

ON-LINE REVERSE AUCTION SERVICES (Statewide) Group 79016 – Award 23060

FREQUENTLY ASKED QUESTIONS/HOW TO USE

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 On-Line Reverse Auction Services contracts.

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

Answer: Marybeth Buhmaster, Contract Management Specialist
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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](#)" 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" link <https://www.ogs.ny.gov/purchase/prices/7901623060Pricing.pdf> for pricing information,

Question: As there are two (2) awarded Contractors, how do I choose?

Answer: Pursuant to State Finance Law § 163(10)(c), at the time of purchase, Authorized Users must base their selection among multiple Contracts upon which is the most practical and economic alternative that is in the best interests of the State. The Authorized User shall obtain written price quotes from both Reverse Auction Contractors and shall retain the information obtained to support the Authorized User's selection as part of the procurement record. The Authorized User shall utilize the service of the Contractor offering the best value that meets the Authorized User's form, function, and utility requirements. Best value may be equated to lowest price.

What is the "Event?"

Answer: The "Event" or "Auction Event" shall refer to an In-Person On-Line Reverse Auction conducted at an Authorized Users' designated location.

Question: How is the Price for hosting the "Event" determined?

Answer: The percentage rates shown in Pricing Information <https://www.ogs.ny.gov/purchase/prices/7901623060Pricing.pdf>, are maximum not-to-exceed percentage rates. All Authorized Users are encouraged to negotiate lower pricing than the maximum not to exceed percentage rates for each Auction Event. Negotiated pricing may be either a percentage rate or a flat dollar amount provided the negotiated pricing does not exceed the applicable maximum not to exceed percentage rate. The negotiated pricing agreed upon between the Authorized User and the Contractor shall be determined prior to the Auction Event. The agreed upon pricing shall be documented in the Authorized User's Procurement Record.

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Question: What is Projected Spend of the Event?

Answer: Projected Spend of the Event is the expected awarded contract dollar amount of the commodity(ies) and/or service(s) being reverse auctioned and is to be determined by the Authorized User. Projected Spend can be based on net contract value, actual historical sales, or may be determined by factoring in the dollar amount of any projected savings resulting from the reverse auction event. The terms of the Projected Spend of the Event shall be agreed upon between the Authorized User and the Reverse Auction Contractor prior to the Auction Event. Authorized Users are reminded that the pricing shown in the award is “Not to Exceed” and should be negotiated for every Auction Event.

Question: How will the Contractor be paid for the Reverse Auction Event?

Answer: An Authorized User does not pay the agreed upon fee for hosting the Auction Event. The agreed upon percentage rate or flat dollar amount will be the responsibility of the Awarded Supplier(s). If more than one Supplier is awarded a contract, the Authorized User will notify the Awarded Suppliers of the fee owed to the Reverse Auction Contractor, based on the amounts and rates awarded for each Supplier.

Note: Each Supplier participating in an Auction Event may be required to sign an Agreement with the Reverse Auction Contractor conducting the Event. For your information, each Contractor’s standard Supplier Agreement is available here: <https://ogs.ny.gov/purchase/snt/awardnotes/7901623060ContractorInfo.pdf>. Supplier Agreements are executed between the Awarded Supplier(s) and Reverse Auction Contractor; neither OGS nor the Authorized User are parties in the supplier agreement.

Question: How will the Reverse Auction Contractor be paid for Consultation and Assistance services?

Answer: An Authorized User shall be responsible for paying the Hourly Rates for Additional Services (Consultation and Assistance) directly to the Contractor as outlined in the Pricing document. The Hourly Rates for Consultation and Assistance services are not to exceed pricing and shall not exceed \$25,000 per Authorized User agreement. Consultation and Assistance fees are available here: <https://www.ogs.ny.gov/purchase/prices/7901623060Pricing.pdf>. Invoicing and payment for these services shall be made in accordance with the terms set forth in the [Award Document](#).

Question: Can Local Governments use this Contract?

Answer: This is a Centralized Contract and therefore, it is available for use by any Authorized User as that term is defined in State Finance Law Section 163(1)(k), including, but not limited to: 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. However, like any other Centralized Contract, each Authorized User is responsible for determining whether the Contract complies with any applicable local laws or rules, or any other State or federal laws or rules applicable to the Authorized User, prior to using the Contract.

Question: Who pays travel costs & expenses of the Reverse Auction Contractor for the In-Person Reverse Auction Services?

Answer. Reverse Auction Contractor is responsible for all travel costs and expenses for providing this service.

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, 2017 through August 31, 2020.