

	Solicitation Document Name	Document Section	Document Section Number	Document Sub-section Number	Question or Requested Deviation	OGS response	OGS Revised Response (Revised March 5, 2019)
12	General	(None)	N/A	N/A	Are you looking for us to provide discounts and MSRP pricing from EVERY vendor we distribute for?	Yes. Bidders should submit all products by all manufactures that they would like to offer to the State. These products must be listed as separate items on Attachment 1 - Pricing .	Bidders should provide discounts and MSRP or <b>list prices</b> established by the authorized reseller or distributor for all products by all manufactures that they would like to offer to the State. . Bidders should submit all products by all manufactures that they would like to offer to the State. These products must be listed as separate items on Attachment 1 - Pricing (Revised March 5, 2019)
13	General	(None)	N/A	N/A	Most Manufactures don't give MSRP pricing to Distributors. Can you help guide us with some direction here as we are concerned we would be wasting a lot of time if we don't do it correctly? As a mass distributor, we have thousands of MFG's that we represent.	Pursuant to Section 6.3 - Price, Bidders must submit a MSRP price list with their Bid submission. Products that that do not have an MSRP will be rejected.	Pursuant to Section 6.3 - Price (Revised March 5, 2019) , Bidders must submit an MSRP or <b>list price</b> established by the authorized reseller or distributor with their Bid submission. Products that do not have a <b>list price or MSRP</b> will be rejected.
22	Solicitation Main Document	Bidder Qualifications	Section 2	Sec 2.1.ii	We could conceivably sell products from 100+ manufacturers to the State through a contract of this scope. Obtaining signed forms (Attachment 9) from that many manufacturers before the bid responses are due will be difficult-to-impossible and may limit the number of manufacturers' products we can offer the State end-users. Is there a way this requirement can be modified to apply only to contract awardees after the fact, with a deadline several months after the award? Or, could current holders of NYS lab and chemical contracts be exempt from this requirement on manufacturers whose products they are already supplying the State?	OGS declines to make the requested change. New products/new manufacturers can be added after award pursuant to Section 6.4 - Price Updates .	OGS has removed Attachment 9 as a requirement for this Solicitation. (Revised March 5, 2019)
30	Solicitation Main Document	Bidder Qualifications	Section 2	2.1	Many manufactures/suppliers only provide their own letter/certification for AUTHORIZED DEALER. In lieu of the OGS MFG/Supplier certificate, will a DEALER AUTHORIZATION letter be accepted for any and all suppliers that fail to complete attachment 9?	No, OGS declines to make the requested change.	OGS has removed Attachment 9 as a requirement for this Solicitation. (Revised March 5, 2019)
31	Solicitation Main Document	Bidder Qualifications	Section 2	2.1	We are getting push back from Manufacturers in regard to the Supplier Certification on question #2. While they all check the box that we are an authorized dealer, many question the second part. They say that it is too open ended and vague about quantities. Some are saying that without knowing the item nor the quantity being requested, as well as the time frame it is needed in, makes the manufacturer hesitant to commit. Can you clarify this for us?	OGS has stricken Question #2 from Attachment 9 - Supplier/Manufacturer's Certificate (Revised February 22, 2019). OGS will accept either version of Attachment 9 (Original or Revised February 22, 2019).	OGS has removed Attachment 9 as a requirement for this Solicitation. (Revised March 5, 2019)
32	Solicitation Main Document	Content Checklist	Section 4	4.4.1.o.	Letter "O" of the checklist mentions that the bidder needs to supply "any original format" of the MSRP for all products. What is meant by "any original format?" Is filling in MSRP in the appropriate column of Attachment 1 Pricing spreadsheet sufficient to fulfill this requirement? If not, is a spreadsheet created by the bidder with the MSRP of every item bid sufficient to fulfill this requirement?	The MSRP should be submitted in the original format as it was received directly from the manufacturer. Paper MSRP's may be scanned and submitted electronically in PDF format. The MSRP must be submitted as a separate file, in addition to the list price being entered on Attachment 1 - Pricing	An MSRP should be submitted in the original format as it was received directly from the manufacturer. <b>List prices</b> may be submitted in any format. Paper MSRP's may be scanned and submitted electronically in PDF format. The <b>list price or MSRP</b> must be submitted as a separate file, in addition to the list price or MSRP being entered on Attachment 1 - Pricing (Original OR Revised March 5, 2019).
44	Solicitation Main Document	Key Events/Dates	Section 1	1.4	We request an extension of the bid opening in order to review the Q&A and then build a product & pricing offer that meets the requirements of the State. We ask that the extension give bidders four weeks to respond with offers following the release of the Q&A information.	OGS has postponed the bid opening. Please see page 1 of the Solicitation (Revised February 22, 2019) and Section 1.4 - Key Events/Dates .	OGS has postponed the bid opening. Please see page 1 of the Solicitation (Revised March 5, 2019) and Section 1.4 - Key Events/Dates .
