



Procurement Services Group

Guide to Using OGS Contracts

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Office of General Services

Procurement Services Group

Customer Services

GUIDE TO USING OGS CONTRACTS

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What is the OGS Procurement Services Group?

The Office of General Services Procurement Services Group (OGS) establishes contracts for commodities, services and technology. Over 2500 contracts with an estimated total value of \$5.3 billion are available for use by eligible entities across New York State. OGS' mission is to provide customer-focused contracts that are responsive to customer needs, cost effective, practical, timely and in accordance with governing laws.

Benefits of Using OGS Contracts

Since 1953 political subdivisions (cities, towns, villages, counties and public schools) have been eligible to use OGS contracts to purchase materials, equipment and supplies at competitive prices. In addition to political subdivisions, many other entities, such as fire districts, volunteer ambulance companies, libraries, private schools and colleges are also eligible to use OGS contracts. (A complete list is on page 5 and at the OGS website:

www.ogs.state.ny.us/purchase/snt/othersuse.asp)

While New York State agencies are required to use OGS commodity contracts and encouraged to use OGS service and technology contracts, all OGS contracts are optional for localities. However, the contracts are popular with localities and other entities authorized to use them because they are established through a competitive bidding system and therefore meet the competitive bidding requirements of General Municipal Law.

OGS leverages New York State's buying power by combining state and local government agency requirements to establish contracts for considerable quantities. OGS contracts also reduce administrative costs because OGS handles bid solicitation and evaluation, as well as contract development and management.

OGS contracts can also:

- * Save 10 to 40 percent of average purchase prices
- * Reduce or eliminate the time required to research specifications
- * Enhance and simplify the purchase process
- * Minimize the time required to identify responsible vendors
- * Ensure product and service quality
- * Meet recycling/energy efficient and green procurement objectives and
- * Help meet M/WBE and small business contracting goals through purchases from businesses identified as such on OGS contracts.

Under the New York State Finance Law, OGS awards contracts on the basis of lowest price and/or best value, to a responsive and responsible offeror.

OGS uses a competitive bidding system, taking a variety of factors into consideration: the reliability of the bidder, the quality of the commodities or services proposed to be supplied, their conformity with the specifications, the purpose for which the product or service is required and the terms of delivery.

The OGS website lists all current commodity, service and technology contracts as well as a wealth of other valuable information for OGS contract users and companies interested in doing business with New York State.

OGS contract information is available electronically. Anyone can sign up for the online purchaser notification service (PNS), located on the OGS website at www.ogs.state.ny.us/PNS/default.asp. To change the selections (if receiving too much or not enough information) return to the website above and modify the account by logging in with the e-mail address that receives the mailings. Registering for the PNS ensures prompt and timely notification of updates or amendments to the contracts. Since the service is electronic and free, multiple users from each organization eligible to use OGS contracts may register, personalizing their registration to receive notifications for only those contracts they utilize. For example, individuals working in information technology might sign up to receive updates on the technology contracts, but not the road materials contracts, while individuals in highway departments might opt for only the road materials, equipment and vehicle contracts. Each e-mail notification from OGS includes a brief synopsis of the contract and a link to the related document on the OGS website, where all contracts may be viewed, downloaded and/or printed.

OGS contracts receive prior approval from the Office of the State Comptroller (OSC), whose primary function is to guarantee the fiscal responsibility of state expenditures. Once OSC has completed the pre-approval process and signed each contract, it is posted on the OGS website for use by all eligible entities.

Most OGS contracts can be used to make direct purchases, with the exception of the back-drop contracts which are clearly labeled as such and require an abbreviated bidding process (see p. 12). Authorized users may place orders directly with the contractor listed for the item(s) or service needed, referencing the OGS contract number, which begins with the letter PT (technology), PS (service), PC (commodity), CM or CMS (backdrop contracts). Non-state agencies are encouraged to include their OGS customer number, which is a three or four digit number provided by OGS to each individual entity, since it indicates to the contractor that they are eligible to use OGS contracts.

As mentioned above, the use of most OGS contracts is optional for non-state agencies. The only time localities are required to use an OGS contract is when they have filed a requirement letter for a particular commodity, such as road salt or fuels (see p. 11). OGS contracts are also sometimes used as a benchmark. The Office of the State Comptroller (OSC) municipal auditors maintain that municipally-bid contract pricing should be at least comparable to OGS contract pricing, especially since OGS contracts are always an option for local governments.

OGS Contracts—Variety, Diversity and Experience

Through the years OGS has continually provided state agencies and many local governments with contracts for commodities, services and technology needed to serve the people of New York State. OGS has acquired a wealth of contracting experience through its dealings with industry shortages, energy crises, natural disasters, and much more.

Commodities

The materials, equipment and supplies available through OGS contracts are basic necessities agencies need for daily operations. OGS commodity contracts are usually awarded on a “low bid meeting specifications” basis and established using Invitations for Bids. The aggregated statewide volume results in highly competitive pricing. OGS also issues multiple awards for many commodity contracts.

In addition to critical items such as road materials, fuels and office supplies, OGS has remained responsive to the changing needs of state and local agencies through the years. For example, OGS establishes contracts for chemicals and medical equipment used by research and treatment facilities and modern and effective law enforcement devices. A recent example of OGS efforts that respond to a combination of environmental challenges, agency need and government directive is the collaborative effort made by OGS and other agencies to meet the directives of Executive Order No. 4: Establishing a State Green Procurement and Agency Sustainability Program (more on p. 14). The specifications and contracts established by OGS will assist state and non-state agencies, public authorities and public benefit corporations throughout New York State to green their procurements and implement sustainability initiatives.

Technology

OGS continues to develop many new technology contracts to meet customer needs in the ever changing information technology environment. The technology homepage on the OGS website provides useful information for contract users: www.ogs.state.ny.us/purchase/snt/awardnotes/tcgOverview.asp. Contract usage guidelines have undergone an evolutionary process with each new procurement initiative: When reviewing the guidelines under the "Simplified Guide" link, municipalities and other non-state agencies should note that those guidelines were written with state agencies in mind: State agencies operate under State Finance Law and therefore may have different discretionary purchasing limits and other requirements than municipalities, which operate under General Municipal Law.

While not always the case, OGS technology contracts are usually IDIQ (Indefinite Delivery, Indefinite Quantity), which means that contract prices may be viewed as "not to exceed" or "ceiling" prices. The contracts include resellers and multiple contract choices for similar products. OGS encourages buyers to use various techniques to secure additional concessions above and beyond the contract price. Such practices include consolidating purchases across the using agency, aggregating purchases across several agencies or through the Office for Technology (OFT), trading in old equipment, obtaining competition among resellers where possible or taking advantage of "year-end" or "quarter end" deals when negotiating.

