

23006 ANSWERS TO BIDDER QUESTIONS

Question	Bid Document	Section Number	Inquiry	Answer
1	IFB	1.4 New York State Contract Reporter	I have pulled off all bid information and have tried to find the icon “Send Me Notification Update on This” but cannot find it. We are registered with NYS Contract Reporter. Could you please assist me on where to find this important icon?	The icon for “Send Me Notification Updates on This” is located in the lower right hand corner of the ad. Please contact the New York State Contract Reporter (https://www.nyscr.ny.gov) for assistance as OGS does not manage that website.
2	IFB	1.7 Definitions and, 4.1 Method of Award and, 5.2 Pricelists/ Discounts	Please clarify the definition of “List Price” as requested on price form attachment. Definitions section states “List Price” off of MSRP but in the Method of Award section it states bidders may offer products from any of the following: 1. Nationally published paper hard copy or online catalog, 2. MSLP, 3. MSRP, 4. Government Price list or 5. Manual pricelist. Please specify what you want the discounts off of. Most industry catalogs publish company prices not manufacturer prices. Prior contracts have been based on supplier base price rather than MSRP. Discounts off MSRP may result in a larger number of discount rates by manufacturer. This may be extremely unwieldy for end user.	The discount is off of “List Price”, as defined in IFB Section 1.7. Pursuant to IFB Section 1.7, <i>Definitions</i> , “Net Price” is defined as “List Price less all applicable discounts and shall be the price paid by Authorized Users of the resultant Contract. Accordingly, Attachment 1, Pricelist, requires Bidder to provide “List Price”, as defined in IFB Section 1.7, and the applicable discount, to calculate the “Net Price.”
3	IFB	2.1 Scope	Can you confirm that educational DVDs, in either hard good or digital format, would fall under “instructional materials” as defined in the <u>Scope: inclusion section</u> of this RFP?	<p>Products meet the definition of “School and Art Supplies” in Section 1.7 and that do not fall under the items in the Exclusions paragraph of Section 2.1, <i>Scope</i>, may be offered. The Invitation for Bids has been revised to update the list of excluded items under Section 2.1, <i>Scope</i>.</p> <p>In accordance with the Exclusions paragraph of Section 2.1, software requiring a licensing agreement is excluded from this IFB.</p> <p>In accordance with Section 4.1, <i>Method of Award</i>, New York State reserves the right to exclude from award any pricelists or individual Products that do not fall within the scope or are not deemed to be offered at prices advantageous to the State.</p>
4	IFB	2.1 Scope	Under the paragraph labeled "Inclusion" you mention instructional materials - do instructional materials include any of the following? Books, Textbooks, eBooks, Educational Toys & Games,	Products meet the definition of “School and Art Supplies” in Section 1.7 and that do not fall under the items in the Exclusions paragraph of Section 2.1, <i>Scope</i> , may be offered. The Invitation for Bids has been revised to update the list of excluded items under Section 2.1, <i>Scope</i> .

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			Maker or Tech Toys, CDs, DVDs, eReaders or Tablet devices?	OGS has a separate contract under Group 20060, Award No. 22868 for Books and Non-Print Library Materials & Related Ancillary Services, which provides for periodic recruitment. The contracts may be view on the OGS website at http://ogs.ny.gov/purchase/spg/awards/2006022868CAN.htm .
5	IFB	2.1 Scope	Would early childhood products include products for ages infants - Pre-K? What is targeted age-group? As this is a 5-year contract, is there a chance that head start/early child care programs will be moved into the public school arena?	Products meet the definition of “School and Art Supplies” in Section 1.7 and that do not fall under the items in the Exclusions paragraph of Section 2.1, <i>Scope</i> , may be offered. The Invitation for Bids has been revised to update the list of excluded items under Section 2.1, <i>Scope</i> . This contract will be available to all Authorized Users as defined in Appendix B, Section 2.
6	IFB	2.1 Scope	I am thinking of doing this bid (23006) for our firm and was curious if school library books would also fall under this description for “supplies”. I did read through the PDF and it looks like they could fit in, but wanted to double check before I spent the time working on it.	Products meet the definition of “School and Art Supplies” in Section 1.7 and that do not fall under the items in the Exclusions paragraph of Section 2.1, <i>Scope</i> , may be offered. The Invitation for Bids has been revised to update the list of excluded items under Section 2.1, <i>Scope</i> .
7	IFB	2.2 Estimated Quantities	Of the \$20mm approx. spend what % is from state agencies and what % is from political sub-divisions?	OGS’ best estimate based on previous contract sales resulted in approximately 10% of sales to State Agencies and approximately 90% of sales to Non-State Agencies. Pursuant to IFB Section 2.2, “Contractor(s) must furnish all quantities or dollar values actually ordered” ... and “the individual value of each resultant Contract is indeterminate and will depend upon the number of Contracts issued and the competitiveness of the pricing offered.”
8	IFB	2.3 Qualification of Bidder	With regards with proof of sales of \$250,000 over the 3 year period, does the sales reports my company has submitted to the state qualify as goods sold and fulfill the requirement?	Yes, provided the sales report contains all the required elements set forth in Section 2.3, being, the name of the National Public Entity that made the purchase (i.e. federal, state, local governments, school districts or schools, public libraries, public hospitals, etc.), the total amount of sales by purchaser, and the date of each sale.
9	IFB	2.3 Qualification of Bidder	(a) Can vendor submit copies of quarterly reports for Award 21710 for past year as proof of meeting \$250,000 requirement? (b) Is it necessary to submit last 3 years' quarterly	(a) Yes, provided the sales report contains all the required elements set forth in Section 2.3, being, the name of the National Public Entity that made the purchase (i.e. federal, state, local governments, school districts or schools, public libraries,

