

How to Use This Contract

1. Introduction

The purpose of the Security Guard and Fire Safety/Emergency Action Plan Directors Contract is to provide Authorized Users with a means of acquiring Security Guards (Statewide) and/or Fire Safety Directors (Region 1, NYC Only). These Backdrop Contracts have an established set of standardized terms and conditions, guidelines, processes and templates, and with respect to Security Guards are limited to unarmed Security Guards. When an Authorized User determines the need for Security Guard and/or Fire Safety/EAP Directors, they will issue a **competitive** Request for Quote (RFQ) in accordance with the terms and conditions of the Centralized Backdrop Contract and include any additional requirements of the positions sought to be filled. **The RFQ will be distributed by the Authorized User to all Contractors for the applicable Region where the work is to be performed. The Centralized Backdrop Contract has Maximum Not-to-Exceed prices. It is in response to the RFQ where the Contractors shall submit the actual competitive prices to be charged.**

The RFQ process will result in an Authorized User Agreement and the Authorized User will then either use their NYS Procurement Card (P-Card) or issue a Purchase Order to the selected Contractor to obtain Security Guard and/or Fire Safety/EAP Director services based on the RFQ responses.

For NYS Agencies, State Finance Law § 163(4)(d) mandates that a Contract for services be awarded on the basis of best value which takes into consideration cost as well as technical or non-cost factors. For certain service procurements, best value can be equated to lowest price, where all requirements have been met by the Contractor. It is recommended that the evaluation weight assigned to the Technical evaluation not exceed 70% of the total score, and Cost evaluation be no less than 30% of the total score.

The Office of General Services' Business Services Center (BSC) is available to assist NYS Agencies with the review, solicitation and processing of RFQs conducted via this Contract Award. For assistance, please contact the BSC:

Email: OGS.sm.OGSbuydesk@ogs.ny.gov

Buy Desk Support: (518) 408-7024

When contacting the BSC via email, please put the words "Security Guards" in the subject line.

2. GENERAL POINTS OF EMPHASIS:

1. Authorized Users Must determine the Method of Award for each Request for Quote.
2. The RFQ Must specify the Method of Award and the Authorized User Must have an Evaluation Tool date-stamped prior to the RFQ due date.
3. Once the RFQs are received, the Authorized User Must follow its Method of Award and Evaluation Tool in awarding the Authorized User Agreement.
4. Prior to the issuance of an Authorized User Agreement, an Authorized User May reject all RFQ responses and reissue an RFQ provided this will not preclude any Contractor from responding to a reissued RFQ.
5. When the Authorized User determines to use Cost as the basis for award, the Authorized User should consider the following:

Minimum Pass/Fail Qualifications	<ul style="list-style-type: none"> i. Do these requirements have/meet a legitimate business need of the Authorized User? In other words, can you defend these in an Audit or otherwise? ii. Will any of these unnecessarily limit the RFQ Pool?
Cost	<ul style="list-style-type: none"> i. What Service Type and shift comprise the bulk of the hours/time being Bid? ii. Are there any separate special events or other work which are different from the service type and shift comprise the bulk of the hours/time being Bid? iii. If yes to item # ii, will you include these special events cost in calculating the lowest price? If they aren't guaranteed, you May want to exclude them from the calculation iv. How will you determine who submits the lowest Bid? Will you (for example) either: <ul style="list-style-type: none"> a) take the lowest sum of the hourly bill rates bid by each bidder, or b) take the lowest average of the hourly bill rates bid by each bidder, v. Is the RFQ for work in Region 1 NYC? If so, will this be affected by the pay and benefit updates outlined in Section 3 of this document?

