

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21942-RS](#)

DATE: October 12, 2011

GROUP: 60010 – CUSTOM PRINTED MULTIPLE
PART CARBONLESS FORMS
(OGS)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Harry Brown
Purchasing Officer I
(518) 474-7902
Fax: (518) 474-5052
harry.brown@ogs.ny.gov

CONTRACT PERIOD: December 1, 2009 to
November 30, 2011

CONTRACTOR/

CONTRACT NO.: The Standard Register Company PC64837

**SUBJECT: UPDATED CONTRACTOR CONTACT INFORMATION &
ISSUANCE OF REVISED AWARD**

TO THE OFFICE OF GENERAL SERVICES (OGS):

Please note the updated contractor contact information for The Standard Register Company below.

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>TELEPHONE #</u>	<u>FED.IDENT.#</u> <u>NYS VENDOR ID#</u>
PC64837	THE STANDARD REGISTER COMPANY 600 Albany Street Dayton, OH 45408	317/573-5141 317/408-8064 Von Swalley Fax No.: 317/573-5151 E-mail: von.swalley@standardregister.com Website: www.standardregister.com	310455440 1000048198
	Purchase Orders should be directed to: The Standard Register Company 11711 North Meridian Street, Suite #160 Carmel, IN 46032	317/573-5141 Michelle Dixon Fax No.: 317/573-5151 E-mail: michelle.dixon@standardregister.com DAYCSC.PC1@standardregister.com	

Authorized users are advised to ensure that they reference the current copy of the Contract Award Notification, which lists a revised issue date of **October 12, 2011** before purchasing from the contract. A copy of the current contract may be accessed at the following URL address:
<http://www.ogs.state.ny.us/purchase/spg/awards/6001021942CAN.HTM>

All other terms and conditions of the original award remain unchanged

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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21942-RS](#)

DATE: September 30, 2011

GROUP: 60010 – CUSTOM PRINTED MULTIPLE
PART CARBONLESS FORMS
(OGS)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Harry Brown
Purchasing Officer I
(518) 474-7902
Fax: (518) 474-5052
harry.brown@ogs.ny.gov

CONTRACT PERIOD: December 1, 2009 to
November 30, 2011

**CONTRACTOR/
CONTRACT NO.:** The Standard Register Company PC64837

SUBJECT: EXPIRATION OF CONTRACT

TO THE OFFICE OF GENERAL SERVICES (OGS):

Please be advised that this contract expires on November 30, 2011. Due to declining sales, there will be no replacement contract. Authorized users are advised to contact the OGS Central Printing and Copy Center to determine whether it can fulfill their multi-part carbonless form needs. Otherwise, authorized users are hereby advised that it will be necessary to procure needed product either through other State contracts, on the open market; or through other procurement alternatives once the contract expires.

All such procurements should be made in accordance with applicable statutory requirements and purchasing guidelines.

Please refer to the attached URL addresses below for additional information relative to the OGS Central Printing and Copy Center.

<http://www.ogs.state.ny.us/supportServices/printingCopying/PrintShop.html>

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.state.ny.us>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21942-RS](#)

DATE: May 31, 2011

GROUP: 60010 – CUSTOM PRINTED MULTIPLE
PART CARBONLESS FORMS
(OGS)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Harry Brown
Purchasing Officer I
(518) 474-7902
Fax: (518) 474-5052
harry.brown@ogs.ny.gov

CONTRACT PERIOD: December 1, 2009 to
November 30, 2011

**CONTRACTOR/
CONTRACT NO.:** The Standard Register Company PC64837

SUBJECT: PRICE ADJUSTMENTS EFFECTIVE JUNE 1, 2011 THROUGH NOVEMBER 30, 2011

TO THE OFFICE OF GENERAL SERVICES (OGS):

In accordance with the price adjustment clause contained in the contract, effective **June 1, 2011 through November 30, 2011**, a price adjustment shall apply to the paper prices of the contract.

Authorized users are advised to ensure that they reference the current copy of the Contract Award Notification, which lists a revised issue date of **May 31, 2011** before purchasing from the contract. A copy of the current contract may be accessed at the following URL address: <http://www.ogs.state.ny.us/purchase/spg/awards/6001021942Can.htm>

All other terms and conditions of the original award remain unchanged.

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.state.ny.us>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21942-RS](#)

DATE: November 30, 2010

GROUP: 60010 – CUSTOM PRINTED MULTIPLE
PART CARBONLESS FORMS
(OGS)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Harry Brown
Purchasing Officer I
(518) 474-7902
Fax: (518) 474-5052
harry.brown@ogs.state.ny.us

CONTRACT PERIOD: December 1, 2009 to
November 30, 2011

**CONTRACTOR/
CONTRACT NO.:** The Standard Register Company PC64837

SUBJECT: PRICE ADJUSTMENTS EFFECTIVE DECEMBER 1, 2010

TO THE OFFICE OF GENERAL SERVICES (OGS):

In accordance with the price adjustment clause contained in the contract, effective **December 1, 2010** a price adjustment shall apply to the paper prices of the contract.