A technology contracting area that is widely used is the information technology backdrop contract. OGS pre-qualifies technology companies in a range of service areas, including consulting, systems integration, on-going services and training (live, computer-based and video-based). Contract users are able to select from hundreds of companies pre-qualified by OGS and use these contracts to annually purchase services valued at millions of dollars. Since OGS has already determined vendor responsibility, established "not-to-exceed" rates and vendor adherence to terms and conditions required by New York State contracts, a lot of the agency contracting work has already been done, shortening the contracting time for agencies. OGS publishes guidelines, forms and templates for all procurement options available through these contracts at:

www.ogs.state.ny.us/purchase/snt/awardnotes/73012S960275can.HTM

Contractors must fulfill contractual obligations that are created during and after the development and release of new IT Services contract.

Another popular technology contracting area is telecommunications. OGS contracts in this area were established to provide various telecommunications services, radio communications equipment, security systems/solutions and telecommunications equipment/ solutions. The multiple award format allows contract users a choice between providers and the ability to obtain better pricing at the time of purchase. The pricing is established at "not to exceed" rates, and authorized contract users should negotiate with the various carriers to secure the most competitive pricing.

Services

OGS contracts for a variety of services in several different categories: building services (security guard, moving, waste removal, pest management, and electrical switchgear testing and elevator maintenance), financial services (auditing, expense reduction and lease purchasing), travel services (air travel, vehicle rental and travel agent), language translation, hearing reporter, temporary personnel and miscellaneous services (environmental, courier and moving services). Most of the contracts offer multiple contractors to allow for ongoing competition. Contract users are encouraged, if not required, to secure quotes from all contractors and select the contractor who provides the best value which may also be the lowest price.

In addition, OGS establishes contracts for several technology-related services. There are a variety of electronic online database services, including EBSCO, Westlaw, Grolier and others, which are used by libraries, schools and legal departments in different agencies. There are contracts for information advisory services such as Gartner.

Specific to the vehicle industry, there are contracts for fleet management services and vehicle rental. In order to keep pace with emerging technologies, fleet management is periodic recruitment and new contractors are added annually. Multiple awards allow for better prices through competition by leveling the playing field. Contracts may be awarded both statewide and regionally based on the lots and categories offered by vendors.

Eligible Organizations

The largest non-state agency category is political subdivisions—including cities, towns, villages, counties and school districts—which were authorized by law to use OGS contracts in 1953. Since then many other organizations have become eligible to participate in the OGS Contract Extension Program as a result of additional legislation passed throughout the years. Entities such as fire districts, independent colleges, museums and certain charitable groups across New York State may purchase commodities through OGS contracts.

Legal References

Table One

These groups are eligible to purchase through OGS Commodity, Information Technology and Service Centralized Contracts.

- ❖ Any officer, board, or agency of a political subdivision, or of a district therein (counties, cities, towns, villages, public school districts) -- Section 163 of the State Finance Law and Sections 100 and 104 of the General Municipal Law
- ❖ Volunteer fire companies—Sections 100 and 104 of the General Municipal Law
- ❖ Boards of Cooperative Educational Services—Section 100 of the General Municipal Law
- ❖ Institutions for instruction of the deaf and of the blind—Section 163 of the State Finance Law and Section 4201 of the Education Law
- ❖ Nonprofit public television corporations—Section 236 of the Education Law
- ❖ Voluntary ambulance services—Sections 100 and 104 of the General Municipal Law
- ❖ Nonprofit public radio corporations—Section 236 of the Education Law
- ❖ Any public authority or public benefit corporation of the State—Section 163 of the State Finance Law
- ❖ Non-public, nonprofit elementary and secondary schools—Section 109-a of the General Municipal Law

- ❖ Certain public associations—New York State Town Clerks Association, New York State Association of Counties, Association of Towns of the State of New York, New York State Conference of Mayors and other Municipal Officials, New York State School Boards Association, Inc., the New York Planning Federation and Association of Fire Districts of the State of New York and the New York State Association of School Business Officials—Section 109-a of the General Municipal Law
- ❖ Public library, association library, library system, cooperative library system, the New York Library Association and the New York State Association of Library Boards (or any other library except those operated by for profit entities) -- Sections 163 of the State Finance Law and Section 109-a of the General Municipal Law.

Table Two

These groups are eligible to purchase ONLY through OGS Commodity Centralized Contracts.

Note: OGS Information Technology and Service contracts may be available to these groups through voluntary extension by the contractor. To obtain such extension contractors/vendors should be contacted directly.

- ❖ Nonprofit independent colleges and universities—Section 6404 of the Education Law
- ❖ Certain nonprofit museums, historical societies, zoological gardens, botanical gardens, arboreta, and aquariums—Section 258-a of the Education Law
- ❖ Certain not-for-profit corporations that receive federal funds for provision of transportation services—Section 31-a of the Transportation Law
- ❖ The Interstate Environmental Commission—Section 163 of the State Finance Law
- ❖ Charitable nonprofit agencies for the blind and other severely disabled—Section 163 of the State Finance Law
- ❖ Nonprofit, non-public hospitals, residential health care or mental hygiene facilities—Section 163 of the State Finance Law
- ❖ Nonprofit cemetery corporations—Section 1509 of the Not-For-Profit Corporation Law
- ❖ Nonprofit county, town or other agricultural societies and youth fairs or expositions held by county extension service associations—Chapter 741 of the Laws of 1985 and as amended by Chapter 90 of the Laws of 1992
- ❖ Certain charitable organizations—Chapter 741 of the Laws of 1985 and as amended through Chapter 275 of the Laws of 1998.

OGS can help...

Establishing Eligibility

State agencies and authorities are automatically eligible to use OGS contracts. Non-state agencies can establish eligibility by contacting OGS by e-mail (customer.services@ogs.ny.gov) or phone (518/474-6717). OGS Customer Services representatives will provide the application to be completed and returned to Customer Services. OGS processes applications within a few days, responding to applicants with a customer number if eligibility requirements are met.

Navigating the OGS Website: www.ogs.state.ny.us

Having Difficulty Locating Contracts on the OGS Website?



The OGS website provides an easy way to find, view and download state contract awards, as well as plenty of other useful information. All contracts are available on the OGS website. There are several tools on the website to help customers determine whether specific commodities, services and/or technology are available through contracts.

One of the improvement opportunities identified by OGS contract users in the most recent Customer Satisfaction Survey was finding needed information on the OGS website. Due to the complexity and size of the contracting program administered by the OGS Procurement Services Group (PSG), there is a considerable amount of contract-related information on the website, which can result in challenges during website searches.