6. When the Authorized User determines to use both Cost and Technical/non-cost factors as the basis for award, the Authorized Users should consider the following

Minimum Pass/fail Qualifications	<ul style="list-style-type: none"> i. Do these requirements have/meet a legitimate business need of the Authorized User? In other words, can you defend these in an Audit or otherwise? ii. Will any of these unnecessarily limit the RFQ Pool?
Technical/non-cost Factors	<ul style="list-style-type: none"> i. Is the Technical/non-cost Factor a desirable or mandatory requirement? If a mandatory requirement, it is a Pass/Fail Qualification and not a Technical/non-cost factor. ii. How does this technical/non-cost factor relate to the Authorized User's needs? iii. Are these technical/non-cost factors able to be quantified for evaluation purposes?
Weight of each Technical/non-cost factor	<ul style="list-style-type: none"> i. Based on your past experience, what technical/non-cost factors most impact the quality services? These technical/non-cost factors should receive the most points. ii. Will performance of service be affected if the overall awardee has a lower ranking for a specific technical/non-cost factor but is awardee?
Cost	<ul style="list-style-type: none"> i. What Service Type and shift comprise the bulk of the hours/time being Bid? ii. Are there any separate special events or other work which are different from the service type and shift comprise the bulk of the hours/time being Bid?

	<ul style="list-style-type: none">iii. If yes to item # ii, will you include these special events cost in calculating the lowest price? If they aren't guaranteed, you May want to exclude them from the calculationiv. How will you determine who submits the lowest Bid? Will you (for example) either:<ul style="list-style-type: none">a) Take the lowest sum of the hourly bill rates bid by each bidder, orb) Take the lowest average of the hourly bill rates bid by each bidder,v. Is the RFQ for work in Region 1 NYC? If so, will this be affected by the pay and benefit updates outlined in Section 3 of this document?
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7. Attachment 4 Request for Quote Form, states:

Once the Contractor receives a Purchase Order or other written order for the engagement, Contractor will have a maximum of ten (10) business days to fulfill the order for Security Guards and/or Fire Safety/EAP Directors, unless there is an agreement between the Authorized User and Contractor to a different timeframe.

However, Authorized User's who wish to agree a different fulfillment timeline should include this (with a specific timeframe) as part of the RFQ.

3. REGION 1 (NYC FIVE – BOROUGHES BRONX, KINGS, NEW YORK, RICHMOND, QUEENS) SPECIFIC REQUIREMENTS LENGTH OF EMPLOYMENT

The Prevailing Wage Rates and Supplemental Benefits for Region 1 require the adjustment of an employee's pay and benefits based on the employee's length of employment. This is different than the adjustments to the Maximum Not-to-Exceed Hourly Bill Rates and the Hourly Bill Rates covered in Section 2.10 of the Contract.

1. Authorized Users Must determine and include in the RFQ either one of the following Bidder's must provide for Security Guard Level 1 Pricing and Fire Safety/EAP Pricing:
 - a. Blended Rate – Where the Contractors to bid one Straight Time Hourly Bill Rate for the particular Service Type per shift at a location.
 - b. Itemized Rate – Where Contractor to bids multiple Straight Time Hourly Bill Rates reflecting the different pay & benefit Levels for the same service type per shift at a location.
2. The following table lists the different information contained in a Blended Rates and an Itemized Rater:

Type	Multiple Straight Time Hourly Bill Rates	Required Information
Blended Rate	No	The Blended Rate Must contain all of the following i) Each wage level based on the length of employment ii) Each supplemental benefit levels based on the length of employment iii) The different vacation benefit levels based on the length of employment iv) The different sick leave benefits based on the length of employment v) The different paid time off benefits based on the length of employment vi) The different paid holiday benefits based on the length of employment
Itemized Rate	Yes	The following Must be bid as separate Straight Time Hourly Bid Rates: i) The different wage levels based on the length of employment ii) The different supplemental benefit levels based on the length of employment iii) The different vacation benefit levels based on the length of employment iv) The different sick leave benefits based on the length of employment v) The different paid time off benefits based on the length of employment vi) The different paid holiday benefits based on the length of employment

