

### Procurement Instruction and Procedures

1. An Authorized User shall review the list of regions with included counties to determine what Region is applicable for their facility. [Region & Supplier Award Chart](#) The chart can also be found under the Contractor Information pdf on the contract cover page. This chart is the most current document to identify which contractor is the primary supplier for each Region. Any changes to Contractor status will be communicated via a Purchasing Memo and updated on the Region & Supplier award chart if necessary.

2. An Authorized User shall check the list of Preferred Source offerings and are reminded that they must comply with State Finance Law §162 which requires that agencies afford first priority to the commodities/services of preferred source suppliers such as Correctional Industries (Corcraft), Industries for the Blind of NYS, and NYS Industries for the Disabled, when such commodities/services meet the form, function and utility of the Authorized User. **Preferred Sources do not currently offer Security Guards and/or Fire Safety Directors.**

3. An Authorized User shall engage the services of the Primary Contractor only in the appropriate Region by completing the Ordering Document and sending it to the Primary Contractor using the contact information provided in the award document. The [ordering document](#) can also be found under the contractor information pdf.

4. The Primary Contractor is required to provide the requested Security Guard and/or Fire Safety Director Services according to the requirements outlined in this Contract.

5. A total M/WBE participation goal of 20% (10% MBE and 10% WBE) has been established for each state agency and authority contract made under this award. An Authorized User that is a State Agency or State Authority (as defined in New York State Executive Law §310 and hereinafter referred to as "State Agency") should establish separate goals of 20% (10% MBE and 10% WBE) for each placement made against this Contract for participation of New York State Certified minority- and women-owned business enterprises ("MWBES") at the time of the acquisition, if the acquisition is in excess of \$25,000.00. If a Contractor and State Agency or Authority agree to goals which are not equal to or greater than 20%, the revised goals must be supported by the Contractor's documented good faith effort.

6. An Authorized User and the Primary Contractor can determine the exact cost by referring to the price list. The [Price List](#) can be found under the Contractor Information pdf, An Authorized User shall issue a purchase order or other written order for work, which is effective and binding on the Primary Contractor at time of order in accordance with Appendix B §44. A Primary Contractor shall not initiate services until the order is issued, and an Authorized User shall not request performance of services until the purchase order has been issued. **Note: for services, purchase orders may be issued for an estimate for the entire year. Please follow your agency guidelines and Division of Budget procedures for Purchase Order Issuance. Non-state agencies must follow their own procurement guidelines or legal requirements in regards to purchase orders processed from this Statewide contract. It is the Agency/Authorized Users responsibility to gather all necessary documents for Purchase Orders.**

**Reminder:** In accordance with Appendix B, Section 40 Authorized Users may request improved pricing from the Contractor awarded the region in which services are requested using specific facility requirements. Should you have questions regarding the Modification of Contract Terms please seek guidance from the OGS Contract Administrator for this Contract.

7. The Authorized User or its designated representative has the right to request to interview each proposed Security Guard and/or Fire Safety Director that will be providing service at their facility and can approve or disapprove the assignment of such proposed person. The Authorized User must notify the Primary Contractor of its acceptance or disapproval as soon as possible, but no later than twenty-four hours after interview or the Security Guard or Fire Safety Director shall be deemed approved.

8. An Authorized User shall monitor the Contractor's quality of work. The [Performance Standards](#), details a list of deficiencies and non-compliance events that shall result in a [Contractor Deficiency Report](#) being completed and the process to be followed by Authorized Users in such event. Additional deficiencies not identified on the OGS list can also be included in a Contractor Deficiency Report. The

Authorized User shall complete the Contractor Deficiency report and send it to the OGS Contract Administrator and the Contractor's Contract Administrator. The Contractor Deficiency Report and the Performance Standards can be found under the Contractor Performance and Deficiency pdf. Failure of the Primary Contractor to adequately meet the Performance Levels as outlined in the improvement plan shall result in the reduction of the Contractor's status. Status Reduction shall be on a per Region basis. Issues that span across multiple Regions shall result in status reduction of all applicable Regions. In the case of Contractor Status Reduction, Contractor status shall be adjusted per the following procedures:

- Status Reduction of Primary Contractor shall mean:
  - Primary Contractor becomes Secondary Contractor; and
  - Secondary Contractor becomes Primary Contractor.

Authorized Users will continue to follow the same procurement instructions outlined above should the Secondary Contractor become the Primary Contractor.

Should you have additional questions or need further clarification on any of the preceding steps, you may contact the OGS Contract Administrator.