

## How to Use This Contract and FAQs

### 1. Introduction

The purpose of the Laundry and Linen Services (Statewide) is to provide Authorized Users with a means of acquiring two classes of Laundry and Linen Services Products. The two classes of Products are: 1) Contractor-owned Goods and 2) Customer-owned Goods.

These Backdrop Contracts have an established set of standardized terms and conditions, guidelines, and processes. When an Authorized User determines the need for Laundry and Linen Services, they will request quotes in accordance with the terms and conditions of the Centralized Backdrop Contract and include any additional requirements. **The Authorized User is encouraged to reach out and request quotes from all Contractors in 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 quotes where the Contractors shall submit the actual competitive prices to be charged.**

The process of obtaining a quote 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 Laundry and Linen services based on the quotes obtained from the Contractors.

### 2. Instructions for Authorized Users and Contractors

This Contract is issued under a multiple award structure. Contractor is strongly encouraged, but not required, to offer Laundry and Linen Services in all counties within an awarded Region. Authorized Users shall procure Products that best meet their form, function, and utility requirements. Such procurement may be referred to herein as an “engagement.” **Authorized Users and Contractors are encouraged to take the following steps when obtaining quotes from Contractors:**

1. Authorized User determines the need for Laundry and Linen Services for an engagement;
2. Authorized Users shall check the list of Preferred Source Product offerings and are reminded that they must comply with State Finance Law, particularly § 162, regarding commodities/services provided by preferred source suppliers. If the needed Laundry and Linen Services are available in the desired form, function and utility from a Preferred Source, the Authorized User shall engage the Preferred Source;
3. If the needed Laundry and Linen Services are not available in the desired form, function and utility from a Preferred Source, the Authorized Users shall review the Centralized Contracts to determine what Region the engagement is in and who the awarded Contractors are for the applicable Region;
4. Authorized User will obtain any required internal/external approvals to request quotes from Contractors;
5. Authorized User are encouraged to disseminate their list of products they need Laundry and Linens services for, 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. Authorized Users may include additional requirements, such as additional delivery requirements (multiple buildings, multiple locations in a Region etc.), special handling requirements, security requirements, federal funding requirements, familiarity with NYS-specific terms, facility-specific training, confidentiality requirements, holiday coverage, specific certifications; and
  - b. Authorized Users may request that Contractors submit any documentation that will assist them in their evaluation for items such as Accreditations, etc.
6. It is recommended the Authorized User print out a copy of the email containing the list of products 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;
7. The Authorized User will review quotes received and make an award in the best interest in the state as determined by the Authorized User. The Authorized User shall review the responses from Contractors able to provide the necessary Laundry and Linen Services and shall select the most practical and economical alternative from among such responses;
8. Authorized Users must follow their applicable procurement rules and/or guidelines to ensure that compliance is met. Authorized User's procurement records should clearly show why one Contractor was chosen over another;
9. An Authorized User shall issue an Authorized User Agreement, as defined in Contract Section 1.5 *Definitions*, 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;
10. Authorized User Agreements may be issued for up to a five (5) year period as long as the end date does not extend beyond the end date of the Base Contract;
11. 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 products at a set rate for a certain time, specific to a Region and product type;
12. 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 Laundry and Linen Services, unless there is a written agreement between the Authorized User and Contractor to a different timeframe;
13. Contractor and Authorized User may agree to change the Contractor's start date(s) in the event the start date included in the Authorized User's quote cannot be met. This will be reflected in the Authorized User Agreement and made part of the Procurement Record;
14. Contractor will begin services;

15. Authorized Users will follow the appropriate contracting and payment procedures for invoice approval, including receiving a prompt payment discount if warranted;
16. During Contract performance, Contractor questions, clarifications, and/or disputes arising from an Authorized User's quote request and/or Contractor selection are to be reviewed and resolved by the Authorized User and the Contractor, and not by NYS OGS Procurement Services;
17. During Contract performance, issues related to MWBE and SDVOB goal compliance are to be referred to the MWBE ([ogs.sm.mwbe@ogs.ny.gov](mailto:ogs.sm.mwbe@ogs.ny.gov)) or SDVOB office ([VeteransDevelopment@ogs.ny.gov](mailto:VeteransDevelopment@ogs.ny.gov)), as applicable, within OGS; and
18. During Contract performance, questions regarding the centralized Contract should be referred to NYS OGS Procurement Services. Please contact the Contract Manager, Wendy Nieves, at: 518-486-7313, or via email, at: [wendy.nieves@ogs.ny.gov](mailto:wendy.nieves@ogs.ny.gov)

### 3. Recommended Authorized User Voucher/Invoice Review Procedures

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

1. Ensure that Contractor is complying with Section 2.11, *Invoicing and Payments*, of the Contract;
2. Review the agreement between the primary Contractor and Subcontractor in the event the Contingency plan is utilized to ensure the payment meets the terms of this agreement if the invoice includes work from Subcontractors; and
3. Verify that the billing rates comply with those accepted in response to the quote.

