

**Frequently Asked Questions
Automated External Defibrillators (AED's)
Accessories and Related Products (Statewide)
Updated December 2016**

Authorized users of this contract are strongly encouraged to read the contract terms and conditions in their entirety to gain an understanding of requirements for both the contractors and authorized users. Below is a brief listing of Questions & Answers (Q&A's) to facilitate the use of the Automated External Defibrillators (AED's) Contract.

PLEASE NOTE: It is the intent of this contract to provide AED's and related products/equipment only. Any items not within the scope of this award are excluded, for example: training services, training materials, AED program management services, etc. are excluded.

New York State certified Woman Owned Business Enterprises/Small Businesses can meet your organization's training needs.

NAME & ADDRESS	TELEPHONE #	FED.IDENT.#
CARDIAC LIFE PRODUCTS, INC. P.O. Box 25755 Rochester, NY 14625 Email: cardiaclife@nysaed.com Fax No.: 585-267-5218 Contact: Mary Wynne Cell: 585-738-1928 Website: www.nysaed.com	866-710-1970	161666713 VENDOR ID# 1000029635

NAME & ADDRESS	TELEPHONE #	FED.IDENT.#
NATIONWIDE INSTRUCTION FOR CARDIOVASCULAR EDUCATION d-b-a NICE, INC. 1 Gate Court Dix Hills, NY 11746 E-mail: nicecpr@aol.com Fax No.: 631-643-2780 Contact: Dr. Christopher and Marilyn Byron Website: www.niceheart.com	631-643-9896	113530300 VENDOR ID# 1000005986

Product Categories:

- Automated External Defibrillators (AED's)
- Accessories, Optional Equipment, Disposables and Related Products
- Monitor/Defibrillators
- Advanced Life Support, and Chest Compression Units

Question 1: Who is the OGS contact for this award?

Answer: Vivian Basile
NYSPRO, Corning Tower, 37th Floor
Empire State Plaza, Albany, NY 12242
Phone: 518-474-0912
E-mail: Vivian.basile@ogs.ny.gov

Question 2: What is the term of the contracts let under this award?

Answer: The contracts let by New York State will run from the date of award through March 31, 2017.

Question 3: Is it possible that the contracts can be extended beyond the initial term?

Answer: OGS reserves the right to extend the contracts under the same terms and conditions as allowed under Appendix B, OGS General Specifications.

Question 4: What product categories are offered on this contract and what contractor offers which categories?

Answer: The product categories are listed on the first page of this document and they are contained in the Contract Award Notification (CAN) document.

Question 5: Are Contractors noted as being either Minority and/or Women Owned Business?

Answer: None of the contractors are Minority and/or Women Owned Businesses. Contractors may have dealer/distributor relationships with certified MWBE's. Training and related services can be secured through the New York State WBE's listed on the first page of this document.

Question 6: How often can Contractor Price Lists be updated?

Answer: Price lists posted at the letting of these contracts shall remain in effect for one year. After that time, contractors may submit a new RETAIL price list on a **quarterly basis** thereafter. Price lists will become effective when they have been reviewed and approved by OGS and published on the OGS website.

Question 7: Where should price lists be mailed?

Answer: Updates should be submitted to the contract manager listed in Question 1 of this document.

Question 8: How should the price lists be submitted?

Answer: Manufacturer retail price lists must be submitted in electronic format. Price Lists shall contain an "effective date" and if there are any exclusions listed within the Price List, they should be clearly noted in a SEPARATE correspondence.

Question 9: Is installation covered under this contract?

Answer: No, installation is **NOT** covered under this contract. Installation of products/equipment shall be handled by the authorized user/ordering agency according to their Purchasing Guidelines and discretionary limits, and shall comply with wage and labor rates, all state and local codes and public works guidelines if applicable.

Question 10: Are authorized distributors allowed under this award?

