

**Frequently Asked Questions / How To Use
Award 23109
Furniture-All Types (except Hospital and Patient Handling) -Statewide**

Authorized Users of this Award are strongly encouraged to read the contract terms and conditions in their entirety to gain an understanding of requirements for both the Contractors and Authorized Users. Below is a brief listing of Questions & Answers (Q&A's) to facilitate the use of the Furniture Contract.

PLEASE NOTE: It is the intent of this contract to provide products within the Product Categories listed below. Any items not within the scope of this award are excluded, for example: medical furniture, refurbished items, remanufactured products, etc.

Product Categories:

1. Conference Furniture includes Seating and Tables
2. Dormitory Furniture
3. General Purpose Tables
4. High Density Filing
5. Household Furniture
6. Library Furniture
7. Office Furniture includes Bookcases, Casegoods, Lounge, Seating, and Tables
8. School Furniture includes Cafeteria Tables
9. Specialty Seating
10. Systems Furniture

Question: Contact - Who is the OGS contact for this contract award?

Answer: Matthew Jones, CMS1
NYS Office of General Services
Procurement Services
Corning Tower, 38th Floor
Empire State Plaza
Albany, New York 12242
Phone: 518-474-4163
E-mail: matthew.jones@ogs.ny.gov

Question: Product Categories - What Product Categories are offered under this Award and what Contractor offers which categories?

Answer: The Product Categories are listed above as well as within the Contract Award Notification (CAN) document. Additionally, a matrix is provided in the CAN that lists each Contractor and their corresponding Product Categories, which can be found at:
<https://www.ogs.ny.gov/purchase/spg/awards/2091523109CAN.HTM> click on link Award Document.

Question: What discount is each Contractor offering? Is there a minimum order? Is there an Inside delivery fee? Are volume discounts offered? Do Contractors accept the NYS PCard? Are there restocking fees?

Answer: Information pertaining to discounts, minimum order requirements, inside delivery fees and more can be found on the Contract Award Notice page at:
<https://www.ogs.ny.gov/purchase/spg/awards/2091523109CAN.HTM>. Click on the "Contractor Information and Terms and Conditions" link to download the Excel spreadsheet which contains information for each Contractor - Click on the appropriate Contractor and

each Contractors specific information will be outlined. This information is also located on the link labeled “Contractor Information and Terms and Conditions”.

Question: Are Contractors designated as being either Minority and/or Women Owned Business (MWBE)?

Answer: Yes – but only if Contractors are registered with the NYS Empire State Development’s Division of Minority and Women’s Owned Business Development (DMWBD) – they are required to be a “NYS Certified MWBE.”

Question: Are Contractors designated as being Service-Disabled Veteran-Owned Businesses?

Answer: Yes – but only if Contractors are registered with the New York State Office of General Services Division of Service-Disabled Veterans’ Business Development.

Question: Price List Updates - How often can a Contractor’s Price List be updated?

Answer: As outlined in Solicitation 23109, the price list submitted with the bid shall remain in effect for one year after the Bid Opening Date. After that time, Contractors may submit a new RETAIL price list once per year thereafter, during the Contract term or extension, beginning on or around the anniversary of the Bid Opening Date, as determined solely by OGS Procurement Services. Price List Updates will become effective when they have been reviewed and approved by OGS and published on the OGS website.

Question: Price List Update Submittal - How should the Price List Update be submitted?

Answer: Contractors shall adhere to the instruction in Attachment 11 – *Price List Update Guide*, and use the provided Appendix C - *Contract Modification Procedure* for all price adjustment requests. Price Lists shall contain an “effective date” and if there are any exclusions listed within the Price List, they should be clearly noted in a SEPARATE correspondence. Contractors will be notified by our office regarding the specifics for Price List Updates. These notifications will be sent via email to the addresses located in our published award documents. Contractors will be given a short time period to submit their updated price lists. Contractors may only update their price lists during this designated time period as specified by OGS.

Question: Installation - Is Installation covered under this Award?

Answer: No – Installation is **NOT** covered under this Award. Installation of products such as Systems Furniture, High Density Filing Systems, etc., shall be handled by the ordering agency according to their Purchasing Guidelines and Discretionary Limits, and shall comply with wage and labor rates, all state and local codes and public works guidelines, if applicable.

Question: Acceptance of Purchase Orders & Payment - Are Authorized Resellers allowed to accept Purchase Orders and receive Payments?

Answer: OGS agrees to permit Contractors to utilize approved Authorized Resellers to participate as alternate distribution sources pertaining to this Award.

