

**Bidder Questions and Answers**  
**Furniture, All Types (Except Hospital Room and Patient Handling) (Statewide)**  
**Solicitation 23109**  
**June 11, 2018**

| Question # | Solicitation Document Name | Document Section (Number & Name)  | Question  | OGS Response to Bidder Questions   |
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| 1          | Appendix B                 | Pg. 5, 13. letter f. (iii) special offers/promotions                          | Can you confirm the obligation to extend Special offers/Promotions only applies where Contractor offers such promotions to other Government Entities buying the same product mix, quantity, and under the terms and conditions. | Per Appendix B, Section 13 Pricing, Paragraph f, Sections iii and iv, this obligation would apply to "similar quantity transactions" of the Product: "Where Contractor generally offers more advantageous special price promotions or special discount pricing to other customers during the Contract term for a similar quantity, and the maximum price or discount associated with such offer or promotion is better than the discount or net pricing otherwise available under this Contract, such better price or discount shall apply for similar quantity transactions under this Contract for the life of such general offer or promotion; and Special Offers/Promotions to Authorized Users: Contractor may offer Authorized Users, under either this Contract or any other contracting vehicle, competitive pricing which is lower than the net pricing set forth herein at any time during the Contract term and such lower pricing shall not be applied as a global price reduction under the Contract pursuant to the foregoing paragraph (iii). |
| 2          | Appendix B                 | Page 3, Section 7. Prevailing wage Appendix B Section 7 Prevailing Wage Rates | Please confirm the requirements of 7(c) are inapplicable as the work provided under this contract does not include public works as defined by Article 8, Section 220 of NYS Labor Law.  | Yes, this contract is not a public works contract. Per Section 1.2, installation is excluded from the scope of this Solicitation.  |
| 3          | Appendix B                 | Page 3, Section 7. Prevailing wage Appendix B Section 7 Prevailing Wage Rates | Please confirm prevailing wage rates only apply to the extent as required by regulation, no additional contract extension is intended.  | Per Section 1.2, installation is excluded from the scope of this Solicitation. Installation of products such as systems furniture, high density filing systems, etc. shall be handled by the ordering entity separately from this Solicitation and resultant Contract(s) according to the Purchasing Guidelines and discretionary limits, and shall comply with wage and labor rates, and all state and local codes and public works guidelines, if applicable.  |
| 4          | Appendix B                 | Page 3, Section 7. Prevailing wage Appendix B Section 7 Prevailing Wage Rates | Please confirm the requirements of 7(d) are inapplicable as the work provided under this contract does not include building services as defined by Article 9, Section 230 of NYS Labor Law.                                     | Yes, this contract is not a building services contract. Per Section 1.2, installation is excluded from the scope of this Solicitation.   |

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| 5          | Appendix B                 | Page 5, 13. letter f. (iii) special offers/promotions Appendix B, Section 13 Pricing | Please confirm the obligation to extend Special offers/Promotions only applies where Contractor offers such promotions to other Government Entities buying the same product mix, quantity, and under the terms and conditions.   | Per Appendix B, Section 13 Pricing, Paragraph f, Section iii, this obligation would apply to "similar quantity transactions" of the Product: "Where Contractor generally offers more advantageous special price promotions or special discount pricing to other customers during the Contract term for a similar quantity, and the maximum price or discount associated with such offer or promotion is better than the discount or net pricing otherwise available under this Contract, such better price or discount shall apply for similar quantity transactions under this Contract for the life of such general offer or promotion; and Special Offers/Promotions to Authorized Users: Contractor may offer Authorized Users, under either this Contract or any other contracting vehicle, competitive pricing which is lower than the net pricing set forth herein at any time during the Contract term and such lower pricing shall not be applied as a global price reduction under the Contract pursuant to the foregoing paragraph (iii).                             |
| 6          | Appendix B                 | Page 7, #34 Appendix B, Section 34 Title and Risk of Loss                            | Please confirm product shall be deemed accepted after 15 days after delivery of product. Consistent with NY State Law 179F. This contract does not include installation services which should allow for acceptance to be timely.   | Appendix B, Section 34 Title and Risk of Loss provides that "acceptance shall occur within a reasonable period of time," however, a specific time period is not specified. A specific time period may be specified in the Purchase Order and agreed to between the Authorized User and the Contractor.   |
| 7          | Attachment 1 Pricing       | EO4 information  | Without knowing which fabrics the State is selecting, we are unable to verify TB117, and CAL133. It would be the State's responsibility to select fabrics meeting that specification at the time of purchase. If we offer fabrics meeting those qualifications, should we respond "yes" to that requirement? (assuming the State agency selected such fabrics at the time of purchase) | You may select Yes to EO4 requirements if you have offerings that meet the requirement. Please note that you are required to list all products that you intend to offer for sale. An EO4 specification sheet regarding requirements for furniture will be posted on the OGS website for this Award. Bidders offerings meeting certain EO4 specifications will be self-identified within their approved posted price list. Per Section 5.2 Purchase Instructions, Authorized Users are strongly encouraged to confirm the accuracy of the entries by contacting the Contractor directly. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award. |
| 8          | Attachment 1 Pricing       | Required Info - 23109 Pricing  | Each item of upholstered furniture could be specified in one of 10 different upholstery grades, from A to J. Pricing increases as the grade increases. Based on this, how do you want us to complete the pricing form? Should we pick one grade? Should we include the grade into the product description and enter all grades? Or do you have a different preference?                 | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.  |
| 9          | Attachment 1 Pricing       | Required Info- 23109 Pricing   | If the Bidder offers volume discounting, are multiple Required Info-23109 Pricing tabs required on the pricing spreadsheet?  | No. Bidders are to enter volume discounts within Attachment 10 Contact Information and Terms and Conditions.   |

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| 10         | Attachment 1 Pricing       | Required Info tab Column M, N, O        | Our product does not fall into these 3 categories - how should this be addressed?  | Bidders are to utilize the drop-down box choices of "YES", "NO", or "UNKNOWN", as appropriate for each item.   |
| 11         | Attachment 1 Pricing       | Attachment 1 - Pricing                  | Please confirm that it is not necessary to list every model on this spreadsheet. (If that were the case we would have millions. ) Is it acceptable to list specific lines or catalogs? If that's the case we would not be able to indicate a list price. We could indicate a discount. Is this acceptable? | Each item/offering must be listed as a separate line item. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.  |
| 12         | Attachment 1 - Pricing     | Attachment 1 - Pricing                  | If our current price guides on-line (as an existing NYS contract holder) has not changed do we still need to provide Attachment 1 - Pricing in Excel format?   | Yes. Per Section 5.5 - Bid Pricing Information: Bidders shall enter all product offerings and pricing within Attachment #1 – Pricing. Solicitation #23109 is a new Bid opportunity and all requirements must be met to be considered for contract award. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception.   |
| 13         | Attachment 1 - Pricing     | General Question Attachment 1 - Pricing | All our price guides live and breath on-line as a PDF format. Do you really want us to re-enter thousands and thousands of skis under this new Attachment 1  | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.  |
| 14         | Attachment 1 - Pricing     | Pricing Sheet                           | Do we have to manually enter the information on the excel sheet or is their an easier way as we have all our pricing on our website?   | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.  |
| 15         | Attachment 1 - Pricing     | Attachment 1 - Pricing                  | Are price lists to be submitted in their entirety as line items on this form? Or are our standard price lists in pdf format acceptable with reference to each separate price list on this form?  | Pricelists submitted as pdf's only will not be accepted. Each item/offering must be listed as a separate line item within Attachment 1 Pricing. See Section 5.5 Bid Pricing Information. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. |
| 16         | Attachment 1 - Pricing     | Attachment 1 - Pricing                  | We are a manufacturer, and have more than one price list. Should we include all of our item numbers (model numbers) on this excel document, listing all of the price list names/dates in the field, or should we complete an Attachment 1 for each of our price lists?                                     | Only one completed Attachment 1 - Pricing should be submitted. Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.   |

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| 17         | Attachment 1 - Pricing     | Attachment 1 - Pricing  | Do we have to manually enter the information on the excel sheet or is their an easier way as we have all our pricing on our website?   | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.   |
| 18         | Attachment 1 - Pricing     | Required Info - 23109 Pricing<br>Is actually Attachment 1 - Pricing | Are Bidders required to list every item they manufacture in the Pricing Spreadsheet? Our spreadsheet would include around 12,000 individual item numbers with list prices, descriptions, specs and sustainability information requested for each unit. We offer more than 2000 casegood items (without listing finishes available) and 814 seating items with each unit priced in 12 different upholstery grades, totaling 9,758 individual seating items. That number does not include the options available for installation on each item. | Bidders must list all items they want considered for inclusion as a separate line item. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. Per Section 1.2 Installation is excluded from this Solicitation.  |
| 19         | Attachment 1 - Pricing     | Required Info - 23109 Pricing<br>Is actually Attachment 1 - Pricing | Instead of listing every item that we manufacture, we would prefer to list the top 400 items that we have sold against our New York Furniture Contract during the past three years. Would that be acceptable?  | Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.   |
| 20         | Attachment 1 - Pricing     | Attachment 1 Pricing  | Is the manufacturer required to list every item that meets a category within the pricing attachment? For example, we have probably 500,000 different items that fall into one or more of the categories listed, would we be required to list all of these items within the pricing attachment in order for them to be available on contract or could we just list some of the items for each category and submit a list price which would be inclusive of everything that meets a category?  | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. |

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| 21         | Attachment 1 - Pricing     | Attachment 1 - Pricing Tab "E04 Required Info Instructions"  | How will the State utilize this spreadsheet after award? Providing all requested information will be extremely time consuming due to the several hundreds of base models available. We respectfully request the State to revise this document to a product category approach versus at the model level detail.   | Per Section 5.5.1 Products and Pricing, All approved Contractor pricelists, and electronic product catalogs (if provided) will be posted on the OGS Procurement Services website, without exception. These pricelist will be made available for Authorized User's use. Bidders shall enter all product offerings and pricing within Attachment #1 – Pricing. Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.OGS declines to make this requested change. |
| 22         | Attachment 1 - Pricing     | Attachment 1 - Pricing Tab "E04 Required Info Instructions"  | We have thousands of base model numbers, adding the various fabric grades, laminate options, etc. will result in tens of thousands of model numbers. Completing this spreadsheet is not a reasonable expectation as it requires extremely large amounts of resources. Would the State consider updating this spreadsheet to require product lines within the Solicitation categories instead of model number detail? | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. OGS declines to make the requested revision.  |
| 23         | Attachment 1 - Pricing     | Attachment 1 - Pricing Tab "E04 Required Info Instructions"  | We are required to begin entering values in row 6, Columns I, J, K are asking for the same information previously input in other fields, can these columns be deleted?   | OGS has revised Attachment 1 - Pricing to remove the following column headers:<br>- Product Line<br>- Product Type<br>- Product Name  |
| 24         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing"     | Columns M through T state "applies to all products" does this mean that every model number offered under the contract must meet these requirements? Can a manufacturer offer a model number that does not meet these E04 certifications?   | For each product offered, Bidders must use the drop down box to select YES, NO, or UNKNOWN with regard to whether an offered product meets each EO4 requirement. Please refer to Paragraph 1 on the "EO4 Required Info Instructions" tab on Attachment 1 - Pricing.   |
| 25         | Attachment 1 - Pricing     | Attachment 1 - Pricing Required Info - 23109 Pricing         | If the Bidder offers volume discounting, are multiple Required Info-23109 Pricing tabs required on the pricing spreadsheet?  | Per Section 5.5.3 Volume Discounts, volume discounts are to be entered within Attachment 10 Contractor Information and Terms and Conditions.  |
| 26         | Attachment 1 - Pricing     | Spreadsheet Formatting--23109 Pricing Attachment 1 - Pricing | There are some formatting errors on the spreadsheet. Column J is formatted as Accounting and some of the cells in Column E are formatted as text. Can we correct the formatting for these and other possible errors?   | OGS has corrected these formatting errors; a revised Attachment 1 - Pricing is posted on the OGS website.   |

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| 27         | Attachment 1 - Pricing     | Attachment 1 - Pricing<br>Required Info-23109 Pricing       | Due to the 100's of configurations of our products it would be to numerous to list every item. Can we just add a sampling for each category with the understanding the contract would include all of our configurations?   | No. Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.  |
| 28         | Attachment 1 - Pricing     | Attachment 1 Pricing<br>E04 Required Info Instructions      | Some of our products use steel with lead added to form a steel alloy, however our products do meet the standards such as RoHS due to the small quantity. Can you elaborate a little further such as you did for PVC. Is there a minimum limit of lead allowed?   | There is no minimum level of intentionally added lead allowed for furniture purchases subject to New York State's Executive Order 4. The specification states that products shall contain no intentionally added lead except for motorized parts and electronics.  |
| 29         | Attachment 1 - Pricing     | Attachment 1 Pricing<br>Tab "Required Info – 23109 Pricing" | How will the State utilize this completed document after contract award? Completing this Form is extremely time consuming due to hundreds of base models available. This spreadsheet also does not take into account options like fabric and finishes. Would the State consider revising this document to a product category approach. | Per Section 5.5.1 Products and Pricing, All approved Contractor pricelists, and electronic product catalogs (if provided) will be posted on the OGS Procurement Services website, without exception. These pricelist will be made available for Authorized User's use. Bidders shall enter all product offerings and pricing within Attachment #1 – Pricing. Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. OGS declines to make this requested change. |
| 30         | Attachment 1 - Pricing     | Attachment 1 Pricing<br>Tab "Required Info – 23109 Pricing" | We have thousands of base models and when we add the various fabric grades, options, etc. the base models plus options result in millions of lines. Completing this spreadsheet is extremely time consuming. We request the State consider updating this spreadsheet to require the information at the product series level.           | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.  |
| 31         | Attachment 1 - Pricing     | Attachment 1 Pricing<br>Tab "Required Info – 23109 Pricing" | Within row 4 columns M through O it states "applies to all products" does this mean any product offered under the contract must meet these requirements? Can a manufacturer offer a product that does not meet these E04 certifications?   | For each product offered, Bidders must use the drop down box to select YES, NO, or UNKNOWN with regard to whether an offered product meets each EO4 requirement. Please refer to Paragraph 1 on the "EO4 Required Info Instructions" tab on Attachment 1 - Pricing.  |
| 32         | Attachment 1 - Pricing     | Spreadsheet<br>Attachment 1 - Pricing                       | Must we list every item on the pricing spreadsheet or may we offer our complete price list on one line on the spreadsheet? What you are asking for with all options would make this file massive and too large to be useful.   | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.  |

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| 33         | Attachment 1 - Pricing     | Spreadsheet Attachment 1 - Pricing and Solicitation Main Document, 2.2.1 Delivery | Is there a maximum percentage that a dealer can charge for delivery and installation?   | <p>Per Section 1.2 Scope, Installation is excluded from the scope of this Solicitation. No. Per Section 2.2.1- Delivery, Bidders will be required to offer inside delivery, which may be at an additional cost represented by a percentage above the net price charged, and may be charged at a different percentage rate for Downstate and Upstate.</p> <p>The inside delivery fee shall be based on the following conditions:</p> <ol style="list-style-type: none"> <li>1. Delivery location has a loading dock or off street loading area;</li> <li>2. The delivery will be to the same floor as the loading dock or there is a freight elevator available;</li> <li>3. The delivery may be completed during regular working hours;</li> <li>4. Delivery fee must be agreed to by the Authorized User and Contractor prior to delivery; and</li> <li>5. Deviations from the above shall require a separate non-contract negotiation by the Authorized User at the time of order.</li> </ol> |
| 34         | Attachment 1 - Pricing     | Attachment 1 - Pricing Required Info - 23109 Pricing                              | Are we to export all our associated price lists into excel and list every single model number we sell? This will result in an enormous excel file with 50,000+ lines. This is a difficult and laborious task for specifically systems model numbers due to the build to spec component. There are endless options and configurations for systems furniture. | Bidders shall enter all product offerings and pricing within Attachment #1 – Pricing. Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. OGS declines to make this requested change.   |
| 35         | Attachment 1 - Pricing     | Attachment 1 - Pricing Column A Contract Item Number                              | As noted above, we are a manufacturer and have several price lists with hundreds of item/model numbers - each with with numerous options for each of the item/model numbers that affect the list price. This will result in 1000+ items that will need to be entered. Is it NYS OGS' intention to have each and every item number listed?                   | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.   |
| 36         | Attachment 1 - Pricing     | Attachment 1 - Pricing Excel  | Please clarify if we need to list all product items we will offer to the State of NY on this form or can we list our Price Guide if all items will be provided at the same discount structure and terms.  | Bidders shall enter all product offerings and pricing within Attachment #1 – Pricing. Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.   |

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| 37         | Attachment 1 - Pricing     | Attachment 1 - Pricing<br>Required Info - 23109 Pricing   | Is it the intent of the state for a manufacturer to list all products on this spreadsheet- we would have in upwards of 10's of thousands of lines of products ? Can we provide a sampling of model numbers from each series that falls within the scope of the Bid's categories? or provide further clarification on what the state is looking for?   | Each item/offering must be listed as a separate line item. See Section 5.5 - Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Items not included within Attachment 1 - Pricing, or approved by OGS, will not be allowed for sale under the Award. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. |
| 38         | Attachment 1 - Pricing     | Attachment 1 - Pricing<br>Required Info - 23109 Pricing   | Do we list all price list in same cell or can we put each on different tabs?  | Only one completed copy of Attachment 1 Pricing is required. Each item/offering must be listed as a separate line item within the tab named, "Required Info 23109". See the Pricing Instruction tab, and Section 5.5 Bid Pricing Information.   |
| 39         | Attachment 1 - Pricing     | 5.5.1 Products and Pricing<br>Solicitation Main Document<br>5.5.1 Products and Pricing OR<br>Attachment 1 - Pricing | In completing Attachment #1 Pricing, is it acceptable to enter "Categories" of products vs. specific product Names and/or Item Numbers, followed by a sample list price? We have 96 models of seating alone and listing each pattern number available will be difficult. Alternatively it would be preferable to enter a product name and sample list price to encompass the entire collection. Samples pictured below. | No. Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.   |
| 40         | Attachment 1 - Pricing     | Attachment 1 Pricing<br>cell H2   | We have multiple price lists based on product lines. Should we create additional tabs for each price list or separate files for each price list?  | Only one completed copy of Attachment 1 Pricing is required. Each item/offering must be listed as a separate line item within the tab named, "Required Info 23109". See the Pricing Instruction tab, and Section 5.5 Bid Pricing Information.   |
| 41         | Attachment 1 - Pricing     | Attachment 1 - Pricing<br>columns A & D   | We are the manufacturer submitting the Bid, so should we put the same information from Column D into Column A or leave Column A blank?  | If the Contractor and manufacturer product numbers are the same, the same number can be used in both columns A and D.   |
| 42         | Attachment 1 - Pricing     | Attachment 1 - Pricing<br>columns A & D   | We have a vast amount of item numbers that would make it impossible for us to list each individual item. Is it possible to just list a sampling of each product line in column D?   | No. Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.   |



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| 43         | Attachment 1 - Pricing     | Attachment 1 - Pricing<br>EO4 requirements   | We are Bidding Systems Furniture. Our product is listed at the individual part level instead of a finished system level to allow for multiple product configurations. Does each piece of the furniture system need to meet the EO4 requirements or would it be based of the system as a whole? | Yes. Per Section 5.5.2 EO4 Identificaion, Bidders are expted to self identify each individual product that meets the EO4 Requirements, if known. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award.<br>Authorized Users are strongly encouraged to confirm the accuracy of the entries by contacting the Contractor directly. Please note that you are required to list all products that you intend to offer for sale. |
| 44         | Attachment 1 - Pricing     | 23109 Pricing<br>Solicitation Main Document<br>5.5.1 Products and Pricing OR<br>Attachment 1 - Pricing           | Due to the extensive number of SKU's in our offering (over 10,000) is each SKU required to be entered into the pricing matrix?   | Each item/offering must be listed as a separate line item within Attachment 1 Pricing. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.   |
| 45         | Attachment 1 - Pricing     | 5.5.2 EO4 Required Info<br>Solicitation Main Document<br>5.5.1 Products and Pricing OR<br>Attachment 1 - Pricing | Please define "Product" - Does this mean product series or individual SKU's?   | Product is defined in Appendix B as "Items or deliverables under any Solicitation or Contract and may include commodities, services and/or technology." In addition to the definition found in Appendix B, for this Solicitation, "Product" refers to an individual item with its own SKU.  |
| 46         | Attachment 1 - Pricing     | 23109 Pricing<br>Attachment 1 - Pricing  | Please confirm that cells I6, J6 & K6 should have data in them?  | OGS has revised Attachment 1 - Pricing to remove the following column headers:<br><br>- Product Line<br>- Product Type<br>- Product Name  |

