

How To Use and Frequently Asked Questions
Award #23295

Furniture, All Types (except Hospital and Patient Handling)

Authorized Users and Contractors of this Award are strongly encouraged to read the Contract Terms and Conditions found within the Base Contract in their entirety to gain an understanding of requirements for this Award.

Below is a brief listing of Questions & Answers (Q&A's) to facilitate the use of the Furniture Contract.

Contents

GENERAL CONTRACT INFORMATION:	3
OGS Contact	3
Authorized User Validity	3
Contractor Validity	3
CONTRACTOR / PRODUCT SELECTION:	3
Are Authorized Users required to obtain 3 quotes?	3
Multiple Furniture Contractors Carry the Item I Need	3
Negotiating Better Discounts	3
Excel vs Catalog Pricing	4
Contractor Designations	4
SCOPE:	4
Product Categories	4
Inside Delivery/Installation:	5
OUT OF SCOPE ITEMS:	5
Exclusions	5
Custom Orders	6
Installation Drawings / Design Services	6
Shipping Charges	6
Additional Fees	6
Unlisted Items	6
MISCELLANEOUS:	6
Discounts, Minimum Orders, and Other Contractor Specific Information	6
Authorized Resellers - Purchase Orders & Payment	7
Items without List price	7
EO4 Information	7
Verifying Pricing	7
Navigating Price Lists	7
Invoices, Payment, and SFS	7
CONTRACTOR FREQUENTLY ASKED QUESTIONS:	8
Price List Updates – Frequency and Format	8
Updating Contact Information	9
Sales Reports – Format, Frequency, and Usage of Resellers	9
Authorized Reseller Updates	9
Requesting Vendor ID Number	10

Advertisement	10
Contract Performance	11

GENERAL CONTRACT INFORMATION:

OGS Contact

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

Answer: The OGS contract manager is identified on the landing page of this Award.

<https://online.ogs.ny.gov/purchase/spg/awards/2091523295CAN.HTM>

E-mail: OGS.sm.PS.Furniture@ogs.ny.gov

Authorized User Validity

Question: Am I an Authorized User of NYS OGS contracts, including the Furniture contracts?

Answer: If you are a NYS entity, please contact NYS OGS Procurement Services Customer Services at: 518-474-6717, or via email at: ogs.sm.customer.services@ogs.ny.gov. If you are not a NYS entity, please review the Extension of Use Clause-See Section 5.33 - Extension of Use within the Base Contract document. Requests for extension of use must be sent via e-mail to: OGS.sm.PS.Furniture@ogs.ny.gov. OGS approval must be given prior to using any contract under the Award.

Contractor Validity

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

Answer: No. Only Contractors and/or their Authorized Reseller's listed on the OGS website may provide quotes or invoices. Please ensure that the Contractor and/or Authorized Reseller is listed on the OGS website.

CONTRACTOR / PRODUCT SELECTION:

Are Authorized Users required to obtain 3 quotes?

Question: If I am a NYS Agency, and I'm making a purchase from the Furniture Award, am I required to obtain three (3) quotes?

Answer: Obtaining three quotes is not a requirement under the OGS Award; however, it is encouraged. See Solicitation Section 4.5 Procurement Instructions for Authorized Users. The NYS Procurement Guidelines "Procurement Basics" for rules on Agency purchasing: <https://ogs.ny.gov/system/files/documents/2023/03/2023-procurement-guidelines-3-21-2023.docx>.

Multiple Furniture Contractors Carry the Item I Need

Question: What if more than one Furniture Contractor has the item(s) I need, but they are listed at different prices?

Answer: Although not a requirement under the OGS Award, Authorized Users are strongly encouraged to seek quotes from more than one participating Furniture Contractor to obtain the best possible pricing when the same item is offered by more than one Contractor at different pricing.

Negotiating Better Discounts

Question: Are Authorized Users allowed to negotiate better discounts (lower prices) for the product(s)/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.

Excel vs Catalog Pricing

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

Answer: The Excel Price List 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.

Contractor Designations

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

Answer: Yes – the appropriate designation is shown on the Award, but only if Contractors are registered with the NYS Empire State Development's Division of Minority and Women's Owned Business Development (DMWBD). To be listed as such, 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.

SCOPE:

Product Categories

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

Answer: The Product Categories are listed below, 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 by clicking on the below link for the Award document; found on the top left at:
<https://www.ogs.ny.gov/purchase/spg/awards/2091523295CAN.HTM> .

PLEASE NOTE: It is the intent of this contract to provide products within the Product Categories listed below. Price Lists/Catalogs may contain items that are not within the Scope of the Contract Award and/or not within a Contractor's approved furniture Categories. All Authorized Users are strongly encouraged to review the Scope of the Award and the Contractor's Category Matrix prior to selecting items for purchase under the Contract. Any items not within the scope of this award are excluded, for example: medical furniture, metal lockers, refurbished items, remanufactured products, etc. A full listing of exclusions can be found on page 9 of the Base Contract.

