

**Testimony of Lisette Camilo,  
Director of the Mayor's Office of Contract Services, and  
City Chief Procurement Officer  
Before the New York City Council Committee on Contracts  
March 27, 2015**

Good morning, Chair Rosenthal and members of the City Council Committee on Contracts. My name is Lisette Camilo and I am the Director of the Mayor's Office of Contract Services (MOCS) and the City Chief Procurement Officer (CCPO). Thank you for the opportunity to testify today regarding the Fiscal 2016 Preliminary Budget.

New York City is one of the largest contracting jurisdictions in the nation. In Fiscal 2014, New York City procured more than \$17.7 billion worth of supplies, services and construction through more than 43,000 transactions – a 14% increase over Fiscal 2013. MOCS is the body that ensures that City agencies comply with the regulatory and oversight framework that govern the bulk of the procurement spending. Below I will discuss some of the work that we do at MOCS.

The Procurement Policy Board (PPB), whose work MOCS coordinates, promulgates the rules that govern the procurement of goods, services, and construction by City agencies. MOCS is charged with monitoring that City agencies are complying with various local laws and the PPB Rules. These rules ensure that: 1. each procurement has the most competition possible; 2. vendors are treated fairly; 3. agencies determine the prices the City receives are fair and reasonable; and 4. all contractors not only have the capacity to perform the work but also that they have the requisite business integrity to justify the use of public tax dollars. MOCS performs

this responsibility through its relationship with the City's Agency Chief Contracting Officers (ACCOs), who execute the transactions in accordance with the PPB Rules.

In addition to providing procurement procedural reviews and numerous reports as required by law, MOCS is also responsible for many activities related to contracting. MOCS coordinates public hearings for all applicable contract awards (last fiscal year, MOCS conducted 18 public hearings for 553 contracts valued at approximately \$10 billion) and assists vendors with the Payee Information Portal enrollment. MOCS also oversees the Franchise and Concession Review Committee process, including the administration of public meetings and hearings that resulted in approvals of 125 new concession awards and 4 franchise transactions in Fiscal 2014.

MOCS also manages the VENDEX database, which includes information collected through the submissions of vendor and principal questionnaires (VENDEX questionnaires). Vendors that receive a cumulative value of greater than \$100,000 in contracts with the City within a twelve month period are required to file VENDEX questionnaires. That information is gathered and entered by MOCS staff and then made available to City agencies through the VENDEX database. It is one of many tools used by City agencies to determine the responsibility of vendors. MOCS received over 17,000 VENDEX submission packages in Fiscal 2014.

MOCS provides additional guidance to agencies through its Vendor Responsibility and Accountability unit, which manages the City's performance evaluation requirements. This database includes annual contract performance evaluations, which City agencies complete for all contracts except for goods procured via competitive sealed bids (excluding best value) below the small purchase limit.

Local Law 34 of 2007 created the Doing Business Accountability (DBA) database, which MOCS also manages. The DBA database includes information on all entities that are doing or seek to do business with the City, as well as their principal officers, owners, senior managers, lobbyists. In order to avoid the actuality or appearance of a connection between governmental decisions and large campaign contributions, MOCS makes available to the public data from City agencies, city-affiliated public authorities and similar entities, concerning the businesses and nonprofits that were awarded (or sought) procurement contracts, franchises and concessions, grants, economic development agreements, pension investment contracts, debt contracts, real property transactions and land use actions, as well as the key individuals responsible for such matters at each entity. MOCS processed over 13,000 DBA forms in Fiscal2014.

In 2008, MOCS created the Capacity Building and Oversight (CBO) unit to offer specific support to nonprofit providers as well as the City's human service agencies. The CBO unit has since:

- Provided training, in coordination with the Council, to over 2,000 nonprofit leaders, and umbrella organizations. CBO has also provided trainings for Councilmembers and their staff;
- Responded to over 10,000 CBO Hotline requests for assistance;
- Vetted over 6,000 discretionary awards annually;
- Completed 450 nonprofit governance reviews; and
- Currently oversees 15 Citywide corrective action plans.

The CBO unit also develops and disseminates best practices standards for nonprofits and constantly works with partners at City agencies and HHS Accelerator to improve the procurement process for nonprofits.

One of MOCS's most important duties is to jointly administer the City's Minority and Women-Owned Business Enterprise (MWBE) program, with the Department of Small Business Services ("SBS") and Maya Wiley, Counsel to the Mayor and Director of the MWBE program. MOCS provides hands-on technical assistance to City agencies regarding goal-setting, pre-award waivers, post-award modifications, enforcement actions and other elements of the MWBE program. The technical assistance comes in the form of monthly trainings (provided in conjunction with SBS), helpdesk service, and in-person meetings. Additionally, MOCS provides regular reporting of agency MWBE utilization in order to provide as much transparency as possible as to the status of this program. This Administration is dedicated to improving the success of this program and we are off to a good start. Fiscal 2014 saw a nearly 57% increase in the number of contracts awarded to certified MWBEs, with over \$690 million in awards. Though Fiscal 2014 had a significant increase in contract awards to MWBEs over the previous fiscal year, we are working with our partners to see those numbers improve even more.

MOCS also works on some Citywide labor compliance issues. MOCS monitors City agency compliance with Prevailing and Living Wage requirements associated with procurements pursuant to Executive Order 102 as well as assisting agencies to comply with the apprenticeship requirements on contracts. MOCS is also heavily involved in the Project Labor Agreement negotiations and work with agencies to ensure proper administration.

As you can see, the activities above share the dual goals of managing compliance with various local laws, regulations and policy directives as well as providing technical assistance to City agencies and vendors related to procurement. In addition to the current work that we do, MOCS is undertaking a thorough review of the procurement process to find ways to provide more transparency and visibility to our stakeholders and to increase the overall efficiency of the

process. Working with our partners at DoITT, MOCS is developing a method to capture various levels of procurement data in real-time and for a broad range of information. We hope to be able to provide a more detailed look into Citywide and agency cycle times for procurement activities and other indicators later on this year.

At MOCS, we are committed to working with all the Mayoral agencies to ensure compliance with all the relevant legal and regulatory requirements so that they can further their respective missions. We look forward to working with the Council over the coming year to help us in that aim. At this time, I would be happy to answer any questions the committee may have.

**THE COUNCIL  
THE CITY OF NEW YORK**

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**(PLEASE PRINT)**

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Address: 253 Broadway, 9th Floor

I represent: MOCS

Address: same

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