Please make sure you reference the current copy of the Contract Award Notification which lists a revised issue date of **November 30, 2010** before purchasing from the contract.

All other terms and conditions of the original award remain unchanged.

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.state.ny.us>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21942-RS](#)

DATE: May 28, 2010

GROUP: 60010 – CUSTOM PRINTED MULTIPLE
PART CARBONLESS FORMS
(OGS)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Harry Brown
Purchasing Officer I
(518) 474-7902
Fax: (518) 474-5052
harry.brown@ogs.state.ny.us

CONTRACT PERIOD: December 1, 2009 to
November 30, 2011

**CONTRACTOR/
CONTRACT NO.:** The Standard Register Company PC64837

SUBJECT: PRICE ADJUSTMENTS EFFECTIVE JUNE 1, 2010

TO THE OFFICE OF GENERAL SERVICES (OGS):

In accordance with the price adjustment clause contained in the contract, effective **June 1, 2010** a price adjustment shall apply to the paper prices of the contract.

Please make sure you reference the current copy of the Contract Award Notification which lists a revised issue date of **May 28, 2010** before purchasing from the contract.

All other terms and conditions of the original award remain unchanged.

State of New York Executive Department
Office Of General Services
Procurement Services Group
Corning Tower Building - 38th Floor
Empire State Plaza
Albany, New York 12242
<http://www.ogs.state.ny.us>

CONTRACT AWARD NOTIFICATION

Title	:	Group 60010 - CUSTOM PRINTED MULTIPLE PART CARBONLESS FORMS (OGS) Classification Code: 82
Award Number	:	<u>21942-RS</u> (Replaces Award 20797)
Contract Period	:	December 1, 2009 to November 30, 2011
Bid Opening Date	:	September 24, 2009
Date of Issue	:	November 4, 2009
Specification Reference	:	As Incorporated In The Invitation for Bids
Contractor Information	:	Appears on Page 2 of this Award

Address Inquiries To:

State Agencies & Vendors	
Name	: Harry Brown
Title	: Purchasing Officer I
Phone	: 518-474-7902
Fax	: 518-474-5052
E-mail	: harry.brown@ogs.state.ny.us

**The Procurement Services Group values your input.
Complete and return "Contract Performance Report" at end of document.**

Description

This contract award is for Custom Printed Multiple Part Carbonless Forms. This Award contains material that is Recycled and Elemental Chlorine Free.

PR #21942

(continued)

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>TELEPHONE #</u>	<u>FED.IDENT.#</u>
PC64837	THE STANDARD REGISTER COMPANY 600 Albany Street Dayton, OH 45408	877/258-5785 Peter Friedel Fax No.: 877-258-5785 E-mail: peter.friedel@standardregister.com Website: www.standardregister.com	310455440

Purchase Orders should be mailed to:
The Standard Register Company
Attn: Peter Friedel
230 Kings Mall Court #135
Kingston, NY 12401

Cash Discount, If Shown, Should be Given Special Attention.
INVOICES MUST BE SENT DIRECTLY TO THE ORDERING AGENCY FOR PAYMENT.
(See "Contract Payments" and "Electronic Payments" in this document.)

AGENCIES SHOULD NOTIFY THE PROCUREMENT SERVICES GROUP PROMPTLY IF THE CONTRACTOR FAILS TO MEET DELIVERY OR OTHER TERMS OF THIS CONTRACT. PRODUCTS OR SERVICES WHICH DO NOT COMPLY WITH THE SPECIFICATIONS OR ARE OTHERWISE UNSATISFACTORY TO THE AGENCY SHOULD ALSO BE REPORTED TO THE PROCUREMENT SERVICES GROUP.

SMALL, MINORITY AND WOMEN-OWNED BUSINESSES:

The letters SB listed under the Contract Number indicate the contractor is a NYS small business. Additionally, the letters MBE and WBE indicate the contractor is a Minority-owned Business Enterprise and/or Woman-owned Business Enterprise.

RECYCLED, REMANUFACTURED AND ENERGY EFFICIENT PRODUCTS:

The Procurement Services Group supports and encourages the purchase of recycled, remanufactured, energy efficient and "energy star" products. If one of the following codes appears as a suffix in the Award Number or is noted under the individual Contract Number(s) in this Contract Award Notification, please look at the individual awarded items for more information on products meeting the suffix description.

RS,RP,RA	Recycled
RM	Remanufactured
SW	Solid Waste Impact
EE	Energy Efficient
E*	EPA Energy Star
ES	Environmentally Sensitive

NOTE TO AUTHORIZED USERS:

When placing purchase orders under the contract(s), the authorized user should be familiar with and follow the terms and conditions governing its use which usually appears at the end of this document. The authorized user is accountable and responsible for compliance with the requirements of public procurement processes. The authorized user must periodically sample the results of its procurements to determine its compliance. In sampling its procurements, an authorized user should test for reasonableness of results to ensure that such results can withstand public scrutiny.