If an agency is **searching for information related to a particular contract**, the most effective way to search is by using the OGS Group Number, which is a five digit coding system utilized by OGS to organize contracts. Within the PSG section of the OGS website, there is a search tool that allows a search by group and/or award number. That search is located at <http://www.ogs.state.ny.us/Purchase/Search/default.asp> and may also be accessed on any Procurement Services Group web page by clicking on “PSG Search” in the blue bar near the top of the page.

Here is a quick and easy “map” to use in searching:



- OGS Home Page (www.ogs.state.ny.us)
- Click Centralized Procurement
- Click Contracts
- Click Search Contracts
- Type Group or Award Number or query
- Click search result with blue line ending in “Award”
- Click Contract Award link to view award.
- Guide to OGS Contracts

If a group number for a desired contract item has not been identified, the Search mechanism on the OGS homepage may be used to find the appropriate possible group number(s).

On the right side of the homepage click in the Procurement button, enter one to four key word(s) for the search (e.g., security cameras, dormitory furniture) in blank box. If the search results include

pricelists, make sure to note the contractor name at the top of the list or any other identifying information. Search results that begin with a five digit number indicate an OGS group number, which may be used on the PSG search page to locate the appropriate contract.

Within the body of each award document, all of which are PDF files, an effective way to locate a particular brand name, contractor or other desired information is to use the **PDF search mechanism**, usually designated by a binoculars icon on the left of the page.

The most effective way to search for an **OGS contract number or contractor** is to search the **“Statewide term contracts - Listing of active contracts”** file found on the buyer information page. OGS contract numbers are five digits, prefaced by the letters PT (technology), PS (service), PC (commodity) or CM or CMS (backdrop contracts). Use the pdf search binoculars to locate the contract number and corresponding group and award number, then use the PSG search page to locate the contract.

Most **OGS contract pricelists** are posted on the OGS website or maintained by contractors on their own websites and connected by a link from the contracts. However, there are some OGS contracts where the buyer is referred to the contractor to request a pricelist. In those cases, the contents of the pricelists are not searchable by visitors to the OGS website. As a contract user, if you are unable to determine whether a product is available from OGS contract, you may contact OGS Customer Services at customer.services@ogs.ny.gov or call 518/474-6717.

- The **“Index of OGS Contracts”** is a comprehensive alphabetical listing of state contracts. To find it, click on “Contracts” at the Procurement Services Group homepage www.ogs.state.ny.us/purchase/searchbrowse.asp then click on “Index of OGS Contracts.”
- General **listings of OGS contracts** grouped by category (commodity, service, technology and others) are available via links on that same page.

Staying Informed – OGS Purchaser Notification Service

OGS offers a Purchaser Notification Service (PNS) which allows end users to receive notices of new contracts and other important OGS procurement news for buyers. The link to sign up for the PNS is available at the Buyer Information page (www.ogs.state.ny.us/PNS/default.asp). Registration is a simple three step process:

1. Provide some basic information about your government entity,
2. Select the Product and/or Services Classification areas that fit your interests, and
3. Watch your e-mail inbox for the notices to be delivered to you.

This purchaser notification service uses a product and services classification system with about 55 broad categories that cover hundreds of different OGS contracting areas. This system is based on the United Nations Standard Products and Services Code (UNSPSC). Updated information is always posted on the OGS website, but registering for the purchaser notification service is the only way to immediately receive e-mail announcements regarding new contracts and updated contract information as it is issued. Users should maintain up to date registration data by reviewing and updating the profiles established as necessary.

Training Opportunities for Purchasing Professionals

To help further understand the procurement process and answer many questions, training materials are available on the OGS website. Each year, OGS provides videotaped classes and presentation materials from the State Purchasing Forum at the following link:

<http://ogs.ny.gov/purchase/snt/overviews/SPFpps.asp>

New York State Purchasing Forum

For the past 11 years, OGS has hosted a State Purchasing Forum and Trade Show, which has provided an annual opportunity for purchasers to meet OGS contract holders, attend procurement training sessions and network with other government entities. In 2010 over 1300 state and local purchasers came to the Forum, attending a total of 40 hours of free training sessions, with topics including ethics for public procurement, procurement rules for local government and schools, contract administration, and basic instructional classes in purchasing and contracting. The 2010 State Contractor Trade Show offered over 200 exhibits consisting of OGS contractors, Preferred Sources and state agencies.

OGS holds this event each year, with steady growth in attendance. The 2011 Forum and Trade Show will be announced via the purchaser notification service (See page 9).

Customer Outreaches

OGS participates in numerous outreaches at local government association gatherings throughout the year, where OGS personnel staff informational booths and give presentations on the OGS contracting program. Some of the organizations are the Association of Towns, NYS Association of Municipal Purchasing Officials (SAMPO), Association of Fire Districts of the State of New York, and the New York Conference of Mayors (NYCOM).

The **Buyer Information** web page contains a variety of information that is useful to OGS contract users. That page may be accessed by a link on the left side of any OGS Procurement Services Group (PSG) web pages or at <http://www.ogs.state.ny.us/Purchase/buyer.asp>

The **Buyer Information** page lists a number of other useful procurement-related links.

- **OGS Purchaser Notification Service**, the online registration site for government purchasers and others interested in receiving information about OGS contracts.
- **Environmentally Preferable Purchasing** links to a wealth of information related to green procurement, green cleaning and energy efficient purchasing.
- **Preferred Source Offerings—Products and Services** provide information to assist New York State agencies, political subdivisions and public benefit corporations in fulfilling their statutory obligation to purchase from Preferred Sources.
- **Statewide Term Contracts—Listing of Active Contracts** is a useful listing of OGS contracts currently in place.
- **Index to OGS Contracts** is helpful in identifying OGS group numbers.

The links listed under “**Information on Selected Contracts**” are quick ways to locate information that relates to **general contracting areas**, such as a daily price configurator for OGS fuel contracts, the various contracts that are included in the aggregate personal computer and printer initiatives, homeland security contracts and others.

Finally, New York State agencies that operate under State Finance Law should be conversant with **Procurement Guidelines** issued by the New York State Procurement Council. These guidelines, and other information related to procurement by New York State agencies, are available on the OGS website at <http://www.ogs.state.ny.us/Purchase/aboutpsg.asp>

Questions about these materials, may be directed to OGS Customer Services at customer.services@ogs.ny.gov or 518/474-6717.

Types of Contracts

OGS contracts are often referred to as “term contracts” because they are in force for a specific period of time, usually a minimum of one year, and are either rebid or renewed for an additional period at the end of each contract. There are several different types of term contracts.