3. The Authorized User Must indicate in the RFQ which method the Contractors Must utilize to develop their Hourly Bill Rate(s). These are Mandatory pass/fail criteria which Must be adhered to by both the Contractor and Authorized User.
4. Regardless of which method the Authorized User selects, the Contractor Must pay its employees the pay and benefits specified by NYS DOL/the NYC Comptroller.
5. Since the Blended Rate is inclusive of all different pay and benefit levels, the Hourly Bill Rate being paid to an employee does not need to be changed. However, the Contractor is still responsible for paying the correct Prevailing Wage Rates and Supplemental Benefits.
6. When using Itemized Rates, the Authorized User will need to update the Hourly Bill Rate for an employee when they become eligible for a different pay and benefit level based on the employee’s length of employment.
7. State Agencies should require Itemized Rates in their RFQs as this will assist them in issuing Quantity-Based Purchase Orders in the Statewide Financial System.

4. INFORMATION REGARDING MWBE UTILIZATION:

OGS Procurement Services has developed the following table to provide guidance regarding MWBE and SDVOB Utilization.

OGS Procurement Services	1. OGS established an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises. This is at the OGS Centralized Contract Level, based upon the value of all State Agency and Authority (as defined in 5 NYCRR § 140.1) Authorized User Agreements.
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	2. The total OGS Contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under the Contract for all Authorized Users.
All Authorized users	1. All Authorized Users must conduct their RFQ in accordance with the Request for Quote Form and Request for Quote Instructions 2. Authorized Users cannot limit their RFQs to MWBEs, SBEs, or SDVOBs or make MWBE, SBE, or SDVOB status a mandatory pass/fail requirement.
State Agencies & State Authorities	1. State Agencies & State Authorities will receive credit towards internal MWBE spend goals when directly engaged with either an MBE or WBE contractor. 2. State Agencies & State Authorities will not receive credit towards internal MWBE spend goals when Contractors utilize MBE and/or WBE subcontractors or suppliers. This spend will be counted against the Centralized Contract as a whole. State Agencies and State Authorities should consult their Empire State Development Division of Minority and Women’s Business Development Liaison for questions exercising their right to address concerns regarding Exemptions and Exclusions of internal MWBE spend goals.
Contractors	1. It is the Contractor’s responsibility to report subcontractor and supplier payments via the New York State Contract System (“NYSCS”) made by the Contractor to MWBEs performing work under the Contract. The NYSCS may be accessed at https://ny.newnycontracts.com/ 2. OGS Procurement Services will require all Contractors to list any MWBE subcontractor or supplier name/spend for each user/location as additional information with Contractor’s semi-annual Report of Contract Usage. OGS will provide this updated information to all Contractors in the near future.
OGS MWBE	1. Contractors may contact the OGS MWBE Office if they have questions regarding MWBE Utilization on this award.

5. AUTHORIZED USER INSTRUCTIONS

The following steps shall be performed when completing the RFQ process:

1. Authorized User determines the need for Security Guards and/or Fire Safety/EAP Directors for an engagement or for a special event;
2. Authorized User reviews the Centralized Contracts to determine what Region the engagement is in and who the awarded Contractors are for the applicable Region;
3. Authorized User will obtain any required internal/external approvals to issue an RFQ;
4. Authorized Users MUST obtain a separate PRC # for each RFQ solicitation conducted from this Contract where prevailing wage rates apply. The PRC # provided in this Contract is for information and evaluation purposes of the Centralized Backdrop Contract only;
5. To request your RFQ specific Prevailing Wage Schedule from the NYS, Department of Labor (DOL), use the following link to complete and submit the online request form:
<https://applications.labor.ny.gov/wpp/showPublicNewProject.do?method=showIt>
To request updates to your RFQ specific prevailing wage rates enter your RFQ specific PRC# at this link:
<https://applications.labor.ny.gov/wpp/showFindProject.do?method=showIt>
6. Authorized User will draft a RFQ (using the RFQ template) and disseminate the RFQ, via email, to the Authorized Contact listed on the Contractor Information page, to **all**

Contractors who hold an award for the Region the engagement is located in.