The authorized user, when purchasing from OGS contracts, should hold the contractor accountable for contract compliance and meeting the contract terms, conditions, specifications, and other requirements. Also, in recognition of market fluctuations over time, authorized users are encouraged to seek improved pricing whenever possible.

(continued)

NOTE TO AUTHORIZED USERS (Cont'd):

Authorized users have the responsibility to document purchases, particularly when using OGS multiple award contracts for the same or similar product(s)/service(s), which should include:

- a statement of need and associated requirements,
- a summary of the contract alternatives considered for the purchase,
- the reason(s) supporting the resulting purchase (e.g., show the basis for the selection among multiple contracts at the time of purchase was the most practical and economical alternative and was in the best interests of the State).

PSG's DISPUTE RESOLUTION POLICY:

It is the policy of the Office of General Services' Procurement Services Group (PSG) to provide vendors with an opportunity to administratively resolve disputes, complaints or inquiries related to PSG bid solicitations or contract awards. PSG encourages vendors to seek resolution of disputes through consultation with PSG staff. All such matters will be accorded impartial and timely consideration. Interested parties may also file formal written disputes. A copy of PSG's Dispute Resolution Procedures for Vendors may be obtained by contacting the person shown on the front of this document or through the OGS website (www.ogs.state.ny.us).

(continued)

PRICE:

Prices include all customs duties and charges and all costs necessary or incidental to proper execution of job including F.O.B. dock delivery to the OGS Central Printing Unit, W.A. Harriman State Office Building Campus, Bldg. #18, Albany, NY 12226-1853.

SIZE 8-1/2" x 11"

Price per M sets.

Quantity	2 Part Set	3 Part Set	4 Part Set	5 Part Set	6 Part Set
1,000	\$175.03/M	\$218.10/M	\$261.17/M	\$303.97/M	\$346.77/M
2,000	\$113.51/M	\$147.32/M	\$181.14/M	\$214.56/M	\$248.00/M
3,000	\$ 75.67/M	\$ 98.21/M	\$120.76/M	\$143.04/M	\$165.33/M
4,000	\$ 65.73/M	\$ 86.23/M	\$106.72/M	\$126.95/M	\$147.18/M
5,000	\$ 55.80/M	\$ 74.24/M	\$ 92.68/M	\$110.85/M	\$129.03/M
10,000	\$ 45.34/M	\$ 60.48/M	\$ 75.61/M	\$ 90.48/M	\$105.36/M
20,000	\$ 34.89/M	\$ 46.72/M	\$ 58.55/M	\$ 70.11/M	\$ 81.68/M
50,000	\$ 28.77/M	\$ 39.41/M	\$ 50.05/M	\$ 60.43/M	\$ 70.81/M
100,000	\$ 22.66/M	\$ 32.11/M	\$ 41.55/M	\$ 50.74/M	\$ 59.93/M
200,000	\$ 20.72/M	\$ 29.40/M	\$ 38.07/M	\$ 46.65/M	\$ 55.23/M
300,000	\$ 18.78/M	\$ 26.69/M	\$ 34.59/M	\$ 42.56/M	\$ 50.52/M
500,000	\$ 18.23/M	\$ 26.26/M	\$ 34.28/M	\$ 42.22/M	\$ 50.15/M
1,000,000	\$ 17.69/M	\$ 25.83/M	\$ 33.97/M	\$ 41.88/M	\$ 49.79/M

(continued)

ADDITIONAL CHARGES FOR SIZE 8-1/2" x 11"

Quantity	Numbering	Price Additional Per Ply for Printing One Color On 2nd Side	Price Additional Per Side for 2nd Color
1,000	\$0.81/M sets	\$19.03/M	\$19.03/M
2,000	\$0.78/M sets	\$ 9.68/M	\$12.74/M
3,000	\$0.52/M sets	\$ 6.46/M	\$ 6.45/M
4,000	\$0.38/M sets	\$ 4.82/M	\$ 5.20/M
5,000	\$0.23/M sets	\$ 3.94/M	\$ 3.94/M
10,000	\$0.20/M sets	\$ 2.52/M	\$ 2.52/M
20,000	\$0.16/M sets	\$ 1.27/M	\$ 1.11/M
50,000	\$0.13/M sets	\$ 0.56/M	\$ 0.71/M
100,000	\$0.09/M sets	\$ 0.31/M	\$ 0.31/M
200,000	\$0.08/M sets	\$ 0.27/M	\$ 0.27/M
300,000	\$0.08/M sets	\$ 0.23/M	\$ 0.23/M
500,000	\$0.07/M sets	\$ 0.19/M	\$ 0.19/M
1,000,000	\$0.07/M sets	\$ 0.14/M	\$ 0.14/M

Shrink Wrapping \$ 0.23/Package

Plate Charges \$ 54.00/Plate

Price Additional for Wraparound Covers \$282.96/M

(continued)

SIZE 8-1/2" x 14"

Price per M sets.

