
Appendix K – Contractor How to Use

Contractors should follow these Contractor How to Use procedures and must adhere to the terms and conditions of the Manufacturer Umbrella Contract (“Contract”) when selling Products under Award 22802.

This document provides Contractors with instructions on how to use the Manufacturer Umbrella Contract.

For any questions or concerns regarding the Contract, Contractors can contact the following mailbox:
MfrUmbrella.Contractors@ogs.ny.gov

The Office of the State Comptroller retains the right to post-audit any procurement, including those executed from this Contract.

Section 1. COMeT PORTAL

1.1 GENERAL INFORMATION

In 2021 the Office of General Services (OGS) implemented COMeT (Centralized Online Management for e-Procurement Tool). This tool allows Contractors to manage their pricelist, contact information, and authorization of Reseller(s) / Sales Agent(s), as well as respond to RFQs, through an online portal. Contractors receive log-in information for the portal after Contract Award. Upon execution of the Contract, an e-mail will be sent to the contacts listed on the Contractor’s Appendix D – Contractor and Reseller Information.

The COMeT portal can be found here: <https://ogs.ny.gov/comet>

1.2 ACCOUNT ASSISTANCE

Contractors needing assistance with their COMeT accounts can contact the following mailbox:
MfrUmbrella.Contractors@ogs.ny.gov. Please include “COMeT Assistance Needed” in the subject line.

Section 2. CONTRACT MODIFICATIONS

2.1 GENERAL INFORMATION

Contractors may submit requests to update their pricelists, contact information, and Reseller/Sales Agent information. Requests may also be submitted to add a Lot or increase the Contractor’s Lot 3 – Cloud risk level. Please see Appendix C – Contract Modification Procedure for more detailed information on these requests.

2.2 COMPLETING MODIFICATIONS IN COMeT

Updates to pricelists, contact information and Reseller/Sales Agent information must be submitted in the COMeT portal, unless OGS expressly allows an alternative. Instructions on how to submit a contract modification request through COMeT are available here: <https://comet.ogs.ny.gov/SignIn>. To access the instructions:

1. Select the drop-down arrow next to “Resources”
2. Select “Templates and Guides”
3. Instructions for using COMeT, as well as the necessary templates, can be found here.

Section 3. RESPONDING TO REQUEST FOR QUOTES (RFQs) AND REQUESTS FOR INFORMATION (RFIs)

3.1 GENERAL INFORMATION

Authorized Users may distribute Requests for Quotes (RFQs) and Requests for Information (RFIs) either via e-mail or through the COMeT portal. Every individual needing to access the portal to view or respond to RFQs and RFIs must request access from OGS when first visiting the portal. This applies both to brand new users of the portal as well as to contractors that currently have portal access for contract modification submissions.

Instructions on how to request access to the RFQ portal, as well as how to respond to an RFQ or RFI distributed through COMeT, are available here: <https://comet.ogs.ny.gov/SignIn>. To access the instructions:

1. Select the drop-down arrow next to “Resources”
2. Select “Templates and Guides”
3. The RFQ instructions can be found here.

Section 4. REQUESTS FOR CONTRACTOR NAME CHANGES AND ASSIGNMENTS

4.1 GENERAL INFORMATION

OGS must be notified before any of the below changes occur:

- Contractor changes its name
- Contractor wishes to assign its contract to a different vendor
- Contractor wishes to assign contract to different vendor who already holds a contract with OGS in the same suite of contracts
- Contractor changes its legal entity type (e.g. Corporation to LLC)

When informing OGS of any of the above changes, the Contractor must indicate if the Contractor’s FEIN is staying the same or if it is changing.

4.2 REQUIRED DOCUMENTS

Once OGS receives notification from a Contractor that any of the changes described in Section 4.1 above have occurred, OGS will review and determine if additional information is needed. To expedite the name change/contract assignment process, Contractors must submit a letter of explanation. It is requested that this letter be sent in with Contractor’s initial request.

When applicable, the letter of explanation must be on the Contractor’s company letterhead describing the transaction necessitating the requested assignment (e.g., asset sale, acquisition, merger or other reorganization) and all documentation relating to the transaction (e.g. filings with state entities; asset sale, acquisition, Certificate of Conversion, merger or other reorganization agreements). The Contractor may identify any confidential, trade secret, or proprietary information in the documents in accordance with Appendix B, Confidential/Trade Secret Materials.

Based on the information provided by the Contractor, OGS will determine if a name change or contract assignment is appropriate. Additional documentation may be requested from the Contractor.

4.2.1 INSURANCE

Insurance documentation in accordance with Appendix J – Contractor’s Insurance Requirements must be provided in the new name/Assignee’s name.

4.3 FINALIZING AND APPROVING THE NAME CHANGE OR CONTRACT ASSIGNMENT

Once all required documentation has been submitted, the name change or contract assignment can be finalized. In the case of a contract assignment, OGS will send the Contractor a Consent to Assignment form to be executed.

Note: OGS has its own Consent to Assignment forms. OGS will not sign forms provided by the Contractors.

Once the name change or contract assignment has been finalized, OGS will post an announcement to the contract website.

Section 5. ADMINISTRATIVE FEE

As indicated in Contract Section 2.76 - CONTRACT ADMINISTRATIVE FEE, awarded Contractor(s) are required to pay an Administrative Fee in the amount of point seven five percent (0.75%) for all sales generated from this Contract, or any resulting agreement. Submission details including address and format will be provided in this section, no less than 1 month prior to fee start date of January 1, 2023.