Please Note: ALL Authorized Resellers, regardless of the level of service provided, must be approved in advance by OGS and listed on the OGS website.

Question: Reporting Problems - Is there a way to report problems to the Office of General Services associated with the products ordered from the Furniture Award?

Answer: Yes – Contact the Contract Manager listed on the front page of this document with any problems/concerns encountered when using the furniture Award.

Question: Updating Contact Information - Are Contractors required to contact OGS directly with any contract information changes (i.e., contact name, email address, company address, phone #, website, etc.)?

Answer: Yes – It is the Contractor’s responsibility to reach out to the Contract Manager to ensure that the most current information is listed on the Award.

Question: Verifying Pricing - Is the Authorized User required to verify pricing on products ordered?

Answer: Yes – As with any centralized Award, Authorized Users should verify the price charged and the discount offered when ordering by comparing quotes against the current posted_Price List. When the invoice is received, Authorized Users should then verify that the invoice reflects the prices listed in the Price List in use at the time of the order. Any discrepancies must be brought to the Contractor’s attention within five business days.

Question: Negotiating Better Discounts - Are Authorized Users allowed to negotiate better discounts (lower prices) for the product lines they are interested in purchasing?

Answer: Yes – Authorized Users are STRONGLY ENCOURAGED to negotiate better discounts from any Contractor listed under this Award. Buyers are also encouraged to shop several different product lines to ensure that they are getting the BEST VALUE for New York State.

Question: If a Contractor has both an Excel pricelist and a catalog pricelist posted, which one do I use?

Answer: The Excel pricelist takes precedence over the catalog for pricing and items. If an item is listed in the catalog, but NOT in the Excel spreadsheet, it may not be sold under the Contract.

Question: Can I custom order furniture that is not listed within a Contractor’s pricelist?

Answer: No. If an item is not included within a Contractor’s posted pricelist, it may not be sold under their OGS Contract.

Question: Are design services included under this Award?

Answer: Contractors may offer to assist Authorized Users to determine what best meets their needs, however, they may NOT charge a fee, as design services are not included in this Award.

Question: If an item does not show a list price; how will I know what I should be charged?

Answer: Any item that does not show a list price on a Contractor’s pricelist may not be sold under their Contract. Please contact the OGS contract administrator should you find an item that does not have a list price.

Question: Some pricelists show EO4 information, while others do not. Why?

Answer: Contractors are strongly encouraged to provide EO4 information for their offerings, however, OGS did not require the information to be listed, as either an Excel style pricelist, or a catalog pricelist could be used. Additionally, if the Contractor did not include EO4 information in the Excel pricelist, the columns will not show to enable improved viewing. Authorized Users are encouraged to contact the Contractor to inquire as to whether their items meet EO4 requirements.

Question: Invoices and Payment - What information MUST be included on the Contractor's invoice for payment to be made through the Statewide Financial System (SFS)?

Answer: To ensure payments are made in a timely manner, invoices must include the Purchase Order Number, Contract Number and New York State Vendor ID number. The invoice must also include an Invoice Number and clearly identify the entity receiving the products. In addition, the following fields should also be included: Order Date, SKU Number and/or Description, and NYS Net Delivered Price.

Question: Inside Delivery - What does Inside Delivery include?

Answer: Inside Delivery is intended for essentially free-standing furniture when the ordering agency is unable to bring it from the dock to the point of use. It shall consist of removal from truck, bringing to point of use, uncrating, minor assembly, leaving ready for use and the removal of debris.

Question: Sales Report - Is there a particular reporting template that Contractors should use to Report Sales to OGS?

Answer: Yes – Contractors are required to use the “Report of Contract Purchases,” template. All fields of information shall be accurate and complete. The report is to be submitted electronically, in Microsoft Excel 2007 or newer, (or as otherwise directed by OGS), via email to the attention of the Contract Manager, and shall reference the Group Number, Award Number, Contract Number, Sales Reporting Period, and Contractor's Name. The Sales Report template can be accessed at the OGS Furniture website at: <https://www.ogs.ny.gov/purchase/spg/awards/2091523109CAN.HTM> click on link “Report of Contract Purchases.”

Question: Sales Report Periods and Due Dates - What time periods should Contractors be capturing for the Report of Contract Purchases, when are they due, and who should they be emailed to?

Answer: Contractors shall submit their Report of Contract Purchases (sales reports) to the Contract Manager, semiannually, (every six months).