Quantity	2 Part Set	3 Part Set	4 Part Set	5 Part Set	6 Part Set
1,000	\$184.46/M	\$234.26/M	\$284.04/M	\$333.59/M	\$383.12/M
2,000	\$132.69/M	\$170.69/M	\$199.98/M	\$238.91/M	\$277.82/M
3,000	\$ 80.91/M	\$107.12/M	\$133.32/M	\$159.27/M	\$185.21/M
4,000	\$ 70.56/M	\$ 94.40/M	\$118.25/M	\$141.83/M	\$165.42/M
5,000	\$ 60.20/M	\$ 81.69/M	\$103.18/M	\$124.40/M	\$145.62/M
10,000	\$ 48.91/M	\$ 66.49/M	\$ 84.08/M	\$101.39/M	\$118.71/M
20,000	\$ 37.62/M	\$ 51.29/M	\$ 64.97/M	\$ 78.39/M	\$ 91.80/M
50,000	\$ 33.04/M	\$ 46.25/M	\$ 59.44/M	\$ 72.38/M	\$ 85.32/M
100,000	\$ 28.47/M	\$ 41.20/M	\$ 53.92/M	\$ 66.38/M	\$ 78.83/M
200,000	\$ 25.91/M	\$ 37.86/M	\$ 49.80/M	\$ 61.50/M	\$ 73.19/M
300,000	\$ 23.35/M	\$ 34.52/M	\$ 45.69/M	\$ 56.62/M	\$ 67.55/M
500,000	\$ 23.15/M	\$ 34.30/M	\$ 45.45/M	\$ 56.37/M	\$ 67.29/M
1,000,000	\$ 22.95/M	\$ 34.08/M	\$ 45.22/M	\$ 56.12/M	\$ 67.03/M

(continued)

ADDITIONAL CHARGES FOR SIZE 8-1/2" x 14"

Quantity	Numbering	Price Additional Per Ply for Printing One Color On 2nd Side	Price Additional Per Side for 2nd Color
1,000	\$0.81/M sets	\$19.03/M	\$19.03/M
2,000	\$0.78/M sets	\$ 9.68/M	\$12.74/M
3,000	\$0.52/M sets	\$ 6.46/M	\$ 6.45/M
4,000	\$0.38/M sets	\$ 4.82/M	\$ 5.20/M
5,000	\$0.23/M sets	\$ 3.94/M	\$ 3.94/M
10,000	\$0.20/M sets	\$ 2.52/M	\$ 2.52/M
20,000	\$0.16/M sets	\$ 1.27/M	\$ 1.11/M
50,000	\$0.13/M sets	\$ 0.56/M	\$ 0.71/M
100,000	\$0.09/M sets	\$ 0.31/M	\$ 0.31/M
200,000	\$0.08/M sets	\$ 0.27/M	\$ 0.27/M
300,000	\$0.08/M sets	\$ 0.23/M	\$ 0.23/M
500,000	\$0.07/M sets	\$ 0.19/M	\$ 0.19/M
1,000,000	\$0.07/M sets	\$ 0.14/M	\$ 0.14/M

Shrink Wrapping

\$ 0.23/Package

Plate Charges

\$54.00/Plate

(continued)

Guaranteed Delivery: As Specified

Brand Name of Carbonless Bond: Sequel Recycled
Manufacturer: Glatfelter
Post Consumer Fiber: 30%
This product is Elemental Chlorine Free (ECF)
Product certifications: Forest Stewardship Council (FSC)
Sustainable Forestry Initiative (SFI)

Brand Name of Tag Stock: Exact Tag
Manufacturer: Wausau Paper
Post Consumer Fiber: 30%
This product is Elemental Chlorine Free (ECF)
Product certifications: Green Seal™
Forest Stewardship Council (FSC)

Brand Name of Chipboard Stiffener: Newman Paperboard
Manufacturer: Newman & Co., Inc.
Post Consumer Fiber: 90%

Electronic Access Ordering (EDI) is available. Contact contractor for details.
Contractor will accept the New York State Procurement Card for orders up to \$15,000.00.

REQUEST FOR CHANGE:

Any request by the agency or contractor regarding changes in any part of the contract must be made in writing to the Office of General Services, Procurement Services Group, prior to effectuation.

CONTRACT PAYMENTS:

Payments cannot be processed by State facilities until the contract products have been delivered in satisfactory condition or services have been satisfactorily performed. Payment will be based on any invoice used in the supplier's normal course of business. However, such invoice must contain sufficient data including but not limited to contract number, description of product or service, quantity, unit and price per unit as well as federal identification number.