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| 47         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | How will the State utilize this completed document after contract award? The contract modification documents do not include this information, it also does not appear the State is utilizing this as a market basket approach. Populating this document is extremely cumbersome due to the hundreds of base models available. In addition, this spreadsheet does not take into consideration options/fabrics/finishes etc. We respectfully request the State to revise this document to a product category approach.   | Per Section 5.5.1 Products and Pricing. All approved Contractor pricelists, and electronic product catalogs (if provided) will be posted on the OGS Procurement Services website, without exception. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. OGS declines to made this requested change. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. OGS declines to make the requested revision. |
| 48         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | We have thousands of base models and when we add the various fabric grades, options, etc. the base models plus options result in millions of lines. Completing this spreadsheet is extremely cumbersome and time consuming. We respectfully request the State consider updating this spreadsheet to require the information at the product series level instead of the base model.<br>- In order to do this, the state would need to remove the list price and net price columns.<br>- If sample list/net pricing is essential for the state to compare pricing, we recommend requiring the manufacturer to provide model level information for a smaller sample, for example 5 models per category. | Each product/offering must be listed as a single line item. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. OGS declines to made this requested change. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. OGS declines to make the requested revision.  |
| 49         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | How would the state like the Bidder to address grades, options, etc.? What is the minimum fabric grade we must populate? What is the minimum laminate/paint grade?   | Each product/offering must be listed as a single line item. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. OGS declines to made this requested change. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. OGS declines to make the requested revision.  |
| 50         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | We are required to begin entering values in row 6, are we supposed to copy the language contained in row 6, columns I, J, K for all rows or are we required to delete this information and add in the corresponding information the note is stating?   | Attachment 1 - Pricing has been revised. Bidders are to enter each produc/offering as per the Pricing Instructions.   |

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| 51         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing"    | Within row 4 columns M through O it states "applies to all products" does this mean any product offered under the contract must meet these requirements? Can a manufacturer offer a product that does not meet these E04 certifications?   | Attachment 1 - Pricing has been revised. EO4 Columns are I through T. Bidders may offer products that do not meet EO4 requirements. Per Section 5.5.2 OGS supports the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing to Assist Authorized Users in making EO4 appropriate determinations. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award. |
| 52         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing"    | Within row 4 columns P through T it states "applies to all products" does this mean any product offered under the contract must meet these requirements? Can a manufacturer offer a product that does not meet these E04 certifications?   | Attachment 1 - Pricing has been revised. EO4 Columns are I through T. Bidders may offer products that do not meet EO4 requirements. Per Section 5.5.2 OGS supports the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing to Assist Authorized Users in making EO4 appropriate determinations. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award. |
| 53         | Attachment 1 - Pricing     | Attachment 1 - Pricing Tab "E04 Required Info Instructions" | We respectfully request the High Recycled Content requirement be optional, as it will greatly limit the number of products, such as seating, which could be offered under this contract. Industry standard is for manufacturers to utilize structural plastic (for lighter weight) within seating products. Structural plastic does not meet this High Recycled Content Minimum. | Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachement 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award.   |
| 54         | Attachment 1 - Pricing     | Attachment 1 - Pricing Tab "E04 Required Info Instructions" | We respectfully request the Sustainably Sourced requirement be optional as many manufacturers do not have the formal FSC certification. Many of our products would meet the FSC requirements, but we do not offer the certification.   | Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachement 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award.   |

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| 55         | Attachment 1 - Pricing     | Attachment 1 - Pricing Tab "E04 Required Info Instructions" | We respectfully request the Low-Emitting requirement be optional as many lower cost product offerings do not meet this requirement. By allowing this requirement as optional, it will provide the State with value priced products in addition to higher cost products which meet these requirements. | Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachement 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award.                             |
| 56         | Attachment 1 - Pricing     | Attachment 1 - Pricing Tab "E04 Required Info Instructions" | We respectfully request the PVC requirement to be optional, as products which include vinyl upholstery or specific edge options would not meet this specification.  | Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachement 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award.                             |
| 57         | Attachment 1 - Pricing     | Attachment 1 - Pricing Tab "E04 Required Info Instructions" | Regarding PFC's, Antimicrobial and Flame Retardants: in general, some fabric options may include these components. Please confirm that as long as the customer approves the fabric option, they may be offered under contract.  | <p>Per the "Required Info- 23109 Pricing" tab: "All products offered must comply with 1 of the following categories:</p> <ol style="list-style-type: none"> <li>1) Upholstered Furniture Compliant with TB 117-2013 Flame Retardant Free &amp; Labeled</li> <li>2) Upholstered Furniture Compliant with TB 133 Free of Halogenated Flame Retardants</li> <li>3) Non-upholstered Furniture (or Furniture that does not need to comply with TB 117-2013 or TB 133) Flame Retardant Free</li> </ol> <p>In addition, in order to reply "yes" in the spreadsheet for PFCs and Antimicrobials, your product must meet the definition for these items included in the spreadsheet tab entitled "EO-4 Required Info Instructions."</p> |

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| 58         | Attachment 1 - Pricing     | Attachment 1 - Pricing Tab "E04 Required Info Instructions" | Regarding CA Technical Bulletin 117-2013, CA Technical Bulletin 133: please confirm these requirements are optional. Should the customer require products which meet these certifications then the listed requirement would apply.   | <p>Per the "Required Info- 23109 Pricing" tab: "All products offered must comply with 1 of the following categories:</p> <ol style="list-style-type: none"> <li>1) Upholstered Furniture Compliant with TB 117-2013 Flame Retardant Free &amp; Labeled</li> <li>2) Upholstered Furniture Compliant with TB 133 Free of Halogenated Flame Retardants</li> <li>3) Non-upholstered Furniture (or Furniture that does not need to comply with TB 117-2013 or TB 133) Flame Retardant Free</li> </ol> <p>A single furniture product will not comply with each of these items. For those furniture items that are not applicable to the type (upholstered or no-upholstered) or flame retardant standard (TB 117-2013 or TB-133) the respondent should select "not applicable" in the spreadsheet pull down.</p> |
| 59         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing"    | For columns U, V, and W, we respectfully request the State update the options from "Yes/No/Unknown/Not Applicable" to "Complies/Does not Comply/Unknown/Not Applicable."   | A consistent yes/no response is the simplest way to convey to Authorized Users whether the product meets all of the provisions defined in "EO-4 Required Info Instructions" spreadsheet tab. OGS declines the requested change.  |
| 60         | Attachment 1 - Pricing     | Attachment 1 - Pricing Tab "E04 Required Info Instructions" | Regarding Non-Upholstered Furniture: we have a few non-upholstered items which are manufactured to meet the CAL133 requirement as a standard. Please confirm we can offer these items as a part of this contract.  | Per Attachment 1, EO4 Required Info Instructions tab: "For the purchase of non-upholstered furniture and other furniture that does not need to comply with TB 117-2013 or TB 133, furniture shall be free of intentionally added flame retardant chemicals, excluding the inclusion of flame retardants in electrical components and those required to meet electrical codes."   |
| 61         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing"    | For Column S, "Formaldehyde," there is no option for "Exempt" or "Not Applicable." Can the State please add an option into the spreadsheet for this column?  | OGS declines this requested change. The formaldehyde definition is only applicable to furniture that contains composite wood materials. If your product does not contain composite wood material, you should select the "yes" pull down indicating you comply with this provision. Further, this requirement applies to all products, thus an exempt response will not be allowed.   |
| 62         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing"    | We have thousands of base models and when we add the various fabric grades, options, etc., the base models plus options result in millions of lines. Completing the EO4 Requirements by line item will be extremely cumbersome and time consuming. How will this information factor into the purchasing decision? We respectfully request this to be removed from the pricing spreadsheet as a requirement. We can offer this information on a case by case basis as requested by the end customer at time of quote. | Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachment 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award.  |

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| 63         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info - 23109 Pricing"         | We would recommend that the State change the column header to "CARB 93120.2" to avoid confusion with the "Low-Emitting" column.   | OGS declines the requested change. The standards for "low emitting" and formaldehyde" are clearly defined in the "EO-4 Required Info Instructions" tab and we do not see this proposed change as being clearer to prospective purchasers that will use this information.  |
| 64         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info - 23109 Pricing"         | <p>We recommend that the State change the "Yes/No/Unknown" options in their spreadsheet to "Contains/Does Not Contain/Unknown" for the following columns:</p> <ul style="list-style-type: none"> <li>- PVC (Column P);</li> <li>- Lead (Column Q);</li> <li>- PFCs (Column R); and</li> <li>- Antimicrobials (Column T).</li> </ul> <p>This will help clarify to the responder what answer the State is after and may cut down on people responding with the inverse ("Yes" should mean "free of", but could also be confused for "Present in this product").</p>   | OGS declines the requested change. The "EO-4 Required Info Instruction" tab defines the compliance standard for each of these items. These definitions allow the chemicals in columns P, Q, R, and T to be present in a final product in amounts below levels outlined in the definitions. Therefore, answering "contains" or "does not contain" would not indicate if the product was compliant with the definitions.  |
| 65         | Attachment 1 - Pricing     | 5.5.1 Products and Pricing<br>Is actually Attachment 1 - Pricing | Our product lines and brands encompass style numbers, model numbers, and stock keeping units (skus) with options for each that number in the hundreds of thousands. It is our position that providing this depth of detail as currently formatted on the spreadsheet is neither practical for us nor of value to the State. We propose that it be acceptable that we offer a pricing structure similar to what we have provided to the State for more than 16 years. We would provide a discount associated with an entire product line or a grouping of product lines. We can comply with the EO4 requirement by completing columns M - W per product line or by grouping of product lines. Would the State find this alternative method acceptable? | No. Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. |

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| 66         | Attachment 1 - Pricing     | Section 5.5.1; Attachment 1<br>Is actually Solicitation Main Document, 5.5.1 Products and Pricing and Attachment 1 - Pricing | <p>Section 5.5.1 Products and Pricing states that “Bidders shall enter the Category Matrix number their product offering corresponds to, the individual Product Item Number, Product Description, Manufacturer’s List Price, Discount Percentage from Manufacturer’s List Price, and Net Contract Price within Attachment #1 – Pricing.”</p> <p>Further, the instructions in Attachment 1 state the completion of the “Required Info” tab is required for each product to be sold under this contract. This will require pricing at the line item level. Large manufacturers have hundreds of thousands of item numbers and each base item number can include a minimum of 1-5 options that impact price, resulting in a requirement of over one million lines to complete Attachment 1 as directed. (The maximum lines in later excel versions is approximately 1M lines.)</p> <p>We respectfully request that you modify this spreadsheet to include product series or market basket information only, if all products within that series meet the same environmental requirements. A series/market basket discount would be provided and the list price and net price fields would need to be eliminated.</p> | <p>Each item/offering must be listed as a separate line item. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer, however, items not included within Attachment 1 - Pricing, or approved by OGS, will not be allowed for sale under the Award. OGS declines to make the requested revision</p>                                       |
| 67         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab “Required Info – 23109 Pricing”   | <p>We have thousands of base models, and when we add the various fabric grades, options, etc., the base models plus options result in millions of lines. Completing this spreadsheet is extremely cumbersome and time consuming. Additionally, there are several fields in this spreadsheet that are redundant. Is it acceptable to create a formula in these fields to reduce complexity in completing the spreadsheet?</p>   | <p>Revisions have been made to Attachment 1 Pricing to remove redundant information. Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.</p> |

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| 68         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | We have thousands of base models and when we add the various fabric grades, options, etc. the base models plus options result in millions of lines. Completing the EO4 Requirements by line item will be extremely cumbersome and time consuming. How will this information factor into the purchasing decision?   | Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachement 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award.  |
| 69         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | Regarding Recycled Content: it is unlikely that products with a majority hardwood, glass, or plastic will meet these thresholds (especially for plastics if a color other than black is desired, as most plastics with recycled content are black). This may limit the State's selection of certain products. These products typically contain small amounts of recycled content, at thresholds lower than what the State is requiring. Would the State consider making these requirements optional? | Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachement 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award.  |
| 70         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | If the State wants to pursue fabric options that are treatment-free (free of Flame Retardants, PFCs, antimicrobials), the finish options will be limited. This information is not shown in our standard commercial price list. Please confirm fabric options which meet these requirements may be communicated at the time of order entry. Additionally, how should we respond on the spreadsheet for products that have fabrics?  | Per Section 5.2, Authorized Users are strongly encouraged to confirm the accuracy of the entries by contacting the Contractor directly. In addition, Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachement 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award. |
| 71         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | Several of our furniture products are available as FSC, but the "FSC" option must be selected at time of order. Please confirm this is acceptable.   | In order to select "yes" for the sustainably sourced column, the product must be at least 30% wood and be certifying by an acceptable sustainable forest management program, such as FSC. If you select "yes" your product complies with the sustainably sourced definition, all product information, including pricing, must correspond with the FSC option of the furniture product.  |
| 72         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | For the "Formaldehyde" column (column S in Tab "Required Info- 23109 Pricing"), there is no option for "Exempt," which is applicable to products with bent plywood. Additionally, how do we respond if the products do not contain composite wood? Can the State please add an option for "Not Applicable" and "Exempt" into the spreadsheet for the Formaldehyde column?  | OGS declines this requested change. The formaldehyde definition is only applicable to furniture that contains composite wood materials. If your product does not contain composite wood material, you should select the "yes" pull down indicating you comply with this provision. Further, this requirement applies to all products, thus an exempt response will not be allowed.  |



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| 73         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | We would recommend that the State change the column header to "CARB 93120.2" to avoid confusion with the "Low-Emitting" column.  | OGS declines the request. Column "O" in Attachment 1 - Pricing will remain labeled "Low Emitting".  |
| 74         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | <p>We recommend that the State change the "Yes/No/Unknown" options in their spreadsheet to "Contains/Does Not Contain/Unknown" for the following columns:</p> <ul style="list-style-type: none"> <li>- PVC (Column P); Lead (Column Q);</li> <li>- PFCs (Column R); and</li> <li>Antimicrobials (Column T).</li> </ul> <p>This will help clarify to the responder what answer the State is after and may cut down on people responding with the inverse ("Yes" should mean "free of," but could also be confused for "Present in this product").</p> | OGS declines this requested change. The formaldehyde definition is only applicable to furniture that contains composite wood materials. If your product does not contain composite wood material, you should select the "yes" pull down indicating you comply with this provision. Further, this requirement applies to all products, thus an exempt response will not be allowed.  |
| 75         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | Regarding PVC (Column P), how does the State expect Contractors to communicate that vinyl upholstery must be avoided?  | Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachement 1 OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award. Bidders are expected to provide a clear product description in Attachement 1 Pricing within Column B Product Description. |
| 76         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | Is PVC in amounts greater than 1% acceptable in Electrical components?   | In electrical components, PVC is allowed in amounts greater than 1% by weight. However, please note, that purchasers are encouraged to select furniture where electrical components are PVC free.   |
| 77         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | Regarding Lead (Column Q), is there a threshold associated with this chemical?   | No. Products shall not contain any intentionally added lead, excluding motorized parts and electronics.   |

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| 78         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | In order to comply with CAL TB117-2013 and SB1019 (Section 19094), upholstered products must be ordered with fabrics that are free of Flame Retardants. This information is not included in our commercial price list. Please confirm we communicate to the State which fabrics are FR-free at the time of order entry.  | <p>Per the "Required Info- 23109 Pricing" tab: "All products offered must comply with 1 of the following categories:</p> <ol style="list-style-type: none"> <li>1) Upholstered Furniture Compliant with TB 117-2013 Flame Retardant Free &amp; Labeled</li> <li>2) Upholstered Furniture Compliant with TB 133 Free of Halogenated Flame Retardants</li> <li>3) Non-upholstered Furniture (or Furniture that does not need to comply with TB 117-2013 or TB 133) Flame Retardant Free</li> </ol> <p>Bidders are expected to provide a clear product description in Attachment 1 Pricing within Column B Product Description.</p>   |
| 79         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | For columns U, V, and W, we recommend that the State update the options from "Yes/No/Unknown/Not Applicable," to "Complies/Does not Comply/Unknown/Not Applicable."  | OGS declines the requested change. We believe a consistent yes/no response is the simplest way to convey to Authorized Users whether the product meets all of the provisions defined in "EO-4 Required Info Instructions" spreadsheet tab.   |
| 80         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | Our company has thousands of base models and when we add the various fabric grades, options, etc., the base models plus options result in millions of lines. Completing this spreadsheet is extremely cumbersome and time consuming. Additionally, there are several fields in this spreadsheet that are redundant. Is it acceptable to create a formula in these fields to reduce complexity in completing the spreadsheet? | No. Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.  |
| 81         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | We have thousands of base models and when we add the various fabric grades, options, etc. the base models plus options result in millions of lines. Completing the E04 Requirements by line item will be extremely cumbersome and time consuming. How will this information factor into the purchasing decision?   | Per Section 5.5.2 EO4 Identification, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachment 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when they make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award. Bidders are expected to provide a clear product description in Attachment 1 Pricing within Column B Product Description. |

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| 82         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | Regarding Recycled Content, it is unlikely that product with a majority hardwood, glass, or plastic will meet these thresholds (especially for plastics if a color other than black is desired, as most plastics with recycled content are black). This may limit the State's selection of certain products. These products typically contain small amounts of recycled content, at thresholds lower than what the State is requiring. Would the State consider making these requirements optional? | Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachement 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award. Bidders are expected to provide a clear product description in Attachement 1 Pricing within Column B Product Description. |
| 83         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | If the State wants to pursue fabric options that are treatment-free (free of Flame Retardants, PFCs, antimicrobials), the finish options will be limited. This information is not shown in our standard commercial price list. Please confirm fabric options which meet these requirements may be communicated at the time of order entry. Additionally, how should we respond on the spreadsheet for products that have fabrics?   | Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachement 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award. Bidders are expected to provide a clear product description in Attachement 1 Pricing within Column B Product Description. |
| 84         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | Several of our furniture products are available as FSC, but the ".FSC" option must be selected at time of order. Please confirm this is acceptable.   | Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachement 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award. Bidders are expected to provide a clear product description in Attachement 1 Pricing within Column B Product Description. |
| 85         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | For the "Formaldehyde" column (column S in Tab "Required Info- 23109 Pricing"), there is no option for "Exempt," which is applicable to products with bent plywood. Additionally, how do we respond if the products do not contain composite wood? Can the State please add an option for "Not Applicable" and "Exempt" into the spreadsheet for the Formaldehyde column?   | OGS declines this requested change. The formaldehyde definition is only applicable to furniture that contains composite wood materials. If your product does not contain composite wood material, you should select the "yes" pull down indicating you comply with this provision. Further, this requirement applies to all products, thus an exempt response will not be allowed.   |
| 86         | Attachment 1 - Pricing     | Attachment 1 Pricing Tab "Required Info – 23109 Pricing" | We would recommend that the State change the column header to "CARB 93120.2" to avoid confusion with the "Low-Emitting" column.   | OGS declines the requested change. The standards for "low emitting" and formaldehyde" are clearly defined in the "EO-4 Required Info Instructions" tab and we do not see this proposed change as being clearer to prospective purchasers that will use this information.   |