Please Note: Contractor sales reports must be current in order to be eligible for a Price List Update.

Question: Resellers and Sales Reports - If a Contractor is using Authorized Resellers under this Award, are the Resellers required to submit reports directly to OGS or is the Contractor responsible for sending in all reports?

Answer: Contractors shall collect and submit **ONE** Sales Report to OGS for **ALL Authorized Resellers' sales made under their Contract. NOTE: Contractor sales made outside of this Award do NOT need to be included in their Report of Contract Sales. Only sales made under their OGS Contract should be reported.**

Question: Authorized Reseller Updates - Are Contractors able to modify their Authorized Reseller List, and if so, how should modifications be requested?

Answer: Yes – If Contractors allow Authorized Resellers to participate in the Contract (to accept orders and/or direct payment), requests to add, delete or modify Authorized Reseller List information must be submitted to OGS for prior approval. Such requests should be sent to the Contract Manager referenced on the front page of this document. Contractors must use the Authorized Reseller List as posted on the OGS website as the starting point for any Authorized Reseller revision. Please be aware that if an Authorized Reseller does not have a valid NYS Vendor Identification Number, they are not able to accept direct payment, and in addition, they are not permitted to be listed on the Authorized Reseller List.

Due to the large number of Contractors on this Furniture Award, Contractors will be allowed to update their Authorized Reseller List information only once per calendar quarter - See below:

Authorized Reseller List Quarterly Submittal Due Dates
[REDACTED]
July 1 to July 15, 2019
October 1 to October 15, 2019
January 1 to January 15, 2020
April 1 to April 15, 2020
July 1 to July 15, 2020
October 1 to October 15, 2020
January 1 to January 15, 2021
April 1 to April 15, 2021
July 1 to July 15, 2021
October 1 to October 15, 2021
January 1 to January 15, 2022
April 1 to April 15, 2022
July 1 to July 15, 2022
October 1 to October 15, 2022
January 1 to January 15, 2023
April 1 to April 15, 2023

Question: Requesting a NYS Vendor ID # - If a Contractor would like to add an Authorized Reseller but the Reseller does not have a valid NYS Vendor Identification Number, what is the process for requesting one?

Answer: NYS Vendor Identification Numbers (VIN#s) can be obtained by submitting an Office of State Comptroller (OSC) **Substitute W-9** form to the Contract Manager referenced on the front page of this document. The form can be found at the following link:

http://www.osc.state.ny.us/vendors/forms/ac3237s_fe.pdf.

The Office of General Services will initiate the vendor registration process. Once the process is initiated, registrants will receive an email from Office of State Comptroller (OSC) that includes the unique ten-digit vendor identification number assigned to the company and instructions on how to enroll in the online Vendor Self-Service application.

Question: Contract vs. Non-Contract Items – If an item is not listed on a Contractors OGS Price List, can it be purchased from this Award?

Answer: No. Only items listed on a Contractor's posted OGS Pricelist may be purchased under this Award. Authorized User's that wish to purchase a non-contract item along with a contract item, may do so on the same Purchase Order, but **MUST** clearly note which items are Contract Items, and which items are not. Contractors may, though are not required to, extend the same discounts, if they choose, to non-contract orders.

Question: Shipping Charges - Can Contractors charge separate shipping/freight charges?

Answer: No. All shipping charges are included in the Contractors Contract price (shipping is FOB Destination). Contractors may **NOT** charge additional shipping/freight fees under this Award.

Question: Additional Fees or Charges – Can Contractors charge any additional fees of charges such as tariff charges or “government-mandated” charges and/or fees?

Answer: No. Per the Solicitation, the price shall include all customs duties and charges and be net, F.O.B. destination any point in New York State, as designated by the ordering agency including dock delivery and tailgating of load, which means bringing the truck to the loading or loading area and bringing the load to the tailgate of the truck or agency personnel to remove the load without entering the truck.

Question: Quotes. Can any company provide a quote or an invoice for a Contract purchase?

Answer: No. Only Contractors listed on the OGS website may provide quotes or invoice. Please ensure that the Contractor is listed on the OGS website.

Question: Can an Authorized Reseller and/or a Contractor charge a storage fee?

Answer: No. No storage fee, regardless of how the fee/cost is worded, can be added. Please refer to 2.2.1 Delivery, on Page 12 in the Base Contract here:

<https://online.oqs.ny.gov/purchase/spg/pdfdocs/2091523109BaseContract.pdf>

Please contact the OGS Contract Administrator should you have questions pertaining to this Award.