New York State Thoroughbred Breeding & Development Fund Corp.
Procurement Contract Guidelines

In 1986, in accordance with the requirements of Section 2879 of the Public Authority Laws, the Directors duly adopted the following resolution.

RESOLVED that the procurement of goods or services of any kind in the actual or estimated amount of $5,000.00 or more under any written contract shall be subject to the following guidelines:

The supervision of procurement of goods or services of any kind, including furniture, office equipment, computer services, and any and all other material and support services required by the Fund, shall be the responsibility of the Executive Director. Personal services may be the subject of a contract when the Fund staff is not in a position to provide same.

New York State preferred source organizations and OGS centralized contracts will take precedence over all other sources of supply and competitive procurement methods. If procurements are unavailable from preferred sources, contractors shall be selected through competitive bidding from at least three sources, unless the services are available from only one source or there is only one source in the judgment of the directors suitably qualified to perform the services. In awarding contracts, the Fund shall consider the past performance, price, quality, reputation, and experience of a proposed contractor. Competitive bidding shall not be required for editorial work, for the services of journalists selected to write on matters relating to the breeding of horses, or for outside accounting services unless the directors shall elect to replace the public accounting firm that has previously audited the Fund's accounts.

The award of any procurement contract in excess of $5,000.00 shall require the approval of the Board. Effective July 29, 2014, the Board gave authority to the Ad Hoc Committee on Advertising to spend up to $25,000 on a single procurement of goods and services for promotional activity without seeking full Board approval.

Any contract involving services to be rendered over a period in excess of one year shall require the approval of the Board and shall be subject to an annual review by the Board.

The Executive Director shall, in connection with each contract submitted to the Board for approval, inform the Board whether the contractor is a New York certified minority- and women-owned business or service-disabled veteran-owned business.

Procurement contracts shall contain provisions requiring the contractor to report periodically to the Executive Director on the status of work and the costs incurred to date. When possible, Fund staff, space, and supplies shall be used in order to reduce contract costs.

No procurement contracts may be awarded to any former officer or employee of the Fund during a period of five years from his or her separation.

New York State Thoroughbred Breeding & Development Fund Corp.
Minority and Women Owned and Service-Disabled Veteran-Owned Business Procurement Policy

The Fund is subject to Article 15-A of the Executive Law and 5 NYCRR Parts 140-144 Minority- and Women-Owned Business Enterprises (MWBE), which requires preparation of a Master Goal Plan to describe the procedures the Fund will utilize to comply with the requirements of Article 15-A in order to increase participation of MWBEs.

The Fund is also subject to Article 3 of the Veterans' Service Law and 9 NYCRR Part 252 Service-Disabled Veteran-Owned-Business (SDVOB) Enterprise Program, which requires preparation of a Master Goal Plan to describe the procedures the Fund will utilize to comply with the requirements of Article 3 in order to increase participation of SDVOBs.

In cases in which the Fund has been doing business with a firm that is owned by a MWBE or SDVOB but not certified by New York State, it will advise the firm of the process for seeking certification for their consideration, and also provide the applicable websites and/or contact information.

It has been the Fund's policy to ensure fair access to MWBEs and SDVOBs by offering opportunities to bid on Fund related contracts. In cases in which the value of a contract is less than $5,000, Fund policy is to either utilize contractors listed per State Finance Law Section 162(4) as preferred source vendors, consult NYS Office of General Services website for centralized contracts, request bids from the Business-to-Business Yellow Pages, the MWBE Directory and the NYS Certified SDVOB Database, as well as from businesses who have previously performed work for the Fund.

The Fund maintains a file of MWBE and SDVOB vendors that have expressed an interest in doing business with the Fund. The Fund also reviews the MWBE Directory and has been added to the NYS Certified SDVOB's Database distribution list for opportunities in purchasing and procurement, in order to ensure that certified MWBE and SDVOB vendors have an equitable opportunity to participate and compete for Fund business.