



TO: SUNY Campus Presidents, CFOs and CIOs

FROM: Beth Berlin, Chief Operating Officer *Beth Berlin*
Eileen McLoughlin, Senior Vice Chancellor for Finance and Chief Financial Officer *Eileen McLoughlin*

DATE: December 16, 2020

RE: Mandatory Use of System-wide Contracts

With the budgetary restraints that SUNY will be facing as a result of the COVID-19 pandemic and execution of the new Procurement Memorandum of Understanding (MOU), we want to remind campuses the importance of following the New York State purchasing guidelines.

New York procurement rules require SUNY State-operated campuses to follow a specific order of priority when purchasing commodities and services. Specifically, State Finance § 163. 3. a. (i) states “(T)he purchase of commodities by state agencies... shall be conducted in a manner which accords **first priority to preferred sources**¹ in accordance with the provisions of this article, **second priority**² to centralized contracts, **third priority to agency** or multi-agency established contracts and fourth priority to other means of contracting.”

The Office of General Service has provided additional guidance related to this and other important procurement rules and requirements in the New York State Procurement Guidelines. This document can be viewed at: <https://ogs.ny.gov/system/files/documents/2018/08/psnys-procurement-guidelines.pdf>.

A list of contracts established for System-wide use, and procedures on how to use those contracts, can be viewed on the *Doing Business with SUNY* website (<https://www.suny.edu/meansbusiness/>) under University-wide Contracts (<https://www.suny.edu/business/contractsearch/>). There are currently over 30 such commodity, service and technology contracts. These contracts have been solicited and executed following NYS and SUNY procurement rules.

Campuses are required to utilize these contracts **after** exploring the Preferred Source’s approved products and services (<https://ogs.ny.gov/system/files/documents/2020/02/list-of-preferred-source-offerings.pdf>) and Office of General Services Centralized contracts and **before** pursuing an individual campus procurement.

There are a handful of System-wide contracts that have been adopted by SUNY using NYS Consortia Purchasing Guidelines <https://ogs.ny.gov/procurement/nys-procurement-bulletin-consortia-purchasing-guidelines>. These contracts with *Medline Industries* (medical surgical equipment & supplies), *Office Depot* (office supplies), *VWR International* (lab supplies), and *W.W. Grainger* (maintenance, repair and operations) may be used **in place of** the corresponding OGS centralized contract because the Office of System-wide Procurement has secured better pricing, terms and conditions.

By following the NYS and SUNY rules and utilizing System-wide contracts, campuses are helping to ensure we collectively obtain the best pricing, eliminate redundancy in contracting and reduce the administrative burden on our procurement staffs.

There are rare exceptions to this rule. Please contact Thomas Hippchen, thomas.hippchen@suny.edu, to discuss any extenuating circumstances that hinder a campus from complying with this requirement.

¹ *The New York State preferred sources include Corcraft, the New York State Preferred Source Program for People Who are Blind (NYSPPS) and the New York State Industries for the Disabled, Inc. (NYSID).*

² *SUNY is only required to use OGS centralized contracts for commodities. While SUNY may use OGS technology and service contracts, it is not a requirement.*