service.

NYSID Comments: There are existing contracts for this service which employ individuals with disabilities. This comment in each of the service offerings “This is not an approved Preferred Source service” should be consistent with the instructions for using the List of Preferred Source Offerings as follows “not approved as a preferred source item but available for purchase on an optional basis.”

### **Procurement Council Staff Response:**

The staff received comments and edits from OPWDD and NYSID, and where appropriate incorporated the suggestions and edits.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

## Final Proposed Preferred Sources List Definitions

July 14, 2016

### SECTION E: Unapproved Services

Corcraft has requested the retention of the following titles on List E, therefore, definitions are proposed:

**Information & Records Conversion Management** is converting paper records into a digital format. This service may include classifying, indexing, retrieval, and storage of records. This service may involve Data Imaging Services, Microfiche & Microfilming. This service may not include the destruction of documents. **This is not an approved Preferred Source service.**

#### **Workgroup Comments:**

NYSID Comments: This comment in each of the service offerings “This is not an approved Preferred Source service” should be consistent with the instructions for using the List of Preferred Source Offerings as follows “not approved as a preferred source item but available for purchase on an optional basis.”

#### **Procurement Council Staff Response:**

The staff received comments and edits from OPWDD and NYSID, and where appropriate incorporated the suggestions and edits.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

# Final Proposed Preferred Sources List Definitions

July 14, 2016

## SECTION E: Unapproved Services

**Telereponse/Telemarketing (recommend changing title to Telemarketing)** is calling a potential customer on behalf of a government entity to solicit the purchase of products or services. **This is not an approved Preferred Source service.**

### **Workgroup Comments:**

NYSID Comments: This comment in each of the service offerings “This is not an approved Preferred Source service” should be consistent with the instructions for using the List of Preferred Source Offerings as follows “not approved as a preferred source item but available for purchase on an optional basis.”

### **Procurement Council Staff Response:**

The staff received comments and edits from NYSID and where appropriate incorporated the suggestions and edits.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.

## Final Proposed Preferred Sources List Definitions

July 14, 2016

### SECTION E: Unapproved Services

**Work Crews** are a group of inmates from the Department of Corrections and Community Supervision (DOCCS) engaged in manual labor under the direct supervision of a DOCCS employee. **This is not an approved Preferred Source service.**

#### **Workgroup Comments:**

NYSID Comments: This comment in each of the service offerings “This is not an approved Preferred Source service” should be consistent with the instructions for using the List of Preferred Source Offerings as follows “not approved as a preferred source item but available for purchase on an optional basis.”

#### **Procurement Council Staff Response:**

The staff received comments and edits from NYSID and where appropriate incorporated the suggestions and edits.

† NYSID is approved to offer this service, therefore Ronald Romano has recused himself from discussion and vote.