



Corrections and Community Supervision

KATHY HOCHUL
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

December 28, 2022

Nadine Morrell
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street, 11th Floor
Albany, NY 12236

Re: Final Audit Report Response - 2021-S-1
"DOCCS Oversight of Transportation Expenses"

Dear Audit Director Morell,

Thank you for the opportunity to respond to the Office of the State Comptroller's (OSC) above-referenced final audit report relating to Audit Report Number 2021-S-1 titled *Oversight of Transportation Services and Expenses*. On behalf of DOCCS and pursuant to Executive Law §170, I write to provide confirmatory information concerning DOCCS' associated corrective actions as we reported to DOB on July 19, 2022, pursuant to Bulletin L-100, Agency Guidelines for Performance Audits.

OSC Recommendation (1): *Implementation of Department-Wide procedures to monitor the Contractors performance regarding repair and maintenance costs.*

Response: Partially Agree. As stated in our draft audit response, it is not feasible for staff to perform this type of detailed monitoring due to the size of our fleet and the volume of repairs necessary to maintain our public safety mission. However, we do utilize National Account Vendor Pricing to aid in our repair authorization reviews. Additionally, we are planning to explore the feasibility of developing a computerized system to enhance our ability to monitor and track vehicle repairs at correctional facilities who are not utilizing the Contractor (Hollman). If determined to be feasible, it will require time for a multi-discipline team to develop, vet and test.

Currently, any facility repairs that are submitted with a funding request are reviewed prior to authorization. We have also implemented a process of reviews for Central Office transactions of \$500 or more by requesting detailed billings on randomly selected transactions. Furthermore, efforts are underway to review contractor statements for Fuel and Maintenance for incorrect charges, and to require facilities to provide monthly fuel and maintenance summary statements to Central Office.

OSC Recommendation (2): *Ensure that maintenance documentation is kept in accordance with the Department's standards.*

Response: Agree. DOCCS stands by our May 2, 2022, draft audit response for this recommendation and has nothing further to add.

OSC Recommendation (3): *Develop and implement a process to ensure maintenance costs are reasonable and in compliance with Department and State requirements.*

Response: Partially Agree. Consistent with our May 2, 2022, draft audit response for this recommendation, DOCCS does have procedures in place that are designed to help provide reasonable assurance that maintenance costs are reasonable and in compliance with NYS procurement guidelines. DOCCS does perform limited online searches for comparable parts and services, however this is not always feasible due to the necessity for urgent (public safety) repairs. Also, DOCCS Vehicle/Fleet Management Unit approves all repair requests over \$500.00, and inquires, when feasible (again urgency often dictates immediacy) as to reasonableness of price of parts and service of work being performed. This review process has been enhanced via review of National Account Vendor Pricing. In addition, we have been advising facilities to utilize OGS contracts when procuring vehicle parts in accordance with State purchasing guidelines. As previously stated in this response, any facility repairs that are submitted to Central Office with a funding request are reviewed for appropriateness prior to authorization.

OSC Recommendation (4): *Ensure that the Department employees use the most cost-effective method for fuel purchases, when practical.*

Response: Agree. DOCCS stands by our May 2, 2022, draft audit response for this recommendation and adds that reminders will be periodically issued by the Division of Support Operations advising all staff that when in travel status, efforts should be made to fuel vehicles at a facility, if it reasonable given their specific travel plans and if facility staff are able to accommodate such a request.

OSC Recommendation (5): *Take steps to improve the accessibility, usability, accuracy, and completeness of Fuelmaster data by the Department.*

Response: Partially Agree. DOCCS stands by our May 2, 2022, draft audit response for this recommendation and adds that Directives #3051, "Energy Conservation, #2900, "Functions of the Division of Support Operations," and #2119, "Functions of the Division of Facilities Planning and Development," outline policies regarding the monitoring, reporting, and oversight of fuel usage.

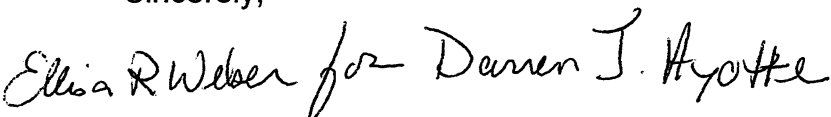
OSC Recommendation (6): *Ensure LENS communications are communicated to all correctional facilities and all appropriate personnel within the Department.*

Response: Agree. DOCCS stands by our May 2, 2022, draft audit response for this recommendation and adds that LENS notifications are being distributed Statewide.

OSC Recommendation (7): *Monitor Correctional facilities' vehicle logs and incarcerated individual transportation logs to ensure records are complete and accurate and in accordance with Department procedures.*

Response: Agree. DOCCS stands by our May 2, 2022, draft audit response for this recommendation and adds that facilities will be issued a reminder of the responsibility to closely monitor vehicle logs and resolve any discrepancies prior to submission. Directive #2932, "Use of State-Owned Vehicles," was revised effective September 21, 2022 to include updated requirements regarding appropriate licensure of staff in order to operate State vehicles in the course of their duties.

Sincerely,

A handwritten signature in black ink that reads "Elissa R. Weber for Darren J. Ayotte". The signature is written in a cursive style.

Darren J. Ayotte
Acting Deputy Commissioner
Administrative Services

cc: Anthony J. Annucci, Acting Commissioner
Daniel F. Martuscello, III, Acting Executive Deputy Commissioner
Osbourne A. McKay, Deputy Commissioner, Correctional Industries,
Compliance Standards, and Diversity
Cathy Sheehan, Deputy Commissioner and Counsel
Melissa Coolidge, Associate Commissioner
Elissa Weber, Assistant Commissioner
Deane Gardner, Assistant Commissioner
Cal Whiting, Associate Commissioner
Paul Guenette, Director, Division of Support Operations
Mark Riel, Acting Director, Division of Correctional Industries
Lori Young, Acting Director, Bureau of Internal Controls
Muhammad Zamir, Director, Internal Audit
Andrea C. Miller, Executive Deputy Comptroller
Tina Kim, Deputy Comptroller
Ken Shulman, Assistant Comptroller