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| 87         | Attachment 1 - Pricing     | Tab "Required Info – 23109 Pricing" Attachment 1 - Pricing  | We recommend that the State change the "Yes/No/Unknown" options in their spreadsheet to "Contains/Does Not Contain/Unknown" for the following columns: PVC (Column P), Lead (Column Q), PFCs (Column R), and Antimicrobials (Column T). This will help clarify to the responder what answer the State is after and may cut down on people responding with the inverse ("Yes" should mean "free of", but could also be confused for "Present in this product"). | OGS declines the requested change. The "EO-4 Required Info Instruction" tab defines the compliance standard for each of these items. These definitions allow the chemicals in these columns to be present in a final product in amounts below levels outlined in the definitions. Therefore, answering "contains" or "does not contain" would not indicate if the product was compliant with the defintions.   |
| 88         | Attachment 1 - Pricing     | Tab "Required Info – 23109 Pricing" Is actually Attachment 1 - Pricing and Solicitation Main Document, 5.2 Procurement Instructions | Regarding PVC (Column P), how does the State expect Contractors to communicate that vinyl upholstery must be avoided?  | Per Section 5.5.2 EO4 Identificaiton, A Bidder should self-identify each individual product that meets the EO4 Requirements, by entering and 'X' in the appropriate columns within Attachement 1 Pricing. OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award. Bidders are expected to provide a clear product description in Attachement 1 Pricing within Column B Product Description.   |
| 89         | Attachment 1 - Pricing     | Tab "Required Info – 23109 Pricing" Attachment 1 - Pricing  | Is PVC in amounts greater than 1% acceptable in Electrical components?   | In electrical components, PVC is allowed in amounts greater than 1% by weight. However, please note, that purchasers are encouraged to select furniture where electrical components are PVC free.  |
| 90         | Attachment 1 - Pricing     | Tab "Required Info – 23109 Pricing" Attachment 1 - Pricing  | Regarding Lead (Column Q), is there a threshold associated with this chemical?   | No. Products shall not contain any intentionally added lead, excluding motorized parts and electronics.  |
| 91         | Attachment 1 - Pricing     | Tab "Required Info – 23109 Pricing" Attachment 1 - Pricing  | In order to comply with CAL TB117-2013 and SB1019 (Section 19094), upholstered products must be ordered with fabrics that are free of Flame Retardants. This information is not included in our commercial price list. Please confirm we communicate to the State which fabrics are FR-free at the time of order entry.  | Per the "Required Info- 23109 Pricing" tab: "All products offered must comply with 1 of the following categories:<br>1) Upholstered Furniture Compliant with TB 117-2013 Flame Retardant Free & Labeled<br>2) Upholstered Furniture Compliant with TB 133 Free of Halogenated Flame Retardants<br>3) Non-upholstered Furniture (or Furniture that does not need to comply with TB 117-2013 or TB 133) Flame Retardant Free<br>OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award. |

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| 92         | Attachment 1 - Pricing     | Tab "Required Info – 23109 Pricing" Attachment 1 - Pricing                                 | For columns U, V, and W, we recommend that the State update the options from "Yes/No/Unknown/Not Applicable," to "Complies/Does not Comply/Unknown/Not Applicable."  | OGS declines the requested change. We believe a consistent yes/no response is the simplest way to convey to Authorized Users whether the product meets all of the provisions defined in "EO-4 Required Info Instructions" spreadsheet tab.  |
| 93         | Attachment 1 - Pricing     | Section 5.5.1; Attachment 1 Is actually 5.5.1 Products and Pricing                         | Section 5.5.1 Products and Pricing states that "Bidders shall enter the Category Matrix number their product offering corresponds to, the individual Product Item Number, Product Description, Manufacturer's List Price, Discount Percentage from Manufacturer's List Price, and Net Contract Price within Attachment #1 – Pricing.". Further, the instructions in Attachment 1 state the completion of the "Required Info" tab is required for each product to be sold under this contract. This will require pricing at the line item level. Large manufacturers have hundreds of thousands of item numbers and each base item number can include a minimum of 1-5 options that impact price, resulting in a requirement of over one million lines to complete Attachment 1 as directed. (The maximum lines in later excel versions is approximately 1M lines.) We respectfully request that you modify this spreadsheet to include product series or market basket information only, if all products within that series meet the same environmental requirements. A series/market basket discount would be provided and the list price and net price fields would need to be eliminated. | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. |
| 94         | Attachment 1 - Pricing     | Matrix number is actually Attachment 1 - Pricing and Solicitation Main Document, 1.2 Scope | Will you accept more than one matrix number on the Pricing spreadsheet, under column E?  | No. Each item offered must be assigned one Category Matrix number within Column E.  |

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| 95         | Attachment 1 - Pricing  | EO4 Requirements<br>Is actually Attachment 1 - Pricing and Solicitation Main Document 5.2 Procurement Instructions | Must we include COM/Graded in Fabrics in our compliance to the environmental definitions? It would be difficult for us to research every fabric mill for specifications. Will you accept Yes if the furniture and parts are in compliance?  | Per the "Required Info- 23109 Pricing" tab: "All products offered must comply with 1 of the following categories:<br>1) Upholstered Furniture (or Furniture that does not need to comply with TB 117-2013 or TB 133) Compliant with TB 117-2013 Flame Retardant Free & Labeled<br>2) Upholstered Furniture Compliant with TB 133 Free of Halogenated Flame Retardants<br>3) Non-upholstered Furniture (or Furniture that does not need to comply with TB 117-2013 or TB 133) Flame Retardant Free<br>OGS fully supports adherence to the Executive Order 4 Requirements and strongly encourages Bidders to self-identify each item/offering that meets each listed requirement within Attachment 1 – Pricing in order to Assist Authorized Users in making EO4 appropriate determinations when then make purchases through any resulting contract. OGS unequivocally encourages Bidders to complete the EO4 columns, I through T, but it is not required to be considered for Contract Award. |
| 96         | Attachment 1 - Pricing  | Attachment 1 Pricing<br>23109 Pricing  | We have a wide selection of education and office furniture. As I was reviewing the requirements for the upcoming NY State Contract, I noticed that you are looking for a list of all products and pricing. I am a bit concerned about our ability to fill this out given the immense number of products that we offer and the fact that our pricing is based on an algorithm. While we offer great discounts off of list pricing, the price could change on a daily basis based on analytics or increased shipping costs. | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Any item not listed and/or approved by OGS will not be allowed under the Contract, without exception. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.<br><br>Per Section 5.7 Price Adjustments, "Price lists submitted with the Bid shall remain in effect for one year from the Bid opening Date. Price adjustments will be allowed once per year thereafter, during the contract term or extension, beginning on or around the anniversary of the Bid opening Date, as determined solely by OGS Procurement Services."                                  |
| 97         | Attachment 10 - Contract Information and Terms and Conditions | Authorized resellers:<br>Authorized resellers accepting payment<br>Is Attachment 12 - Authorized Reseller List     | We have both Authorized resellers that can and can not receive payment directly. How do we respond to these two questions? Can we note yes, with exceptions in the cell beside?   | Per Attachment 12 - Authorized Reseller List, the Bidder has a choice of selecting one, two or three boxes dependent on the level of order fulfillment selected.  |
| 98         | Attachment 10 - Contract Information and Terms and Conditions | Manufacturer's Warranty<br>Attachment 10 Contract Information and Terms and Conditions                             | Our warranty statement is a full page document. Is it acceptable to say "see attached Warranty document" on this spreadsheet and attach the document as a separate document in the electronic submission cd/flash drive?  | Concise warranty information should be entered within Attachment 10, for example; "Limited Lifetime 5 years, includes fabric and foam". If necessary, a Bidder may submit additional warranty information, in electronic format.  |

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| 99         | Attachment 10 - Contract Information and Terms and Conditions | Attachment 10 - Contract Information and Terms and Conditions                         | Please confirm we are required to list the numbers only. For example: 1, 2, 3, 4, 7, 9, 10   | Yes, numbers only are preferred to indicate which Categories are offered.   |
| 100        | Attachment 10 - Contract Information and Terms and Conditions | Manufacturer Product Line<br>Is actually Solicitation Main Document 1.2 Scope         | Please provide the definition of "product line" – is the state looking for ABC brand? Or a product series name? If so, we have nearly 100 product series vs. 2 – 3 product brands. | For the purposes of Solicitation 23109, "Product line" is not a defined term. Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. |
| 101        | Attachment 10 - Contract Information and Terms and Conditions | Price List Name & Date<br>Attachment 10 Contract Information and Terms and Conditions | Please confirm we are to enter the information within the same box populated with this requirement. For example: "Price list name & date XYZ 1/1/99"                               | Yes, this cell should contain both the price list name and date.  |

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| 102        | Attachment 10 - Contract Information and Terms and Conditions | The blank row immediately under the "price list name & date" field Attachment 10 Contract Information and Terms and Conditions | <p>Please confirm we are to enter the product series we are offering in response to the Bid. Or are we required to enter the NYS product category?</p> <ul style="list-style-type: none"> <li>o Please confirm for each product series or NYS product category we will then enter the % discount off list included in Attachment 1 in the "% discount off list price (required)" column</li> <li>o Please confirm for each product series or NYS product category we will then enter the volume discount ranges</li> <li>o In the CAL 133 compliance row – what does the state want the vendor to populate?</li> <li>o There are a number of blank rows after the Delivery ARO requirement, if a Bidder offers only one ARO will that be accepted? Are these additional rows for Bidders who offer ARO by product category?</li> <li>o If the Bidder does not have a minimum order requirement should this row be populated as \$0 <ul style="list-style-type: none"> <li>-For the next question "will honor orders for less than the minimum order?" should this be populated as "N/A?"</li> </ul> </li> <li>o For the "Manufacturer's Warranty" Section – do we just list the name of the applicable warranty? i.e. "Limited Lifetime?"</li> </ul> | <p>In this Section of Attachment 10 Contract Information and Terms and Conditions, Bidders should enter the product series they are offering.</p> <p>The percent discount for each item offered must be listed in Attachment 1 Pricing, under Contract Discount %.</p> <p>Volume discounts are to be entered based upon sales volume within Attachment 10.</p> <p>In the Cal 133 Compliance row, Bidders should indicate whether or not their products are compliant with California Technical Bulletin 133.</p> <p>Several rows are available for Delivery ARO to accommodate Bidders' different methods of offering ARO. If a Bidder has only one ARO, that is acceptable.</p> <p>If there is no minimum order requirement, the Bidder should enter \$0, and if so, should select "Yes" for "Will honor orders for less than the minimum order" (though there will be no such orders).</p> <p>Manufacturer's Warranty should be completed by the Bidder with the terms of the Manufacturer's Warranty.</p> |
| 103        | Attachment 11 - Price List Update Guide                       | Attachment 11 - Price List Update Guide  | For new Product/Price Guides, Is this format the way to submit new price guides or do we use Attachment 1 - Pricing?   | OGS has revised Attachment 11 - Price List Update Guide which now includes a tab for revisions to Attachment 1 - Pricing. Please see Section 5.7 Price Adjustments and Attachment 11 for this revision.  |
| 104        | Attachment 11 - Price List Update Guide                       | Attachment 11 Price List Update Guide  | Instead of Vendors mailing in pricers on flash drives, would it be acceptable to send them via Drop Box to the state?  | No. Per Section 3.10 Format and Content of Bid Submission, a complete Bid consists of one (1) copy of electronic media (CD or Flash Drive), and a Folder containing hard copies, as listed.  |
| 105        | Attachment 11 - Price List Update Guide                       | Attachment 11 Price List Update Guide  | What is the estimated timeframe of getting approvals for price increase requests?  | OGS intends to process Price List Updates as quickly as possible, however with the expected high number of potential contract awards, OGS declines to provide an estimated timeframe.  |



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| 106        | Attachment 11 - Price List Update Guide    | Attachment 11 Price List Update Guide  | Is it the State's intention to use the same 2 week time frame for price increase updates (August 1 – 15). Will increases only be allowed annually?  | As per Section 5.7 Price Adjustments of the Solicitation document, price adjustments will be allowed once per year. OGS declines to provide an anticipated timeframe at this time.  |
| 107        | Attachment 11 - Price List Update Guide    | Attachment 11 Price List Update Guide  | Will vendors still be notified via email of the price increase submittal period; or does the responsibility lie on the vendor to monitor the state's web site?  | Yes. Per Section 5.7 Price Adjustments, Contractors will be notified, via email, by OGS in advance of the allowable timeframe for price adjustments.  |
| 108        | Attachment 12 - - Authorized Reseller List | Solicitation Main Document 2.2.2 Authorized Resellers Attachment 12 - Authorized Reseller List | If our company wants to accept orders and receive payments does reseller information need to be provided? Can dealers be considered sub-Contractors only? If yes, do they need to be included on Attachment 12 -?                       | Per Section 2.2.2 Authorized Resellers, Bidders should submit with their Bid a listing of Authorized Reseller(s) chosen to fulfill orders, and/or payments under this Solicitation and subsequent Award, within Attachment 12 - - Authorized Reseller List, and note whether the Authorized Reseller is a Minority or Women Owned Business Enterprise (MWBE), a Service-disabled Veteran Owned Business (SDVOB), or a New York State Small Business (SB). Should the Bidder allow the Authorized Reseller to take orders, ship direct, or accept payments, they must note such within the Attachment. All Authorized Resellers chosen to fulfill orders to include, though not limited to, issuing invoices and receiving payments, must be authorized by OGS. If an Authorized Dealer will not take payment, a New York State Vendor Identification number is not required.  |
| 109        | Attachment 12 - - Authorized Reseller List | Attachment 12 - Authorized Reseller List   | On previous New York State contracts, only the dealers that were able to accept payments were reflected on the state website. Is it the intent of the State, using this new form, to list ALL servicing dealers on the state's website. | Yes. Per Section 2.2.2 Authorized Resellers, Bidders should submit with their Bid a listing of Authorized Reseller(s) chosen to fulfill orders, and/or payments under this Solicitation and subsequent Award, within Attachment 12 - - Authorized Reseller List, and note whether the Authorized Reseller is a Minority or Women Owned Business Enterprise (MWBE), a Service-disabled Veteran Owned Business (SDVOB), or a New York State Small Business (SB). Should the Bidder allow the Authorized Reseller to take orders, ship direct, or accept payments, they must note such within the Attachment. All Authorized Resellers chosen to fulfill orders to include, though not limited to, issuing invoices and receiving payments, must be authorized by OGS. If an Authorized Dealer will not take payment, a New York State Vendor Identification number is not required. There are no "service dealer(s) or "servicing dealer(s) for Award 23109, Furniture. |
| 110        | Attachment 12 - - Authorized Reseller List | Reseller Information Attachment 12 - Authorized Reseller List                                  | If a dealership has one Tax ID, used for several satellite offices, do each of the satellite offices have to be submitted independently on attachment 12?   | Per Section 2.2.2 Authorized Resellers, Bidders should submit with their Bid a listing of Authorized Reseller(s) chosen to fulfill orders, and/or payments under this Solicitation and subsequent Award, within Attachment 12. Each individual Reseller, using it's own separate federal/tax ID number, must be listed.   |
| 111        | Attachment 12 - - Authorized Reseller List | Solicitation Main Document 2.2.2 Authorized Resellers Attachment 12 - Authorized Reseller List | Is it acceptable to add pages to Attachment #12, Authorized Reseller List, if more than 10 Authorized Dealers are being requested?  | Yes, additional pages may be added to Attachment 12 - Authorized Reseller List if additional space is required.   |

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| 112        | Attachment 3 Encouraging Use of NYS Businesses   | Attachment 3 Encouraging Use of New York State Businesses in Contract Performance | Can we list our New York Authorized Dealers and Installing Dealers whose businesses and employees are located in New York and are utilized in the performance of the contract.  | Yes. Per Attachment 3 Encouraging Use of New York Businesses " Bidders for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subContractors, suppliers, protégés or other supporting roles".   |
| 113        | Attachment 3 - Encouraging Use of NYS Businesses | Attachment 3 Encouraging Use of New York State Businesses in Contract Performance | Should we list any authorized re-sellers based in New York State in this document?  | Yes. Per Attachment 3 Encouraging Use of New York Businesses " Bidders for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subContractors, suppliers, protégés or other supporting roles".   |
| 114        | Attachment 3 - Encouraging Use of NYS Businesses | Attachment 3 Encouraging Use of New York State Businesses in Contract Performance | We are a manufacturer that will utilize dealers located in New York. Please confirm we are to list these authorized dealers on this Attachment 3.   | Yes, Bidders for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subContractors, suppliers, protégés or other supporting roles.  |
| 115        | Attachment 4 - Insurance Requirements            | Attachment 4 Insurance Requirements Page 6  | Please clarify if the Form CE200 is required with Bid submission or if this is required upon award.   | Per Attachment 4 Insurance Requirements, and Section 3.10 Format and Content of Bid Submission, all necessary proof of insurance should be submitted with the Bidders Bid.  |
| 116        | Attachment 4 - Insurance Requirements            | Attachment 4 Insurance Requirements Page 2 - A. 3                                 | As a large corporation, we do not disclose our deductibles, as this is not a standard industry practice. Please confirm that our proof of coverage in the form of a certificate of insurance that will include our aggregate limits will be acceptable. | No, Certificates of insurance must indicate the applicable deductible/self insured retention on each policy. Deductible or self-insured retentions above \$100,000 are subject to approval from OGS. The Contractor shall be solely responsible for all claim expenses and loss payments within the deductible or self-insured retention.   |
| 117        | Attachment 4 - Insurance Requirements            | Attachment 4 Insurance Requirements Page 2 - A. 4                                 | Please confirm that entire insurance policies and any additional insured endorsements will not be required as long as our certificate of insurance shows proper proof of compliance with the insurance requirements of this Solicitation.               | Per Attachment 4, p. 2, A. 3: "OGS generally requires Contractors to submit only certificates of insurance and additional insured endorsements, although OGS reserves the right to request other proof of insurance. Contractors should refrain from submitting entire insurance policies, unless specifically requested by OGS. If an entire insurance policy is submitted but not requested, OGS shall not be obligated to review and shall not be chargeable with knowledge of its contents. In addition, submission of an entire insurance policy not requested by OGS does not constitute proof of compliance with the insurance requirements and does not discharge Contractors from submitting the requested insurance documentation." |

| Question # | Solicitation Document Name            | Document Section (Number & Name)                   | Question   | OGS Response to Bidder Questions  |
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| 118        | Attachment 4 - Insurance Requirements | Attachment 4 Insurance Requirements Page 2 - A. 5  | We respectfully ask the state to remove Section 6 Self-Insured Retention/Deductibles, as the \$100,000 approval threshold is very low and it would be cumbersome to receive approval and administer.   | OGS declines the requested change. Per Attachment 4, p. 2, A. 6: "Certificates of Insurance must indicate the applicable deductibles/self-insured retentions for each listed policy. Deductibles or self-insured retentions above \$100,000.00 are subject to approval from OGS. Such approval shall not be unreasonably withheld, conditioned or delayed. Bidders and Contractors shall be solely responsible for all claim expenses and loss payments within the deductibles or self-insured retentions. If the Bidder/Contractor is providing the required insurance through self-insurance, evidence of the financial capacity to support the self-insurance program along with a description of that program, including, but not limited to, information regarding the use of a third-party administrator shall be provided upon request." |
| 119        | Attachment 4 - Insurance Requirements | Attachment 4 Insurance Requirements Page 3 - A. 9  | We respectfully request that the state revise the requirements of Section 9 - Additional Insured to be limited to only the Contractor holder's performance under this contract. Currently, this Section unreasonably allows any State of New York contract holder to have access to our insurance coverage for any works performed and related to this relationship agreement. | OGS declines the requested change. The State, as a governmental entity, enters into contracts, takes title to property, and initiates legal action. Accordingly, the Office of the Attorney General requires that "The People of the State of New York" be included as an additional insured. Adding "The People of the State of New York" as an additional insured does not mean that the insurer is insuring all residents of New York State; rather, it means that the State government is being insured.  |
| 120        | Attachment 4 - Insurance Requirements | Attachment 4 Insurance Requirements Page 3 - A. 10 | As a large corporation, we have numerous insurance policies that would roll up under our Umbrella. Please confirm that proof of coverage used to satisfy the insurance requirements would suffice.   | Per Attachment 4, p. 3, A. 9: "Required insurance coverage limits may be provided through a combination of primary and excess/umbrella liability policies. If coverage limits are provided through excess/umbrella liability policies, then a Schedule of underlying insurance listing policy information for all underlying insurance policies (insurer, policy number, policy term, coverage and limits of insurance), including proof that the excess/umbrella insurance follows form must be provided upon request."  |
| 121        | Attachment 4 - Insurance Requirements | Attachment 4 Insurance Requirements Page 5 - B. 1  | Please confirm the Automobile Liability Coverage is limited to the automobile used only by the Contractor.   | Per Attachment 4, p. 5, B. 2: "Such insurance shall cover liability arising out of any automobile used in connection with performance under the Contract, including owned, leased, hired and non-owned automobiles bearing or, under the circumstances under which they are being used, required by the Motor Vehicles Laws of the State of New York to bear, license plates."<br><br>And per Section A.7. Prior to the commencement of any work by a SubContractor, the Contractor shall require such SubContractor to procure policies of insurance as required by this Attachment and maintain the same in force during the term of any work performed by that SubContractor.  |
| 122        | Attachment 5 - - Category Matrix      | Attachment 13 - Category Matrix                    | Does Category 2 include lockers?   | No. Lockers are not within the intended Scope of Category 2 Dormitory Furniture.  |
| 123        | Attachment 5 - - Category Matrix      | Attachment 13 - Category Matrix                    | Does Category 7 include cubbies?   | No. Cubbies are not within the intended Scope of Category 7 Office Furniture.   |
| 124        | Attachment 5 - - Category Matrix      | Attachment 13 - Category Matrix                    | Does Category 10 include indoor bleachers?   | No. Bleachers are not within the intended Scope of Category 10 Systems Furniture.   |