- a. When creating an RFQ, Authorized Users should NOT alter the Tables to include items that are unrelated to tasks/duties typically performed by unarmed Security Guards and/or Fire Safety/EAP Directors.
 - b. Authorized Users may include additional requirements, such as security requirements, federal funding requirements, familiarity with NYS-specific terms, facility-specific training, confidentiality requirements, shorter time frames for responding to urgent RFQs, holiday coverage, overtime issues, electronic timekeeping, specific certifications, request that winning Contractor make attempts to hire current Security Guards and/or Fire Safety/EAP Directors already working at Authorized User's location, etc. in the RFQ.
 - c. Authorized Users may request Contractors submit any documentation that will assist them in their evaluation such as licenses, resumes, training certifications, etc. Authorized Users may request to interview any Security Guard and/or Fire Safety/EAP Director candidate.
7. Authorized Users must send the RFQ to all Contractors in the applicable Region in which services are being sought. It is recommended the Authorized User print out a copy of the email containing the RFQ they sent to all Contractors in the applicable Region, identifying the Contractors the request was sent to for inclusion in their procurement record. Contractor's quotes should be responsive to each of the Authorized Users requirements and contain competitive pricing;
 8. A minimum of three (3) quotes should be received by the due date and time set forth in the RFQ for the Authorized User to award the business. In any Region, where the total number of available Contractors may be less than three, this requirement will be waived. Authorized Users are not required to reach out to Contractors that did not respond to the RFQ to find out why they did not respond, unless the minimum number of quotes have not been received. In the event three (3) quotes have not been received by the due date and time provided, Authorized Users must document the reasons preventing Contractors from responding to the initial RFQ. If the reasons the Contractors provided for not responding are not amendable by reissuing another RFQ, the requirement of three quotes will be waived and the Authorized User may select a Contractor from the bids received in response to the initial RFQ. In all cases, Authorized Users must document the basis for their selection under the RFQ for the procurement record;
 9. The Authorized User(s) will review quotes received by the RFQ Due Date and Time and make an award to the best value quote as defined in RFQ Section 6, *Award Methodology*, as determined by the Authorized User;
 10. Authorized Users must follow their applicable procurement rules and/or guidelines to ensure that compliance is met. Authorized User's procurement record should clearly show why one Contractor was chosen over another;
 11. An Authorized User shall issue an Authorized User Agreement, as defined in Contract Section 1.4 *Glossary*, to the winning Contractor, which is effective and binding on the Contractor at time of order. The Authorized User Agreement shall contain the total exact or estimated cost, if an exact cost cannot be determined at that time. A Contractor shall not initiate services until the Authorized User Agreement is issued, and an Authorized User shall not request performance of services until the Authorized User Agreement has been issued;
 12. Authorized User Agreements may be issued for up to a five (5) year period so long as the Authorized User Agreement is issued within the term of the Centralized Contract;
 13. Purchase Orders issued by a state agency that go beyond the end of a fiscal year may require a change notice to be processed in the Statewide Financial System to authorize payments after the end of the prior fiscal year. Change notices for extensions are allowed

for up to two (2) years, upon both parties' agreement. Blanket Purchase Orders may be used for either an exact or estimated number of hours at a set rate for a certain time, specific to a Region and title;

