

Frequently Asked Questions and Answers

1. **Q:** Where can I find the contract on-line??

A: The contract is available on the following web link:

<http://www.ogs.ny.gov/purchase/snt/awardnotes/7300322559can.HTM>

When you arrive on this site, there are links leading to the Award Document and Contractor Information. The link “Contractor Information” takes you to a listing of all awarded contractors and associated contract information. Embedded within this document, at the top of the first page, is a secondary link entitled “Lots and Regions Awarded & Pricing Matrix”. That link will take you to a document that provides an illustrative description of the different regions as well as a listing of what contractors were awarded in each lot and region.

2. **Q:** Can the pay rate be modified from the posted pay rate to accurately reflect their level of skill within the job category in which they qualify?

A: No, the method(s) for price adjustments are those outlined in **Base Contract IV.3 Price Adjustments, IV.3.1 Price Adjustments for Lots 1-10 & IV.3.2 Price Adjustment for Lot 11 - Prevailing Wage Rates – Public Works and Building Services Contracts.**

The pay rate is the actual rate of pay to provide employees working within the title.

3. **Q:** Why is the transcription service not region specific since contractors must pick-up materials from different locations?

A: Transcription is not region specific because the Contractor does not pick-up the materials to be transcribed. Section Appendix D #2 of the contract agreement titled Job Descriptions, Qualifications and Requirements; Lot 3 provides a description of the Transcription service. Transcription Service after notification by the Authorized User, the material to be transcribed will be sent via postal mail, overnight, hand delivery, or other agreed-upon method by the Contractor to the Authorized User.

4. **Q:** What is a “Payroll Only Markup”?

A: The “Payroll Only % Markup” is defined as the percent mark-up to be applied to a payroll-only position. A payroll-only position is when a resource is recruited by an Authorized User, added to Contractor’s payroll, and the Contractor does not incur the expense of recruiting for the position.

5. **Q:** There are certain Regions and Lots in the Administrative Services contract (Group 73003 Award 22559) where “No Award” is listed. What procurement options are available to Authorized Users for areas designated as “No Award”? Is there is an award pending for these Regions and Lots?

A: If “No Award” was made for a specific Lot/Region for the Administrative Services contract (Award 22559), then State agencies have the following options, per the State Finance Law:

- Preferred source offerings;
- Agency or multi-agency established contracts

- Discretionary spending or an “open market” procurement that can either be discretionary or result from a formal, competitive bidding process based on the total value of the procurement

The decision to make no award in certain Lots/Regions was based on likely use of that service in that region.

At present, if “No Award” was designated for a specific Lot/Region this is not expected to change.

6. **Q:** Are Authorized Users obligated to pay mileage to interpreters as part of the Administrative Services contract?

A: As specified in the Base Contract Section III.10 TRAVEL: All Employee travel expenses must be pre-approved by the Authorized User. “Personal Vehicle Mileage Reimbursement” and “Ground Transportation via Common Carrier (Train and Bus Travel)”, for work-related travel only, shall be provided in accordance with codes, rules, and regulations promulgated by the Office of the State Comptroller for Management/Confidential Employees. **Any travel under 35 miles or any travel that is a standard commute between home and office is excluded, as per the policy.** Any other travel expenses including Lodging, Meal Allowances, Rental Vehicles and Air Travel are specifically excluded from the scope of the Contract.

7. **Q:** Are current purchase orders referencing the previous contract acceptable for use?

A: The State Finance Law mandates that executive agencies utilize the services offered through the Administrative Services contract. Agencies must transition to utilizing services under the new contract as quickly as possible.

8. **Q:** Is it acceptable to utilize MWBE vendors instead of those listed as primary and/or secondary vendor in the contract?

A: Procurement instructions may be found on page 6 of the contract award. You can access the award document through the following link:

<http://www.ogs.ny.gov/purchase/snt/awardnotes/7300322559can.pdf>

Agencies are required to approach the primary contractor first when utilizing the Administrative Services contract. A company with MWBE status, as part of this contract, does not affect whether it should be approached first; the structure is primary, secondary and tertiary.

9. **Q:** Can Authorized Users approach the contractor with the lowest rate even if they aren't the primary?

A: The Administrative Services contract was evaluated using an RFP. This was bid as an RFP on a lot and region basis, awards were not only based on price. Therefore, the primary vendor does not always have the lowest price for a particular job title.

10. **Q:** We are having trouble entering the new contract number for Group 73003 Award 22559. Should we continue to use the old contract numbers until this is resolved?

A: The new Administrative Services contract became effective as of October 25, 2012. The inability for an agency to enter the contract number on the purchase order is an issue to be addressed within that agency.

11. **Q:** What action(s) should the Authorized User take in cases where all three vendors are not available for the agency's use?

A: See Appendix D#7 Consequences of Contractor Non-Compliance with Required Service Levels. The section provides information on the tiered contracting structure and the available options if circumstances arise where the contractor is deficient or non-compliant with awarded service levels.

Please direct communications pertaining to the above referenced contract to the Contract Management Specialist listed above.

All other terms and conditions of the award remain the same.