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| 125        | Attachment 5 - Bidder Information Questionnaire | Attachment 5 - Bidder Information Questionnaire #23                                      | We offer products made with recycled materials and we can provide specific recycled material information on a model by model basis upon request but the information is not included in the catalog, is this acceptable?  | Per Section 2.2.3 Catalogs, Contractor shall be required to furnish, without charge, to Authorized Users that request them, catalog(s) and price lists identical to those accepted with their Bid, including any changes (additions, deletions, etc.) pursuant to the Contract.<br><br>Additional information pertaining to products made with recycled materials may be provided in addition to this requirement. |
| 126        | Attachment 5 - Bidder Information Questionnaire | Attachment 5 - Bidder Information Questionnaire General Questions Tab                    | Is it ok to leave some of the response fields blank if the question is N/A? For example, Question 12 is N/A if Question 10 is Yes.   | Attachment 5 Bidder Information Questionnaire has been revised to include N/A within the drop down box for Question #12.   |
| 127        | Attachment 5 - Bidder Information Questionnaire | Attachment 5 - Bidder Information Questionnaire Line 34 & 35 - Total number of employees | Does the total number of employees on line 34 and 35 include outside Contractors?  | No. For Attachment 5 -Bidder Information Questionnaire, Questions 34 and 35 will list the number of employees of the Bidder ONLY.  |
| 128        | Attachment 5 - Bidder Information Questionnaire | Attachment 5 - Bidder Information Questionnaire Question 13                              | We hold many state contracts, as well as a GSA schedule and BPA. Is it an option to provide a link to our website where we post contract information for them, rather than an individual link for each one? And if not, how do we list multiple links in one cell? | Bidders are expected to enter as many links as possible within the cell, however, if necessary, a separate attachment, provided in electronic format, with each contract link will be accepted.  |
| 129        | Attachment 5 - Bidder Information Questionnaire | Attachment 5 - Bidder Information Questionnaire Question 14                              | We have 31+ contracts. Do you need a link to all contracts? The Solicitation document Section 2.1.1 indicated only needing 1 reference contract information.   | For Attachment 5 -Bidder Information Questionnaire, Question 14, there is a drop-down menu to respond to the question. Question 14 refers to Contract pricing ONLY. Question 13 asks for the Bidder to include links to all currently held contracts. Section 2.1.1 of the Solicitation document indicates that Bidders must have at least one current contract.   |
| 130        | Attachment 5 - Bidder Information Questionnaire | Attachment 5 - Bidder Information Questionnaire #13                                      | Please clarify "Link" - Can we provide links to our Website that shows the contract information?   | Yes, a link to a website with the contract information is acceptable.  |
| 131        | Attachment 5 - Bidder Information Questionnaire | Attachment 5 - Bidder Information Questionnaire #24                                      | We offer products made with recycled materials, we can provide specific recycled material information on a model by model basis upon request, however the information is not included within manufacturer's price lists. Please confirm this is acceptable.        | Per Attachment 5 -Bidder Information Questionnaire, Question #24 refers to remanufactured products, not products manufactured with recycled materials. Question #23 asks, "Are any Products offered manufactured from recycled materials? If yes, please attach price list with noted products." If necessary, additional information may be provided separately, in electronic format, with a Bidders Bid.        |

| Question # | Solicitation Document Name                      | Document Section (Number & Name)   | Question   | OGS Response to Bidder Questions   |
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| 132        | Attachment 5 - Bidder Information Questionnaire | Attachment 5 - Bidder Information Questionnaire #17 NYS Purchasing Card  | This asks "If awarded a contract, will Bidder accept the NYS Purchasing Card (see Appendix B, Purchasing Card) for orders up to and including \$50,000?" This is a significantly large dollar amount and cost. Can a fee be assessed for accepting NYS Purchasing Cards to offset those costs? | No. OGS declines to allow additional fees to be added for use of the NYS Procurement Card, or any other Credit Card used by an Authorized User to purchase from the Contracts resulting from this Solicitation. Per Section 5.5 Bid Pricing Information, All pricing offered shall be a discount from Manufacturer's list price. Full list price will not be accepted. Net Contract Price shall include all customs duties and charges and be net, F.O.B. destination any point in New York State as designated by the ordering agency (see Section 2 – Bidder Qualifications and Service Requirements). Additional shipping/freight charges may not be applied. |
| 133        | Attachment 6 - Bidder Submission Checklist      | Solicitation Main Document   | I have looked through all the documents. Where is the actual Bid information with actual quantities and items needed? Also, are there any drawings that go along with this Bid?  | Per the Solicitation Main Document, Section 1.3 Estimated Quantities: "The Contract(s) resulting from this Solicitation will be Indefinite Delivery, Indefinite Quantity (IDIQ) Contracts. All quantities or dollar values listed within this Solicitation are estimates" There are no drawings or specifications included; see Section 1.2 Scope for Product Categories being sought for this Solicitation.   |
| 134        | Attachment 6 - Bidder Submission Checklist      | Attachment 6 Bidder Submittal Checklist line 16:                         | On ST-220-TD is a dealer/reseller considered a subContractor for the purposes of this form? If so, can we consider only sales made under our New York State contract to reach the \$300K threshold   | Yes, form ST-220-TD says to refer to Publication 223 with any questions. Publication 223 states "A subContractor is a person engaged by a Contractor or another subContractor to perform a portion of the Contractor's obligations under a contract."<br>No, the \$300K threshold is not limited to any particular contract. The threshold is reached if the Contractor (or subContractor, as applicable) has made sales delivered by any means to locations within New York State of tangible personal property or taxable services having a cumulative value in excess of \$300,000 over the specified period of time.   |
| 135        | Attachment 6 - Bidder Submission Checklist      | Attachment 6 Bidder Submittal Checklist                                  | Is a manufacturer required to submit a completed MWBE100 or SDVOB100 form with our Bid, for any applicable dealer/reseller?  | <u>No. Per Sections 5.14.V.A and 5.25.II.A of the Solicitation document, only the Bidder should submit the MWBE 100 and SDVOB 100 forms. Please refer to the Instructions for the MWBE 100. The Instructions can be found on the OGS MWBE website here: <a href="https://ogs.ny.gov/BU/DC/Forms/Docs/Excel/EEO101CommoditiesServices_Instructions.pdf">https://ogs.ny.gov/BU/DC/Forms/Docs/Excel/EEO101CommoditiesServices_Instructions.pdf</a> and please refer to the SDVOB OGS Website at: <a href="https://ogs.ny.gov/Veterans/default.asp">https://ogs.ny.gov/Veterans/default.asp</a></u>  |
| 136        | Attachment 6 - Bidder Submission Checklist      | Attachment 6 Bidder Submittal Checklist Line 16, Form ST220TD, Section 3 | In regards to sales volume for our subContractors:"...in excess of \$300,000 during the four sales tax quarters..."is this volume to be based on sales volume through the State of NY contract only?   | No, the \$300K threshold is not limited to any particular contract. The threshold is reached if the Contractor (or subContractor, as applicable) has made sales delivered by any means to locations within New York State of tangible personal property or taxable services having a cumulative value in excess of \$300,000 over the specified period of time.  |
| 137        | Attachment 6 - Bidder Submission Checklist      | Attachment 6 Bidder Submittal Checklist Question 14                      | Same as above. Asks if we submitted a "Manufacturer's Certificate".  | OGS has posted Attachment 14 Manufacturer's Certificate on the OGS website for Bidders use. Attachment 6 has been revised.   |

| Question # | Solicitation Document Name              | Document Section (Number & Name)  | Question  | OGS Response to Bidder Questions   |
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| 138        | Attachment 8 - Report of Contract Usage | Attachment 8 Report of Contract Usage Sales Reporting Template tab Columns E, F, G, H, I (Federal ID, Vendor ID, MWBE, SDVOB, Small Business) | The information being requested for these columns in the quarterly report must be included when requesting to add resellers. Will the State remove these fields considering it is duplicate information?  | OGS has determined that the information required within both Attachment 12 Authorized Reseller List and Attachment 8 Report of Contract Usage Report is necessary. OGS declines to make the requested change.                                      |
| 139        | Attachment 8 - Report of Contract Usage | Attachment 8 Report of Contract Usage Sales Reporting Template tab; Columns L, M (Authorized User Type, Authorized User Entity)               | Selecting options from drop down boxes creates a huge time burden for reporting. Will the State remove these fields or delete the drop down attribute of the fields?  | OGS has determined that collecting data in a uniform manner for certain Columns within Attachment 8 Report of Contract Usage is necessary. OGS declines to make the requested change.  |
| 140        | Attachment 8 - Report of Contract Usage | Attachment 8 Report of Contract Usage Sales Reporting Template tab Columns E, F, G, H, I (Federal ID, Vendor ID, MWBE, SDVOB, Small Business) | The data being requested for these columns within the quarterly sales report must be provided to the state when seeking approval to add authorized resellers to vendors contracts. Entering this information repeatedly each quarter is time consuming for vendors, creates complexity in the report, and provides information the state already possesses. We respectfully request these columns be removed from the report.   | The requested data has been deemed necessary by OGS. OGS declines to make the requested revision.  |
| 141        | Attachment 8 - Report of Contract Usage | Attachment 8 Report of Contract Usage Sales Reporting Template tab; Columns L, M (Authorized User Type, Authorized User Entity)               | Formatting these columns as drop down fields adds complexity for vendors and will greatly lengthen the time it takes to populate reports. We respectfully request the state consider making both of these columns a "manual entry" like column N. In order to ensure vendors are providing accurate details, we recommend the State to provide a reference document vendors could access to correctly populate these fields. Agreeing to these changes would allow vendors to streamline reporting. | The requested data has been deemed necessary by OGS. Contractors are solely responsible for the completion of Attachment 8 and are expected to populate the spreadsheet to the best of their ability. OGS declines to make the requested revision. |

| Question # | Solicitation Document Name  | Document Section (Number & Name)   | Question  | OGS Response to Bidder Questions  |
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| 142        | Attachment 9 Intent to Bid Form Part V of the Substitute W-9 form | Substitute W-9 form Part V   | Attachment 9 requires us to fill out the New York State W-9 form as the first step to obtaining a NYS Vendor Identification (VID) Number.<br><br>Part V of this form asks us to certify that "I am a U.S. citizen or other U.S. person". This is not possible because we are a Canadian organization. How should we proceed in obtaining a NYS Vendor Identification (ID) Number in order to submit the Intent to Bid Form? | See General Instructions and Purpose of Form within the W-9 Form. The W-9 form can be found here: <a href="https://www.irs.gov/pub/irs-pdf/fw9.pdf">https://www.irs.gov/pub/irs-pdf/fw9.pdf</a>   |
| 143        | General   | Changes to Contractor  | The New York State Contract Reporter, on page 6 of 7, lists "Revised Bid Solicitation document" twice, each on 05/01/2018, at 11:22 am and 11:24 am. What were the revisions?   | OGS corrected a grammatical error; the word "includes" was spelled incorrectly.   |
| 144        | General   | Sales Reporting/Minority Reporting Time Lines<br>5.12 Report of Contract Usage | Due to the increased complexity and reporting requirements, we request the state allow 30 days for vendors to complete all sales and MWBE/SDVOB reporting.  | The Contractor's Monthly MWBE Payment Report can be submitted electronically through the NYS Contract System at <a href="https://ny.newnycontracts.com">https://ny.newnycontracts.com</a> or by completing the MWBE 102 form. The Contractor is required to submit by the 10th of each month for the duration of the contract. OGS declines to make the requested change. |
| 145        | General   | Appendix C Contract Modification Form. Box 4                                   | Is a catalog required each time an amendment is submitted and how does this apply for requests that do not involve pricing?   | No. See Section 2.2.3 Catalogs.   |
| 146        | General   | Appendix C, Contract Modification Form   | Is this form required with re-seller additions?   | No, additions and deletions to your Authorized Reseller list must be submitted on Attachment 12. A completed Appendix C is not required.  |
| 147        | General   | Appendix C, Contract Modification Form   | Is this form required to be sent with price increase requests?  | Yes, a completed Appendix C - Contract Modification Procedure Form is required for all requested pricing changes. A completed Attachment 11 - Price List Update Guide must also be submitted as per Section 5.7 - Price Adjustments.  |
| 148        | General   | Appendix C Contract Modification Form. Box 4                                   | Is a pricer required each time vendors request an amendment? What about requests that don't involve pricing?  | Appendix C - Contract Modification Procedure Form is required for all requested contract changes. A completed Attachment 11 - Price List Update Guide is not required for requested changes that are not price list related.  |
| 149        | General   | Appendix C Contract Modification Form. Box 4                                   | Please confirm we are not required to provide a "Current copy of the National Consumer Price Index for All Urban Consumers (CPI-U) Northeast region" as this does not apply to this contract.   | A current copy of the "National Consumer Price Index for All Urban Consumers (CPI-U) Northeast region" (for price increases only) is not required for price adjustments under this Solicitation.  |

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| 150        | General                    | Appendix C Contract Modification Form. Box 4  | It states that updates that do not require a change to terms and conditions, such as adding new products or services within an already established, previously approved pricing structure would be considered an update. Does this mean manufacturers are not required to seek approval for "updates" if the change does not result in a change in pricing methodology? If an approved series is expanded, do the new models need submitted and approved, or can it just add to contract? Please provide additional clarification. | A completed Appendix C - Contract Modification Procedure Form is required for all contract changes. See Section 5.7 Price Adjustments. All Bidder/Contractor offerings must be approved by OGS.   |
| 151        | General                    | Appendix C, Contract Modification Form  | Is this form required with dealer additions? If so, please confirm a pricer would not be needed with our submittal?  | Additions and deletions to your Authorized Reseller list must be submitted on Attachment 12. A completed Appendix C is not required.  |
| 152        | General                    | Appendix C, Contract Modification Form  | Is this form required to be sent with price increase requests? Attachment 11 Price List Update Guide Instructions doesn't mention this form.   | Yes, a completed Appendix C - Contract Modification Procedure Form is required for all requested contract changes. A completed Attachment 11 - Price List Update Guide must also be submitted as per Section 5.7 - Price Adjustments.   |
| 153        | General                    | Pricing Attachment 1 - Pricing and Attachment 10 Contact Information and Terms and Conditions | Would the state consider eliminating the requirement to populate Attachment 1 and utilize Attachment 10 instead? Attachment 10 provides the same information needed to compare government entity contracts with the pricing offered to the State at the level of detail which is similar to what is offered under Government Entity contracts.   | No, OGS declines to make the requested revision. All items/offerings must be included in Attachment 1 - Pricing.  |
| 154        | General                    | Attachment 8 Report of Contract Usage Sales Reporting/Minority Reporting Time Lines           | Due to the increased complexity and reporting requirements, we respectfully request the state allow for at least 30 days for vendors to complete all sales and minority reporting (MWBE/SDVOSB).   | The Contractor's Monthly MWBE Payment Report can be submitted electronically through the NYS Contract System at <a href="https://ny.newnycontracts.com">https://ny.newnycontracts.com</a> or by completing the MWBE 102 form. The Contractor is required to submit by the 10th of each month for the duration of the contract. OGS declines to make requested change. |
| 155        | General                    | Solicitation Main Document, Section 5.5.3 Volume Discounts Cancellation of Orders             | As our product is largely made-to-order and may be customized at the customer's request, please confirm that order cancellations after production has commenced are subject to reasonable cancellation charges.  | Attachment 10 Contact Information and Terms and Conditions has been revised to include a line for Bidders to enter restocking fees.   |



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| 156        | General                    | Restocking Fees  | Our products are custom made-to-order and as such we do not stock items. We are requesting the State approves allowing restocking fees per our published commercial rate of 45% upon authorization from the manufacturer.   | Attachment 10 Contact Information and Terms and Conditions has been revised to include a line for Bidders to enter restocking fees.  |
| 157        | General                    | General  | Please confirm the State will allow non-contract items to be submitted on a purchase order with contract items  | Yes, non-contract items may be included within a single Purchase Order; however, each non-contract item should be clearly noted as such to avoid confusion.  |
| 158        | General                    | General  | In order to meet the unique needs of an end-user, we have the ability to customize many of our products. These customized products are referred to as "specials." These specials are defined as modifications to existing products that will still maintain the primary product function and warranty; for example, if an end-user requires a bookcase that needs five shelves instead of four. Specials are uniquely priced based upon the requested modification; as such, the list prices and model numbers of the special are not published in our catalog or our list pricer. Please clarify if we can offer this "special" program upon contract award. | Per Section 1.2 - Scope Products must be stock items, including fabrics and finishes. Non-stock, customized furniture and/or solutions are not included within the scope of this Solicitation. Each item/offering must be listed as a separate line item. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer, however, items not included within Attachment 1 - Pricing, or approved by OGS, will not be allowed for sale under the Award. |
| 159        | General                    | General  | Will OGS accept further questions?  | No. OGS will not accept additional questions prior to the Bid Opening date.  |
| 160        | Solicitation Main Document | Solicitation Main Document 2.1.1 Bidder Qualifications | Please provide template for the Manufacturer's Certificate or direct me where it is in any of the documents maybe I missed it.  | OGS has posted Attachment 14 Manufacturer's Certificate on the OGS website for Bidders use.  |
| 161        | Solicitation Main Document | Solicitation Main Document 1.7 Intent to Bid           | Since we are in the state of Tennessee can we take part in this Bid?  | Yes, OGS will accept Bids from the state of Tennessee. Per Appendix A, Clause 21, Reciprocity and Sanctions Provisions, as of May 2002, the following states are listed as discriminatory jurisdictions, which would require OGS to deny contract award: South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii.   |
| 162        | Solicitation Main Document | Solicitation Main Document 2.1 Qualifications (D,E)    | Are these requirements able to be waived? We are currently submitting for a GSA contract.   | No. Bidders must meet all qualifications to be considered for contract award.<br>Per Section 2.1 Bidder Qualifications:<br>" A Bidder must currently hold at least one Government Entity contract (GSA contract, State contract, Local Governmental Entity contract, BOCES contract, Governmental Cooperative contract, etc.) for Furniture products included in Section 1.2 Scope, by the Bid opening date in Section 1.4 - Key Events/Dates.<br>OGS declines the requested change.   |