State facilities are required to forward properly completed vouchers to the Office of the State Comptroller for audit and payment. All facilities are urged to process every completed voucher expeditiously giving particular attention to those involving cash discounts for prompt payment.

If the contract terms indicate political subdivisions and others authorized by law are allowed to participate, those entities are required to make payments directly to the contractor. Prior to processing such payment, the contractor may be required to complete the ordering non-State agency's own voucher form.

See "Contract Billings" in Appendix B, OGS General Specifications.

ELECTRONIC PAYMENTS:

The Office of the State Comptroller (OSC) offers an "electronic payment" option in lieu of issuing checks. To obtain an electronic payment authorization form visit the OSC website at www.osc.state.ny.us or contact them by e-mail at epunit@osc.state.ny.us or by phone at 518-474-4032.

NOTE TO CONTRACTOR:

This Contract Award Notification is not an order. Do not take any action under this contract except on the basis of purchase order(s) from the agency.

NOTE TO AGENCY:

Orders under this contract are to be submitted directly to the contractor.

(continued)

PROCUREMENT LOBBYING TERMINATION:

OGS reserves the right to terminate this contract in the event it is found that the certification filed by the Offerer/bidder in accordance with New York State Finance Law §139-k was intentionally false or intentionally incomplete. Upon such finding, OGS may exercise its termination right by providing written notification to the Offerer/bidder in accordance with the written notification terms of this contract.

MERCURY-ADDED CONSUMER PRODUCTS:

Offerers are advised that effective January 1, 2005, Article 27, Title 21 of the Environmental Conservation Law bans the sale or distribution free of charge of fever thermometers containing mercury except by prescription written by a physician and bans the sale or distribution free of charge of elemental mercury other than for medical pre-encapsulated dental amalgam, research, or manufacturing purposes due to the hazardous waste concerns of mercury. The law further states that effective July 12, 2005, manufacturers are required to label mercury-added consumer products that are sold or offered for sale in New York State by a distributor or retailer. The label is intended to inform consumers of the presence of mercury in such products and of the proper disposal or recycling of mercury-added consumer products. Offerers are encouraged to contact the Department of Environmental Conservation, Bureau of Solid Waste, Reduction & Recycling at (518) 402-8705 or the Bureau of Hazardous Waste Regulation at 1-800-462-6553 for questions relating to the law. Offerers may also visit the Department's web site for additional information: <http://www.dec.ny.gov/chemical/8512.html>.

CONTRACTOR REQUIREMENTS AND PROCEDURES FOR EQUAL EMPLOYMENT AND BUSINESS PARTICIPATION OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND NEW YORK STATE CERTIFIED MINORITY/WOMEN-OWNED BUSINESSES

In accordance with Article 15-A of the New York State Executive Law (Participation by Minority Group Members and Women with Respect to State Contracts) and in conformance with the Regulations promulgated by the Minority and Women's Business Development Division of the New York State Department of Economic Development set forth at 5 NYCRR Parts 140-144, the Offerer/Contractor agrees to be bound by the following to promote equality of economic opportunities for minority group members and women, and the facilitation of minority and women-owned business enterprise participation on all covered OGS contracts.

a. **Equal Employment Opportunity Requirements**

By submission of a bid or proposal in response to this solicitation, the Offerer agrees with all of the terms and conditions of Appendix A including Clause 12 - Equal Employment Opportunities for Minorities and Women. The contractor is required to ensure that the provisions of Appendix A clause 12 – Equal Employment Opportunities for minorities and women, are included in every subcontract in such a manner that the requirements of these provisions will be binding upon each subcontractor as to work in connection with the State contract.

b. **Participation Opportunities for New York State Certified Minorities and Women-Owned Businesses**

Authorized Users are encouraged to make every good faith effort to promote and assist the participation of New York State Certified Minority and Women-owned Business Enterprises (M/WBE) as subcontractors and suppliers on this contract for the provision of services and materials. To locate New York State Certified M/WBEs, the directory of Certified Businesses can be viewed at: http://www.empire.state.ny.us/Small_and_Growing_Businesses/mwbe.asp

DIESEL EMISSION REDUCTION ACT OF 2006 (NEW REQUIREMENT OF LAW):

On February 12, 2007 the Diesel Emissions Reduction Act took effect as law (the "Law"). Pursuant to new §19-0323 of the N.Y. Environmental Conservation Law ("NYECL") it is now a requirement that heavy duty diesel vehicles in excess of 8,500 pounds use the best available retrofit technology ("BART") and ultra low sulfur diesel fuel ("ULSD"). The requirement of the Law applies to all vehicles owned, operated by or on behalf of, or leased by State agencies and State or regional public authorities. They need to be operated exclusively on ULSD by February 12, 2007. It also requires that such vehicles owned, operated by or on behalf of, or leased by State agencies and State or regional public authorities with more than half of its governing body appointed by the Governor utilize BART.