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			<p>reports if one year has over \$250,000 sales?</p> <p>(c) Please clarify "Qualification of Bidder". Do we need to verify enough sales to show that we meet the minimum requirement of \$250,000 of nationwide sales in the last 3 years; or do we need to show every sale nationwide in the last 3 years?</p>	<p>public hospitals, etc.), the total amount of sales by purchaser, and the date of each sale.</p> <p>(b) and (c) No, it is not necessary for bidder to provide proof of sales beyond \$250,000.00 over the last three (3) years ending January 31, 2016 to any National Public Entities.</p>
10	IFB	2.4 Other Qualifications	Is vendor to include documentation relevant to qualifications 1-4 with bid or is this optional since qualification statement states OGS reserves right to request additional information including but not limited to the following?	No, Bidder is not required to submit with their bid the information noted in Section 2.4; however, please be advised that OGS reserves the right to request this information at any time.
11	IFB	Section 3.7 Bid Submittal Instructions	We have over 10,000 items in stock that we would bid on, everything we carry will be included in our bid. We also have a website with online ordering, could put our catalog onto a CD or possibly upload in to your system. How would I complete the Price List Attachment accordingly?	Please review the Instructions tab in Attachment 1 - Pricelist, which requires that all items being offered must be listed on Attachment 1 – Pricelist. And all information required per SKU/Part Number must be provided on Attachment 1, Pricelist.
12	IFB	4.1 Method of Award and, 5.1 Price and, 5.9 Minimum Order	The bid specifies the award shall be made to responsive and responsible bidders with products offered delivered at reasonable price. In section 5.1 the IFR states bidders can charge additional for inside delivery and in section 5.9 the IFR states the bidder can have a minimum order of \$100. If a bidder does not charge for inside delivery and does not require a minimum order will that be taken into consideration when evaluating and awarding contracts based on products delivered at a reasonable price?	No, inside delivery charges and minimum order amounts will not be taken into consideration in determining awards under Section 4.1. Pursuant to Section 4.1 award “shall be made to the responsive and responsible Bidder(s) whose pricing indicates that Products offered will be delivered at a reasonable price as determined by OGS Procurement Services.”
13	IFB	4.1 Method of Award	How will OGS decide on how many bidders will be awarded this contract and what is the criteria for the award?	Those bidders who are responsive to the bid requirements and are responsible vendors while providing reasonable pricing will be awarded contracts.
14	IFB	5.1	Are Insider Delivery charges beyond the dock to be factored into NET NYS Pricing, or can those be quoted at time of order with the Authorized User?	Pursuant to Section 5.1 charges for inside delivery beyond the “inside doors of the Authorized Users receiving platform” are not part of Net Price. Section 5.1 provides that Net Price shall include all customs duties and charges and be net, F.O.B. destination any point in new York state as designated by

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				<p>the ordering Authorized User including delivery inside doors of the Authorized Users receiving platform.</p> <p>Please note, Section 5.1 provides that “if it is determined the Contractor is charging excessive amounts for delivery, the State may seek reimbursement for such amounts.</p>
15	Attachment 5 - General Questions IFB	5.16 Use of Reseller/ Distributors/ Alternate Channel Partners	Can the reseller offer less than the price offer?	Yes, at the time of a procurement a reseller is eligible to offer lower pricing. Please refer to Section 5.16.3 for full details.
16	IFB	5.16	Can Resellers and Dealers be authorized for invoicing Eligible Users?	Yes. Resellers/dealers will need to have a New York State Vendor ID Number in order to receive payment. The box “Receive Payment” should be checked on Attachment 7 – Reseller Directory.
17	IFB	5.4.7	Please clarify the GSA Pricing. We are a sole source vendor and do not have a GSA contract. Would the Industrial Funding Fee of .75% apply to us?	No, if you do not have a GSA contract, then the Industrial Funding Fee would not be applicable.
18	IFB	5.9 Minimum Order	When stating minimum order, would this be a minimum order for a single vendor totaling \$100 after the discounted price?	Yes, the minimum order of \$100.00 is based on Net Price on a per order basis. Section 5.9 allows the Contractor to honor orders for less than the minimum order, however no additional charges shall be allowed.
19	IFB	5.40 New York State Tax Law §5-a and 5.41 New York State Required Certification	Are we required to submit the ST-220-TD and ST-220-CA forms if we are not based in New York?	Yes, pursuant to Section 3.7, Bid Submittal Instructions, all bidders are required to provide these forms.
20	Attachment 1 - Pricelist		Do we need to provide a price list for our alternate channel partners separately?	No. Only the bidder’s Attachment 1 – Pricelist will be acceptable for bid evaluation and contract purposes.
21	Attachment 1 - Pricelist		What will be the scope of access (who and how) to vendor pricelists? Will the pricelists be accessible only to contract buyers? If Pricelists will be available to vendors that submit or are awarded bids (or other parties), will access be openly available at the OGS site or will information be available by request only?	Final approved contractor pricelists will be placed on the OGS public website for this contract.

