

How To Use and Frequently Asked Questions
Award #23313
Advanced Scientific Equipment & Instruments (Statewide)

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 Advanced Scientific Equipment and Instruments Contract.

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GENERAL CONTRACT INFORMATION:

OGS Contact

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

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

<https://online.ogs.ny.gov/purchase/spg/awards/3870023313CAN.HTM>

Authorized User Validity

Question: Am I an Authorized User of NYS OGS contracts, including the Advanced Scientific Equipment & Instrument 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 5.34 - Extension of Use within the Base Contract document. Requests for extension of use must be sent via e-mail to the Contract manager. 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 Advanced Scientific Contracts, 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/2023/12/nys_procurement_guidelines.pdf

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.

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 Offerings

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

Answer: The products are offered in 5 separate Lots 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 Lots offered, which can be found by clicking on the below link for the Award document:

<https://online.oqs.ny.gov/purchase/spg/awards/3870023313CAN.HTM>

Lots:

1. Lot 1 - Equipment & Instruments
2. Lot 2 - Consumables & Supplies
3. Lot 3 - Accessories & Peripherals
4. Lot 4 - Maintenance & Warranties
5. Lot 5 - Miscellaneous

OUT OF SCOPE ITEMS:

Exclusions

The below items are excluded from the scope of this Award.

1. Installation requiring Public Works compliance is excluded from purchase under this Solicitation. Installation requiring Public Works compliance must be procured separately, following the Authorized User’s regular procurement procedures, and taking into account any Public Works requirements. Please see Appendix B - Prevailing Wage Rates - Public Works and Building Services Contracts for additional information.

2. Non-specialized equipment items such as refrigerators, freezers, desktop centrifuges, scales, meter sticks, chronometers, or thermometers are excluded from the Scope of this Solicitation.

NOTE: This solicitation is not intended for “Custom” products, but “Made to Order” products may be included. Both terms are defined in Section 1.10 - Definitions.

Shipping Charges

Question: Can Contractors charge separate shipping/freight charges?

Answer: All prices include charges for delivery. There shall be no additional charges for delivery except under certain circumstances such as Special Handling or Expedited Delivery. The Authorized User must be informed of any additional charges prior to delivery and agree in writing to any such additional terms and/or charges.

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,

Answer: [liftgate service fees, credit card fees, etc.?](#)
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.

MISCELLANEOUS:

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 Contractor's Authorized Resellers are listed on the *Contact and Supplemental Information* sheet at the Contractor Information link located on this page:

<https://online.ogs.ny.gov/purchase/spg/pdfdocs/3870023313ContractorInfo.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.

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.

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 23313, 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 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 12 – Price List Update Template and use the provided Appendix C - Contract Modification Procedure for all Price List Updates. 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 Solicitation Section 5.14 Contract Administration: Contractor must notify OGS within five (5) Business Days if it's contract administrator, 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 Management Specialist.

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 via e-mail in Microsoft Excel to OGS Procurement Services, to the attention of the individual listed on the front page of the Contract Award Notification and shall reference the Contract Group Number, Award Number, Contract Number, Sales 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: Contractor shall submit Attachment 8 – Report of Contract Usage including total sales to Authorized Users of this Contract by Contractor, and all authorized resellers, dealers and distributors, if any, **no later than 15 days after the close of each calendar quarter**. If the Contract period begins or ends in a fractional portion of a reporting period, only the actual Contract sales for this fractional period should be included in the quarterly report.

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 15 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 should NOT 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.

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 Management Specialist 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.

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 Advanced Scientific 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.