(continued)

DIESEL EMISSION REDUCTION ACT OF 2006 (NEW REQUIREMENT OF LAW) (Cont'd):

As a contract vendor the Law may be applicable to vehicles used by contract vendors "on behalf of" State agencies and public authorities. Thirty-three percent (33%) of affected vehicles must have BART by December 31, 2008, sixty-six percent (66%) by December 31, 2009 and one-hundred percent (100%) by December 31, 2010. The Law provides a list of exempted vehicles. Regulations currently being drafted will provide further guidance as to the effects of the Law on contract vendors using heavy duty diesel vehicles on behalf of the State. The Law also permits waivers of ULSD and BART under limited circumstances at the discretion of the Commissioner of Environmental Conservation. The Law will also require reporting from State agencies and from contract vendors in affected contracts.

Therefore, the bidder hereby certifies and warrants that all heavy duty vehicles, as defined in NYECL §19-0323, to be used under this contract, will comply with the specifications and provisions of NYECL §19-0323, and any regulations promulgated pursuant thereto, which requires the use of BART and ULSD, unless specifically waived by NYSDEC. Qualification and application for a waiver under this Law will be the responsibility of the bidder.

PRICE ADJUSTMENT:

The prices set forth in this contract shall be adjusted every six months following the first six months of the contract in accordance with the provisions of this clause. There shall be no price adjustments during the first six months of the contact.

The prices shall be adjusted based on the "Producer Price Index (PPI)" Industry Data, **Series ID: PCU323116323116**, Manifold business forms printing, published monthly by the U.S. Department of Labor, Bureau of Statistics. The index is also available through the Internet at the Bureau of Labor Statistics website. Go to [http://data.bls.gov/PDQ/servlet/SurveyOutputServlet;jsessionid=f0305d1ced2\\$3F\\$7F\\$3](http://data.bls.gov/PDQ/servlet/SurveyOutputServlet;jsessionid=f0305d1ced2$3F$7F$3), click on "Manifold business forms printing", then click on "Manifold business forms printing" again.

For all paper prices listed in the Invitation for Bids and Contract Award Notification, a price change (either upward or downward) will be established by the State every six months following the first six months of the contract.

The adjustment shall be established by assigning the PPI Series ID referenced above and establishing base and adjusted indices as follows: Following the first six months of the contact, price adjustments shall be effected beginning with the first month following the first six months of the contract (For example, for a contract with a start date of July 1, 2009, the effective price adjustment date would be January 1, 2010) and every six months of the contract thereafter. The contract base index shall be established utilizing the aforementioned PPI Series ID for the third month prior to the month of the contract start date and comparing it to the period three months prior to the effective adjustment date. The adjusted index minus the base index is divided by the base index and multiplied by 100 to arrive at the percentage of increase or decrease. NOTE: This new adjusted index will then become the base index for the next price adjustment period. All calculations will be based upon data from the first-published version of the month's index.

The resulting percentage of increase or decrease shall be applied to the prices to arrive at the new contract pricing. Each succeeding six months will follow this format. Price increases or decreases shall not exceed 5% each time price adjustments are issued.

Should the referenced Producer Price Index (PPI) become discontinued during the course of the contract, it will be replaced by an alternative PPI appropriate for Manifold business forms printing as applicable, and adjustments will be calculated based on the same methodology as outlined above, but with data from the new replacement index.

The Office of General Services will notify all interested parties of effected price adjustments by way of a Revised Contract Award Notification.

GOVERNOR'S EXECUTIVE ORDER NO 4:

On April 26, 2008, Governor David A. Paterson signed Executive Order No. 4 (EO 4), "Establishing A State Green Procurement And Agency Sustainability Program". Pursuant to EO 4, effective no later than July 1, 2008, all State agency and authority publications shall be printed on 100% post-consumer recycled content paper. Where paper with 100% post-consumer recycled content is not available, or does not meet required form, function and utility, paper procurements shall use post-consumer recycled content to the extent practicable. Non-recycled content shall be derived from a sustainably-managed renewable resource to the extent practicable, unless the cost of the product is not competitive. In the spirit of EO 4, it is the intent of the Office of General Services to apply these standards to other printed items such as business forms.

(continued)

SUSTAINABILITY:

All non-recycled or virgin content of proposed products shall be derived from a sustainably managed renewable resource and must be certified as such through an appropriate third party certification program recognized by the paper industry, such as the Forest Stewardship Council (FSC) and Sustainable Forestry Initiative (SFI). OGS reserves the right to request technical documentation to the extent necessary for verification purposes if deemed necessary.

PROCESSED CHLORINE FREE:

The Office of General Services supports and encourages vendors to use processed chlorine free paper to print publications and other printed items to the maximum extent practicable.

CONTRACT PERIOD AND RENEWAL:

It is the intention of the State to enter into a contract for the term as stated herein.

Discounts are firm for the entire period of the contract. Discount reduction will not be allowed and is specifically excluded from the terms and conditions of the contract award.