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22	Attachment 1 - Pricelist		The Price List Tab will address the Base Discount that we offer. We are planning to submit Tiered Volume Discounts. There are 4 levels. For simplicity it would help if we can add a Price List Sheet/Tab for each of the 4 volume levels since the discounts are different at each level. Can we alter the document to add Tabs for each volume/discount level?	Attachment 1 – Pricelist cannot be altered from the required format. Pricing for each tier can be entered as a separate line item. For example, the same item with the same part number and list price can be entered but with a different discount to accomplish the tier. The description should include information so users understand why the discount is different. Volume discounts can also be entered into Attachment 5 – General Questions, Question 57.
23	Attachment 1 – Pricelist		Each of the Standard Products in our offering can be customized by things such as product dimension or custom colors and finishes. These are normally estimated for the additional expense and quoted to commercial customers. Is it possible for us to offer customer options in this manner if awarded a contract? Since these do not have standard price configurations we would envision preparing a total custom cost as a "quoted custom list" and then applying all offered discounts to that custom product price.	No, All proposed Product offerings, including any custom dimensions, colors, or finishes, must be listed on Attachment 1 – Pricelist, detailing SKU/Part Number, Item Description, List Price, Discount Percentage, and Net Price for each Product on the Pricelist that the Bidder is proposing.
24	Attachment 4 – Insurance Requirement		Can you please provide the Business Automobile Liability Insurance Attestation form as specified in Section B.2?	Yes. The Business Automobile Liability Insurance Attestation form will be available on the OGS website with the other bid documents. If using this form, please submit an original, hard copy with the bid. Please see revised Section 3.7, <i>Bid Submittal Instructions</i> .
25	Attachment 5 – General Questions	Question # 37	Will our bid be viewed unfavorably if we choose to limit Credit Cards to an amount less than 85,000?	No. Acceptance of NYS Purchasing Card is optional.
26	Attachment 6 - Use of Service-Disabled Veteran-Owned Business Enterprises in Contract Performance		If you are not registered as SDVOB certified will you be excluded from the Bid?	No, bidders/proposers do not have to be a New York State – Certified Service-Disabled Veteran-Owned Business Enterprise (SDVOB). Bidders/proposers are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the contract if bidder/proposer is awarded a contract.
27	Attachment 7 - Reseller Directory		Attachment 7 - Do we list other entities as other alternate channel partners on the attached?	Bidders should list those designated value added resellers (VARs), distributors, dealers, and sales agents to participate as alternate channel partners as stated in Section 5.16 of the IFB.
28	Attachment 7 - Reseller Directory		Reseller information: Please clarify "Qualifying Criteria applicable to this Reseller"? In terms of a response.	For example, this would be criteria that a company has to determine that a reseller is suitable to represent the company as a

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				fulfillment agent under the contract. Please refer to 5.16.2 Conditions of Participation under <i>Use of Resellers/Distributors/Alternate Channel Partners</i> for full details.
29	Attachment 7 - Reseller Directory		What conditions must a reseller - meet for approval to be eligible	Please refer to Section 5.16, <i>Use of Resellers/Distributors/Alternate Channel Partners</i> , of the IFB
30	Attachment 7 - Reseller Directory Appendix B General Specifications	#e	Who would you consider a third party? Would you consider an Entity a third party?	OGS does not understand the question as neither Attachment 7 – Reseller Directory or Section 5.16, <i>Use of Resellers/Distributors/Alternate Channel Partners</i> or Appendix B #e , of the IFB contain a reference to a third party or Entity.
31	Equal Employment Opportunity Staffing Plan (Form EEO 100)	5.31.3	We have looked for Form #EEO 100 and 101, and cannot find. We do have an Affirmative Action Plan for Mentoring Minds. Can we include a signed copy of that plan?	Section 5.31.4 provides the link to Form EEO 100: http://www.ogs.ny.gov/MWBE/Forms.asp Instructions for completing the forms can be found in the above link also.