Estimated Quantities Contracts

Most OGS contracts are estimated quantities contracts. OGS determines the quantities listed in the bid documents which provide bidders with an idea of the sales volume to be expected during the contract period by using a variety of methods: quarterly sales reports from contractors, records of state agency purchases maintained by the Office of the State Comptroller and the professional judgment of the purchasing officers. Prospective bidders use these estimates to calculate their bid prices. When a company is awarded a contract, they must furnish the actual quantities ordered during the term of the contract, regardless of whether those quantities meet, exceed, or are less than those estimated on the bid documents.

Filed Requirements (Definite Quantities) Contracts

Definite quantity contracts are currently established by OGS for the following commodities:

Group & Description

01800 Road Salt
05500 Fuel Oil (#2, #4, #6 and Kerosene)
05600 Gasoline, Unleaded
05602 Diesel Engine Fuel
05800 Liquefied Petroleum Gases (LP) Propane
05900 Natural Gas
01600 Milk

These contracts are for commodities whose prices are directly impacted by various external forces such as typically volatile market conditions and/or by freight rates which vendors must factor into their bid prices. Because of that distinction, OGS includes detailed delivery schedules which provide bidders with contract user delivery points and the estimated quantities they agreed to purchase during the contract period.

Collection of Filed Requirement Information from Customers

NEW in 2010

OGS is pleased to announce that a process for electronic filing for requirement information is being developed. Electronic filing will expedite the filing process, reduce errors and eliminate the dependency on the paper process which is more costly and not environmentally responsible.

When an OGS contract user submits their requirements electronically, the agency is giving OGS authority to contract for its requirements for the indicated commodity during the indicated contract period. Therefore, the entity may not enter into any other contract for that commodity during that period. Agencies filing requirements with OGS are subsequently bound to the OGS contract with the same force and effect as if they had contracted directly with the vendor. Agencies may not withdraw filed requirements without obtaining OGS prior written approval, which may be withheld if OGS determines that the withdrawal will jeopardize the validity of an existing contract or pending award.

If there is a minimum annual requirement, contract users should not submit requirements for less than that amount. OGS collates and tabulates the data from the electronic **submission** of requirements, incorporates that information in bid documents and proceeds with a competitive bid process. Bids are opened publicly and awards are made to the lowest responsible bidder offering product meeting the specifications, terms and conditions of the bid documents.

A few notes about the fuel contracts...

- Standby fuel is fuel used as a secondary heating source.
- Weekly adjusted fuel prices are available on the OGS website at: www.ogs.state.ny.us/asp/purchase/snt/fuels/index.asp
- Fuel Oil Delivery Designations
 - TW:** Delivery by tank wagon into storage tanks
 - MT:** Minimum delivery of 5500 gallons at one time into one tank, capacity of which exceeds 5500 gallons.

Multiple Award Contracts

Many OGS contracts are comprehensive **multiple award** formats, which means that more than one manufacturer is offered for each product category, item or service listed on the award. The multiple award formats take a variety of factors into consideration, such as an agency's budgetary limitations, professional preference and consistency with commodities already owned by an agency. OGS has used multiple award formats for professional/industrial electronics, consumer electronics, furniture, vehicles, audio-visual equipment, hazardous incident response equipment, office supplies, industrial supplies, and several other areas.

Catalog Contracts

OGS has also created several prime vendor or catalog contracts that offer significant benefits. These contracts enable customers to order a wide variety of commodities of a particular category, such as office or industrial supplies, from one or more vendors. These contracts save administrative time by allowing agencies to use a single purchase order for a wide range of products. Most of them also offer quick delivery times, low or no minimum order requirements and electronic ordering. These benefits allow using agencies to implement stockless supply systems, thereby saving the cost of maintaining stockrooms.

Backdrop Contracts

For contracting areas which are complex and require individualization, such as computer consulting, systems integration, security guard services, elevator maintenance and lease-purchase agreements, OGS uses a backdrop contract model. These contracts include multiple vendors and require a subsequent bid process and award among the contracted vendors based upon specific agency requirements. Backdrop contracts require companies to submit maximum pricing that establishes "not-to-exceed" pricing for the term of the contract. OGS provides detailed instructions and templates of bid documents. Agencies must prepare a project definition describing the agency's specific requirements, identify the evaluation criteria to be used in awarding the contract, solicit and receive bids, and select the offer that provides the best value.

The information Technology backdrop contract (OGS Group 73012) is currently being renegotiated. For updated information on the current status of the project, contact Customer services at customer.services@ogs.ny.gov or by phone at (518) 474-6717.

Contract Highlights**About Vehicle Contracts**

Vehicle contracts (Passenger Cars, Law Enforcement Vehicles, School Buses, Passenger & Cargo Vans, Sport Utility Vehicles, Pickup Trucks, and others) are different from most OGS contracts because the contract end dates are not determined until after the contract is issued. Those variable end dates, called "build-out dates" are distributed via Purchasing Memoranda to all electronic subscribers via the purchaser notification service (www.ogs.state.ny.us/PNS/default.asp). They are

also posted on the OGS website at each contract's "Amendments" link so that they are available to all contract users.

In order to maintain continuity, the vehicle contracts are developed to cover multiple model years. When one model year has reached build-out the next model year is offered with an already established contract discount off of the Manufacturer's Suggested Retail price. The build-out date for each contract item is the last date the contractor will accept orders for vehicles to be built and delivered for that model year. In order to receive state contract pricing, an authorized user must place its order prior to the build-out date for the vehicle they are interested in purchasing. Therefore, authorized users are encouraged to place purchase orders as soon as possible after contracts are issued.

OGS contracts for a variety of clean-fueled vehicles. Several different models of flex-fueled (ethanol/gasoline), CNG (compressed natural gas), LPI (liquid propane injection), gasoline/electric hybrids, and Neighborhood Electric Vehicles are available from OGS contracts. (More information on clean-fueled vehicles is included in the EO 4 section of this document and on the OGS website.)

Hazardous Incident Response Equipment (HIRE) Contracts

In response to the devastating attacks of September 11, 2001, a Homeland Security Workgroup was formed to facilitate communications among multiple agencies with homeland security needs and to provide linkage between the needs of first responders and state procurement officials. Specific categories were identified where there was a need for a procurement mechanism used to purchase equipment quickly and cost effectively, including categories such as personal protective equipment, explosive device mitigation and remediation equipment, decontamination equipment and others. The initial bid was sent to over 15,000 vendors throughout the United States. The resulting contracts, which now include a total of 18 supplemental awards and dozens of contractors, are comprehensive catalog contracts providing for discounts on 13 categories of homeland security equipment covered by federal grants and Law Enforcement Terrorism Prevention Program funding. This contract has become a major multi-state initiative incorporating 20 other states, with New York as the lead state.

