

Frequently Asked Questions

Security Guard Services and Fire Safety Directors – Award 22436

Rev. 4-21-2014

1) Q: Is there a brief description available on how to use the contract?

A: Yes, The ordering document (pdf on cover page of contract labeled Order Form) has the basic steps to follow.

2) Q: Do I need to collect a certificate of compliance for every guard that works at my facility?

A: Yes, the certificate of compliance is the contractor's certification that the guard meets all applicable training and licensing qualifications. Be sure to collect this form and that it is completed properly on or before the first day a guard is working at your facility.

3) Q: Why are there four contractors (two primary and two secondary) on this contract?

A: The Primary contractors (Securitas and Summit) are the contractors available to use at this time. The secondary contractors (Simaren and Allied Barton) are backup contractors. In the event that one of the primary contractors cannot perform the contract OGS will notify authorized users that there is a change in status of the contractors via a purchasing memorandum.

4) Q: Why does the prevailing wage rate schedule (PRC#2011900991) for this contract not have Level 2 guard pay rates?

A: The NYS Department of Labor (DOL) does not currently have a pay rate for level 2 guards. The rates for level 2 guards posted in the contract are rates bid by the contractors and accepted by OGS.

5) Q: How do I determine the prevailing wage rate guards should be paid in my region?

A: Go to the Dept. of Labor website using this link and enter the PRC# 2011900991
<http://wpp.labor.state.ny.us/wpp/showFindProject.do?method=showIt>

The rates are updated July 1st every year.

6) Q: How do I determine the billable rate for a level 1 guard in my region?

A: The billable rate is calculated as the prevailing wage rate plus the supplemental rate, then multiplying by the contractor's percent of mark up.

7) Q: Do I need to collect copies of the insurance documentation from the contractor?

A: Yes, We suggest that you get copies of all insurance documents from the contractor for your procurement record.

8) Q: Are Security Guard and Fire Safety Directors available through the Preferred Sources?

A: Security Guards and Fire Safety Directors are not available from the Preferred Sources.

9) Q: Is there any information on how the transition to a new company will take place.

A: Each of the contractors has provided an implementation plan outlining the start up and transition to the new guard companies. Please refer to the executed contract on the OGS website.

10) Q: Are supplemental rates paid for overtime hours?

A: The supplemental portion of the prevailing wage rates are to be paid for the first 40 hours per week only. If a worker receives overtime for working more than 8 hours in a day, but does not work over 40 hours in the week, then the supplemental rate must be paid for those overtime hours.

11) Q: Holiday bill rate determination

A: For Bronx, Kings, New York, Queens and Richmond (**NYC**) counties guards are paid for non-worked holidays at regular time. If the guard is required to work the holiday they are paid for the hours worked in addition to their holiday pay which would equal double time.

For counties outside those identified above (**All other counties**) there is no holiday pay if the holiday is not worked. If a guard works on a holiday the hourly bill rate is at time and one half.

To determine the (**NYC**) hourly holiday bill rate for a Level 1 guard that worked the holiday, multiply the prevailing wage (excluding the supplemental rate) by the contractor's mark up for the 8 hours worked plus the regular hourly bill rate for the holiday. For example: If the prevailing rate is \$12.60, the supplemental rate is \$4.09, and the contractor's mark up is 25.78%. The hourly bill rate is calculated as follows;

8 hours at regular bill rate - $\$12.60 + \$4.09 = \$16.69 \times 1.2578$ (25.78%) = \$20.99

8 hours at worked bill rate - $\$12.60 \times 1.2578$ (25.78%) = \$15.85. Then add the two for a total hourly bill rate for a worked holiday in NYC is $\$20.99 + \$15.85 = \$36.84$

For all other counties in NY state (excluding Bronx, Kings, New York, Queens and Richmond (NYC) counties), the supplemental rate is paid for all hours worked. Therefore, the holiday rate calculation for a Level 1 guard would be calculated as follows:

$[(\text{Prevailing Wage} \times 1.5) + \text{Supplemental}] \times \text{Markup}$