Answer: Authorized distributors are allowed under this award subject to OGS approval. Please see the Contract Award Notification to confirm whether an authorized distributor can accept orders, ship products, and/or accept direct payments. The Contract Award Notification specifically lists the authorized distributors for each contractor.

Question 11: Can non-contract items be submitted on a purchase order with contract items?

Answer: No, any non-contract items must be submitted on a separate purchase order.

Question 12: Is there a way to report problems to the Office of General Services associated with the products ordered under this award?

Answer: Yes. You may contact the contract manager listed Question 1 of this document with any problems/concerns encountered when using the AED award. See the Contract Performance Report included in the Contract Award Notification.

Question 13: Are contractors required to contact OGS directly when any contract information changes (i.e., contact name, email address, company address, phone #, website, etc.)?

Answer: Yes, it is the Contractor's responsibility to make sure OGS has the most current information on file.

Question 14: Is the authorized user required to verify pricing on products ordered?

Answer: Yes, as with any centralized contract, authorized users should verify the price charged and the discount offered when ordering by comparing them against the current Price List. When the invoice is received, authorized users should then verify that the invoice reflects the prices listed in the Price List in use at the time of the order. Any discrepancies must be brought to the contractor's attention within five business days.

Question 15: Are authorized users allowed to negotiate better discounts (lower prices) for the product lines they are interested in purchasing?

Answer: YES! Authorized users are STRONGLY URGED to negotiate better discounts from any contractor listed in the Contract Award Notification. The contract prices listed for each contractor should be considered as "NOT TO EXCEED" and therefore, buyers should be negotiating the best pricing possible for every purchase. Buyers are also encouraged to shop several different product lines to ensure that they are getting the BEST VALUE for New York State.

Question 16: What information MUST be included on the contractor's invoice in order for payment to be made through the Statewide Financial System (SFS)?

Answer: So that payments can be made in a timely manner invoices must include the purchase order or contract number, whichever is applicable and the SFS Vendor ID Number. The invoice must also include an invoice number and clearly identify the entity receiving the goods or services. In addition,

the following fields should also be included: Order date, SKU number and/or description and NYS net delivered price.

Question 17: Is there a particular reporting template that contractor's should use to report sales to OGS?

Answer: Yes. A Report of Contract Usage MUST INCLUDE THE FOLLOWING FIELDS:

PURCHASER NAME	PRODUCT OR CATALOG NUMBER	PRODUCT / SERVICE DESCRIPTION	TOTAL QUANTITY SHIPPED	TOTAL \$ VALUE (LIST)	TOTAL \$ VALUE INVOICED
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All fields of information shall be accurate and complete. The report is to be submitted electronically in Microsoft Excel 2007 or newer (or as otherwise directed by OGS), via electronic mail to the attention of the individual designated by the Contract and shall reference the Group Number, the Award Number, Contract Number, Sales Period, Contractor's (or other authorized agent) Name, and all other fields required.

Question 18: What time periods should Contractors be capturing for the Report of Sales and when are they due to OGS?

Answer: Contractors shall furnish semiannual (every six months) reports as follows:

- 01/01/15 – 06/30/15 Report Due: July 15, 2015
- 07/01/15 – 12/31/15 Report Due: January 15, 2016
- 01/01/16 – 06/30/16 Report Due: July 15, 2016
- 07/01/16 – 12/31/16 Report Due: January 15, 2017
- 01/01/17 – 03/31/17* Report Due: April 15, 2017

*Reports will be due at six month intervals through expiration should the contracts be extended.

Failure to submit the required report may be cause for delay of OGS approval of contractor's pricelist update(s) and/or disqualification of contractor for future contracts.

Question 19: If a Contractor is using authorized distributors under this contract, are the distributors required to submit reports directly to OGS or is the Contractor responsible for sending in all reports?

Answer: Contractors shall collect and submit **ONE** sales report for **ALL sales** under this award including sales by the contractor and all authorized distributors.

Question 20: Are contractors able to modify their Authorized Distributor listing and if so, how should modifications be requested?