Aggregate Purchase Initiatives

The first aggregate information technology procurement program established in 2006 aimed at maximizing cost savings for purchases of information technology hardware, software and services. Each year since then, OGS has coordinated purchases available to all authorized contract users, providing an opportunity to purchase desktops, workstations, notebooks and displays at reduced costs through aggregated purchasing. In 2009, printers were added to this initiative, and awards were made on the basis of the Total Cost of Ownership (TCO) which included the acquisition of the printer and warranty along with the projected cost of consumables and replaceable service parts. The reduced pricing of the aggregate initiatives is available regardless of the quantity purchased by the authorized user, providing additional discounts that smaller organizations would normally not be offered.

Information on the most current Aggregate Technology initiative is available on the OGS website at <http://www.ogs.state.ny.us/purchase/SearchBrowse.asp>.

The aggregate purchase initiative has also contributed to a more sustainable purchase program. This year OGS responded to Executive Order No. 4 and the call to create even greener, safer and more sustainable procurement choices by requiring a more stringent level of environmental criteria for the electronics purchased through this initiative. As a result, OGS has a stream-lined set of specifications that fit the needs of various state contract users who are interested in not only saving money but increasing their commitment to environmental stewardship as well.

The 2009 Aggregate Printer Purchase Initiative was awarded, per category, to the two printer contractors with the lowest quoted Total Cost of Ownership (TCO) for each awarded configuration.

Contracts Addressing 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. EO 4 requires each state agency and authority to “green” their procurements and implement programs to promote environmental sustainability. These programs and policies will focus on reducing potential impacts on public health and the environment by supporting recycling, reducing or eliminating the use and generation of toxic substances, pollution and waste, increasing energy efficiency, and using renewable energy sources. Because EO 4 requires that all copy paper, janitorial paper and other paper supplies purchased by each state agency or authority be composed of 100% post-consumer recycled content and be processed chlorine-free to the maximum extent practicable, OGS has increased contracting efforts in these areas. As a result, all eligible contract users benefit by the increased availability of green and sustainable items available through OGS contracts.

OGS has set up an area on its website dedicated to EO 4 as a mechanism for keeping contract users informed of the initiatives undertaken to meet its various directives. This website provides a variety of information on different specifications written for energy efficient, recycled, and otherwise “green” or “sustainable” contracts: <http://ogs.ny.gov/EO/4/Default.asp>

For many years OGS was authorized by law to utilize a price preference for the purchase of paper with recycled content, so OGS purchasing professionals have a lot of experience with “buying recycled.” Through the years OGS also expanded its recycled procurement efforts by establishing contracts with other recycled and remanufactured items, such as re-refined oil, remanufactured computer hardware and recycled plastic items. OGS product specifications require recycled and remanufactured products to meet the same quality and performance standards as their virgin material counterparts. A list of recycled and energy efficient products can be found on the OGS Website at Buyer Information page: www.ogs.state.ny.us/purchase/spg/pdfdocs/EnergyRecycled.pdf

OGS contracts include a variety of environmentally preferable components: speed display trailers that are solar powered, vehicles that are alternatively fueled, furniture using wood from sustainable forests, several pavement marking materials made from recycled glass, and more.

OGS contract items such as copiers, fax machines, personal computers and appliances which contain the Federal Environmental Protection Agency (EPA) Energy Star logo are identified as such on the OGS award documents. The Energy Star program is a cooperative effort of the EPA and participating office automation companies that fosters the manufacture of energy efficient technology.

New York State is leading the way in the acquisition and use of alternative fueled vehicles by its agencies, authorities and universities. As part of the OGS Alternative Fueled Vehicles Program, OGS establishes contracts for clean-fueled vehicles, thereby assisting New York State agencies, authorities, state universities and community colleges in acquiring and utilizing alternative fueled vehicles. Clean-fueled vehicles play an important role in addressing New York State's need to restore, preserve and protect its valuable environmental resources: they help reduce air pollutants to ensure a clean environment in New York for current and future generations and contribute to the nationwide effort to reduce dependence on foreign sources of oil. The web site for the Alternative Fueled Vehicles Program is <http://www.ogs.state.ny.us/supportServices/vehicles/defaultCFV.html>

Executive Order No. 142,” Directing State Agencies and Authorities to diversify fuel and heating oil supplies through the use of bio-fuels in state vehicles and buildings”. Governor David A. Paterson rescinded section II of Executive Order 142, thereby eliminating the requirements that state agencies and authorities purchase and utilize bio-diesel in their fleets. For more information, please visit the governor's website: http://www.state.ny.us/governor/executive_orders/xeorders/eo_35.html

Federal General Services Administration (GSA) Contracts

Customers cannot directly purchase from a Federal General Administration (GSA) contract as there is no state statutory provision that authorizes such purchases. To meet the requirements of customers, OGS occasionally adopts certain GSA contracts to provide for supply and value to multiple contract users. Customers can purchase from such OGS centralized contracts, such as solar panel and pharmaceutical contracts that have been approved by OGS.

Contracts for Individuals with Disabilities

OGS establishes contracts for a variety of equipment that is dedicated to meeting the needs of persons with disabilities, allowing them to function more effectively in the general population. A series of assistive technology contracts offer a variety of hardware and software designed to meet the needs of individuals with vision, hearing, cognitive and/or communication disabilities. These contracts provide devices that allow persons with disabilities to fully utilize their computers and peripheral equipment. The contracts also include dedicated assistive technology equipment such as head wands and mouth sticks, communication boards and personal amplification systems. In the assistive technology contracting area, OGS encourages the addition of emerging assistive technology through a process of continuous recruitment. OGS also has a contract in place designed to supply all entities in the state with ballot marking or other voting devices to provide voting accessibility to individuals with disabilities in compliance with Federal Help America Vote Act (HAVA) requirements.

OGS contracts comply with all applicable laws, rules and regulations, including the Americans with Disabilities Act. Where applicable, OGS contracts include options and accessories to meet the needs of individuals with disabilities, such as the inclusion of TDD (telecommunications device for the deaf) devices in the contract for key telephone systems.

Assistance with Contracts for Individuals with Disabilities

The assistive technology products are not exclusively on the Assistive Technology contracts.