14. Once the Contractor receives an Authorized User Agreement (Purchase Order or other written order) for the engagement, Contractor will have a maximum of ten (10) business days to fulfill the order for Security Guards and/or Fire Safety/EAP Directors, unless there is a written agreement between the Authorized User and Contractor to a different timeframe;
15. Contractor must provide a Certificate of Compliance to each Security Guard and Fire Safety/EAP Director Candidate to provide to the Authorized User upon reporting for work. Authorized Users should not allow a Security Guard or Fire Safety/EAP Director to commence work without submission of the Certificate of Compliance. Authorized Users can request that Contractors submit the Certificate of Compliance with their quote;
16. Contractor and Authorized User may agree to change the Candidate's start date(s) in the event the start date included in the Authorized User's RFQ cannot be met. This will be reflected in the Authorized User Agreement and made part of the Procurement Record;
17. Authorized Users will indicate within their RFQ if subcontracting is allowed. If allowed, and the Contractor plans on using Subcontractors, Contractors will indicate as such within their response and provide a copy of the agreement between the Contractor and Subcontractor for the Authorized Users review. Authorized Users will indicate, prior to the start date, if the Contractor's Subcontractors are allowed;
18. Contractor will begin services;
19. Authorized User will follow the appropriate contracting and payment procedures for invoice approval;
20. During Contract performance, Contractor questions, clarifications, and/or disputes arising from an Authorized User's RFQ and/or Contractor selection are to be reviewed and resolved by the Authorized User and the Contractor, and not by NYS OGS Procurement Services;
21. During Contract performance, issues related to MWBE and SDVOB goal compliance are to be referred to the MWBE (ogs.sm.mwbe@ogs.ny.gov) or SDVOB office (VeteransDevelopment@ogs.ny.gov), as applicable, within OGS; and
22. During Contract performance, questions regarding the centralized Contract should be referred to NYS OGS Procurement Services. Please contact the Contract Manager, Michael DeCicco, at: 518-474-3562, or via email, at: Michael.DeCicco@ogs.ny.gov.

6. Recommended Authorized User Voucher/Invoice Review Procedures

It is recommended that Authorized Users adhere to the following procedures:

1. Ensure security guards are registered with the Department of State during the date(s) in which services were performed. If the registration cannot be verified on the DOS website located at: https://appext20.dos.ny.gov/lcns_public/lic_name_search_frm, the reviewer can consider obtaining a physical copy of the registration for further verification;
2. Ensure Fire Safety/EAP Directors (Region 1 – NYC only) have an up-to-date Certificate of Fitness from New York City Fire Department that matches the site at which services were performed;
3. Ensure that Contractor that is complying with Section 2.11, *Invoicing and Payments*, of the Contract;
4. Match the hours that appear on the payroll records to the hours billed on the invoice. The hours billed on the invoice must not exceed the number of hours on the payroll record.

Some Contractors may be paying for meal times while meal times are generally not billable in accordance with Section 2.15.7 *Workday/Hours* of the Contract;

5. Review the agreement between the primary Contractor and Subcontractor to ensure the payment meets the terms of this agreement if the invoice includes work from Subcontractors;
6. Review the payroll to ensure the Contractor and/or Subcontractor are paying employees the appropriate prevailing wage;
7. Verify that the billing rates comply with those accepted in response to the RFQ; and
8. Verify the Candidates were present for the time that appears on the invoice by reviewing sign-in logs.

7. Frequently Asked Questions (FAQ's)

1. Does an Authorized User have to obtain a Prevailing Wage Rate Number (PRC#) prior to issuance of an Request for Quote (RFQ)?

Yes. The Authorized User shall obtain and provide in the RFQ a PRC# from the Department of Labor for the applicable prevailing wage, which is based upon the date, job title and county which the work is to be performed, as identified at:

<https://applications.labor.ny.gov/wpp/publicViewPWChanges.do?method>

2. How do I know when and how to pay Overtime and Holiday pay rates?

You should refer to your Prevailing Wage rate Schedule for details about Overtime and Holiday Pay rates and requirements. See, Contract Section 2.9, *Rates*.