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| 163        | Solicitation Main Document | Solicitation Main Document 1.7 Intent to Bid  | Is a pre Bid notification required?   | No. Per Section 1.7 Intent to Bid "Bidders are encouraged, though not required, to submit a completed Attachment 9 - Intent to Bid form to OGS.sm.PS_CM_FoodFurnitureHardware@ogs.ny.gov by the due date listed in Section 1.4 - Key Events/Dates.  |
| 164        | Solicitation Main Document | Solicitation Main Document 5.14 - III Equal Opportunity Employment  | Form EEO 101 is required to be submitted quarterly by a "Contractor and any subContractor". In this circumstance, are authorized re-sellers considered a subContractor? IE - are authorized re-resellers also required to submit an EEO 101?            | Yes, the authorized re-seller is considered a subContractor and is therefore required to submit the EEO 101.  |
| 165        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements VIII. Monthly MWBE Contractor Compliance Report (pg 26) | If an authorized re-seller is accepting payment from the State, rather than the Contractor, who is responsible for reporting the MWBE usage? Would it be the Contractor, or the entity receiving payment from a State Agency?                           | The Contractor is responsible for reporting the MWBE Utilization.   |
| 166        | Solicitation Main Document | Solicitation Main Document 5.5.1 Products and Pricing   | Is it required that ANY product we may be selling to the State, including all variations of that product, are listed on Attachment #1? EX - A chair will be available in 7 different fabric grades, are we required to list all 7 prices for one chair? | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments. |
| 167        | Solicitation Main Document | Solicitation Main Document 5.5.1 Products and Pricing   | Will the electronic price list created for the State be the only price document referred to throughout the contract, or will our commercial price list be used throughout the contract?   | Per Section 5.5.1 Products and Pricing, Bidders shall enter all product offerings within Attachment 1 Pricing. It is OGS' intent with this requirement that this pricelist be the Contract pricelist, and will take precedence over any other pricelist. See Section 2.2.3 Catalogs.  |
| 168        | Solicitation Main Document | Solicitation Main Document 5.5.1 Products and Pricing and 5.7 Price Adjustments   | If there is a price adjustment after 1 year, are we required to adjust this on the electronic price document?   | Yes. OGS has revised Attachment 11 - Price List Update Guide to include a tab for revisions to Attachment 1 - Pricing. Please see Section 5.7 Price Adjustments and Attachment 11 for this revision.  |

| Question # | Solicitation Document Name | Document Section (Number & Name)                                    | Question   | OGS Response to Bidder Questions   |
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| 169        | Solicitation Main Document | Solicitation Main Document 2.1.1.D                                  | We have had many purchase orders & sales from the Federal Gov't, NYC and local gov't entities but not an official contract. Is that acceptable?  | No. Per Section 4.1 Method of Award, The Bidder must supply copies of their current contract price lists with other Government Entities indicating the discount percentage, as per Section 2.1 - Qualifications. Per the Main Solicitation document, Section 2.1.1 Bidder Qualification Paragraph E: " A Bidder must have past sales revenue for Furniture products included in Section 1.2 - Scope, in excess of \$400,000.00 annually, for a minimum of three (3) consecutive years immediately prior to the Bid opening date, to one or more Government Entities (GSA, State, Local, BOCES, Governmental Cooperative, etc.) and/or those Authorized Users as defined herein who are eligible to use State contracts (Political Subdivisions, Schools, Not for Profits, etc.). |
| 170        | Solicitation Main Document | Solicitation Main Document 2.1.1. Service Requirements, Paragraph E | Our business has exceeded \$400,000 is sales but not to the gov't, but rather to our distributors. Is that acceptable?   | No. Per the Main Solicitation document, Section 2.1.1 Bidder Qualification Paragraph E: " A Bidder must have past sales revenue for Furniture products included in Section 1.2 - Scope, in excess of \$400,000.00 annually, for a minimum of three (3) consecutive years immediately prior to the Bid opening date, to one or more Government Entities (GSA, State, Local, BOCES, Governmental Cooperative, etc.) and/or those Authorized Users as defined herein who are eligible to use State contracts (Political Subdivisions, Schools, Not for Profits, etc.).  |
| 171        | Solicitation Main Document | Solicitation Main Document 2.2.1 Delivery                           | We ship our products via a 3rd party freight company. We do not know what the costs are for shipping and inside delivery until an order is placed. This will be determined by location, weight and number of pieces ordered. Inside delivery is possible, however costs are not at this time. Can we just list the cost of our product for now? If we are accepted and we receive a purchase order, we can then provide all shipping and delivery costs. Is that acceptable? | No. Per the Main Solicitation document, Section 5.5.1 Products and Pricing: "Net Contract Price shall include all customs duties and charges and be net, F.O.B. destination any point in New York State as designated by the ordering agency (see Section 2 – Bidder Qualifications and Service Requirements). Additional shipping/freight charges may not be applied".  |
| 172        | Solicitation Main Document | Solicitation Main Document 2.2.1 Delivery                           | Does this mean additional charges, such as installation, may be negotiated off contract?   | Yes. Per the Main Solicitation documents, Section 1.2 Scope, in NOTE TO BidderS - EXCLUSIONS, Number 2: "Installation is excluded from the scope of this Solicitation. Installation of products such as systems furniture, high density filing systems, etc. shall be handled by the ordering entity separately from this Solicitation and resultant Contract(s) according to the Purchasing Guidelines and discretionary limits, and shall comply with wage and labor rates, and all state and local codes and public works guidelines, if applicable".   |

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| 173        | Solicitation Main Document | Solicitation Main Document 2.2.1 Delivery               | #5 states that Deviations shall require a separate non-contract negotiation by the Authorized User at time of order. These deviations may require additional charges. Would it be acceptable to negotiate additional charges off contract?  | <p>Yes, subject to the Authorized User's agreement to any additional charges at time of order. Per the Main Solicitation document, Section 2.2.1 Delivery, Paragraph B: "Inside delivery is intended for essentially free standing furniture when the Authorized User is unable to bring it from the dock to the point of use. It shall consist of removal from truck, bringing to point of use, uncrating, minor assembly (for example: attach hutch to desk or credenza, attach a return, set shelves in bookcase and leveling), removal of debris and leaving ready for use. Inside delivery cannot be applied to installation, such as systems furniture and high density filing, which is not included in the scope of this Solicitation.</p> <p>The inside delivery fee may not be used to assemble furniture shipped KD ("Knocked Down"). (See Section 2.2.9 Delivery Condition).</p> <p>The inside delivery fee shall be based on the following conditions:</p> <ol style="list-style-type: none"> <li>1. Delivery location has a loading dock or off street loading area;</li> <li>2. The delivery will be to the same floor as the loading dock or there is a freight elevator available;</li> <li>3. The delivery may be completed during regular working hours;</li> <li>4. Delivery fee must be agreed to by the Authorized User and Contractor prior to delivery; and</li> <li>5. Deviations from the above shall require a separate non-contract negotiation by the Authorized User at the time of order".</li> </ol> |
| 174        | Solicitation Main Document | Solicitation Main Document 5.14 Contractor Requirements | Section III Paragraph C. When requiring subContractors to submit Form EEO-101-Commodities and Services quarterly, should the subContractor submit this form directly to OGS or should the Contractor submit on subContractor's behalf?  | Prime Contractors must request each subContractor to submit the EEO-101 form. The prime Contractor can choose to either submit the form on behalf of the subContractor or have the subContractor submit it directly to OGS, in either electronic or hard copy.   |
| 175        | Solicitation Main Document | Solicitation Main Document 1.2 Scope                    | Category 10. "Systems Furniture". Many manufacturers produce modular furniture which require additional setup/installation but these manufacturers do not necessarily produce cubicles. Will the state allow manufacturers that produce modular furniture but do not produce cubicles to Bid this category? | <p>Yes. Per the Solicitation Main Document, Section 1.2 Scope, Number 10: " Systems Furniture, includes, but is not limited to:</p> <ol style="list-style-type: none"> <li>a. products and parts to build cubicles and modular office space". Products must be stock items, including fabrics and finishes. Non-stock, customized furniture and/or solutions are not included within the scope of this Solicitation.</li> </ol>  |
| 176        | Solicitation Main Document | Solicitation Main Document 1.2 Scope                    | Category 9. "Specialty Seating". We produce bariatric seating, gang seating, and laboratory stools. We do not produce Big and Tall seating. Would we still be able to Bid this category without being able to provide Big and Tall Seating?   | Yes. Per the Solicitation Main Document, Section 12.2 Scope, Number 9: " Specialty Seating includes, but is not limited to: big and tall seating, bariatric, gang seating (such as that found in public transportation terminals) and laboratory stools". Bidders are not required to submit all possible options within a Category.   |

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| 177        | Solicitation Main Document | Solicitation Main Document 1.2 Scope                              | "Exclusions" Paragraph 2. Does this mean installation being charged for the systems furniture category must be charged off contract?   | Yes. Per the Main Solicitation document, Section 1.2 Scope, NOTES TO BidderS - EXCLUSIONS: "Installation is excluded from the scope of this Solicitation. Installation of products such as systems furniture, high density filing systems, etc. shall be handled by the ordering entity separately from this Solicitation and resultant Contract(s) according to the Purchasing Guidelines and discretionary limits, and shall comply with wage and labor rates, and all state and local codes and public works guidelines, if applicable". |
| 178        | Solicitation Main Document | Solicitation Main Document 1.4 Key Events/Dates                   | Requesting the Closing date for submission be extended to allow adequate time for manufacturers to compile the pricing worksheet adequately and to work with and train subContractors in reporting requirements, completion of forms, and ensure compliance measures are put into place.   | OGS has changed the Bid Opening Date to Tuesday, July 24, 2018. See revised Section 1.4 - Key Events/Dates.   |
| 179        | Solicitation Main Document | Solicitation Main Document 2.2.2 Authorized Reseller Requirements | Paragraph A. States that only Authorized Resellers that are designated to fulfill orders are required to possess a New York State Vendor ID number and work with OGS to enroll in the online vendor self-service application. Paragraph A then states all Resellers must be approved in advance by OGS. Is it the state's intent to have all authorized resellers registered or just the authorized resellers that are designated to fulfill orders? | Per Section 2.2.2 Authorized Resellers All Authorized Resellers chosen to fulfill orders to include, though not limited to, issuing invoices and receiving payments, must be authorized by OGS. If an Authorized Dealer will not take payment, a New York State Vendor Identification number is not required.   |
| 180        | Solicitation Main Document | Solicitation Main Document 2.2.2 Authorized Reseller Requirements | Paragraph B. Should only authorized resellers that are designated to fulfill orders be listed on the URL or should all authorized resellers be listed on the URL with the required information?  | All OGS approved Authorized Resellers should be listed. Per Section 2.2.2 (B) A Bidder/Contractor allowing Authorized Reseller(s) to accept purchase orders and payments directly must provide OGS a URL (universal resource locator) to their website on Attachment 12 – Authorized Reseller List. If the Bidder would like to include URLs for all of their listed Authorized Resellers, that is acceptable.  |
| 181        | Solicitation Main Document | Solicitation Main Document 2.2.2 Authorized Reseller Requirements | Paragraph B. How can a manufacturer submit with Bid, a URL link to their website listing authorized resellers when authorized resellers must be approved by OGS prior to being listed as an authorized reseller? Would it be acceptable to provide OGS this URL after award has been made and authorized resellers have been approved?   | Yes.  |
| 182        | Solicitation Main Document | Solicitation Main Document 5.14 Contractor Requirements           | Section III Paragraph C From EEO 101. Confirming this means all authorized resellers are required to submit form EEO-101-Commodities and Services?   | Yes, the Authorized Reseller is considered a subContractor and is therefore required to submit the EEO 101.   |

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| 183        | Solicitation Main Document | Solicitation Main Document 5.14 Contractor Requirements and                                 | Section IV Contract Goals Paragraph A. Do the goals established by OGS represent a goal that each manufacturer should try and achieve? For example, would we be trying to achieve a goal of 30% MWBE participation? If so, is this a monthly goal, quarterly goal, annual goal? If this is not a per manufacturer goal then what would the goals be per manufacturer that we are trying to achieve?   | The 30% MWBE Goal is an overall contract goal for the duration of the contract term. It is not specific to any one manufacturer.   |
| 184        | Solicitation Main Document | Solicitation Main Document 5.14 Contractor Requirements and                                 | Section V. MWBE Utilization Plan Paragraph C. If only 25% of sums paid to the MWBE authorized reseller represent achievement towards participation goals then how can the goal OGS has set represent an overall sales goal? For example, if we report \$100,000.00 in NYS sales and 100% of that was through an MWBE authorized reseller but the state only recognizes 25% of that attributes as MWBE goal then how can the 30% goal be achieved? Please clarify the math on this.  | Section V. MWBE Utilization Plan paragraph C states C. By entering into the Contract, Bidder/Contractor understands that only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied towards the achievement of the applicable MWBE participation goal. When an MWBE is serving as a broker on the Contract, only 25 percent of all sums paid to a broker shall be deemed to represent the commercially useful function performed by the MWBE. An authorized reseller will only be deemed a broker if they have been certified with NYS Empire State Development as such for the service they are providing on the contract. |
| 185        | Solicitation Main Document | Solicitation Main Document 5.14 Contractor Requirements and                                 | Section V. MWBE Utilization Plan Paragraph C. Please define what the state refers to as "Broker". Is this the MWBE authorized reseller? If so, are they also required to be designated to fulfill the order if the sales are to count toward MWBE participation goals?  | When an Authorized Reseller is being utilized to meet the MWBE Goals, and receives payment directly from the authorized agency or authority, then the sales will count toward MWBE Goal attainment.  |
| 186        | Solicitation Main Document | Solicitation Main Document VIII Monthly MWBE Contractor Compliance Report and MWBE 102 Form | Paragraph B. When an MWBE subContractor is confirming a payment in the NYSCS, would this be for payments they received from the authorized agency when they are fulfilling orders or payments received from the manufacturer as payment for performance under contract? Please note that when a subContractor is fulfilling orders for manufacturers typically the subContractor keeps payment from authorized agency and the manufacturer will then bill the subContractor for the product less the subContractor's commission (this is calculated as additional discount on the subContractor's invoice). | When an Authorized Reseller is being utilized to meet the MWBE Goals, and receives payment directly from the authorized agency or authority, the prime Contractor will be reporting the total sales made by that authorized dealer/reseller on the contract.   |

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| 187        | Solicitation Main Document | Solicitation Main Document VIII Monthly MWBE Contractor Compliance Report and MWBE 102 Form | Paragraph F. What payments specifically is the Contractor reporting here? Is this a payment the subContractor received from the authorized agency under contract or a payment the Contractor has made to the subContractor for participating as the authorized reseller?   | When an Authorized Reseller is being utilized to meet the MWBE Goals, and receives payment directly from the authorized agency or authority, the prime Contractor will be reporting the total sales made by that authorized dealer/reseller on the contract.   |
| 188        | Solicitation Main Document | Solicitation Main Document 2.2 Service Requirements   | Section A states: "...whether orders must be placed directly with Bidder/Contractor, or may be placed directly with Authorized Reseller(s)."<br>Is it possible that both the Contractor and authorized resellers take orders as opposed to either or?  | Yes orders may be placed with Contractor and/or OGS approved Authorized Resellers. The Contractor will designate which resellers may take orders only and which may take orders and payments within Attachment 12 - Authorized Reseller List.  |
| 189        | Solicitation Main Document | Solicitation Main Document 2.2 Service Requirements   | <p>Section 2.2.9 Delivery Condition: "All furniture with the exception of.....shall be delivered fully assembled and ready for use. . No KD furniture shall be accepted unless Contractor's representative is present to assemble it upon receipt. Other exceptions may be made with prior agreement between Contractor and ordering agency".</p> <p>"Important Note: Failure to meet any of the above qualifications in Section 2.....may result in a rejection of the Bid of that Bidder as non-responsive".</p> <p>We are a company that supplies furniture to schools and budget strapped public schools look for ways to preserve budgets but still satisfy needs. Is it possible to offer a % deduct if a school were to agree to a KD delivery as a cost savings measure? The assembly required on this type of furniture is usually quite simple, including attachment of legs and height adjusting, tool-less assembly of teacher chairs, leg attachment on teacher desks, stool attachment on cafeteria tables etc....</p> | No. Per the Main Solicitation document, Section 2.2.9 Delivery Condition: "All furniture with the exception of systems furniture, high density filing, frame type beds where side rails are attached to head and foot boards without the use of tools and dining room tables shall be delivered fully assembled and ready for use. No "KD" furniture shall be accepted unless Contractor's representative is present to assemble it upon receipt. Other exceptions may be made with prior agreement between the Contractor and ordering agency". |

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| 190        | Solicitation Main Document | Solicitation Main Document 5.14 Contractor Requirements and MWBE 100 Form                   | IV. Contract Goals-V. MWBE Utilization Plan- A. - References Form MWBE100- Where can we find this form? Also a 30% goal has been established. Does this mean 30% of orders need to utilize the services of a MWBE company or 30% of order dollar value for a Contractor has to be spent with a certified company? (example- In a years time we sell \$1m on this contract, we have to spend or pay \$300,000 with a MWBE for their services on this contract? Does the MWBE need to be located in NY or does our spend with companies certified in other states count toward the 30% goal? | The MWBE Utilization Plan (form MWBE 100) can be found at <a href="https://ogs.ny.gov/mwbe/Forms.asp">https://ogs.ny.gov/mwbe/Forms.asp</a> . The MWBE goals are on the overall contract spend with NYS agencies and authorities. The 30% MWBE Goal is applicable to that dollar value. In order to get credit towards the MWBE goal the MWBE must be NYS Certified with Empire State Development. |
| 191        | Solicitation Main Document | Solicitation Main Document 5.14 Contractor Requirements and MWBE 100 Form                   | IV. Contract Goals-V. MWBE Utilization Plan- C- References "When a MWBE is serving as a broker...." Can you please define the difference between a "broker" as it is used here and "applicable MWBE participation? If I name a dealer to sell and install from this contract, does the money I pay for their services to perform that function not count 100% toward meeting my goal but rather at 25%?  | An authorized dealer/reseller will only be deemed a broker if they have been certified with NYS Empire State Development as such for the service they are providing on the contract. In such case the prime Contractor will only receive 25% credit toward the MWBE goal.  |
| 192        | Solicitation Main Document | Solicitation Main Document 5.14 Contractor Requirements and BDC 333 Request for Waiver form | VI. Request for Waiver, Section D- " If OGS, upon review....Monthly MWBE Contractor Compliance Reports..." Is there a format or form to be used when sending these reports of MWBE spend on a monthly basis?   | The Contractor Monthly MWBE Payment Reporting (form MWBE 102) can be found at: <a href="https://ogs.ny.gov/mwbe/Forms.asp">https://ogs.ny.gov/mwbe/Forms.asp</a> , however it is highly recommended that these reports be submitted electronically through the New York State Contract system at <a href="https://ny.newnycontracts.com">https://ny.newnycontracts.com</a>                         |
| 193        | Solicitation Main Document | Solicitation Main Document 5.14 Contractor Requirements                                     | VIII Monthly MWBE Contractor Compliance Report, Section D- It is recommended that Contractors sign up for 2 webinars, 1 of which is full. Will there more webinars scheduled before the Bid opening date?  | There will be additional webinars scheduled as they fill up however, the dates are not determined by OGS.  |



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| 194        | Solicitation Main Document | 5.5.1 Products and Pricing Appendix B Section 13 Pricing              | Bid Pricing- Does the contract allow for promos or special pricing to be offered for a time period or for negotiating deeper discounts for large orders as long as the same opportunity be offered under the same conditions? | Yes. Per Appendix B, Section 13 Pricing, Paragraph f, Sections iii and iv: "Where Contractor generally offers more advantageous special price promotions or special discount pricing to other customers during the Contract term for a similar quantity, and the maximum price or discount associated with such offer or promotion is better than the discount or net pricing otherwise available under this Contract, such better price or discount shall apply for similar quantity transactions under this Contract for the life of such general offer or promotion; and<br>Special Offers/Promotions to Authorized Users: Contractor may offer Authorized Users, under either this Contract or any other contracting vehicle, competitive pricing which is lower than the net pricing set forth herein at any time during the Contract term and such lower pricing shall not be applied as a global price reduction under the Contract pursuant to the foregoing paragraph (iii). |
| 195        | Solicitation Main Document | Solicitation Main Document 5.25 Participation Opportunities for SDVOB | 1. Contract Goals- A. "...overall goal of 3% for SDVOB participation..." Is this in addition to the 30% goal for MWBE and if so, the questions posed above would need to be answered as it pertains to the SDVOB Section?     | Yes, the SDVOB goal of 3% is in addition to the MWBE goal of 30%. Please refer to the SDVOB 100 form. The SDVOB 100 Utilization Plan can be found on the SDVOB OGS website, here: <a href="https://ogs.ny.gov/Veterans/default.asp">https://ogs.ny.gov/Veterans/default.asp</a>   |
| 196        | Solicitation Main Document | Solicitation Main Document 2.2.1 Delivery                             | DO we need to show service for tailgate, inside delivery as well as a full install? Can there be a charge per stair level? Does full install mean inside delivery?  | Per the Main Solicitation document, Section 2.2.1 Delivery, Paragraph B: "Inside delivery is intended for essentially free standing furniture when the Authorized User is unable to bring it from the dock to the point of use. It shall consist of removal from truck, bringing to point of use, uncrating, minor assembly (for example: attach hutch to desk or credenza, attach a return, set shelves in bookcase and leveling), removal of debris and leaving ready for use. Inside delivery cannot be applied to installation, such as systems furniture and high density filing, which is not included in the scope of this Solicitation".<br><br>Inside delivery charges will be entered onto Attachment 10 Contact Information and Terms and Conditions as a % of final price; there is no allowance for pricing per each stair level.<br><br>Installation is not included within the Scope of this Solicitation; see Section 1.2 Scope.                                      |
| 197        | Solicitation Main Document | Solicitation Main Document 2.2.2 Authorized Reseller Requirements     | Does a website tab need to be set up for all resellers? Does it need to be on our website or resellers website?   | Per Section 2.2.2 (B) A Bidder/Contractor allowing Authorized Reseller(s) to accept purchase orders and payments directly must provide OGS a URL (universal resource locator) to their website on Attachment 12 – Authorized Reseller List. The listing should be on the Bidder/Contractors website.  |
| 198        | Solicitation Main Document | Solicitation Main Document 2.2.2 Authorized Reseller Requirements     | Will utilizing authorized dealers that are (MWBE) or (SDVOB) suffice the requirement to do business with these entities?  | Please refer to the Instructions for the MWBE 100. The Instructions can be found on the OGS MWBE website here: <a href="https://ogs.ny.gov/BU/DC/Forms/Docs/Excel/EEO101CommoditiesServices_Instructions.pdf">https://ogs.ny.gov/BU/DC/Forms/Docs/Excel/EEO101CommoditiesServices_Instructions.pdf</a> . In order to get credit towards the MWBE goal the MWBE must be NYS Certified with Empire State Development.   |