For example:

- To find the assistive items, including the Integrated Microcomputer Systems, go to Technology Contracts, then Assistive Technology
- To find the Interactive Voice Response Equipment (TDD), go to Telecommunications, then to Interactive Voice Response Equipment
- To find Ballot Marking or Voting Devices (Disability Accessible), go to Commodities, then Voting Systems & Devices

The group of contracts for Assistive Technology for persons with disabilities includes Assistive Technology Products (hardware, related software, and related services) and Integrated Microcomputer Systems (IMS). Contractors offer products for persons with disabilities in one or more of the following three groups: (1) Blindness & Low-Vision; (2) Deaf & Hard of Hearing; and (3) Cognitive & Communicative Disabilities.

Ordering Agency Responsibilities

A small portion of the contracts issued by OGS are established for specific agencies only. Limitations in contract usage are always noted on the face page of the contract.

Contract users should place orders directly with the contractor listed on the contract for contracts that do not require mini-bids, using the ordering agency's purchase order and including the contract number to ensure that the contractor provides the New York State contract price. The six digit OGS contract number is prefaced by a letter or letters which varies according to the contract category (P, PT, PS, PC, **CM** or **CMS**).

Agencies should carefully read and comply with all of the terms and conditions of the contract. OGS is not responsible for using agency's oversight of any information included in the contract (see "Receipt and Inspection," next page). Some examples of terminology follow.

- **Delivery**—Every contract clearly states the terms of delivery.
- **Minimum Order**—Some OGS contracts include a requirement that a minimum order be placed, such as \$50 worth of office supplies or a box of copier paper. Agencies that cannot meet a minimum requirement should be aware that contractors are not obligated to honor contract pricing for smaller deliveries. Contractors may sometimes agree to deliver less than the minimum if requested, although they may require a nominal shipping fee or other surcharge.
- **Payment**—Contract users are responsible for prompt payment due to state contractors.
- **Tax Exempt Certificate**—If requested by the contractor, purchasers should be prepared to provide proper evidence of tax exempt status.
- **Receipt and Inspection**—Buying agencies are solely responsible (see **Receipt and Inspection** section on next page).
- **Good Business Practices**—Agencies that fail to promptly adhere to all contract terms, applicable OGS rules and regulations and good business practices (including prompt payment) may be suspended from using state contracts. If not, OGS may take such action as the Commissioner of OGS deems appropriate, including, but not limited to, the imposition of special conditions and restrictions regarding future purchases through state contracts.

In the event of a lapse in contract coverage or when a replacement contract is in process, authorized users must follow their own individual purchasing policies and procedures. Entities may consider including a contract migration clause such as the following to enable the move to an OGS contract when it becomes available.

Authorized Users shall be permitted, at the Authorized User's discretion, to migrate to a New York State centralized contract at the time that Contractor is awarded a centralized contract for the same products or services, effective with its commencement date. Such migration shall not operate to diminish, alter or eliminate any rights that the Authorized User otherwise had under the terms and conditions of their individual contracts.

In the area of contractor compliance, agencies who are unable to resolve issues on their own can request assistance from OGS. Contract users are encouraged to document their difficulties with contractors adhering to the terms and conditions of a contract by completing and returning to OGS the **Contract Performance Report** located at the end of this document, as well as at the end of most OGS contract awards. It is important that contract users notify OGS of problems with contractors so that purchasing staff can maintain a record of contract performance for consideration with future contract awards.

Contractor Responsibilities

OGS contractors are required to honor orders by entities eligible to use the contracts. OGS Customer Services encourages eligible entities to include their OGS customer numbers when placing orders, thereby indicating their eligibility, since those customer numbers are issued by OGS after review of each customer's applications. Contractors are also required to meet conditions of their contracts such as sales reporting, proper invoice and delivery. Basically, contractors are responsible for complying with the terms and conditions of the contract that are applicable to their performance, as well as the terms and conditions outlined in Appendix A (Standard Clauses for all New York State Contracts) and Appendix B (General Specifications) as they apply to each award, both of which are available on the OGS website at www.ogs.state.ny.us/procurecounc/default.asp

Receipt and Inspection of Contract Purchases

End users of OGS contracts are responsible for inspecting products delivered by vendors to ensure full compliance with contract requirements and specifications. Following are some guidelines to assist in the timely inspection of items purchased through state contracts.

- √ Be familiar with the delivery terms of the contract. Most state contracts include the cost of delivery in the contract price. Typically, deliveries are specified to be f.o.b. (free on board) destination, tailgate delivery at the dock of the ordering agency unless otherwise stated in the contract. (F.O.B. destination: the title is conveyed from vendor to purchaser at the destination of the shipment; vendor owns goods in transit and files any claims.) Carefully read all sections of the contract dealing with minimum orders and packaging.
- √ Provide receiving personnel with all the necessary information to make a proper inspection at the time of delivery.
- √ Check the labeling and packaging to ensure compliance with contract specifications. Verify that the manufacturer and stock number match the contract, since substitutions are not permitted unless approved by OGS.
- √ Whenever possible, inspect deliveries immediately upon receipt, for a number of reasons.
 - Some carriers require claims to be filed within 15 days of delivery.
 - Delays in notification may compromise efforts to obtain repair or replacement of damaged and/or missing items.
 - Some items, such as computer equipment, may have only a 90 day warranty, and it is important to discover any defects and report them to the contractor and/or manufacturer before the warranty expires.
 - Service deficiencies need to be reported immediately in order to ensure prompt correction.

OGS recommends, therefore, that agencies inspect deliveries for the following deficiencies, keep a written record of all actions and promptly take the action indicated below.

<p><u>Damaged Goods</u> <i>Refuse delivery if significantly damaged.</i> <i>If delivery is accepted, note damage on freight receipts.</i> <i>Notify supplier/contractor.</i></p>	<p><u>Concealed Damage</u> <i>Notify carrier.</i> <i>Notify supplier/contractor.</i> <u>Shortage</u> <i>Note shortage on freight receipts.</i> <i>Notify supplier/contractor.</i></p>	<p><u>Defective/Non-complying Products</u> <i>Notify supplier/contractor.</i> <u>Late Delivery</u> <i>Notify supplier/contractor.</i></p>
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Payments should reflect the actions necessary based on the transaction. If unable to resolve any of these deficiencies, notify OGS Customer Services at 518/474-6717 or customer.services@ogs.ny.gov . OGS will pursue the issue with the contractor using agency records as evidence of a good faith effort to resolve the problem.

Preferred Sources

To advance special social and economic goals, certain providers have “preferred source” status under the law. The purchase of commodities and/or services from Preferred Sources is exempted from statutory competitive procurement requirements. The New York State Legislature has authorized four sources for commodities and services that are granted preferred source status (contact information below). State agencies and political subdivisions are required by law to purchase suitable products and services from these sources, which provide gainful employment and/or training to New York State citizens who are incarcerated or disabled. The highest degree of preference is given to Correctional Industries, with the other organizations following in descending order in the following list.