3. How is the winning Contractor selected?

As specified in the RFQ's Award Methodology, selection of the winning Contractor will be based on a best-value determination considering the Authorized User's needs and Contractor's lowest price. Best value can be equated to low price. The Authorized User should determine (and document define in the RFQ document under Section 6, *Award Methodology*) the evaluation method, as would be done for any other procurement. The Authorized User should also be prepared to explain the evaluation and selection should an unsuccessful Contractor request a debriefing. Additional information relating to a Best Value procurement is available in "The New York State Procurement Guidelines", which can be found at:

<http://nyspro.ogs.ny.gov/sites/default/files/uploaded/NYS%20Procurement%20Guidelines.pdf>

4. Do I need to collect a Certificate of Compliance for every guard that works at my facility?

Yes. The certificate of compliance is the Contractor's certification that the guard meets all applicable training and licensing qualifications. Be sure to collect this form and that it is completed properly on or before the first day a guard is working at your facility. The "Certification of Compliance" shall be reissued annually on the anniversary date for each such Candidate assigned and provided to the Facility manager with a copy filed in the Master file maintained by the Contractor for each Candidate.

5. What is the Security Guard or Fire Safety Directors Master File for?

The Master File contains all the documentation that the Security Guard or Fire Safety Director meets the qualifications required by the NYS Dept. of State licensing and the terms of the Contract. For more information on the content of the Master file please refer to Contract Section 2.22, *Maintenance of a Master File*.

6. Are Authorized Users obligated to notify all Contractors of the results?

NYS Agencies are required to notify contractors of bid results. Other Authorized Users should refer to their organization's procurement guidelines.

7. Are Authorized Users obligated, if asked, to notify non-selected Contractors of the selected Contractor's pricing?

While it's not required under the terms of the Contract, it is a best practice to notify any Contractors that were not selected. Non-select letters should be included in the procurement record.

8. How do I determine which Contractors to send my RFQ form to?

The Contracts were awarded regionally. Authorized Users will refer to the Contractors Region and Pricing Summary Page (located on the NYS OGS Procurement Services website) to identify the Region the work will take place in and send the RFQ to all Contractors in that Region. The requirement to send the RFQ to all Contractors in a Region applies to any reissuance of an RFQ that was not awarded upon initial issuance.

9. Does the Security Guard Services and Fire Safety Directors Contract have MWBE or SDVOB goals?

Yes. The Contract has MWBE goals of 15% MBE and 15% WBE and SDVOB goals of 6%.

10. Can an Authorized User Agreement be created after the expiration date of the RFQ?

No. If the RFQ has expired, you would need to issue a new RFQ to create an Authorized User Agreement.

11. If a Contractor submitted an incorrect bill rate on their bid and corrected it to a higher rate after the closing date, what happens?

The Contractor must honor the price they initially bid even if it was a mistake. If they cannot/will not provide services at that price, the agency may select another Contractor or reissue the RFQ.

12. Does an RFQ initiated by the BSC on behalf of a NYS Agency need to be handled in different manner?

No. All RFQs are handled in the same way.

13. How do I know if I'm an Authorized User of NYS OGS Contracts, including the Security Guard and Fire Safety Director Services Backdrop Contract?

Please contact NYS OGS Procurement Services Customer Services at: 518-474-6717, or via email at: OGS.sm.customer.services@ogs.ny.gov.

14. Are P-Card purchases allowed under this Backdrop Contract?

Yes, if the Contractor has agreed to accept the NYS Procurement Card (P-Card), or other electronic form(s) of payment, by Authorized Users for all charges. This is indicated on the Contractor Information and Summary Page.

15. How do I know if the Backdrop Contractors are up to date on their required insurance?

Please contact the OGS Bureau of Risk Insurance Management (BRIM) at: ogs.sm.insrev@ogs.ny.gov.

16. Is there a restricted period during the RFQ process?

For NYS Agency Authorized Users or if the BSC is issuing an RFQ on behalf of another agency, there is a restricted period, which runs from the release of the RFQ to the date of the RFQ award.

17. What happens when a Contractor bids a price that exceeds their Not-to-Exceed prices?

If a Contractor, in response to an RFQ, bids above their Not-To-Exceed pricing for any part of the RFQ, then the Authorized User shall disqualify the Contractor's quote.