Answer: Yes, if contractors allow Authorized Distributors to participate in the contract (to accept orders, ship products and/or direct payment), requests to add, delete or modify Authorized Distributor information must be submitted to OGS for prior approval. Such requests should be sent to the contract manager referenced on the front page of this document. Please be aware that if an Authorized Distributor does not have a valid NYS Vendor Identification number, they are not able to accept direct payment. OGS approval of an updated distributor listing will be contingent on receipt of all necessary information from the contractor.

Contractors will be allowed to update their Authorized Distributors listing on a quarterly basis.

Question 21: If a contractor would like to add an Authorized Distributor but they do not have a valid NYS Vendor Identification number, what is the process for requesting one?

Answer: NYS Vendor Identification numbers can be obtained by submitting an OSC Substitute W-9 form to the contract manager referenced on the front page of this document. An OSC Substitute W-9 form can be found at the following link: http://www.osc.state.ny.us/vendors/forms/ac3237s_fe.pdf. The Office of General Services will initiate the vendor registration process. Once the process is initiated, registrants will receive an email from OSC that includes the unique ten-digit vendor identification number assigned to the company and instructions on how to enroll in the online Vendor Self-Service application.

Question 22: How can a contractor update their pricelist i.e. additions or deletions of products?

Answer: Product changes to Contract are addressed in the following manner. In order to expedite processing of a change request that involves more than one specified category below, each request should be submitted separately to OGS.

a) **AUTO ADDS - DELETIONS** – “Auto Adds-Deletions” are Contract changes and updates made in accordance with the previously approved Contract pricing formula; e.g., a “discount from list” or pricing based on an approved GSA-based price Schedule. “Auto Adds-Deletions” include: i) adding new products within the established, previously approved pricing structure, ii) lowering pricing for Products previously incorporated under the Contract, and iii) deleting Products previously incorporated under the Contract. Contractor shall forward the updated Contract price list to OGS for prior approval before changes (additions or deletions) are made to the Contract. Contractor may not supply new product offerings until after receipt of OGS approval. While price decreases (ii) may take effect at any time, Contractor shall provide to OGS new updated price lists. For category (iii) Auto Deletions, Contractor must supply documentation supporting the unavailability of the product to the US market. Contractor should note, however, that all “Auto Adds” or Deletions approved by OGS are subject to a post audit by the Office of the State Comptroller.

b) **REGULAR ADD** - “Regular Adds” are requests for i) price increases for Products incorporated under the Contract for other than previously approved pricing structure, and ii) addition of new products to the Contract which do not fall under the previously established price structure or discounts for Product types previously approved under the Contract. Regular Adds include but are not limited to newly added manufacturer’s product lines, re-bundled Products or Services, etc. Regular Adds must be submitted to OGS for prior approval, and must be accompanied by a justification of reasonableness of price. Regular Adds are subject to post audit by the Comptroller. If approved, OGS staff will notify Contractor in writing. Contractor may not supply new product offerings until after receipt of OGS approval of the “Regular Add.” When Contract pricing is based on GSA prices, the revised prices or prices of new Products must reflect current GSA prices adjusted as necessary for any additional discounts.

c) **SPECIAL ADD** – Contract changes and updates that do not fall within either of the above categories will be processed as “Special Adds”. Special Adds are changes that are not specifically covered by the terms of the Contract but inclusion is found to be in the best interest of the State. Contractor must provide a justification of reasonableness of the prices offered and a statement explaining why it is in the best interest of the State to approve the new Products. Special Adds are subject to post audit by the Office of the State Comptroller. If approved, OGS staff will notify Contractor in writing. Contractor may not supply new offerings until after receipt of OGS approval of the “Special Add.”

See Section 3, **CONTRACT MODIFICATIONS AND RENEWALS**, on page 2 of the piggyback agreement for specific information on acceptance of modification to or renewal of the Master Contract. Requests for changes should be sent to the OGS Contract Manager named on the cover of the Contract Award Notification.