Product Categories:

1. Conference Furniture (tables and seating)
2. Dormitory Furniture
3. General Purpose Tables
4. High Density Filing
5. Household Furniture
6. Library Furniture
7. Office and Courtroom Furniture
8. School/Higher Education Furniture

9. Specialty Seating
10. Systems Furniture

A Description of these categories is contained in Solicitation Section 1.2 Scope, and is also included on the Contract Matrix document:

<https://online.ogs.ny.gov/purchase/spg/pdfdocs/2091523295CategoryMatrix.pdf> .

Inside Delivery/Installation:

Question: 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: What does Installation include?

Answer: Installation includes inside delivery as described in Section 2.2.1 – Delivery; however, it is intended for the additional work involved with regard to assembly of other than free-standing furniture, such as systems furniture, high density filing, and furniture shipped KD (“Knocked Down”), and any other assembly not considered minor assembly as described in Section 2.2.1 – Delivery. Installation does not include repairs or moving. The Authorized User must specify at time of order, and prior to delivery, if installation is required.

Installation shall include the following:

1. Inside delivery to the pre-agreed upon building location;
2. Unpacking boxes;
3. Checking parts for damage;
4. Assembly utilizing the installers own tools;
5. Disposal of boxes and packing materials; and
6. Clean up after completion.

NOTE: Any deviations from the above installation requirements are outside the scope of the Contracts resulting from this Solicitation, and may require the Authorized User to make a separate, non-contract purchase in accordance with the Authorized User’s standard purchasing rules and procedures.

OUT OF SCOPE ITEMS:

Exclusions

The below items are excluded from the scope of this Award. This list is not exhaustive; other items and/or services may be excluded at the discretion of OGS:

1. Bedding items such as mattresses, sheets, pillows, and other such accoutrements.
2. Carpets and rugs.
3. Wall hangings, mirrors, easels, chalk boards, white/dry erase boards, smart boards, and cork boards.
4. Lighting fixtures and/or solutions.
5. Metal lockers/lockers requiring fixed installation and/or public works.
6. Auditorium equipment, such as platform risers, speakers, etc.
7. Toddler gyms, climbing play sets, agility/balance equipment, physical education equipment, doll houses, playhouses, play kitchens, toys etc.
8. Additional charges and fees not specifically listed within the Contact and Supplemental Information sheet (for example, surcharges, fuel charges, storage fees, liftgate service fees, credit card fees, etc.).
9. Installation drawings and/or design services.

10. Public Work and/or Prevailing Wage Rate Work (installation).
11. Outdoor furniture including but not limited to tables, chairs, trash bins, and bike racks.
12. Hospital Room and Patient Handling furniture.
13. Customized furniture and/or solutions without a defined identifying number (model number, SKU, etc.) and List Price.

Custom Orders

Question: Can I custom order furniture that is not listed within a Contractor's Price List?

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

Installation Drawings / Design Services

Question: Are installation drawings and/or 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 installation drawings and/or design services are not included in this Award.

Shipping Charges

Question: Can Contractors charge separate shipping/freight charges?

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

Additional Fees

Question: Can Contractors charge any additional fees or charges such as tariff charges, "government-mandated" charges and/or fees, surcharges, fuel charges, storage fees, liftgate service fees, credit card fees, etc.?

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 dock or loading area and bringing the load to the tailgate of the truck or agency personnel to remove the load without entering the truck.

Unlisted Items

Question: If an item is not listed on a Contractor's OGS price list, can it be purchased from this Award?

Answer: No. Only items listed on a Contractor's posted OGS price list may be purchased under this Award. Authorized Users 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.

MISCELLANEOUS:

Discounts, Minimum Orders, and Other Contractor Specific Information

Question: What discount does each Contractor offer? Is there a minimum order? Is there an inside delivery fee? Is there an installation 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, installation fees, and more is specific to each Contractor and can be found on the Contractor Information Summary page. Each Contractors “Contact and Supplemental Information” link is located on this page and contains each Contractors specific information. <https://online.ogs.ny.gov/purchase/spg/pdfdocs/2091523295ContractorInfo.pdf>

Authorized Resellers - Purchase Orders & Payment

Question: 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. Each Contractors “Contractor and Reseller Distributor Information Sheet” link is located on this page and contains each Contractors Authorized Reseller Listing. <https://online.ogs.ny.gov/purchase/spg/pdfdocs/2091523295ContractorInfo.pdf>

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.

Items without List price

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 Price List 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.

EO4 Information

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

Answer: Contractors are strongly encouraged to provide EO4 information for their offerings; however, OGS does not require the information to be listed on their Price List. Additionally, if the Contractor did not include EO4 information in an Excel Price List, the columns will not be shown to enable improved viewing. Authorized Users are encouraged to contact the Contractor to inquire as to whether their items meet EO4 requirements.

Verifying Pricing

Question: 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 originally quoted. Any discrepancies must be brought to the Contractor’s attention within five (5) business days.

Navigating Price Lists

Question: I am having difficulty locating products on price lists as the catalogs are very large. How do you suggest I proceed?

Answer: Contractor’s price lists vary in size. If you are having difficulty navigating their price list due to its size, it is suggested that you reach out to the Contractor directly so they may provide a solution that meets your needs. They should also be able to identify where to find any items you intend to purchase on their posted price list.