If the Printing Law permits, if mutually agreed between the Procurement Services Group and the contractor, the contract may be renewed under the same terms and conditions for additional periods not to exceed a total contract term of five (5) years.

SHORT TERM EXTENSION:

If the Printing Law permits, in the event the replacement contract has not been issued, any contract let and awarded hereunder by the State, may be extended unilaterally by the State for an additional period of up to one month upon notice to the contractor with the same terms and conditions as the original contract including, but not limited to, quantities (prorated for such one month extension), prices, and delivery requirements. With the concurrence of the contractor, the extension may be for a period of up to three months in lieu of one month. However, this extension terminates should the replacement contract be issued in the interim.

ESTIMATED QUANTITIES:

Actual ordering activity or frequency of orders is unknown. Contract shall be for those quantities actually ordered, and no guarantee can be made to the quantities ordered or the items ordered.

OVERRUNS AND UNDERRUNS:

Shall not exceed $\pm 3\%$.

The agency, at its option, may either accept or reject additional quantities beyond the allowable overrun.

If overruns beyond the allowable percentages are accepted, they will be at a negotiated reduction in price.

PRICES FOR INTERMEDIATE QUANTITIES:

On a quantity that is not set forth in the contract but falls between quantities listed, the difference between the next lowest and next highest contract price shall be pro-rated.

To determine intermediate quantity prices, the following method will be used. Assume the quantity ordered is 15,000 and assume the following prices have been established for quantities of 20,000 and 10,000:

Total Price for 20,000	=	\$500.00
Total Price for 10,000	=	\$350.00

To arrive at an intermediate per M price, the total price for 10,000 is subtracted from the total price for 20,000.

$$\$500.00 - \$350.00 = \$150.00$$

This amount is divided by 10 (the difference between the quantities)

$$\$150.00 \div 10 = \$15.00$$

The intermediate Per M price is then \$15.00/M

(continued)

PRICES FOR INTERMEDIATE QUANTITIES (Cont'd):

The price for 15,000 is therefore \$425.00 which is calculated as follows:

Add the intermediate price of \$15.00 for each additional M to the 10,000 price

	10M =	\$350.00
	11M =	\$ 15.00 additional or \$365.00
	12M =	\$ 15.00 additional or \$380.00
	13M =	\$ 15.00 additional or \$395.00
	14M =	\$ <u>15.00</u> additional or \$410.00
Total for	15M =	\$425.00

REPORT OF CONTRACT PURCHASES:

Contractor shall furnish quarterly reports containing total sales for both state agency and authorized non-state agency contract purchases no later than the 15th of the month following each six month period.

In addition to contractor direct sales, if applicable, contractor shall submit sales information for all resellers, dealers, distributors or other authorized distribution channels, where such contract sales are provided by other than the contractor. Contractors shall verify if each alternate vendor is a NYS Certified Minority (MBE) or Women (WBE) Owned Businesses. Contractors shall verify such status through the Empire State Development Minority and Women Owned Businesses Database web site at: <http://www.nylovesmwbe.ny.gov/cf/search.cfm>.

A separate report shall be provided in the following format for each authorized distribution channel. The sales report form is forwarded to each contractor at time of award for completion in accordance with the contract terms and conditions:

Total Price	Ordering Quantity	No. of Parts	8-1/2" x 11"			No. of Sides Requiring <u>2nd</u> Color	No. of Plate Changes	No. of Shrink Wrapped Packages
			No. of Parts Using Colored Stock	No. of Parts Printed on back	Numbering (Yes or No)			
			CB	CFB	CF			

The report is to be submitted electronically in Microsoft Excel 2003 or lower format to the Office of General Services, Procurement Services Group, Tower Bldg., Empire State Plaza, Albany, NY 12242, to the attention of the individual shown on the front page of the Contract Award Notification and shall reference the Group Number, the Award Number, Contract Number, sales period, and contractor's (or other authorized agent) name.

The outlined sales report is the minimum information required. Additional related sales information, such as monthly reports, and/or detailed user purchases may be required and must be supplied upon request.

CARBONLESS FORMS

ITEM: Custom Printed Multiple Part Carbonless Forms

QUANTITY:

Minimum order shall be for 1,000 sets.
Maximum order shall be for 1,000,000 sets.

NUMBER OF PARTS:

Two to six parts.

(continued)

CARBONLESS FORMS (Cont'd)

SIZE:

8-1/2" x 11" and 8-1/2" x 14" torn out size. Approx 8-1/2" x 11-3/4" and 8-1/2" x 14-3/4" overall size including snapout stub. Some forms may require printing in the snapout stub area. Fan-a-part gluing at top edge is not acceptable. All forms must be produced using a snapout stub construction.

FORMS STOCK:

Chemical Transfer Recycled Carbonless Bond - black print - white and colors.
Minimum of 15 lb. for CB parts; minimum of 14 lb. for CFB parts; minimum of 13 lb. for CF parts.
Coated Back (CB) – White
Coated Front & Back (CFB) – Canary
Coated Front (CF) – White, Canary or Pink

COPY: Camera ready copy or PDF's will be furnished by agency.