View a list of approved items/services from these Preferred Sources on the OGS website at www.ogs.state.ny.us/procurecounc/pdfdoc/pslist.pdf. Contact these organizations directly to request catalogs and price lists.

New York State Preferred Sources

Corcraft

New York State Dept. of Correctional Services
Division of Industries
550 Broadway
Menands, NY 12204
Phone (518) 436-6321 or 1 (800) 436-6321
Fax (518) 472-1614 or 1 (800) 898-5895
Web Address: www.corcraft.org

NYS Industries for the Disabled, Inc.

155 Washington Avenue, Suite 400
Albany, NY 12210
Phone (518) 463-9706
Fax (518) 463-9708
E-mail: admin@nysid.org
Web Address: www.nysid.org

Industries for the Blind of NYS, Inc.

296 Washington Avenue Extension
Albany, NY 12203-5346
Phone (518) 456-8671
Fax (518) 456-3587
Web Address: www.ibnys.org

**NYS Office of Mental Health
"Buy OMH"**

44 Holland Avenue
Albany, NY 12229
Phone (518) 474-0121

Other Sources of Information

Following are some names and numbers of offices that are often needed by OGS non-State agency customers.

For questions regarding	Contact	Telephone number/Website
Bulletproof Vest reimbursement (body armor)	Michael Connell Dept. Criminal Justice	518/457-1005
Certification of Minority & Women Owned Businesses (list of certified businesses)	NYS Dept. of Economic Development/ Div. of Minority & Women's Business Development	518/292-5250 www.nylovesmwbe.ny.gov/
Charities registration	Charities Bureau Department of Law	http://www.charitiesnys.com/
Contract Reporter (Empire State Development)		http://www.nyscr.org/Public/Index.aspx
Design & Construction (OGS)		518/474-0203 www.ogs.state.ny.us/dnc/contractorConsultant/esb/defaultesb.html
Freedom of Information Law (FOIL) inquiries		http://www.ogs.state.ny.us/About/Freedom.asp
Information NY State agencies (telephone directory)		518-402-2537 https://www6.oft.state.ny.us/telecom/phones/
Municipal law (bidding, contracts etc.)	Mitchell Morris Office of the State Comptroller (OSC)	518/474-5586 www.osc.state.ny.us/localgov/index.htm
New York State Agency List (with links to agency websites)		www.nysegov.com/citGuide.cfm?superCat=102&cat=449&content=main
Surplus Property (State)	Terrance Flynn	518/457-1744 www.ogs.state.ny.us/supportServices/stateSurplus/defaultPublic.html

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:

Agency:

Prepared by:

Address:

Title:

Date:

Phone:

E-mail:

*Please return this form by e-mail customer.services@ogs.ny.gov,
FAX 518/474-2437 or mail to:*

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

Customers Frequently Asked Questions

1. How do I find out if OGS has a contract for something that I need to purchase?
 2. How do I get a list of state contracts and state contractors?
 3. How can I find out if a company has an OGS contract?
 4. How can I find pricing for something on State contract?
 5. How can an eligible user sign up to participate in the State contracts for fuels (gasoline, diesel, heating oil, propane and natural gas)?
 6. What are vehicle build-out dates?
 7. Can I have contract information sent to me automatically?
 8. Who is eligible to purchase from NYS contract?
 9. What is a preferred source?
 10. What are discretionary limits?
 11. Are there definitions for purchasing terms?
 12. How do I get an OGS Customer ID Number?
 13. Can I use a federal General Services Administration (GSA) contract?
 14. I am interested in acquiring products to assist my agency in complying with Executive Order 4 (EO-4) Establishing a State Green Procurement and Agency Sustainability Program, how do I locate this information?
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1. How do I find out if OGS has a contract for something that I need to purchase?

There are a few way to determine if OGS has a contract for a certain product or service. The Index of OGS Contracts is an alphabetical list of OGS contracts, and can be viewed at: <http://www.ogs.state.ny.us/purchase/pdfdocument/rptMailingListindex.pdf>

If the search is unsuccessful, click on SEARCH CONTRACTS which can be found at <http://www.ogs.state.ny.us/Purchase/Search/default.asp> and type in key words in ENTER YOUR QUERY BELOW.

Lastly, if the item is not listed, OGS may not administer a contract for it. Please do not hesitate to contact Customer Services 518-474-6717 or write to customer.services@ogs.ny.gov for further assistance.

2. How do I get a list of state contracts and state contractors?

A complete list of State contracts is available at the following link:

<http://www.ogs.state.ny.us/purchase/spg/pdfdocs/StatewideTC.pdf>

Use the "Find" feature on the toolbar to search by Group, Award, Contract Number or Contractor Name.

You can also view the Index of OGS Contracts at:

<http://www.ogs.state.ny.us/purchase/pdfdocument/rptMailingListindex.pdf>

The index is an alphabetical listing of contracting areas, with corresponding group numbers and classification codes. Group Numbers can be used to search for the contract information at:

<http://www.ogs.state.ny.us/Purchase/Search/default.asp> and classification codes listed in the

Index can be used to register with the Purchaser Notification Service (PNS), to receive notification of specific contracts and contract updates.

3. How can I find out if a company has an OGS contract?

A list of current contractors on the Statewide Term Contracts – Listing of Active Contracts is also available at: <http://www.ogs.state.ny.us/purchase/spg/pdfdocs/StatewideTC.pdf>

4. How can I find pricing for something on State contract?

Each state contract contains information about pricing. Check the “Pricing Information” on the Contract Summary page at the OGS website.

Pricing is presented in several different ways including:

- a. Pricing may be listed within the contract.
 - b. Reference may be made to a contractor/manufacturer catalog or price list and include a discount from that pricing. Catalogs and price lists may be obtained by directly contacting the contractor listed on the contract.
 - c. A link may be provided to a pricing website hosted by the contractor.
- ### 5. How can an eligible user sign up to participate in the State contracts for fuels (gasoline, diesel, heating oil, propane and natural gas) and road materials?

Most OGS contracts are estimated quantities contracts. OGS determines the quantities listed in the bid documents which provide bidders with an idea of the sales volume to be expected during the contract period by using a variety of methods: quarterly sales reports from contractors, records of state agency purchases maintained by the Office of the State Comptroller and the professional judgment of the purchasing officers. Prospective bidders use these estimates to calculate their bid prices. When a company is awarded a contract, they must furnish the actual quantities ordered during the term of the contract, regardless of whether those quantities meet, exceed, or are less than those estimated on the bid documents.