For example, if the prevailing wage is \$14.66, the supplemental rate is \$1.72, and the markup is 29.74%, the rate would be calculated as follows:

$\$14.66(\text{PR}) \times 1.5 = \$21.99 + \$1.72(\text{SR}) = \23.71×1.2974 (29.74%) = \$30.76

12) Q: Overtime bill rate determination (all NYC counties, Bronx, Kings, New York, Queens and Richmond counties) excluding holidays

A: For hours worked more than 40 in one week, the overtime bill rate is calculated as follows; prevailing rate (excluding supplemental rate) times 1.5 times the contractor mark up. The supplemental rate is not paid in this instance. For example: If the prevailing rate is \$12.60, the supplemental rate is \$4.09, and contractor mark up is 25.78%, the overtime hourly bill rate is calculated as follows:

$$\$12.60 \times 1.5 = \$18.90 \times 1.2578 = \$23.77 \text{ bill rate}$$

In NYC counties, Bronx, Kings, New York, Queens and Richmond if a guard works more than 8 hours in one day but does not reach 40 hours in a week you have to consider the supplemental rate. The supplemental rate is paid for only the first 40 hours worked in the NYC counties of Bronx, Kings, New York, Queens and Richmond. If a guard works less than 40 hours in the week but had more than 8 hours in one day the overtime rate would be calculated as follows;

$$\$12.60 \times 1.5 = \$18.90 + \$4.09 = \$22.99 \times 1.2578 = \$28.92$$

For all other counties in NY state (excluding Bronx, Kings, New York, Queens and Richmond (NYC) counties), the supplemental rate is paid for all hours worked. Multiply the prevailing rate by 1.5, add the supplemental rate, then multiply by the contractor markup. For example if the prevailing wage is \$14.66, the supplemental rate is \$1.72, and the mark up is 29.74%, the rate would be calculated as follows:

$$\$14.66 \times 1.5 = \$21.99 + \$1.72 = \$23.71 \times 1.2974 = \$30.76$$

13) Q: Guard coverage for overtime hours

A: If a guard is needed to work overtime it shall be at the discretion of the authorized user to determine if their regular guard should work the overtime or if another guard can be brought in to work the overtime. The deciding factors may be, for example, to limit overtime by bringing in a guard that has not worked more than 8 hours in a day or 40 in a week to avoid billable overtime hours. The facility may choose to have the regular guard work because of their knowledge of the operating functions of the facility. The choice shall be made in the best interest of the state.

14) Q: How do I determine the start date for guards in the Bronx, Kings, New York, Queens and Richmond (NYC) counties since their pay rate is linked to time in service?

A: Since all guards are required to be associated (registered with Dept. of State) with the guard company they work for, contact your service provider. For facilities that retained guards that were employed by the previous company that the facility used, the start date for that guard would be when their employment started with the new guard company.

15) Q: The contract has Level 1 and Level 2 guards. What do I do if we need or want supervisors at a facility for our guards?

A: There are no provisions to pay or hire in positions higher than the Level 2 guards in this contract. Per the terms of the contract/RFP:

RFP Section II.5.1 ADDITIONAL RESPONSIBILITIES FOR LEVEL 2 SECURITY GUARDS

- Must possess demonstrated administrative capabilities to oversee a large security contingent at various locations and the ability to interface with Facility Management
- Overall responsibility for all Security Guards at each individual location
- Ensure all guards are present and on post during operating hours
- Ensure all guards are properly trained and familiarized with security procedures and operations
- Ensure all guards are equipped with appropriate equipment
- Ensure all guards maintain professional and courteous standards

In addition, per Contract Section III.13.1:

Authorized users have been advised that any request for additional requirements must be within the duties listed by the Dept. of State, Division of Licensing Services.

<http://www.dos.ny.gov/licensing/securityguard/sguard.html>

Contractors acknowledge that since these additional requirements will fall within the scope of services provided by security guards, no mark-up adjustments are allowed.