Marginals may be required on all parts. A plate charge shall be allowed for the front of the first part and all parts that are different than the front first part. A plate charge will also be allowed for the use of a second color. This plate charge does not apply to marginal changes. No additional charges shall be allowed for marginals.

NOTE WELL: Contractor's name must not appear on any forms.

PRESSWORK: All forms will print in 1 or 2 colors 1 or 2 sides.

INK: One or two colors plus red for marginals.

NOTE:

All lithographic inks used in the production of New York State printing requirements must contain the following minimum percentages of vegetable oil: News Inks - 40%; Sheet Fed Inks - 20%; Forms Inks - 20%; Heat Set Inks - 10%.

NUMBERING:

Consecutive serial numbering in one position, starting from any given number, may be required. Numbers will print in black or red, as ordered. No additional charge will be allowed for numbering Part 1 in red. Crash numbering is acceptable. A list of any missing numbers or skips must be submitted with delivery of forms.

FASTENING:

Glued in top snapout stub area.

PACKING:

Forms are to be packed in new corrugated cartons not exceeding 40 pounds gross. Mark all cartons on end with item, quantity and PO number. Contractor's name must not appear on cartons. Some orders may require shrink wrapped bundles, and an additional charge shall be allowed for shrink wrapping.

PROOFS: Two sets of proofs are required no later than 4 working days after receipt of order.

DELIVERY:

Delivery is required as follows:

Orders up to 100,000 sets - within 15 working days after OK proof.
Orders up to 500,000 sets - within 20 working days after OK proof.
Orders over 500,000 sets - within 25 working days after OK proof.

PREPARATORY MATERIALS:

All mechanicals, negatives and disks are or will become the property of New York State and are to be sent to the using agency upon completion of each order.

(continued)

WRAPAROUND COVERS

WRAPAROUND COVERS:

On occasion, the agency requires two-part to four-part carbonless snap-out sets to be bound in books of 25 with wraparound cover and chipboard backer.

ESTIMATED QUANTITY:

Total estimated quantity for the contract term is 240,000 books total. Minimum ordering quantity will be 5,000 books.

COVER STOCK:

Front and Back Covers: 100lb Tag stock
Stiffener (Inside back cover) - Minimum of 45# Chipboard.

COVER SIZE:

Front Cover - Approx. 8-1/2" x 11-3/4" (grain 8-1/2")
Wraparound Back Cover - Approx. 8-1/2" x 23-1/4" (grain 8-1/2")
Chipboard Stiffener - Approx. 8-1/2" x 11-3/4"

COPY:

Agency will furnish camera ready copy or PDFs for front cover copy. Copy changes may be required between orders.

PRESSWORK/INK:

Front cover prints 1 or 2 sides - black ink.
Wrap-around cover is blank - no printing.

SCORES: Front Cover - To have one horizontal score approximately 3/4" from top (at binding perf area to act as hinge).

Wraparound Back Cover - To have a minimum of two horizontal folding scores in the area that wraps around forms.

CONSTRUCTION:

25 sets to a book. Books to have a chipboard stiffener inside back cover which must be full size of forms plus stub. Wraparound back cover, grain 8-1/2" way, must reach binding stub perforation at top, and must have a minimum of two horizontal folding scores in the area that wraps around forms. Front cover to have one horizontal score at binding perforation area.

BINDING: Books to be bound at top with two heavy wire staples.

(continued)

**State of New York
Office of General Services
PROCUREMENT SERVICES GROUP
Contract Performance Report**

Please take a moment to let us know how this contract award has measured up to your expectations. If reporting on more than one contractor or product, please make copies as needed. This office will use the information to improve our contract award, where appropriate. **Comments should include those of the product's end user.**

Contract No.: _____ **Contractor:** _____

Describe Product* Provided (Include Item No., if available): _____

***Note:** "Product" is defined as a deliverable under any Bid or Contract, which may include commodities (including printing), services and/or technology. The term "Product" includes Licensed Software.

	Excellent	Good	Acceptable	Unacceptable
• Product meets your needs				
• Product meets contract specifications				
• Pricing				

CONTRACTOR

	Excellent	Good	Acceptable	Unacceptable
• Timeliness of delivery				
• Completeness of order (fill rate)				
• Responsiveness to inquiries				
• Employee courtesy				
• Problem resolution				

Comments: _____

 _____ (over)

Agency: _____ Prepared by: _____

Address: _____ Title: _____

_____ Date: _____

_____ Phone: _____

_____ E-mail: _____

Please detach or photocopy this form & return by FAX to 518/474-2437 or mail to:

OGS PROCUREMENT SERVICES GROUP
 Customer Services, 37th Floor
 Corning 2nd Tower - Empire State Plaza
 Albany, New York 12242

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