### 4. Frequently Asked Questions (FAQs)

#### 1. 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).

#### 2. How do I know if I'm an Authorized User of NYS OGS Contracts, including the Laundry and Linen 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](mailto:OGS.sm.customer.services@ogs.ny.gov).

#### 3. Does an Authorized User have to obtain a Prevailing Wage Rate Number (PRC#) prior to requesting quotes from Contractors?

No. Prevailing wages do not apply to this contract.

#### 4. How is the winning Contractor selected?

The winning Contractor will be chosen based on a determination of what is in the best interest of an Authorized User considering their needs and Contractor's lowest price and, in some instance, their Accreditations. The Authorized User should also be prepared to explain the evaluation and selection should an unsuccessful Contractor inquire as to why they didn't win.

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

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

**6. How do I determine which Contractors to request pricing form?**

The Contracts were awarded regionally. Authorized Users will refer to the Contractors Region and Pricing Summary Page available at:

<https://online.ogs.ny.gov/purchase/snt/awardnotes/7903923147can.htm> to identify the Region the work will take place in and request quotes from all Contractors in that Region. If an Authorized User seeks quotes from Contractors, and doesn't make any award, any attempts to resolicit quotes should be sent to all Contractors in that region.

**7. Does the Laundry and Linen Service Contract have MWBE or SDVOB goals?**

No. There are no goals on this Contract.

**8. 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.

**9. 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](mailto:ogs.sm.insrev@ogs.ny.gov).

**10. What happens when a Contractor quotes a price that exceeds the Not-to-Exceed prices on their backdrop Contract?**

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

**11. Does the Contract allow for price increases?**

Yes. This contract allows for price increases for the Base contract, and it also allows for price increases for the Authorized User Agreements. See Contract Section 3.5, *Price Updates* for more information.

**12. Is tiered pricing allowed for awards expanding multiple years?**

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

**13. 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

**14. Can an Authorized User request quotes for multiple Regions in a single request?**

No.

**15. If an Authorized User cancels their requesting of quotes, should all Contractors be notified?**

Yes. It is a best practice to notify Contractors if an Authorized User has cancelled their request for quotes.

**16. Can Authorized Users 'rent' clothes from the Contractor?**

The Authorized User may choose to use 'Contractor Owned' products, but these are to be billed in the exact quantity as ordered. The Contractor is not allowed to bill for products in advance or bill for more products than what the Authorized User requested.

**17. Can an Authorized User purchase clothes from a Contractor?**

An Authorized User may purchase clothes from a Contractor but this would need to be done in accordance with the Authorized User's purchasing policies and procedures. Purchases cannot be made under this contract.

**18. How can an Authorized User tell if a Contractor has any Accreditations?**

If a Contractor is Accredited, this information will be on the Contractor Information Page. Please note – some Accreditations are based on the specific location of where the laundry will be cleaned. Please double check with the Contractor if you have any questions about their Accreditations.

**19. Section 3.13 of the Contract states that Contractors shall provide additional on-site Contractor owned inventory not part of the regular deliveries, known as “on-site emergency inventory”, and that this inventory shall be replaced within 24 hours after notification by the Authorized User. Is there a limit to the number of times a week or a month that the Authorized User may draw from the on-site emergency inventory?**

There is no limit to the number of times an Authorized User may draw from their on-site emergency inventory, however, this inventory should only be used in the event of an emergency, or unforeseen circumstances. If this is happening frequently then both the Authorized User and Contractor should consider re-evaluating and increasing the par level inventory.

**20. Are subcontractors allowed?**

Subcontractors may only be used in accordance with section 3.14, *Continuous Operation*.

**21. What type of information should a contingency plan incorporate?**

Contingency plans should be in writing and should have sufficient detail to ensure that coverage will be maintained in the event of an emergency. Details may include, but are not limited to, contact person's name, phone, and email at the Subcontractors office, and back-up contact information as well.

**22. Section 3.16 of the Contract states that Contractors must provide additional transport carts, hampers, and containers if requested by the Authorized User. Is there a limit on the number of carts etc. that an Authorized User may request?**

There is no limit on the number of hampers, cart, etc. that an Authorized User may request, however, it is expected that the Authorized User use the contract in good faith. For example, carts are only to be used for transporting laundry, not for linen storage or as garbage containers.

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

Please contact the Contract Manager, **Wendy Nieves**, at: 518-486-7313, or via email, at: [wendy.nieves@ogs.ny.gov](mailto:wendy.nieves@ogs.ny.gov)