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| 199        | Solicitation Main Document | Solicitation Main Document 3.3 NYS Vendor File Registration                 | Do authorized dealers need to be register with a NYS Vendor File or just the Contractor?  | Per Section 3.3 New York State Vendor File Registration, Prior to being awarded a Contract pursuant to this Solicitation, the Bidder(s) and any Authorized Reseller(s) who accept payment directly from the State, must be registered in the New York State Vendor File (Vendor File) administered by the Office of the State Comptroller (OSC).   |
| 200        | Solicitation Main Document | Solicitation Main Document 5.12 Report of Contract Usage                    | Is the staffing plan required for authorized dealer and installers if not under union?  | <a href="https://ogs.ny.gov/BU/DC/Forms/Docs/Excel/EEO101CommoditiesServices_Instructions.pdf">The EEO 100 form is required for all Bidders. Please refer to the Instructions for the EEO 100. The Instructions can be found on the OGS MWBE website here: https://ogs.ny.gov/BU/DC/Forms/Docs/Excel/EEO101CommoditiesServices_Instructions.pdf</a>  |
| 201        | Solicitation Main Document | Solicitation Main Document 5.14 MWBE Requirements                           | Is 30% based on total sales in the region or NYS Contract sales. Is it based on Contractor requirement for purchaser requirement?   | The MWBE goals are applicable to all NYS Contract Sales.   |
| 202        | Solicitation Main Document | Solicitation Main Document 5.14 MWBE Requirements                           | Can the utilization plan be to use authorized NY MWBE dealers and installers?   | Yes, however they must be NYS Certified MWBEs.   |
| 203        | Solicitation Main Document | Solicitation Main Document 5.14 MWBE Requirements                           | SDVOB Utilization Plan and the MWBE plan must both equal 30% of total volume sales?   | No, the MWBE Goals are 30% of Contract sales. The SDVOB Goal is 3% of Contract sales   |
| 204        | Solicitation Main Document | Solicitation Main Document 2.1.1 Qualifications                             | Can you confirm, Bidders will only be required to provide proof of one Government Entity contract as long as the contract can satisfy the requirements noted in this Section. | Yes. Per the Main Solicitation document, Section 2.1.1 Bidder Qualification Paragraph E: " A Bidder must have past sales revenue for Furniture products included in Section 1.2 - Scope, in excess of \$400,000.00 annually, for a minimum of three (3) consecutive years immediately prior to the Bid opening date, to one or more Government Entities (GSA, State, Local, BOCES, Governmental Cooperative, etc.) and/or those Authorized Users as defined herein who are eligible to use State contracts (Political Subdivisions, Schools, Not for Profits, etc.). |
| 205        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements MWBE/SDVOSB | Please confirm the MWBE/SDVOSB overall contract goals for participation are based upon the 5 year term of the contract.   | MWBE/SDVOB Goals are for the Contract term, including any extensions.  |

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| 206        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements MWBE/SDVOSB | In the previous State of NY Furniture Solicitation, OGS determined "the contract did not offer opportunity for participation by MWBEs." Contractors still have very few, if any, opportunities to utilize MWBE or SDVOSB businesses. Can the MWBE and SDVOSB participation requirement be removed? | OGS has determined that meaningful participation can be provided by MWBEs/SDVOBs for this Solicitation. OGS declines to make the requested change.   |
| 207        | Solicitation Main Document | Pg. 11, 2.1.1 Bidder Qualification Letter D #1                              | Will a single page contract summary with all required information be acceptable?   | No. Per the Solicitation Main Document, 2.1.1 Bidder Qualifications, Paragraph D, Sentence 1: "1. Proof shall be provided in the form of a current active contract, to include: contract number and description, contract term dates, copy of current contract pricelist, including, at a minimum, the Item Number, Item Description, List Price, Discount Percentage and Net Price; contact name, telephone number and e-mail address of the contracting entities' contract administrator".   |
| 208        | Solicitation Main Document | Solicitation Main Document 2.1.1 Bidder Qualifications                      | Will the State accept a copy of our current discount matrix which outlines product categories offered, product series, list pricing, discount tiers and discounts by product category?   | No. Per the Solicitation Main Document, 2.1.1 Bidder Qualifications, Paragraph D, Sentence 1: "1. Proof shall be provided in the form of a current active contract, to include: contract number and description, contract term dates, copy of current contract pricelist, including, at a minimum, the Item Number, Item Description, List Price, Discount Percentage and Net Price; contact name, telephone number and e-mail address of the contracting entities' contract administrator".   |
| 209        | Solicitation Main Document | Solicitation Main Document 2.1.1 Bidder Qualifications                      | Can we provide a copy of the latest contract renewal modification/amendment?   | No. Per the Solicitation Main Document, 2.1.1 Bidder Qualifications, Paragraph D, Sentence 1: "1. Proof shall be provided in the form of a current active contract, to include: contract number and description, contract term dates, copy of current contract pricelist, including, at a minimum, the Item Number, Item Description, List Price, Discount Percentage and Net Price; contact name, telephone number and e-mail address of the contracting entities' contract administrator". A Bidder may submit documents for Award 22398, Furniture, in their Bid submission packet. |
| 210        | Solicitation Main Document | Solicitation Main Document Section 4.1 Method of Award                      | Please confirm the pricing comparison to other Government Entities (which "shall be equal to or better than") is limited to Government Entities buying the same product mix, quantity, and under the same terms and conditions.  | Per Section 4.1-Method of Award, Pricing shall be a discount from Manufacturer's list price, and shall be equal to or better than any other offered to another Government Entity for the same type of products. OGS is not comparing other contract terms and conditions for purposes of the reasonableness of price determination.  |
| 211        | Solicitation Main Document | Solicitation Main Document, Section 5.14 Contractor Requirements            | Are we required to submit a form EEO 100 with the Bid response? Does this apply to the Bidder only and not the re-sellers?   | The EEO 100 form is required of the Bidder only, at time of Bid submission.  |
| 212        | Solicitation Main Document | Solicitation Main Document, Section 5.14 Contractor Requirements            | MWBE Utilization Plan letter A – are we required to submit a utilization plan on form MWBE 100 with the Bid response?  | Yes. Bidders are required to submit an MWBE Utilization Plan on form MWBE 100 at time of Bid submission.   |

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| 213        | Solicitation Main Document | Solicitation Main Document, Section 5.14 Contractor Requirements  | Will the state remove the MWBE reporting requirement as it is the same information already provided in the Sales Usage report?  | No, where MWBE goals have been established, the Contractor is required to provide monthly MWBE Compliance reports by the 10th of each month for the duration of the contract. OGS declines to make the requested change. |
| 214        | Solicitation Main Document | Solicitation Main Document, Section 5.25 Participation Opportunities For New York State Certified Service-Disabled Veteran-Owned Businesses | Are we required to submit form SDVOB 100 with the Bid response?   | Yes. Per Section 5.25 Bidders are required to submit a completed SDVOB Utilization Plan on Form SDVOB 100 with their Bid.  |
| 215        | Solicitation Main Document | Solicitation Main Document, Section 5.25 Participation Opportunities For New York State Certified Service-Disabled Veteran-Owned Businesses | Will the state remove the SDVOB reporting requirement as it is the same information already provided in the Sales Usage report.   | No, the SDVOB reporting requirement is in addition to the sales usage reporting requirement. OGS declines to make the requested change.  |
| 216        | Solicitation Main Document | Solicitation Main Document, Section 5.25 Participation Opportunities For New York State Certified Service-Disabled Veteran-Owned Businesses | Please confirm the contract holder will have a reasonable opportunity to resolve any issues should OGS determine that the Contractor is not in compliance with the contract prior to requiring payment of liquidated damages or breach. | In accordance with Section 5.25(II)(D), a Contractor would have an opportunity to be heard in the event a deficiency was noted.  |

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|------------|----------------------------|--|--|---|
| 217        | Solicitation Main Document | Solicitation Main Document Section 2.2.9 Delivery Condition                                  | "All furniture...shall be delivered fully assembled and ready for use." We are a New York State manufacturer and have held a NYS Contract for the past 15 years. In the past, occasionally have been directed, by our dealers and at the request of the ordering agency, to deliver our products directly to the ordering agency via UPS in KD condition, requiring minimal assembly. There has not been a fee for this type of delivery. Will we now have to either ship fully assembled (requiring oversize boxes and/or pallets) or deliver to a re-seller for fee-based assembly and delivery? | Per Section 2.2.9- Delivery Condition, No "KD" furniture shall be accepted unless Contractor's representative is present to assemble it upon receipt. Other exceptions may be made with prior agreement between the Contractor and ordering agency.   |
| 218        | Solicitation Main Document | Solicitation Main Document 2.2.2 Authorized Reseller Requirements                            | The previous contract used the term "dealers" and not resellers. We have distributed our products through multiple New York State furniture dealers in the past but have neither allowed them to invoice the State agencies nor receive payment from them. As a New York Manufacturer, will we need to register all of these dealers as "resellers" regardless of their minority status, and, if they do possess minority status, must we allow them to take orders, ship direct and accept payment?   | Per Section 2.2.2- Authorized Resellers, Bidders should submit with their Bid a listing of Authorized Reseller(s) chosen to fulfill orders, and/or payments under this Solicitation and subsequent Award, within Attachment 12 - - Authorized Reseller List, and note whether the Authorized Reseller is a Minority or Women Owned Business Enterprise (MWBE), a Service-disabled Veteran Owned Business (SDVOB), or a New York State Small Business (SB). Should the Bidder allow the Authorized Reseller to take orders, ship direct, or accept payments, they must note such within the Attachment. All Authorized Resellers chosen to fulfill orders to include, though not limited to, issuing invoices and receiving payments, must be authorized by OGS.<br>Bidders/Contractors are not required to allow Resellers to accept Purchase Orders and direct payment. Per Section 3.3 New York State Vendor File, Authorized Reseller(s) who accept payment directly from the State, must be registered in the New York State Vendor File (Vendor File) administered by the Office of the State Comptroller (OSC). |
| 219        | Solicitation Main Document | Solicitation Main Document Section 1.6 MWBE and SDVOB Interest in Participating with Bidders | Per the instructions, we sent an email to the address listed before the required time. The message listed the content requested. This was returned to us, requesting us to submit for the Bid opening which we will do. We checked the Contract Reporter but have not found a change to Section 1.6  | This Solicitation is for Furniture, All Types (except Hospital Room and Patient Handling)<br>Email from companies interested in working with potential Bidders, that offer products related to this Solicitation, were accepted. Emails containing a description of products not related to the Scope of this Solicitation were returned.   |
| 220        | Solicitation Main Document | Attachment 5 - Category Matrix   | For School Furniture, will you include mobile/folding stages, risers, choral risers, portable platforms, etc. as a part of the scope?  | No, these items are out of scope for this Solicitation.   |

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| 221        | Solicitation Main Document | Solicitation Main Document<br>2.1.1 Bidder Qualifications<br>Section E | I am interested in Bidding on this contract. My company can provide great value to the State by offering products that are 2.5 times cheaper than our competitors. We offer a 10 year warranty on all of our products. However, presently we do not meet the past performance/sales requirements. We would like to know whether the State would consider accepting a performance bond from our company in place of the past performance requirements? | No. Failure to meet qualifications within Section 2 – Bidder Qualifications and Service Requirements, in whole or in part, may result in a rejection of the Bid of that Bidder as non-responsive.  |
| 222        | Solicitation Main Document | Main Solicitation Document<br>2.2.1 Delivery                           | Can it please be made explicitly clear (I thought it was on the current contract, but we got pushback from the agencies) that inside delivery does NOT include installation of items such as keyboard trays, monitor arms, CPU Holders, etc. that need to be attached to desks/worksurfaces? Installation of these items could take up to 30 minutes each and should be a chargeable item.  | Per Section 2.2.1 Delivery, Paragraph B: "Inside delivery is intended for essentially free standing furniture when the Authorized User is unable to bring it from the dock to the point of use. It shall consist of removal from truck, bringing to point of use, uncrating, minor assembly (for example: attach hutch to desk or credenza, attach a return, set shelves in bookcase and leveling), removal of debris and leaving ready for use. Inside delivery cannot be applied to installation, such as systems furniture and high density filing, which is not included in the scope of this Solicitation". OGS declines to make the requested change.  |
| 223        | Solicitation Main Document | Solicitation Main Document Section<br>4.1 Method of Award              | Please confirm the pricing comparison to other Government Entities (which "shall be equal to or better than") is limited to Government Entities buying the same product mix, quantity, and under the terms and conditions.  | Per Section 4.1-Method of Award, Pricing shall be a discount from Manufacturer's list price, and shall be equal to or better than any other offered to another Government Entity for the same type of products. OGS is not comparing other contract terms and conditions for purposes of the reasonableness of price determination.  |
| 224        | Solicitation Main Document | Solicitation Main Document<br>2.2.1 Delivery<br>Section A              | This point says the Bid is for inside delivery, but there are other places that say that the Bid is for FOB Destination or in another it calls for installation. What are the exact requirements for delivery to know how to do discounting.  | <p>Per Section 2.2.1 (B) Delivery, Inside delivery is intended for essentially free standing furniture when the Authorized User is unable to bring it from the dock to the point of use. It shall consist of removal from truck, bringing to point of use, uncrating, minor assembly (for example: attach hutch to desk or credenza, attach a return, set shelves in bookcase and leveling), removal of debris and leaving ready for use. Inside delivery cannot be applied to installation, such as systems furniture and high density filing, which is not included in the scope of this Solicitation.</p> <p>The inside delivery fee may not be used to assemble furniture shipped KD ("Knocked Down"). (See Section 2.2.9 - Delivery Condition).</p> <p>Per Section 2.2.1 Delivery (D), Price shall include all customs duties and charges and be net, F.O.B. destination any point in New York State, as designated by the ordering agency including dock delivery and tailgating of load, which means bringing the truck to the loading dock or loading area and bringing the load to the tailgate of the truck for agency personnel to remove the load without entering the truck. In addition, upon mutual agreement, delivery locations may be expanded per the "Extension of Use" clause".</p> <p>Per Section 1.2 Scope, Installation is excluded from the scope of this Solicitation.</p> |

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| 225        | Solicitation Main Document | Solicitation Main Document 5.11 Insurance Requirements and Attachment 4 Insurance Requirements                            | Under point 3 Workers' Compensation Insurance and Disability Requirements does a manufacturer need to have Workers' Compensation Insurance or Disability Benefits Requirements if it does not have any workers in the state of New York. Our installing dealers have that insurance as they have workers in the State of New York.                    | Yes. If the subContractors are in NYS then, yes, the Contractor (entity receiving the contract) would need NYS workers' compensation insurance however they would be exempt from NYS disability benefits insurance as they are only using subContractors.  |
| 226        | Solicitation Main Document | Solicitation Main Document Section 1.2 Scope Point 2 Page 7 Is actually Solicitation Main Document Section 2.2.1 Delivery | Is there no way to provide separate tailgate/drop ship discounting for items such as chairs when the end user does not want delivery and installation?  | Per Section 1.2 Scope, Installation is excluded from the scope of this Solicitation. Installation of products such as systems furniture, high density filing systems, etc. shall be handled by the ordering entity separately from this Solicitation and resultant Contract(s) according to the Purchasing Guidelines and discretionary limits, and shall comply with wage and labor rates, and all state and local codes and public works guidelines, if applicable.<br>Per Section 2.2.1 Delivery (D), Price shall include all customs duties and charges and be net, F.O.B. destination any point in New York State, as designated by the ordering agency including dock delivery and tailgating of load, which means bringing the truck to the loading dock or loading area and bringing the load to the tailgate of the truck for agency personnel to remove the load without entering the truck. In addition, upon mutual agreement, delivery locations may be expanded per the "Extension of Use" clause. |
| 227        | Solicitation Main Document | Main Solicitation Document Section 4.1 Method of Award 4.1  | Since discounting must be equal or better than existing State/GSA will this not violate a company's existing GSA contract which must be the lowest discounting available?   | Per the Solicitation Main Document Section 4.1 Method of Award: "Pricing shall be a discount from Manufacturer's list price, and shall be equal to or better than any other offered to another Government Entity for the same type of products".<br>If a Bidder is unable to provide better than (GSA) pricing due to contractual agreement, they are expected to provide equal to pricing.  |
| 228        | Solicitation Main Document | Solicitation Main Document 2.2.2 Authorized Reseller Requirements   | Must we have a special URL on our website with the Authorized Re-seller (dealer) list?  | No. The Bidders/Contractors currently used URL is acceptable, however, as per Section 2.2.2 a Bidder/Contractor allowing Authorized Reseller(s) to accept purchase orders and payments directly must provide OGS a URL (universal resource locator) to their website on Attachment 12 -- Authorized Reseller List, and the website must have a tab, which provides contact information for the New York State Reseller(s).   |
| 229        | Solicitation Main Document | Solicitation Main Document Section 2.2.9 Delivery Condition   | It is stated that no KD furniture shall be accepted unless there is contract rep present to assemble upon receipt. What about products that are partially assembled out of the box and take a minimal amount of assembly for the end user to do or does this mean all furniture for all NYS contract jobs must be shipped with pre-assembled product? | Per Section 2.2.9- Delivery Condition, No "KD" furniture shall be accepted unless Contractor's representative is present to assemble it upon receipt. Other exceptions may be made with prior agreement between the Contractor and ordering agency.  |

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| 230        | Solicitation Main Document | Solicitation Main Document 2.1.1 Bidder Qualifications, Section E Paragraph 2      | The \$400,000 annually for a minimum of 3,consecutive years is a very hard number to hit for small companies and maintain. Can this be eliminated or is there another way a small company can show its viability especially with having a GSA schedule and several state contracts?             | No. Per Section 2.1.1- Bidder Qualifications, Bidder must have past sales revenue for Furniture products included in Section 1.2 - Scope, in excess of \$400,000.00 annually, for a minimum of three (3) consecutive years immediately prior to the Bid opening date, to one or more Government Entities (GSA, State, Local, BOCES, Governmental Cooperative, etc.) and/or those Authorized Users as defined herein who are eligible to use State contracts (Political Subdivisions, Schools, Not for Profits, etc.). OGS declines the requested change. |
| 231        | Solicitation Main Document | Solicitation Main Document 5.5.3 Volume Discounts                                  | Paragraph 2 states: Any restocking fees must be included within Attachment 10 as a percentage (%) of the net price. I do not see a field to enter the restocking fee on Attachment 10.  | Attachment 10 Contact Information and Terms and Conditions has been revised to include a line for Bidders to enter restocking fees as a percentage of net price.   |
| 232        | Solicitation Main Document | Solicitation Main Document 3.10 Format and Content of Bid Submission               | Proof of Past Sales Revenue - What information are you seeking for this document? All Sales? What time period should be used?   | Per Section 2.1.1- Bidder Qualifications, Bidder must have past sales revenue for Furniture products included in Section 1.2 - Scope, in excess of \$400,000.00 annually, for a minimum of three (3) consecutive years immediately prior to the Bid opening date, to one or more Government Entities (GSA, State, Local, BOCES, Governmental Cooperative, etc.) and/or those Authorized Users as defined herein who are eligible to use State contracts (Political Subdivisions, Schools, Not for Profits, etc.).  |
| 233        | Solicitation Main Document | Solicitation Main Document 3.10 Format and Content of Bid Submission               | Define the required manufacturer's certificate listed with letter m. Is this form ST-220-TD? If not, provide clarification.   | OGS has posted Attachment 14 Manufacturer's Certificate on the OGS website for Bidders use.  |
| 234        | Solicitation Main Document | Solicitation Main Document 5.5 Bid Pricing Information                             | "Due to the nature of the furniture items being highly customizable with colors and finishes and the option for customers to want something that is not included in the finishes/fabric grade choices we submit with this proposal, how do we accommodate this "Custom" aspect in our proposal? | Each item/offering must be listed as a separate line item. See Section 5.5 Bid Pricing Information. Bidders may choose to submit offerings under as many of the 10 Furniture Categories as they choose. Bidders are not required to submit their entire catalog of available products for each Category, and may choose a selection of items vs. an entire catalog of offerings if they prefer. Post-Award, Contractors may add and delete items per Section 5.7 Price Adjustments.  |
| 235        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements III.C Form EEO 101 | Please clarify this form. Our factory is located outside of NY State and all employees are located outside of NY State. We are a manufacturer of furniture. Would this form only be applicable to subcontracted Services/Installation that is performed within the State of NY.                 | The EEO 101 is the required reporting of prime Contractors and subContractors with NYS workforce. If you do not have any workforce in NYS being utilized on the contract then you are not required to submit this form. Per Section 1.2 Installation is excluded from this Solicitation.   |
| 236        | Solicitation Main Document | Solicitation Main Document 2.2.2 Authorized Reseller Requirements                  | Please clarify if an Authorized Reseller is required on this contract. We are a Manufacturer of furniture outside the state of NY and do not currently work with Authorized Resellers within the State of NY.   | No. A Bidder/Contractor's use of Authorized Resellers is not required. See Section 2.2.2 for additional information.   |



