§ 160. Definitions. As used in this article, the following terms shall have the following meanings unless specified otherwise:

1. "Centralized contract" means any contract for the purchase of commodities or services, established or approved by the commissioner of general services as meeting the state's requirements including, but not limited to, any contract let by the federal government, other state or local governments or purchasing consortia.

2. "Commissioner" means the commissioner of general services.

3. "Commodity" or "commodities" means material goods, supplies, products, construction items, electronic information resources or other standard articles of commerce which are the subject of any purchase or other exchange.

4. "Construction item" means any item or material used in construction and which is procured directly by a state agency or by a person other than a municipality under contract with a state agency.

5. "Costs" as used in this article shall be quantifiable and may include, without limitation, the price of the given good or service being purchased; the administrative, training, storage, maintenance or other overhead associated with a given good or service; the value of warranties, delivery schedules, financing costs and foregone opportunity costs associated with a given good or service; and the life span and associated life cycle costs of the given good or service being purchased. Life cycle costs may include, but shall not be limited to, costs or savings associated with construction, energy use, maintenance, operation, and salvage or disposal.

6. "Price" unless otherwise specified means the amount of money set as consideration for the sale of a commodity or service and may include, but is not limited to, when applicable and when specified in the solicitation, delivery charges, installation charges and other costs.

7. "Service" or "services" means the performance of a task or tasks and may include a material good or a quantity of material goods, and which is the subject of any purchase or other exchange. For the purposes of this article, technology shall be deemed a service. Services, as defined in this article, shall not apply to those contracts for architectural, engineering or surveying services, or those contracts approved in accordance with article eleven-B of this chapter.

8. "Small business concern" or "small business" means a business which is resident in this state, independently owned and operated, not dominant in its field and employs one hundred or less persons.

9. "State agency" or "state agencies" means all state departments, boards, commissions, offices or institutions but excludes, however, for the purposes of subdivision five of section three hundred fifty-five of the education law, the state university of New York and excludes, for the purposes of subdivision a of section sixty-two hundred eighteen of the education law, the city university of New York; provided, however, that the state university of New York and the city university of New York shall be subject to the provisions of section one hundred sixty-five-a of this article. Furthermore, such term shall not include the legislature or the judiciary.

10. "Technology" means either a good or a service or a combination thereof, that results in a technical method of achieving a practical purpose or in improvements in productivity. Goods may be either new or used.