Project Sunlight Reporting
As Applicable to Procurement

Project Sunlight Reporting Decision Tree

Is interaction in-person, by telephone or video conference?
(1)
Yes
Is individual/entity categorically excluded?
(2)
Yes
Is the value or potential value equal or greater than $25,000
(3)
No
Is there a possibility that State funds will be used?
(4)
Yes
Is this a substantive appearance?
(5)
No
Are you in the role of decision-maker or advising a decision-maker?
(6)
No
Are we within the Restricted Period?
(7)
Yes
Is this an appearance to finalize a contract?
(8)
No
Is the appearance post-award of a contract?
(9)
No
Appearance must be reported within 5 days

Revised 03/06/2013
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<table>
<thead>
<tr>
<th>Decision</th>
<th>Explanation</th>
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</table>
| (1)      | To be classified as a reportable appearance, the interaction must be in-person, by telephone, or by teleconference.  
  - Interactions by letter, e-mail or FAX are not considered appearances and are not reportable. |
| (2)      | Appearances by the following individuals/entities are categorically excluded and do not have to be reported:  
  - Other state and local agencies and authorities, including tribal governments and federal government representatives.  
  - Elected officials, executive or legislative employees, judges, or employees of the judiciary.  
  - Representatives of the media.  
  - Persons under the age of 18. |
| (3)      | Only procurements with a known or potential value greater than $25,000 are required to be reported. |
| (4)      | Project Sunlight applies only to NYS funded procurements. If you know that the procurement will be funded entirely with RF, FSA, and/or OCNY funds, it is not required that the appearance be reported. |
| (5)      | A substantive appearance is one where the intent of the interaction is to influence the decision-making process.  
  - Ministerial interactions, such as the scheduling of a meeting do not need to be reported.  
  - Appearances that are purely informational and made at the request of SUNY College of Optometry to obtain information do not need to be reported.  
  - Appearances between SUNY College of Optometry and an MWBE firm to determine the firm’s interest in and availability to provide goods/services do not have to be reported.  
  - The regulated party appearing before the SUNY College of Optometry representative may be representing themselves, their organization, be an inside representative such as a general counsel, or an outside representative such as a lobbyist or advocacy organization.  
  - It is irrelevant whether the interaction is initiated by SUNY College of Optometry or the regulated party. Unsolicited sales calls are reportable if they meet the other criteria for reporting.  
  - It is irrelevant where the appearance takes place, be it in your office, the regulated party’s office or a public/private place.  
  - Participation in meetings that are open to the public, such as conferences or meetings subject to the Open Meetings Law, or where a record of the meeting is otherwise available, are not reportable. Note that a meeting with a regulated party |
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- before or after a conference or public meeting is reportable if it meets the other criteria for reporting.
  - Confidentiality requirements imposed by federal or state statute, rule or regulation take precedence over the reporting requirements of Project Sunlight.

<table>
<thead>
<tr>
<th>(6)</th>
<th>In order to be covered by the reporting requirements of Project Sunlight, you must be:</th>
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<tbody>
<tr>
<td></td>
<td>• In a position to approve the procurement and commit state funds yourself, or</td>
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<tr>
<td></td>
<td>• Be advising the person who will be approving the procurement.</td>
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<table>
<thead>
<tr>
<th>(7)</th>
<th>Appearances during the Restricted Period, whether they are bid clarification meetings, bid interviews, or other permissible contact under the State Finance Law, do not need to be reported.</th>
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<tbody>
<tr>
<td></td>
<td>• The Restricted Period commences with the first written notice, advertisement, or solicitation related to a procurement and ends upon final contract award, or approval by the State Comptroller where applicable.</td>
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</tbody>
</table>

| (8) | Appearances to finalize a contract for any discretionary award do not need to be reported. |

| (9) | Appearances following the award of a contract, relative to that contract, do not have to be reported. |

**When in doubt whether a contact is reportable or not, it is better to err on the side of caution and report the appearance.**