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| 237        | Solicitation Main Document | Solicitation Main Document 5.14 MWBE Requirements   | Please clarify additional information on the Waiver form for this contract for MWBE/MBE for Manufacturers of furniture outside the state of NY who do not utilize Authorized Resellers within the state of NY.  | Where MWBE goals have been established, Bidder/Contractor must document "good faith effort" to provide meaningful participation by MWBEs as subContractors or suppliers in the performance of the contract. Required documentation is provided on the waiver application. A request for Waiver ( Form BDC 333) can be obtained at: <a href="https://ogs.ny.gov/mwbe/Forms.asp">https://ogs.ny.gov/mwbe/Forms.asp</a> .  |
| 238        | Solicitation Main Document | Solicitation Main Document Section 5.25 Participation Opportunities for New York State Certified Service-Disabled Veteran-Owned Businesses 5.25 | Please clarify additional information on the Waiver form for this contract for Certified Service-Disabled Veteran-Owned Businesses for Manufacturers of furniture outside the state of NY who do not utilize Authorized Resellers within the state of NY.   | Please refer to New York Codes, Rules and Regulations 9 NYCRR § 252.2(m) and (n): <a href="https://govt.westlaw.com/nycrr/Document/Ie8529745221211e4a6bf0000845b8d3e?viewType=FullText&amp;originContext=documenttoc&amp;transitionType=CategoryPageItem&amp;contextData=(sc.Default)&amp;bhcp=1">https://govt.westlaw.com/nycrr/Document/Ie8529745221211e4a6bf0000845b8d3e?viewType=FullText&amp;originContext=documenttoc&amp;transitionType=CategoryPageItem&amp;contextData=(sc.Default)&amp;bhcp=1</a>   |
| 239        | Solicitation Main Document | Solicitation Main Document 2.2.1 Delivery and 2.2.9 Delivery Condition  | In 2.2.9, you request that all furniture be assembled and no "KD" furniture shall be accepted unless Contractor's rep is present to assemble upon receipt. However, the prior award for Bush furniture was given to a dealer who sold it KD, without assembly. Does that mean you will accept Bush furniture as generally sold (RTA / KD) and we should price it as such with inside delivery or installation quoted separately with the ordering agency? Or should we quote all as assembled on site only? | Per the Main Solicitation document, Section 2.2.9 Delivery Condition: "All furniture with the exception of systems furniture, high density filing, frame type beds where side rails are attached to head and foot boards without the use of tools and dining room tables shall be delivered fully assembled and ready for use. No "KD" furniture shall be accepted unless Contractor's representative is present to assemble it upon receipt. Other exceptions may be made with prior agreement between the Contractor and ordering agency".              |
| 240        | Solicitation Main Document | Solicitation Main Document Section 2.1.1 Bidder Qualifications  | Proof of past sales revenue in the form of a summary- does this have to be a line item sales report showing all model numbers, or can it be a casegoods vs. Seating? Or Is it acceptable to provide sales summary by purchase order? (a line item report would be a massive report)   | Per Section 2.1.1- Bidder Qualifications, required proof of past sales revenue will be in the form of a summary (Proof of Past Sales Revenue – in Excel format) of the annual total sales reported under a current or previous Government Entity contract(s) and contain, at a minimum, the Contract Number the sale(s) were made under, the Government Entity name, product item number and description, date of sale, list price, discount percentage, and net sale amount. Bidders may use past sales revenue for the Furniture Product Categories Bid |

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| 241        | Solicitation Main Document | Solicitation Main Document Section 2.2.2 Authorized Resellers    | B. The 2nd paragraph states that if a Contractor allows their authorized resellers to accept POs and payments directly then the Contractor must provide OGS with a URL to their website to provide contact information for the NYS reseller, including the FEIN number and NYS vendor id. We have no concern listing the dealers name, address and phone number. For security purposes, we respectfully request that the state remove the requirement to list the FEIN number and NYS vendor id at our website since it's our understanding that the vendor id will be posted at the OGS website already. | OGS has removed the requirement for Contractors to provide a URL to their website to provide contract information for the NYS reseller, including the FEIN number and NYS vendor id. Please see revised Section 2.2.2.   |
| 242        | Solicitation Main Document | Solicitation Main Document 2.2.6 flammability                    | Part B states that the upholstered products should meet the requirements of TB117 Section A Part I and Section D Part III. This is referencing the old TB117 standard which is different than the new TB117-2013 standard. We request that the new standard be observed as acceptable.  | Yes. All references should be to TB117-2013 as opposed to TB 117. Solicitation has been updated.   |
| 243        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements  | Is it a requirement that an EEO 100 be completed & submitted for each dealer/reseller with the Bid?   | <a href="#">No. Per Sections 5.14.V.A and 5.25.II.A of the Solicitation document, only the Bidder should submit the MWBE 100 and SDVOB 100 forms. Please refer to the Instructions for the MWBE 100. The Instructions can be found on the OGS MWBE website here: <a href="https://ogs.ny.gov/BU/DC/Forms/Docs/Excel/EEO101CommoditiesServices_Instructions.pdf">https://ogs.ny.gov/BU/DC/Forms/Docs/Excel/EEO101CommoditiesServices_Instructions.pdf</a> and please refer to the SDVOB OGS Website at: <a href="https://ogs.ny.gov/Veterans/default.asp">https://ogs.ny.gov/Veterans/default.asp</a></a> |
| 244        | Solicitation Main Document | Solicitation Main Document 1.4 Key Events/Dates                  | Will the state consider extending the Closing Date for Submitting Questions to OGS?   | OGS declines the requested change.   |
| 245        | Solicitation Main Document | Solicitation Main Document 2.1.1 Bidder Qualifications Section E | Will past State of New York Furniture Contract sales satisfy the "Proof of Past Sales Revenue" requirement, if those sales exceed \$400,000 annually for a minimum of 3 consecutive years?  | Yes. Proof of past sales from the OGS Furniture Contract Award #22398 will be accepted with regard to Section 2.2.1, E.-Bidder Qualifications/Proof of Past Sales Revenue. Proof should be submitted with the Bidder's Bid, as per this Section, and Section 3.10-Format and Content of Bid Submission.  |
| 246        | Solicitation Main Document | Solicitation Main Document Section 2.2.2 Authorized Resellers    | In regards "...must provide OGS a URL to their website on Attachment 12 -... is the website referenced the individual reseller or the manufacturer's (contract holder's) website?   | The website referenced is the Bidder/Contractor's website, and contains contact information for the Authorized Reseller(s), as specified in Section 2.2.2.B  |

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| 247        | Solicitation Main Document | Solicitation Main Document Section 2.1.1 Bidder Qualifications    | Can this information be provided electronically on the CD or flash drive only or do you need it in paper format as well?  | A Bidder will submit their Bid Submission packet in accordance with the instruction in Section 3.10 Format and Content of Bid Submission.  |
| 248        | Solicitation Main Document | Solicitation Main Document Section 2.1.1 Bidder Qualifications    | If we currently hold a State of NY contract, do you want us to provide sales volume information from that contract in addition to another comparable contract?  | That is acceptable. The requirement in Section 2.1.1.E of the Solicitation document is to show a minimum of \$400,000 in sales in each of the 3 years preceding the Bid opening date. This may come from a contract with the State of New York, other contracts, or a combination thereof.   |
| 249        | Solicitation Main Document | Solicitation Main Document Section 2.2.4 Finishes pg 13, 2.2.4    | We offer custom finishes as well as our standard line of finishes. Is the customer able to purchase a custom finish if warranted as part of this contract?  | Yes, as long as the finishes adhere to the standards established in Section 2.2.4 of the Solicitation document, and the line item for this option is listed within Attachment 1 Pricing. As per Section 5.5 Bid Pricing, only products/options listed within Attachment 1 Pricing will be allowed for sale under the Contract Award. |
| 250        | Solicitation Main Document | Solicitation Main Document, Section 5.14 Contractor Requirements  | Please clarify based on the following statement from the Solicitation if only the Contractor needs to submit a completed EEO100 form with the Bid or if subContractor forms must be included as well with the Bid submission. "The Contractor shall submit, and shall require each of its subContractors to submit, a Form EEO-101-Commodities and Services to OGS to report the actual workforce utilized in the performance of the Contract by the specified categories listed including ethnic background, gender, and Federal occupational categories." | The EEO 100 form is required of the Bidder only at time of Bid submission. The EEO 101 form is a different form that is required of Contractors and their subContractors after contract award  |
| 251        | Solicitation Main Document | Solicitation Main Document 2.1.1 Bidder Qualifications, Section E | Are proof of sales required to be submitted with the Bid or can they be provided upon request within 3 business days?   | Per Section 3.10 Format and Content of Bid Submission, a complete Bid consists of all items listed. Bidders should submit all requested information with their Bid.  |
| 252        | Solicitation Main Document | Solicitation Main Document 2.1 Qualifications Paragraph E         | In regards to the past sales revenue requirement, we have multi million dollars in commercial sales and hold a GSA contract however we are not able to meet the sales in excess of \$400,000 annually specifically to government entities for 3 consecutive years. Are we able to get this requirement waived?  | No. OGS declines to waive this Solicitation requirement.   |

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| 253        | Solicitation Main Document | Solicitation Main Document 2.1.1 Bidder Qualifications, Section E              | If we currently hold the NY State contract do we still have to provide a sales summary? Per the "note to Bidders: OGS reserves the right to waive any or all of the requirements pertaining to Past Sales...." ?  | OGS's right to waive the requirements is at OGS's discretion only. Per Section 3.10 Format and Content of Bid Submission, a complete Bid consists of all items listed. Bidders should submit all requested information with their Bid.   |
| 254        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements                | Since we are an OUT OF STATE manufacturer are we exempt from this?  | No, all Bidders/Contractors must comply with all requirements within the Solicitation to be considered for Contract Award.   |
| 255        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements                | Can we provide a signed letter stating that we do not have any employees in the State of New York?  | No, all Bidders/Contractors must comply with all requirements within the Solicitation to be considered for Contract Award.   |
| 256        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements EEO/MWBE/SDVOB | I am unclear on how we can effectively participate when we are an out of State manufacturer? We will include MWBE/SDVOB Dealers but it will be up to the agencies to utilize them. If we receive a waiver, does that eliminate having to fill out the reporting to those divisions? | The MWBE/SDVOB Goals are applicable to all Bidders/Contractors. The utilization of NYS Certified MWBE/SDVOB dealers is an acceptable means of utilizing MWBE/SDVOB to meet the applicable participation goals. Where MWBE/SDVOB waiver is approved, no reporting is required.  |
| 257        | Solicitation Main Document | Solicitation Main Document 2.1.1 Bidder Qualifications, Section D Paragraph 1  | If we provide links to our current contracts in Attachment 5 -will that fulfill this request or do we also need to create a spreadsheet that summarizes the contracts we currently hold   | No. Per Section 2.1.1 Bidder Qualifications and Service Requirements (D).<br>1. Proof shall be provided in the form of a current active contract, to include: contract number and description, contract term dates, copy of current contract pricelist, including, at a minimum, the Item Number, Item Description, List Price, Discount Percentage and Net Price; contact name, telephone number and e-mail address of the contracting entities' contract administrator.<br>2. Bidder shall submit such proof of currently held Government Entity contract with the Bid. If proof is not submitted with the Bid, Bidder must provide within three (3) business days of request by OGS, (via electronic mail is acceptable). |

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| 258        | Solicitation Main Document | Solicitation Main Document 4.1 Method of Award and 2.1.1 Qualifications     | In Section 4.1 it states "Bidder must provide copies of their current price lists with other Government Entities indicating the discount percentage as per Section 2.1 Qualifications." Within Section 2.1.1 letter D it references "at least one Government Entity contract." Please confirm with the Bid response, Bidders will only be required to provide proof of one Government Entity contract as long as the contract can satisfy the requirements noted in this Section. | Yes, Bidders need only provide proof of one Government Entity contract as indicated in Section 2.1.1.D. However, if Bidder has contracts with multiple Government Entities, Bidder should submit price list information for each Government Entity with which Bidder has a contract, to satisfy Section 4.1. |
| 259        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements MWBE/SDVOSB | Please confirm the MWBE/SDVOSB overall contract goals for participation are based upon the 5 year term of the contract.   | Both the MWBE and SDVOB goals are for the term of the Contract Award, including any extensions.  |
| 260        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements MWBE/SDVOSB | In the previous State of NY Furniture Solicitation, OGS determined "the contract did not offer opportunity for participation by MWBEs." Based off of the past contract participation Contractors still have not experienced significant opportunity for MWBE or SDVOSB participation. Please remove the MWBE and SDVOSB participation requirements or make these requirements optional.   | OGS has determined that meaningful participation can be provided by MWBEs/SDVOBs for this Solicitation. All requirements must be met to be considered for award. OGS declines to make the requested change.  |
| 261        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements MWBE/SDVOSB | Can we utilize federally certified MWBE/SDVOSB to reach the participation goals as well as NYS certified?   | Only New York State Certified MWBE/SDVOBs can be used to reach the applicable participation goal.  |
| 262        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications                | Can the Bidder use their current State of New York Furniture contract to satisfy this requirement?  | Yes, the current State of New York furniture contract is an acceptable example of a current government contract.   |

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| 263        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | Our contract documents include this detail over a number of modifications, Bid response items, etc. to make this easier to evaluate, please confirm creation of a one page document listing the contract number and description, contract term dates, name/date of current contract pricelist, discount matrix and contact information for the Contracting Officer would satisfy this requirement. | No. Per Section 2.1.1, all information must be submitted as detailed.  |
| 264        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | For a large number of our contracts we hold with cooperatives, GSA, etc. we offer hundreds of models, therefore we do not have the Net price. Will the state accept a copy of our current discount matrix which outlines product categories offered, product series, list pricing, discount tiers and discounts by product category?   | Yes, this information would satisfy Solicitation Main Document Section 2.1.1. Bidder Qualifications Paragraph D  |
| 265        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | For this requirement, can we provide a copy of the latest contract renewal document? What is the minimum documentation we must provide?  | No. Per Section 2.1.1, all information should be submitted as detailed.  |
| 266        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | If a Bidder does not provide proof with the Bid document and chooses to provide after requested, please confirm the Bidder will not be disqualified.   | Per Section 4.1 Method of Award, Bids will be reviewed to ensure that the Bidder has provided all required Attachments, completed in full, and in original hard copy, where requested. Failure by a Bidder to provide properly completed required documents and/or Attachments may result in their Bid being deemed non-responsive and denied further consideration for award. NOTE TO BidderS: OGS reserves the right to give first consideration to Bids which are substantially complete over those that are not, and to make awards on a rolling or staggered start basis, as per Section 3.15 - New York State Reserved Rights, as deemed necessary and determined solely by OGS Procurement. |
| 267        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | Can the Bidder provide the sales revenue for the State of New York furniture contract if the Bidder currently holds the contract?  | Yes, sales revenue from OGS Contract Award 22398 is acceptable as part of the past revenue requirement.  |
| 268        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | Please confirm you are only requiring the Bidder to provide one year of sales for a period prior to the Bid close date. For example, to satisfy this requirement we can provide sales from May 1, 2017 – May 1, 2018.  | No. Per Section 2.1.1 E: A Bidder must have past sales revenue for Furniture products included in Section 1.2 - Scope, in excess of \$400,000.00 annually, for a minimum of three (3) consecutive years immediately prior to the Bid opening date.   |

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| 269        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | Please confirm: if a Bidder has over \$1.2 million in sales for a one year term on a contract, we can provide only one years worth of sales information.   | No. Per Section 2.1.1 E: A Bidder must have past sales revenue for Furniture products included in Section 1.2 - Scope, in excess of \$400,000.00 annually, for a minimum of three (3) consecutive years immediately prior to the Bid opening date.   |
| 270        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | Providing line item detail at the model level for potentially 3 years' worth of sales data is extremely cumbersome and the data is most likely subject to FOIA. While this information may not be proprietary to the State, it is to manufacturers. Would you allow us to provide this information at the product category level instead of at the product item level (model level) detail? If we provide this detail at the product category level, Bidders would be required to submit a summary of total net sales by product category. We could also submit the discount matrix and a listing of the government entities who purchased the products over the report timeframe. | Per Section 2.1, Required proof of past sales revenue will be in the form of a summary (Proof of Past Sales Revenue – in Excel format) of the annual total sales reported under a current or previous Government Entity contract(s) (GSA contract(s), State contract, Local Governmental Entity contract(s), BOCES contract(s), Governmental Cooperative contract(s), etc.) and contain, at a minimum, the Contract Number the sale(s) were made under, the Government Entity name, product item number and description, date of sale, list price, discount percentage, and net sale amount. Bidders may use past sales revenue for the Furniture Product Categories Bid (see Attachment 5 – Category Matrix). "In accordance with Appendix B, Section 6, if Bidder intends to seek an exemption from disclosure under the Freedom of Information Law, any confidential, trade secret or proprietary information may be marked accordingly." |
| 271        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | Within this Section, it notes we must include "Item Number," "Item Description," and "Net Price." Our contracts do not include this level of detail. To provide this would be cumbersome, as we do not have this information readily available due to the customization options of all of our models, which can create millions of different line items. Please confirm: if the government entity contract we are using to satisfy the requirements in this Section does not include this information, we do not have to provide it to the State in response to this Bid.  | Per Section 2.1, Required proof of past sales revenue will be in the form of a summary (Proof of Past Sales Revenue – in Excel format) of the annual total sales reported under a current or previous Government Entity contract(s) (GSA contract(s), State contract, Local Governmental Entity contract(s), BOCES contract(s), Governmental Cooperative contract(s), etc.) and contain, at a minimum, the Contract Number the sale(s) were made under, the Government Entity name, product item number and description, date of sale, list price, discount percentage, and net sale amount. Bidders may use past sales revenue for the Furniture Product Categories Bid (see Attachment 5 – Category Matrix).   |
| 272        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | When providing proof of the terms of the government contract, this Section includes a requirement to provide the "Net Price." Our contracts are not "Net Priced"; we provide the government entity a copy of our list price and provide a discount matrix. Please confirm providing a copy of the current list price and the discount matrix will satisfy this requirement.  | No. Per Section 2.1.1, all information should be submitted as detailed.  |