18. Does the Contract allow for price increases?

Yes, in accordance with Contract Section 2.10, *Price Adjustments*.

19. Is tiered pricing allowed for awards expanding multiple years?

No. Authorized Users can use historical data regarding price escalation for budgeting purposes.

20. Can armed guards be included in the RFQ?

No. This contract is limited to unarmed security guards.

21. Can the template be used to solicit open market armed guard services?

No. The RFQ document is an extension of the backdrop Contract terms and those terms do not allow for Armed Guards.

22. Can there be multiple awards (more than one Contractor) based on best value from the RFQ if we are awarding more than one position?

No.

23. Who is the Authorized User?

New York State Agencies, political subdivisions, local governments, public authorities, public school and fire districts, public and nonprofit libraries, and certain other nonpublic/nonprofit organizations. See Appendix B, Section (2)(a).

24. Can an RFQ be issued to only MWBE or SDVOB Contractors?

No. The Authorized User must send their RFQ to all Contractors awarded a Contract in the Region where the work will take place.

25. How can I bid multiple locations in a single Region?

- a. A single RFQ for all locations within a Region provided the Award is to a single Contractor for all locations.
- b. An RFQ for each individual location within a Region

26. Can I bid multiple Regions in a single RFQ?

No.

27. Can a Contractor bid different rates for the same title within their RFQ response?

Yes. A Contractor's rate may vary by depending on location, hours, shifts, and/or other factors that influence price.

28. Can MWBE or SDVOB be set as a mandatory pass/fail option for the evaluation criteria?

No. The Contract has MWBE goals of 15% MBE and 15% WBE and SDVOB goals of 6%. The Contractors have approved MWBE and SDVOB Utilization Plans to meet the goals of the Contract. Authorized Users are not required to have the Contractors submit Utilization Plans for each RFQ.

29. Can Authorized Users request additional resumes?

Yes. Authorized Users can ask for additional resumes only after the Award has been made. Additional resumes may be needed for adequate staffing coverage in the event of

vacations, absences, etc. in accordance with Section 2.15.6, Coverage, of the Contract and to replace a previously selected/assigned Candidate that is deficient in the performance of an assignment in accordance Section 2.4 (10), Authorized User Reserved Rights, of the Contract.

30. Are there any MWBE or SDVOB set asides associated with this Contract?

No, there are no MWBE or SDVOB set asides on this Contract.

31. Section 2.13 of the contract requires that contractors provide Security Guard Level 1 and Level 2 that meet the following:

Minimum six months' experience as a New York State Department of State (DOS) registered Security Guard

Can this verbiage be interpreted as 6 months registered with DOS, regardless of work experience? In which case the officer would only need to demonstrate date of registration with DOS?

Yes, this means the requirement for the Centralized Contract is that a Security Guard Level 1 or Level 2 must have been registered with DOS for six months, with the only required proof being the DOS registration date.

However, Authorized Users reserve the right to impose additional requirements as part of the RFQ, including requiring actual work experience for six months, provided this is specified in the RFQ.

32. If the RFQ has been cancelled, should all Contractors be notified?

Yes. It is a best practice to notify Contractors if the RFQ is cancelled.

33. Can you please clarify the billing adjustment procedure with Authorized Users in Region 1;

Are Contractors allowed to adjust Hourly Bill Rates paid to employees based on the required Prevailing Wage changes due to the length of employment. For example, if an employee is working less than one year they are not vacation pay; will the contractor be allowed to adjust their Hourly Bill Rate to compensate the employee when they become eligible for vacation in year 2 and 3 of employment?

Please see Section 4 of this document for information regarding changes to an employee's pay and benefit level based on the employee's length of employment.

34. Who do I contact if I still have questions regarding the Contract?

Please contact the Contract Manager, Michael DeCicco, at: 518-474-3562, or via email, at: Michael.DeCicco@ogs.ny.gov