

PROJECT LABOR AGREEMENT SERVICES (Statewide)

Group 79000 – Award 23110

FREQUENTLY ASKED QUESTIONS

Authorized Users of these contracts are strongly encouraged to read the contract terms and conditions in its entirety to gain an understanding of requirements for both the Contractors and Users. Below is a brief listing of Questions & Answers (Q&A's) to facilitate the use of the Project Labor Agreement Services contract.

Question: Who is the OGS contact for this Contract Award?

Answer: Dana Ferris Contract Management Specialist
Procurement Services, 38th Floor - Corning Tower, Empire State Plaza, Albany, NY 12242
Phone: 518- 474-3382
E-mail: dana.ferris@ogs.ny.gov

Question: Are there M/WBE Goals for this Contract Award?

Answer: No, there are no goals applied to this Contract Award.

Question: What is the contract term of this Award?

Answer: September 1, 2018 through August 31, 2023.

Question: Where do I find Contractor information?

Answer: Contractor Information is on the OGS website landing page for this award and can be accessed through the "[Contractor Information Summary](#)" link. Contractor Information includes but is not limited to: Contractor Name and Address, Contract Number, Contractor Business Hours, Procurement Card specifics, and a separate "[Pricing Information](#)" for pricing information.

Question: How do Authorized Users purchase Project Labor Agreement Services?

Answer: When an Authorized User requires PLA Services, the Authorized User will issue a competitive Mini-bid in accordance with the terms and conditions of the Centralized Backdrop Contract and include any additional requirements. The Mini-bid will be distributed by the Authorized User to all Contractors. Contractors choosing to respond to the Mini-bid shall submit their actual proposed pricing, which shall not exceed, but may be less than, their Blended Rate. The Authorized User will then select a Contractor based on the Mini-bid responses. Procurement instructions describing the Mini-bid process and requirements for Authorized Users to purchase from established Centralized Backdrop Contracts are found in the "[How to Use This Contract](#)" document.

(Continued)

Question: How is the Price determined?

Answer: The actual price to be charged for providing PLA Services will be determined by Contractors in response to a detailed Mini-Bid Project Definition from an Authorized User. The Mini-Bid will identify the specific needs of an Authorized User relative to the Authorized User’s capital construction and design-build project(s). The Blended Rate will not change during the life of the Contract, including all extensions. Contractors choosing to respond to a Mini-Bid from an Authorized User for PLA services shall submit their actual proposed pricing which shall not exceed their awarded Blended Rate (“[Pricing Information](#)”).

Note: The **Blended Rate** shall refer to the hourly rate that the Contractor shall charge for all personnel engaged in providing Project Labor Agreement (PLA) Services. Typically, the blended rate is a single middle rate that lies between the higher hourly rate charged for senior (more experienced) personnel and the lower hourly rate charged for junior (less experienced) personnel.

Question: How do I evaluate the Mini-bid responses?

Answer:

1. The Mini-Bid must be evaluated in accordance with the terms and conditions of the Centralized Backdrop Contract.
2. The Authorized User shall reject any Mini-bid which includes pricing in excess of the maximum “Blended Rate” established under the OGS Centralized Contract.
3. All evaluation tool notes and extraneous items must be included in the Authorized User’s procurement record.

Selection of the winning Contractor will be based on a best-value determination considering the Authorized Users needs and Contractors lowest price. Best value can be equated to low price by the Authorized User.

Question: Can Local Governments use this Contract?

Answer: Yes, New York State political subdivisions and others authorized by New York State law may participate in Centralized Contracts. These include, but are not limited to, local governments, public authorities, public school and fire districts, public and nonprofit libraries, and certain other nonpublic/nonprofit organizations. See Appendix B, *Participation in Centralized Contracts*. For Purchase Orders issued by the Port Authority of New York and New Jersey (or any other authorized entity that may have delivery locations adjacent to New York State), the terms of the *Price* clause shall be modified to include delivery to locations adjacent to New York State.

Upon request, all eligible non-State agencies must furnish Contractors with the proper tax exemption certificates and documentation certifying eligibility to use State contracts. A list of categories of eligible entities is available on the OGS web site (<https://www.ogs.ny.gov/purchase/snt/othersuse.asp>). Questions regarding an organization's eligibility to purchase from New York State Contracts may also be directed to NYS Procurement Services Customer Services at (518) 474-6717.

Question: Who pays travel costs & other expenses of the Contractor for Project Labor Agreement Services?

Answer: When provided for in the Mini-bid and resultant Mini-bid Agreement, the Authorized Users may reimburse travel expenses. All rules and regulations associated with this travel can be found at <https://osc.state.ny.us/agencies/travel/travel.htm>. In no case will any travel reimbursement be charged that exceeds these rates. All travel will be paid only as specified within the Mini-bid Agreement and must be billed with the associated services on the same Invoice with receipts attached.

The Contractor shall receive prior approval from the Authorized User for any travel that occurs during the term of a Mini-Bid Agreement. Parking fees and/or parking tickets shall not be paid by an Authorized User. Unless otherwise specified in writing by the Authorized User, a vehicle will not be provided by Authorized User to the Contractor for travel. Therefore, the Contractor will be responsible for ensuring that the Contractor has access to an appropriate vehicle (e.g., personal vehicle or rental vehicle) or common carrier with which to carry out any necessary travel.

For the Contractor to obtain reimbursement for the use of a rental vehicle, such use must be justified as the most cost-effective mode of transportation under the circumstances (including consideration of the most effective use of time).

The Contractor is responsible for keeping adequate records to substantiate any claims for travel reimbursement.