| Question # | Solicitation Document Name | Document Section (Number & Name)   | Question   | OGS Response to Bidder Questions   |
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| 273        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications Page 11, 2.1.1 Bidder Qualification | When providing proof of the terms of the government contract, this Section includes a requirement to provide "List Price." Please confirm the Bidder can document the name/date of the current list pricer in effect for the government contract, and that the State does not require an actual copy of the list pricer. Our list pricer is extensive and is a large electronic/hard copy file. If an electronic file is required, would the State want this on a separate electronic media? | Per the Solicitation Main Document, Section 2.1.1 D: "Proof shall be provided in the form of a current active contract, to include: contract number and description, contract term dates, copy of current contract pricelist, including, at a minimum, the Item Number, Item Description, List Price, Discount Percentage and Net Price; contact name, telephone number and e-mail address of the contracting entities' contract administrator." The actual contract and/or pricelist is not required. |
| 274        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications Page 11, 2.1.1 Bidder Qualification | Can a Bidder submit proof of sales revenue for a different government contract than what is submitted to satisfy letter D in this same Section? For example, in letter D, we submit state X and for letter E, we submit state Y.   | Yes. Proof of a current government contract and proof of past sales revenue may be from different government entities.   |
| 275        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications Page 11, 2.1.1 Bidder Qualification | Does the state require a copy of the list pricer we are offering in response to this Bid in electronic or hard copy?   | Per the Solicitation Main Document, Section 3.10, #2: "Requirements for Attachment 1 – Pricing in Electronic Format ONLY (Microsoft Excel, NOT LOCKED):<br>a) Do not change the spreadsheet structure. Any changes may result in rejection of Bid.<br>b) Only MS EXCEL format for the required electronic copy will be accepted.<br>c) A Bid submission that fails to include an electronic copy of Attachment 1 - Pricing may be rejected in its entirety."   |
| 276        | Solicitation Main Document | Attachment 10 Contact Information and Terms and Conditions                                       | Does the state require a copy of our current warranty documents to be submitted in electronic or hard copy?  | Concise warranty information should be entered within Attachment 10, for example; "Limited Lifetime 5 years, includes fabric and foam". If necessary, a Bidder may submit additional warranty information, in electronic format.   |
| 277        | Solicitation Main Document | Solicitation Main Document Section 4.1 Method of Award   | Please confirm the pricing comparison to other Government Entities (which "shall be equal to or better than") is limited to Government Entities buying the same product mix, quantity, and under the terms and conditions.   | Per Section 4.1-Method of Award, Pricing shall be a discount from Manufacturer's list price, and shall be equal to or better than any other offered to another Government Entity for the same type of products. OGS is not comparing other contract terms and conditions for purposes of the reasonableness of price determination.  |



| Question # | Solicitation Document Name | Document Section (Number & Name)                                | Question  | OGS Response to Bidder Questions   |
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| 278        | Solicitation Main Document | Solicitation Main Document Section 4.1 Method of Award          | The Bid requires us to provide financial statements or other financial information upon request. If a Bidder is a wholly owned subsidiary of a publicly traded company, please confirm the parent's company public financial statements are sufficient to fulfill this requirement. | OGS cannot guarantee that the parent company's public financial statements would be sufficient. Per Section 4.1, current financial statements and other financial information may be requested, as deemed appropriate.   |
| 279        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements | Are we required to submit a form EEO 100 with the Bid response? Does this apply to the Bidder only and not the authorized dealers? This form is not listed on the Bid format requirements on page 16. Should it be electronic or hard copy?   | Yes, the EEO 100 form is required of the Bidder only. The form can be found at <a href="https://ogs.ny.gov/mwbe/Forms.asp">https://ogs.ny.gov/mwbe/Forms.asp</a> . It can be submitted electronic or hard copy.  |
| 280        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements | MWBE Utilization Plan letter A – are we required to submit a utilization plan on form MWBE 100 with our Bid? This document is not listed on page 16. Should it be electronic or hard copy?  | Yes. The form can be found at <a href="https://ogs.ny.gov/mwbe/Forms.asp">https://ogs.ny.gov/mwbe/Forms.asp</a> . It can be submitted electronic or hard copy with the Bid Submission.   |
| 281        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements | We request the state to remove this reporting requirement, as it duplicates the information already provided by vendors in the Sales Usage report.  | No, where MWBE goals have been established, the Contractor is required to provide monthly MWBE Compliance reports by the 10th of each month for the duration of the contract. OGS declines to make the requested change.   |
| 282        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements | Please confirm the vendor will have a reasonable opportunity to cure should OGS determine that the Contractor is not in compliance with the contract prior to requiring payment of liquidated damages or breach.  | In accordance with Section 5.14, a Contractor would have an opportunity to be heard in the event a deficiency was noted.   |
| 283        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements | Are we required to submit a utilization plan on form SDVOB 100 with our Bid? This document is not listed on page 16. Should it be electronic or hard copy?  | Section 5.14 pertains to MWBE Requirements. Section 5.25 pertains to Participation Opportunities For New York State Certified Service-Disabled Veteran-Owned Businesses. Per this Section, "In accordance with 9 NYCRR § 252.2(i), Bidders are required to submit a completed SDVOB Utilization Plan on Form SDVOB 100 with their Bid." Can be submitted in electronic or hard copy. ALL FORMS ARE AVAILABLE UNDER AT: <a href="https://ogs.ny.gov/Veterans/default.asp">https://ogs.ny.gov/Veterans/default.asp</a> |

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| 284        | Solicitation Main Document | Solicitation Main Document Section 5.25 Participation Opportunities For New York State Certified Service-Disabled Veteran-Owned Businesses | We request the state to remove this reporting requirement, as it duplicates the information already provided by vendors in the Sales Usage report.   | Per the Solicitation Main Document, Section 5.25 (V): "In accordance with 9 NYCRR § 252.2(q), Contractor is required to report Monthly SDVOB Contractor Compliance to OGS during the term of the Contract for the preceding month's activity, documenting progress made towards achieving the Contract SDVOB goals. This information must be submitted using form SDVOB 101 available on the OGS website and should be completed by the Contractor and submitted to OGS, by the 10th day of each month during the term of the Contract, for the preceding month's activity to: VeteransDevelopment@ogs.ny.gov." OGS declines the requested change. |
| 285        | Solicitation Main Document | Solicitation Main Document Section 5.25 Participation Opportunities For New York State Certified Service-Disabled Veteran-Owned Businesses | Please confirm the vendor will have a reasonable opportunity to cure should OGS determine that the Contractor is not in compliance with the contract prior to requiring payment of liquidated damages or breach. | In accordance with Section 5.25(II)(D), a Contractor would have an opportunity to be heard in the event a deficiency was noted.  |
| 286        | Solicitation Main Document | Solicitation Main Document 3.10 Format and Content of Bid Submission   | Section 3.10 #1K refers to completing form ST-220-CA "Contractor Certification." Please direct where we can locate this document.  | Per Section 5.16 The ST-220-CA can be found at <a href="https://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf">https://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf</a> . The ST-220-TD can be found at <a href="https://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf">https://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf</a> .   |
| 287        | Solicitation Main Document | Solicitation Main Document 1.4 Key Events/Dates  | Can you extend the Closing Date for Submitting Questions to OGS? We are still working through all the requirements and could use more time. Please extend to Friday, May 18, 2018, 5 PM ET.                      | OGS declines the requested revision.   |
| 288        | Solicitation Main Document | Solicitation Main Document 2.2.8 Decorating Aids, Catalogs   | We respectfully request this be expanded to "Photographs or drawing of the furniture," as most of these items are rendered by a form or CAD drawing and more accurately depict what is being requested.          | OGS has revised Section 2.2.8 (B) to include drawings of the furniture. Refer to the Section for this revision.  |
| 289        | Solicitation Main Document | Solicitation Main Document 2.2.8 Decorating Aids, Catalogs   | We respectfully request the size of the swatches requirement be changed to "The swatches shall be 3" x 3" or larger" as the standard size in the industry is 3" x 3".  | OGS has revised the swatch size requirement under Section 2.2.8 (A) to 3x3" or larger, per Contractor availability. Refer to the Section for this revision.  |

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| 290        | Solicitation Main Document | Solicitation Main Document 5.5.1 Products and Pricing and Attachment 1 – Pricing          | Typically for commercial office furniture, the discount from the Manufacturer's list price is done by product line, which is the way it was done for the vast majority of current contract holders. Is that what can be done here? The Attachment t#1 form makes it unclear how to do that. Can you provide an example?  | <p>Within Attachment 1 Pricing, the discount percentage offered is per item and must be entered in the Contract Discount % Column. Bidders will enter List Price and Contract Discount %. The Contract Price Column will then automatically calculate the discount from list price and populate.</p> <p>For example:</p> <table border="0" data-bbox="1349 321 1741 383"> <tr> <td>List Price</td> <td>Contract Discount %</td> </tr> <tr> <td>\$100.00</td> <td>20%</td> </tr> </table> <p>Bidders should follow the instructions within the Pricing Instructions Tab.</p> | List Price | Contract Discount % | \$100.00 | 20% |
| List Price | Contract Discount %        |   |  |   |            |                     |          |     |
| \$100.00   | 20%                        |   |  |   |            |                     |          |     |
| 291        | Solicitation Main Document | Solicitation Main Documents 5.7 Price Adjustments   | It says "In addition, OGS reserves the right to deny price adjustments during the last twelve (12) months of the Contract term, without prior notice." Does this mean that OGS could in effect require the price list to be held at the same price list for the last two years? If so, we respectfully request that be removed from the Bid.                     | While OGS reserves this right, it is OGS's intent to allow for price adjustments during the last year of the Contract Term. OGS declines to accept the requested revision.  |            |                     |          |     |
| 292        | Solicitation Main Document | Solicitation Main Document 5.14 MWBE & 5.25 SDVOB Utilization Plans and monthly Reporting | These appear to be new and significant changes from the current contract that add a tremendous amount of additional planning, record keeping and reporting, adding significant cost and have additional risks of "Breach of Contract and Damages." These appear to be mandatory even though a "waiver request" could be submitted. Are these required for award? | Yes. Per Sections 5.14 and 5.25, both MWBE and SDVOB Utilization Plans (or waiver requests) must be submitted and approved prior to a Bidder being considered for Contract Award, and all reporting requirements must be met by the awarded Contractor during the Contract Term.  |            |                     |          |     |
| 293        | Solicitation Main Document | Solicitation Main Document 5.14 MWBE & 5.25 SDVOB Utilization Plans and monthly Reporting | Can both tier 2 and tier 1 suppliers count toward reaching these goals?  | It is incumbent upon the Bidder/Contractor to develop a plan to achieve MWBE and/or SDVOB goals; OGS will not determine a Bidder/Contractor's business model.   |            |                     |          |     |

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| 294        | Solicitation Main Document | Solicitation Main Document 2.2.4 Finishes:                                  | <p>COMs and COLs are allowed, correct? This implies that the end-user customer may only select standard finishes offered by the manufacturer and that no "Customer's Own Material" (COM) or "Customer's Own Laminate" (COL) are allowed.</p> <p>Often, clients will work with architects and dealer designers who prefer to use a different textile company's upholsteries on major manufacturer's products that have been tested and approved but fall outside of the standard offering.</p> <p>We have provided COM and COL optional offerings to the State of NY in the past and would like to continue with this practice as part of this contract award.</p> | <p>Products must be stock items, including fabrics and finishes. Non-stock, customized furniture and/or solutions are not included within the scope of this Solicitation. As per Section 5.5 Bid Pricing, only products/options listed within Attachment 1 Pricing will be allowed for sale under the Contract Award.</p>   |
| 295        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements MWBE/SDVOSB | <p>Based off of the past contract, there has not been significant opportunity for MWBE or SDVOB participation under this State Contract. Is it possible to remove the MWBE and SDVOB participation requirements or make them optional?</p>  | <p>OGS has determined that meaningful participation can be provided by MWBEs/SDVOBs for this Solicitation. All requirements must be met to be considered for award. OGS declines to make the requested change.</p>  |
| 296        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications                | <p>Government contract documents are usually voluminous due to the size of the Solicitation, the response, the price list, modifications, and other documents which are typically incorporated into final agreement. To make this easier for the State to evaluate, may we create a summary document listing the contract number and description, contract term, name/date of current contract pricelist, discount matrix and contact information for the Contracting Officer to satisfy this requirement?</p>  | <p>Per the Solicitation Main Document, Section 2.1.1, D. 1: "Proof shall be provided in the form of a current active contract, to include: contract number and description, contract term dates, copy of current contract pricelist, including, at a minimum, the Item Number, Item Description, List Price, Discount Percentage and Net Price; contact name, telephone number and e-mail address of the contracting entities' contract administrator."</p> |

| Question # | Solicitation Document Name | Document Section (Number & Name)                             | Question   | OGS Response to Bidder Questions   |
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| 297        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | Under many of our government contracts, including national cooperatives, GSA, etc., we are allowed to offer all or a majority of our products. This means hundreds of thousands of models can be sold under the contract, and we do not list the Net price. Will the state accept a copy of the current discount matrix applicable to the government contract which outlines product offered, product series/market baskets, list pricing, discount tiers and discounts by product series/market basket?   | No. Per the Solicitation Main Document, Section 2.1.1, D. 1: "Proof shall be provided in the form of a current active contract, to include: contract number and description, contract term dates, copy of current contract pricelist, including, at a minimum, the Item Number, Item Description, List Price, Discount Percentage and Net Price; contact name, telephone number and e-mail address of the contracting entities' contract administrator." |
| 298        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | For Contractors with large transactional volume on their government contracts, 3 years' worth of product line item sales data will likely result in millions of lines for the State to review. Additionally, retrieving the information is extremely difficult. As opposed to providing this information at a product line item level, please confirm we can provide this information at the product series/market basket level. If allowed, Bidders would submit the total net sales by product category, along with the discount matrix applicable to the contract.  | Bidders may submit a report that includes a portion of past sales which meets the qualification requirements vs. a full report, in the event the full report includes excess sales data not required to meet the Solicitation qualifications, as outlined in Section 2.1.  |
| 299        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | This Section requires the inclusion of the "Item Number," "Item Description," and "Net price." Our contracts typically provide product series/market basket and discount applicable to the product series/market basket. Discounts are then applied to the commercial list price of the product within applicable product series/market basket. To provide this information by line item would be extremely difficult due to the customization options of all of our models, which can create millions of different line items. Please confirm we are not required to provide this information if the government entity contract we are using to satisfy the requirements in this Section does not include it. | Per the Solicitation Main Document, Section 2.1.1, D. 1: "Proof shall be provided in the form of a current active contract, to include: contract number and description, contract term dates, copy of current contract pricelist, including, at a minimum, the Item Number, Item Description, List Price, Discount Percentage and Net Price; contact name, telephone number and e-mail address of the contracting entities' contract administrator."     |

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| 300        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications Page 10, 2.1.1, Letter B #3 | Regarding the Manufacturer's Certificate: will OGS provide a document for Bidders to populate?  | OGS has posted Attachment 14 Manufacturer's Certificate on the OGS website for Bidders use.  |
| 301        | Solicitation Main Document | Solicitation Main Document 5.9 New York State Financial System (SFS)                     | Is there an estimated date or timeframe of when the Furniture Contract will be part of the eMarketplace website?  | No. At this time, there is no estimated date for when the Furniture Contract will become part of the eMarketplace website.   |
| 302        | Solicitation Main Document | Solicitation Main Document 5.14 Contractor Requirements                                  | Does the term contract mean this entire Solicitation 23109, or is it referring to different contracts/agreements with different state agencies under this contract upon award that will put out Bids for furniture? The Solicitation states that there is a \$25,000 minimum requirement to use MWBEs for state contracts. But if a purchase of furniture over \$25,000 does not require installation, that would use a MWBE, would just the delivery services of a freight company require an MWBE?              | The term contract refers to the entire Solicitation 23109 and not individual Bids. The contract goals are applicable to the entire contract value and not specific purchases. The utilization of MWBEs can be applied in any capacity that is applicable to the completion of the contract scope.  |
| 303        | Solicitation Main Document | Solicitation Main Document Section 5.14 Contractor Requirements MWBE/SDVOSB              | Reviewing our past contract, there has not been significant opportunity for MWBE or SDVOB participation under this State Contract. Is it possible to remove the MWBE and SDVOB participation requirements or make them optional?  | OGS has determined that meaningful participation can be provided by MWBEs/SDVOBs for this Solicitation. All requirements must be met to be considered for award. OGS declines to make the requested change.  |
| 304        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications                             | Typically government contract documents are usually voluminous due to the size of the Solicitation, the response, the price list, modifications, and other documents which are typically incorporated into final agreement. To make this easier for the State to evaluate, may we create a summary document listing the contract number and description, contract term, name/date of current contract pricelist, discount matrix and contact information for the Contracting Officer to satisfy this requirement? | No. Per 2.2.1 D.1, "Proof shall be provided in the form of a current active contract, to include: contract number and description, contract term dates, copy of current contract pricelist, including at a minimum, the Item Number, Item Description, List Price, Discount Percentage and Net Price; contract name, telephone number and e-mail address of the contracting entities' contract administrator." |

| Question # | Solicitation Document Name | Document Section (Number & Name)                             | Question  | OGS Response to Bidder Questions  |
|------------|----------------------------|--|---|---|
| 305        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | Under many of our government contracts, including national cooperatives, GSA, etc., we are allowed to offer all or a majority of our products. This means hundreds of thousands of models can be sold under the contract, and we do not list the Net price. Will the state accept a copy of the current discount matrix applicable to the government contract which outlines product offered, product series/market baskets, list pricing, discount tiers and discounts by product series/market basket?  | No. Per 2.2.1 D.1, "Proof shall be provided in the form of a current active contract, to include: contract number and description, contract term dates, copy of current contract pricelist, including at a minimum, the Item Number, Item Description, List Price, Discount Percentage and Net Price; contract name, telephone number and e-mail address of the contracting entities' contract administrator."  |
| 306        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | For Contractors with large transactional volume on their government contracts, 3 years worth of product line item sales data likely will result in millions of lines for the State to review. Additionally, retrieving the information is extremely difficult. As opposed to providing this information at a product line item level, please confirm we can provide this information at the product series/market basket level. If allowed, Bidders would submit the total net sales by product category, along with the discount matrix applicable to the contract.  | Bidders may submit a report that includes a portion of past sales which meets the qualification requirements vs. a full report, in the event the full report includes excess sales data not required to meet the Solicitation qualifications, as outlined in Section 2.1.   |
| 307        | Solicitation Main Document | Solicitation Main Document Section 2.1 Bidder Qualifications | This Section requires the inclusion of the "Item Number" "Item Description" and "Net price". Our contracts typically provide product series/market basket and discount applicable to the product series/market basket. Discounts are then applied to the commercial list price of the product within applicable product series/market basket. To provide this information by line item would be extremely difficult due to the customization options of all of our models which can create millions of different line items. Please confirm we are not required to provide this information if the government entity contract we are using to satisfy the requirements in this Section does not include it. | No. Per the Solicitation Main Document, Section 2.1.1, D. 1: "Proof shall be provided in the form of a current active contract, to include: contract number and description, contract term dates, copy of current contract pricelist, including, at a minimum, the Item Number, Item Description, List Price, Discount Percentage and Net Price; contract name, telephone number and e-mail address of the contracting entities' contract administrator." |

| Question # | Solicitation Document Name   | Document Section (Number & Name)   | Question  | OGS Response to Bidder Questions  |
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| 308        | Solicitation Main Document   | Solicitation Main Document, 2.1.1 Bidder Qualifications, Paragraph B       | Manufacturer's Certificate – will OGS provide a document for Bidders to populate?   | OGS has posted Attachment 14 Manufacturer's Certificate on the OGS website for Bidders use.   |
| 309        | Solicitation Main Document   | Solicitation Main Document 2.1.1 Bidder Qualifications Paragraph B, (B) 3. | Authorized Rep will provide a "Manufacturer's Certificate". The previous Bid included the attached certificate which the manufacturer had to complete. Will you provide a certificate?  | OGS has posted Attachment 14 Manufacturer's Certificate on the OGS website for Bidders use.   |
| 310        | Solicitation Main Document   | Attachment 5 - Category Matrix   | Do we qualify if we produce partial items in any given category? In other words, we produce Conference Furniture, but not Stacking Chairs   | Yes. Per Attachment 5 - Category Matrix: "Includes, but is not limited to". A Bidder may offer one or more of the products in each of the categories.   |
| 311        | Solicitation Main Document   | Solicitation Main Document 2.2.1 Bidder Qualification, Paragraph E         | In the Excel spreadsheet for Proof of Sales, are you requiring that we include every single order, per agency, for 3 years or can we list and overall product description such as upholstery or casegoods and the year of sale vs the exact date? | Bidders may submit a report that includes a portion of past sales which meets the qualification requirements vs. a full report, in the event the full report includes excess sales data not required to meet the Solicitation qualifications, as outlined in Section 2.1. |
| 312        | Solicitation Main Document   | Solicitation Main Document   | When will the MWBE 101 be submitted?  | The MWBE 101 should be submitted with the Bidders Bid and quarterly as per Section 5.14 (III) (C.)  |
| 313        | <a href="http://www.ogs.ny.gov/purchase/Biddocument/23109Bid.pdf">www.ogs.ny.gov/purchase/Biddocument/23109Bid.pdf</a> | Attachment 5 -, Category Matrix  | We are a manufacturer of area rugs that are typically considered part of the furniture matrix for categories #1, 2, 5, 6, 7, 8 and 10. Want to confirm that 'education, office rugs and carpets' would be covered under this award.               | This Solicitation is for Furniture, All Types (except Hospital Room and Patient Handling) Carpeting and rugs are not within the scope of this Solicitation.   |