52	Solicitation Main Document	MWBE Requirements	Section 6	6.17.IV-VII. MWBE Requirements for Lots 1 & 2	Given the substantial considerations, issues, and work involved with making good faith efforts to comply with the MWBE portions of this procurement, and that the answers to our questions will likely not be available to us until at least 2/1/19, does the State anticipate extending the deadline any further to accommodate the need for post-answer good faith efforts?	OGS has postponed the bid opening. Please see page 1 of the Solicitation (Revised February 22, 2019) and Section 1.4 - Key Events/Dates .	OGS has postponed the bid opening. Please see page 1 of the Solicitation (Revised March 5, 2019) and Section 1.4 - Key Events/Dates .
60	Solicitation Main Document	Price	Section 6	6.3	Some distributors inflate MSRP on items they sell, and create their own, higher, distributor list prices that differ from the list prices suggested by the manufacturer. This can create a situation where Bidder A who uses MSRP can discount a product at X% and Bidder B who raises list prices can discount the same product at X+Y% (a "better" discount) even when the net price of the item could be lower from Bidder A. If the State allows bidders to supply their own published lists even if they differ from MSRP, will it recognize that discount percentages, as expressed in the first tab ("Discounts") of Attachment 1 Pricing spreadsheet, do not alone indicate competitiveness of pricing to the State relative to other bidders? Will the State recognize that only the Net Price to the State as expressed in the subsequent tabs of the Pricing spreadsheet is truly indicative of an item's price competitiveness?	Per Section 6.3 - Price: Pricing shall be discounted from Manufacturer's Suggested Retail Price (MSRP). Bidder shall include all current MSRPs as part of their Bid. A list price set by a distributor would not be an MSRP for purposes of this Solicitation.	Pursuant to Section 6.3 - Price (Revised March 5, 2019), Bidders must submit an MSRP or <b>list price</b> established by the authorized reseller or distributor with their Bid submission. Products that do not have a <b>list price or MSRP</b> will be rejected.
63	Solicitation Main Document	Pricing	Section 6	6.3	We request that paragraph 2 of this Section be modified to read: "Pricing shall be discounted from Manufacturer's Suggested Retail Price (MSRP) or distributors Published List Price. Published List Prices should be those list prices available to the general public from bidders website. Bidder shall include all current MSRP's or Published List Prices as part of their Bid." Most large distributors do not capture, maintain, follow, or use MSRP data from manufacturers (if the manufacturer has one) and many manufacturers and suppliers do not create a MSRP.	No, OGS declines to make the requested change.	Pursuant to Section 6.3 - Price (Revised March 5, 2019), Bidders must submit an MSRP or <b>list price</b> established by the authorized reseller or distributor with their Bid submission. Products that do not have a <b>list price or MSRP</b> will be rejected.
74	Solicitation Main Document	Solicitation Main Document	Section 4.4 #2,	Sec 4	"MSRP for all products offered" are we able to include the pricing in electronic copy only as we're submitting over 35,000 lines in separate workbooks in separate tabs, which will be too many pages to print out? Additionally, list price is available on our website.	The MSRP should be submitted in the original format as it was received directly from the manufacturer. Paper MSRP's may be scanned and submitted electronically in PDF format. The MSRP must be submitted as a separate file, in addition to the list price being entered on Attachment 1 - Pricing	An MSRP should be submitted in the original format as it was received directly from the manufacturer. <b>List prices</b> may be submitted in any format. Paper MSRP's may be scanned and submitted electronically in PDF format. The <b>list price or MSRP</b> must be submitted as a separate file, in addition to the list price or MSRP being entered on Attachment 1 - Pricing (Original OR Revised March 5, 2019).

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75	Solicitation Main Document	<i>Supplier/Manufacturer Certificate</i>	Section 4	4.9	For large distributors, the requirements of Section 4.9 and Attachment 9 are cumbersome and difficult for bidder to fulfill. When other states have requested this same information in previous statewide bid solicitations, bidder has had limited success getting letters back from manufacturers and suppliers in a timely manner. This resulted in bidder significantly limiting the number of products that could be provided to their state. We note that NYS already requires in Section 1(b)(i) that bidder provide warranty that they are an authorized distributor. Failure to meet this requirement would represent a breach of the terms of the solicitation and any subsequent award. We request the State consider allowing an alternative mechanism for compliance if the warranty isn't sufficient to meet its requirements. We would recommend the State consider accepting a notarized Attestation signed by a Corporate Officer acknowledging the requirements of Section 1(b)(i) that no products will be offered where bidder is not an authorized reseller of the products offered, as an alternate means of compliance.	OGS declines to make the requested change. However, OGS has stricken Question #2 from Attachment 9 - <i>Supplier/Manufacturer's Certificate</i> (Revised February 22, 2019). OGS will accept either version of Attachment 9 (Original or Revised February 22, 2019).	OGS has removed Attachment 9 as a requirement for this Solicitation. (Revised March 5, 2019)