Invoices, Payment, and SFS

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

Answer: Invoicing and payment shall be made in accordance with the terms set forth in Appendix B - *Contract Invoicing*. The Contractor is required to provide the Authorized User with one invoice for each Purchase Order at the time of delivery. The invoice must include detailed line-item information to allow Authorized Users to verify that pricing at point of receipt matches the Contract price on the original date of order.

At a minimum, the following fields must be included on each invoice:

- Contractor Name
- Contractor Billing Address
- Contractor Federal ID Number
- NYS Vendor ID Number
- Account Number
- NYS Contract Number
- Name of Authorized User indicated on the Purchase Order
- NYS Agency Unit ID (if applicable)
- Authorized User's Purchase Order Number
- Order Date
- Invoice Date
- Invoice Number
- Invoice Amount
- Product Descriptions
- Unit Price
- Quantity
- Unit of Measure
- Dates of Service (if applicable)

Cost centers or branch offices within an Authorized User may require separate invoicing as specified by each Authorized User. The Contractor's billing system shall be flexible enough to meet the needs of varying ordering systems in use by different Authorized Users. Visit the following link for further guidance for vendors on invoicing:

<https://bsc.ogs.ny.gov/nys-vendors>.

CONTRACTOR FREQUENTLY ASKED QUESTIONS:

Price List Updates – Frequency and Format

Question: How often can a Contractor's Price List be updated?

Answer: As outlined in Solicitation 23295, 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 twice per year thereafter, during the Contract term or extension, beginning on or around the anniversary of the Bid Opening Date. Price List Updates may not be allowed within 90 days of a prior price list update approval unless deemed within the best interest of the State. Price List Updates will become effective when they have been reviewed and approved by OGS and published on the OGS website.

Question: How should the Price List Update be submitted?

Answer: Contractors shall adhere to the instructions in Attachment 11 – Price List Update Guide and use the provided Appendix C - Contract Modification Procedure for all Price List Updates. If there are any exclusions listed within the Price List, they should be clearly noted in a SEPARATE correspondence. The Contractor will submit a complete replacement Price List. When a Price List Update is approved, the previously posted Price List will be removed from the OGS website in its entirety.

Updating Contact Information

- Question: 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. Per Section 5.14 Contract Administration: Contractor must notify OGS within five (5) Business Days if it’s contract manager, emergency contact, or customer service employees change, and provide an interim contact person until the position is filled. Changes shall be submitted electronically via e-mail to the OGS contract manager.

Sales Reports – Format, Frequency, and Usage of Resellers

- Question: Is there a particular reporting template that Contractors should use to Report Sales to OGS?
- Answer: Yes – Contractors are required to use the Attachment 8 - Report of Contract Usage 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.
- Question: 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, semi-annually, (every six months). The reporting dates will be:
 January 1 through June 30
 July 1 through December 31

Please Note: Contractor sales reports must be current in order to be eligible for a Price List Update. Sales reports are due NO LATER THAN 45 DAYS after the end of the reporting period. Please note that revised, reformatted and altered sales reports will NOT be accepted, and will be returned for corrections. Only the provided Sales Report template should be used.

- Question: 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 all contract sales information and submit ONE Sales Report to OGS for ALL SALES, including Authorized Resellers’ sales made under their Contract, for each reporting period. 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.

Authorized Reseller Updates

- Question: 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, then 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
April 1 to April 15, 2024
July 1 to July 15, 2024
October 1 to October 15, 2024
January 1 to January 15, 2025
April 1 to April 15, 2025
July 1 to July 15, 2025
October 1 to October 15, 2025
January 1 to January 15, 2026
April 1 to April 15, 2026
July 1 to July 15, 2026
October 1 to October 15, 2026
January 1 to January 15, 2027
April 1 to April 15, 2027
July 1 to July 15, 2027
October 1 to October 15, 2027
January 1 to January 15, 2028
April 1 to April 15, 2028

Requesting Vendor ID Number

Question: 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.

Advertisement

Question: Are Contractors permitted to advertise their OGS Contract and the products they provide on the Furniture Contract?

Answer: Contractors are encouraged to market their approved products listed on their Furniture Contract, but they must comply with the Contract Publicity Clause on page 5 of Appendix B of the Base Contract. Any Contractor press or media releases, advertisements, or promotional literature, regardless of the medium, referring to an awarded Contract must be reviewed and approved by the Commissioner prior to issuance. In addition, Contractor shall not use, for any purpose, the New York State of Opportunity registered trademark or the New York State coat of arms without prior written approval from the State. Requests must be sent via e-mail to: OGS.sm.PS.Furniture@ogs.ny.gov.

Contract Performance

Question: Is there a way to report problems and or concerns to the Office of General Services associated with the products, delivery and/or Contractors with regard to this Award?

Answer: Yes – Contact the OGS Contract Manager listed on the front page of the Contract Award Notification (CAN) with any problems/concerns encountered when using the Furniture Award. Additionally, Authorized Users are encouraged to complete and submit a Contract Performance Report, which can be found on the last page of the Contract Award Document.