

State Liquor Authority
Division of Alcoholic Beverage Control



SDVOB SFY 2022-2023
Master Goal Plan
January 2022

I. AGENCY OVERVIEW

A. Mission and Goals

The State Liquor Authority (“SLA”) has two (2) main functions: 1) Issuing licenses and permits; and 2) Ensuring compliance with the Alcoholic Beverage Control Law (“ABCL”). The SLA’s licensing activities focus on the timely processing of licenses and permits. The SLA’s enforcement activities focus on the protection of the public by working with local law enforcement agencies and local communities to bring administrative actions against licensees who violate the law.

B. Scope of Agency Operations

The SLA is part of the executive department of New York State with a Board consisting of three (3) Commissioners, appointed to three (3) year terms, one (1) of whom is the Chair. The Chair serves as the day-to-day administrator and has a salary set by statute; the other two (2) Commissioners are compensated on a part-time basis. Current SLA responsibilities include, but are not limited to:

- Reviewing applications and investigating applicants to determine eligibility;
- Issuing licenses and permits for the manufacture, wholesale distribution and retail sale of all alcoholic beverages;
- Regulating trade and credit practices related to the sale and distribution of alcoholic beverages at wholesale and retail;
- Working with local law enforcement agencies to ensure compliance with the ABCL;
- Investigating licensees for alleged violations and the ABCL; and
- Bringing disciplinary charges, conducting disciplinary proceedings, revoking, canceling or suspending for cause any license or permit, and/or imposing monetary penalties where appropriate.

The SLA currently operates three (3) offices: New York City (Zone 1); Albany, (Zone 2) which serves as the headquarters; and Buffalo (Zone 3). For SFY 2021-2022 the agency was appropriated \$13,313,000.

II. DESCRIPTION OF SDVOB PROCUREMENT STRATEGY

A. Reflections on Previous Years' SDVOB Utilization

There are certain areas where the SLA has not traditionally had spending (e.g., construction, contracting, consulting, etc.) and accordingly has not been able to utilize certified SDVOB businesses. In 2021-2022, SLA had three contracts: one for real property, one a preferred source for document handling, and one for competitively bid IT work. Many other commodities and services used by the SLA are acquired through centralized state contracts. All other spending is made using purchase orders and the procurement card system. There are very few contract/procurement opportunities available to/necessary for the SLA. As a result, SLA's overall SDVOB utilization remained unchanged. It is anticipated that the current contract picture will not change for FY 2022-2023.

The SLA has been and continues to be challenged in its efforts to reach the established 6% goal due to the small size of the agency, the small size of its budget and the small number of contracts and discretionary purchases that are made on a regular basis.

However, in last several years, the SLA was successful in identifying opportunities to make purchases from a certified SDVOB for commodities that are not obtained on a regular (annual or quarterly) basis. The SLA continuously makes a good faith effort to look for opportunities to establish SDVOB involvement. Considering the agency's limited spending ability, it remains very difficult, if not impossible to secure procurement opportunities where SDVOBs can participate, thus, preventing the agency from achieving the established goal.

B. Strategic Objectives Regarding Utilization of SDVOBs

There are certain areas where the SLA does not have spending (e.g., contracting, construction, construction consultants, etc.) and accordingly will not be able to utilize SDVOBs. In other areas, such as services and commodities, the SLA will continue to seek out opportunities to utilize authorized SDVOBs to achieve the established goal. The SLA is hosted by the Office of General Services (OGS) for its human Resource and Finance Functions. The SLA mirrors the same procurement policies and procedures as OGS.

C. Plans to Achieve Strategic Objectives

In determining possible related expenditures to meet the 6% SDVOB utilization goal, the SLA will consult with the Office of General Services ("OGS") and the Division of Service-Disabled Veterans Business Development ("DSDVBD").

The SLA has two staff persons in the Executive Office, under the supervision of the Deputy Commissioner for Administration, who have taken a more active role in all aspects of our participation. SLA staff regularly reviews the SDVOB database and seeks occasions to increase awareness of new utilization opportunities and to increase SDVOB utilization with P-Card commodity purchases. When necessary, SLA staff will coordinate and interact with OGS staff to better search and review the SDVOB database to maximize utilization opportunity.

With the assistance of the SDVOB Business Development team, the SLA has identified a NYS Certified SDVOB reseller from whom the agency can purchase on-line contract office supplies and receive SDVOB utilization credit. During this fiscal year, if necessary, the SLA will request a conference meeting between OGS staff and SLA staff to review all of the SLA's purchasing history, to review anticipated and projected spending, to identify opportunities for additional spending and to discuss and review all aspects of the proposed goal plan. During 2022, the SLA will make every effort to participate in the OGS Gov/Buy Conference and the Veteran's in Transition (VETCON) Conference, if these events are held. With assistance from OGS where appropriate, SLA will more strategically review the list of SDVOB providers to determine how to meet the 6% SDVOB utilization target.