Definite quantity contracts are currently established by OGS for the following commodities:

Group & Description

01800 Road Salt
 05500 Fuel Oil (#2, #4, #6 and Kerosene)
 05600 Gasoline, Unleaded
 05602 Diesel Engine Fuel
 05800 Liquefied Petroleum Gases (LP) Propane
 05900 Natural Gas

These contracts are for commodities whose prices are directly impacted by various external forces such as typically volatile market conditions and/or by freight rates which vendors must factor into their bid prices. Because of that distinction, OGS includes detailed delivery schedules which provide bidders with contract user delivery points and the estimated quantities they agreed to purchase during the contract period.

Collection of Filed Requirement Information from Customers

OGS is pleased to announce that a process for electronic filing for requirement information is being developed. Electronic filing will expedite the filing process, reduce errors and eliminate the dependency on the paper process which is more costly and not environmentally responsible.

When an OGS contract user submits their requirements electronically, the user is giving OGS authority to contract for its requirements for the indicated commodity during the indicated contract period. Therefore, the entity may not enter into any other contract for that commodity during that period. Entities filing requirements with OGS are subsequently bound to the OGS contract with the same force and effect as if they had contracted directly with the vendor. Entities may not withdraw filed requirements without obtaining OGS prior written approval, which may be withheld if OGS determines that the withdrawal will jeopardize the validity of an existing contract or pending award.

If there is a minimum annual requirement, contract users should not submit requirements for less than that amount. OGS collates and tabulates the data from the electronic **submission** of requirements, incorporates that information in bid documents and proceeds with a competitive bid process. Bids are opened publicly and awards are made to the lowest responsible bidder offering product meeting the specifications, terms and conditions of the bid documents.

Eligible users who do not currently receive information about participating in the fuel and road materials contracts should contact Customer Services at 518-474-6717 or customer.services@ogs.ny.gov.

A few notes about the fuel contracts...

- Standby fuel is fuel used as a secondary heating source.
- Weekly adjusted fuel prices are available on the OGS website at: www.ogs.state.ny.us/asp/purchase/snt/fuels/index.asp
- Fuel Oil Delivery Designations
 - TW:** Delivery by tank wagon into storage tanks
 - MT:** Minimum delivery of 5500 gallons at one time into one tank, capacity of which exceeds 5500 gallons.

6. What are vehicle build-out dates?

Vehicle manufacturers determine when production will cease for each vehicle model for the model year. The announced build-out date is the last day on which an order will be accepted by the State contract dealer. OGS is notified by the manufacturer and announces to customers when build-out dates will occur.

To receive information about build-out dates automatically, register for the Purchaser Notification Service at: <http://www.ogs.state.ny.us/PNS/default.asp> When registering for PNS be sure to [select classification code 25](#) for vehicle information.

Also attached is a link to a summary of vehicle contract award status. <http://www.ogs.state.ny.us/purchase/spg/awards/404VehicleList.htm>

7. Can I have contract information sent to me electronically?

OGS commodity, service and technology contract information can be received electronically by registering for the Purchaser Notification Service at: <http://www.ogs.state.ny.us/PNS/default.asp>.

The Purchaser Notification Service (PNS) utilizes 54 broad classifications of contracting areas. PNS provides a search function to assist with registration. Once registered, announcements of contract awards and other related purchasing information will be sent to the email address used when registering.

8. Who is eligible to purchase from NYS contract?

New York State Agencies, political subdivisions, and others authorized by law may purchase from State contracts. To view a complete list of the types of organizations authorized to purchase from State contracts go to: <http://www.ogs.state.ny.us/purchase/snt/othersuse.asp>

9. What is a preferred source?

The following entities have been statutorily designated as Preferred Sources for certain products and services in New York State.

- NYS Department of Correctional Services manufacturing program known as CORCRAFT
- Industries for the Blind of New York State (IBNYS)
- New York State Industries for the Disabled (NYSID)
- Office of Mental Health's (OMH) BUYOMH program

Contact information for CORCRAFT, IBNYS, NYSID and OMH, as well as the Preferred Source Guidelines and a list of Preferred Source offerings is available at:

<http://www.ogs.state.ny.us/procurecounc/pdfdoc/pslist.pdf>

All State Agencies, political subdivisions and public benefit corporations (which includes most public authorities), are required to purchase approved products and services from Preferred Sources in accordance with the procedures and requirements describe in the NYS Procurement Bulletin Preferred Source Guidelines. To access these Guidelines, please refer to attached link.

<http://www.ogs.state.ny.us/procurecounc/pdfdoc/psguide.pdf>

10. What are discretionary limits?

Discretionary limits, maximum dollar thresholds for purchasing, are established for each purchasing entity. Limits vary among agencies. For information on Discretionary Purchasing, visit the Procurement Council's Bulletin on Discretionary Purchasing at:

<http://www.ogs.state.ny.us/procurecounc/pdfdoc/DiscretionaryPurchasingGuidelines.pdf>

To view the current discretionary guidelines for state agencies go to:

<http://www.ogs.state.ny.us/purchase/spg/pdfdocs/PnpDiscretionaryThresholds.pdf>

For information about discretionary limits for local government entities, contact the Office of the State Comptroller Municipal Affairs Bureau at 518-474-5586.

11. Are there definitions for purchasing terms?

A Glossary of Commonly Used Procurement Terms is available at:

<http://www.ogs.state.ny.us/purchase/pdfdocument/PnpPsgGlossary.pdf>

12. How do I get an OGS Customer ID Number?

To determine eligibility to purchase from OGS contracts, entities must complete an Application for Eligibility to Participate in NYS Contract Extension Program. The application is available by contacting Customer Services at customer.sevices@ogs.ny.gov or 518-474-6717.

Organizations will be notified regarding eligibility to use state contracts. Organizations deemed eligible to participate in the NYS Contract Extension Program will be issued an OGS Customer ID Number which may assist contractors in verifying an organization's eligibility.

13. Can I use a federal General Services Administration (GSA) contract?

State agencies cannot directly purchase from a Federal General Administration (GSA) contract as there is no State statutory provision that authorizes such purchases. To meet the requirements of customers, OGS can and does adopt certain GSA contracts to provide for supply and value to the customer. Customers can purchase from such OGS centralized contracts.

14. I am interested in acquiring products to assist my agency in complying with Executive Order 4 (EO4) Establishing a State Green Procurement and Agency Sustainability Program. How do I locate this information?

OGS in cooperation with the other members of the EO4 Committee has developed a page to assist users in finding products, specifications and information related to New York's efforts in this area. EO4 information can be viewed at: <http://www.ogs.state.ny.us/ExecutiveOrder4.html>