D. Utilization Plans, Good Faith Efforts and Waivers

The SLA has created a webpage link to the OGS page containing Utilization Plans.

<https://ogs.ny.gov/Veterans/>

The SLA continuously makes a good faith effort to look for opportunities to establish SDVOB involvement. However, because of the agency's limited spending ability, it is very difficult, if not impossible many years, to secure procurement opportunities where SDVOB's can participate, thus, preventing the agency from achieving the established goal. At the present time, there are no Approval/Denial of waivers to post. There have been no Approval/Denial of waivers to report to DSDVBD.

E. Projected Budget/Projected SDVOB Use

The basis of whether the SLA meets the 6% utilization goal will be tied to the number the SLA uses to determine its MWBE participation rate, minus all MWBE expenditures since these cannot be counted twice. The base number used for MWBE is one which takes the agency's spending minus all MWBE Goal Plan Exclusions and authorized Exemptions.

For SFY 2022-2023, the SLA estimates it will have \$389,860 for discretionary spending available after the elimination of all MWBE exemptions and exclusions. The SLA has an identified SDVOB goal of 6% for SFY 2021-2022. Based on this estimate, the SLA will attempt to spend \$23,391.60 towards SDVOBs. At this time, the numbers provided herein by the SLA are only estimates, which may or may not be accurate at the end of SFY 2021-2022, as they are subject to change/modification.

TOTAL AGENCY BUDGET	\$10,380,000.00
TOTAL EXEMPTIONS	\$9,642,878.00
TOTAL EXCLUSIONS	\$347,262.00
TOTAL AMOUNT ELIGIBLE FOR SDVOB	\$389,860.00
TOTAL SDVOB GOAL (6%)	\$ 23,391.60

The exemptions and exclusions applied to the agency’s spending, to identify the true base discretionary spending available from MWBE purposes, are dictated by the MWBE’s program rules and regulations (e.g., they include the elimination of all personal service, office rent/utilities, etc.). This year, the OGS Budget Office has determined that when the total agency budget, the projected exemptions and exclusions for the next fiscal year are factored together, there is a lower amount that is available for goal setting purposes. After the elimination of all MWBE spending, since this spending cannot be counted for both MWBEs and SDVOBs, the number above is the base discretionary spending available for SDVOB purpose based on information available at this time.

F. Anticipated Challenges and Strategies to Address Challenges

There are few SDVOB recognized businesses that would enable the SLA to meet its 6% utilization. The SLA is both housed in OGS buildings and rents commercial space. As indicated above, the SLA does not engage in any general construction and does not currently employ any consultants; further the SLA purchases minimal services and commodities. The focus of the SLA’s program will continue to be on services, and, if needed and where appropriate, any additional possible commodities. The SLA cannot engage in wasteful and unnecessary spending which negates its overall responsibility to dutifully monitor the use of taxpayer dollars.

The SLA has carefully considered the established participation goal of 6%. The plan submitted for FY 2022-2023 is based on the projected amount of the agency budget that will be available for SDVOB utilization. In submitting this plan, the SLA has carefully considered the agency spending during recent fiscal years and a good faith estimate of SDVOB availability for participation on eligible procurements included in the available budget for goals.

Based on the above review, the SLA has concluded that the aspirational statewide goal may be even more unrealistic for the agency to achieve than in prior years, however, the agency commits to use its resources to make a good faith effort to reach the goal.

III. **BOILERPLATE LANGUAGE**

The SLA is hosted by OGS for human resources, finance and contracting. Though this hosting relationship exists, SLA makes all decision and provides all direction regarding the utilization of agency resources. Therefore, the SLA will utilize all contracting language developed by OGS and prescribed in the OGS SDVOB Master Goal Plan.

IV. **AGENCY SDVOB OPERATIONS/ORGANIZATIONAL CHART**

The SLA is hosted by OGS for human resources, finance and contracting. Regardless, staff in the SLA's Executive Office (e.g., Executive Deputy Commissioner, Deputy Commissioner for Administration, Secretary 2, etc.) will administer the program at the agency level.

The SLA organizational chart is attached.

V. **OUTREACH EFFORTS**

The SLA will engage in outreach efforts whenever opportunities are available. The SLA will utilize its website to promote the SDVOB program. In 2022, the SLA will endeavor to participate in the following events if they are scheduled and held: Gov/Buy Conference and the Veterans in Economic Transition Conference to inform vendors of procurement opportunities with the agency. In addition, the SLA will seek opportunities to cross network with other government agencies to identify prospects for outreach and procurement. Further, the SLA will also seek to partner with other state agencies to take advantage of available outreach campaigns to inform vendors of procurement opportunities with the agency.

VI. **OTHER INFORMATION**

None.

VII. **STANDARDIZED FORMS**

The SLA is hosted by OGS for human resources, finance and contracting. Though this hosting relationship exists, SLA makes all decisions and provides all direction regarding the utilization of agency resources. Therefore, the SLA will utilize all contracting language and forms developed by OGS and prescribed in the OGS Master SDVOB Goal Plan.