

**Group 40440 – Award 23166  
Vehicles, Class 1-8**

**FREQUENTLY ASKED QUESTIONS (FAQ)  
January 02, 2026**

**AUTHORIZED USER FAQs:**

**1. Can I buy Electronic Vehicles (EVs) or Zero Emission Vehicles (ZEVs) via this Award?**

Yes! If a Contractor (dealership) sells an Original Equipment Manufacturer's product line that includes EVs and/or ZEVs then that Contractor should be able to provide an EV and/or ZEV via that product line. Feel free to research the Contractors and/or Original Equipment Manufacturers for specific details including but not limited to information on what specific vehicles might be available on their lots or what options exist.

**2. Where do I find instructions on how to use the Distribution Tool?**

The Distribution Tool is located at <https://ogs.ny.gov/vehicle-buyers> (scroll down to the Mini-Bid Distribution section). The Mini-Bid Distribution Tool includes a Buyer Instructions worksheet. This document contains information such as the Contractors (dealerships) who hold a contract for this award and the Original Equipment Manufacturers they are authorized to sell products for under this award.

**PLEASE NOTE: AUTHORIZED USERS ARE INSTRUCTED TO ALWAYS DOWNLOAD A NEW DISTRIBUTION TOOL EACH TIME A MINI-BID IS RELEASED.**

**3. Can I just send Mini-Bids to Contractors that are located near me?**

No. This Mini-Bid is designed to be a fair and competitive bidding process. **AUTHORIZED USERS MUST SEND MIN-BIDS TO ALL CONTRACTORS THAT MIGHT BE ABLE TO PROVIDE THE PRODUCT YOU WOULD LIKE TO PURCHASE.**

Authorized Users are NOT permitted to target Contractors based on their location. Nor can Authorized Users arbitrarily pick and choose which Contractors they wish to send their Mini-Bids to. See the Mini-Bid Distribution Tool's Buyer Instructions worksheet for details.

An Authorized User (AU) that purchases a vehicle directly from an approved dealer on Contract without conducting a Mini-Bid, said purchase would not be constituted as a State Contract Purchase.

**4. I am an Executive Agency type Authorized User. Is there a Flowchart that shows me how I can use this Award?**

A How to Use the Vehicle Marketplace flowchart for Executive Agencies is available at <https://ogs.ny.gov/nysvehiclemarketplace> (scroll down to the Flowcharts: How to Use the Vehicle Marketplace section).

**5. I am a Non-Executive Agency type Authorized User. Is there a Flowchart that shows me how I can use this Award?**

A How to Use the Vehicle Marketplace flowchart for **Non-Executive Agencies** is available at <https://ogs.ny.gov/nysvehiclemarketplace> (scroll down to the Flowcharts: How to Use the Vehicle Marketplace section).

**6. Are we able to lease a vehicle as opposed to purchase on this contract?**

Yes. There are a couple of ways to identify which dealers offers leasing. If you click on this link <https://ogs.ny.gov/contract-award-23166> scroll down select Contractor Information, look on the far right column and find vendors that are identified "Contact and Product Information OFFERS LEASING".

The other option is to visit <https://ogs.ny.gov/vehicle-buyers> scroll down to the section that says "Mini-Bid Distribution", click on the link for "Award 23166 Mini-Bid Distribution Tool", you will need to download it and then enable editing. Click on the tab at the bottom of the spreadsheet that says "Single OEM", go to line 9 column C (yellow box) select your desired vehicle make such as Jeep, Ford, Chevrolet, etc, then in the next box line 11 click in the box click the down arrow and select Leased. This will provide you with the email addresses for the dealerships that offer leasing for the selected make (manufacturer).

**7. Can used vehicles be purchased through the NYS Vehicle Marketplace Contract Award 23166?**

No. The NYS Vehicle Marketplace contract for Vehicles Class 1-8 is for new vehicles only.

**8. Can specialty vehicles such as Armored Vehicles be purchased through the Mini-Bid Process?**

Yes. The NYS Vehicle Marketplace has approved Vendors on contract that offer and have the ability to provide such vehicles.

**9. What does "Build to Specifications" or "Build to Spec" mean?**

As per Form A, "Built to Specifications" shall refer to a Vehicle that the Contractor shall order directly from the OEM(s) and that shall be built to meet the Authorized User Specifications identified in a Mini-Bid. Many Authorized Users tend confuse the use of the phrase "Built to Specifications" with the need for all vehicles to be provided in line with the Authorized User's specifications.

**10. Are All-Terrain Vehicles (ATVs) and/or Utility Terrain Vehicles A/K/A Utility Task Vehicles (UTVs) available under the scope of this Vehicles, Class 1-8 Award # 23166?**

No. Neither ATVs or UTVs currently fall under Vehicle Classes 1-8 therefore they are not in scope of this award. We recommend Authorized Users view OGS Centralized Contracts, such as those for Heavy Equipment, to see if other awards can meet your form, function, and utility to purchase ATVs and/or UTVs.

**11. Can I include a vehicle I wish to trade-in with my request?**

No. There are no provisions in the Vehicle Marketplace Contract Award 23166 that allows for trade-ins. However, this can be a separate non-contract negotiation with the awarded dealer.

**12. What is the Buy American Initiative?**

For State Agencies subject to State Finance Law (SFL) §163-c, Purchase or lease of zero emission vehicles and charging or fueling infrastructure, consider if a requirement for "Final Assembly in USA" should be included.

Unless fully or partially waived, SFL §163-c requires that agencies include a requirement in any procurement for the purchase of light-duty, non-emergency ZEVs (see definition below), that final assembly of the ZEV and charging or fueling infrastructure occurs in the United States.

The partial waiver for the 2026 calendar year, which includes a minimum annual Final Assembly in USA percentage of 8% for such Vehicles, is posted on the OGS website at the link below.

More information regarding the State Finance Law § 163-c Buy American Requirements for Zero Emission Vehicles and Electric Vehicle Chargers can be found on various websites such as:

1. <https://www.nysenate.gov/legislation/laws/STF/163-C>
2. <https://ogs.ny.gov/zero-emission-vehicles-infrastructure-0>
3. <https://ogs.ny.gov/waiver-state-finance-law-ss-163-c-buy-american-requirements>

### **13. How can I comply with the Buy American initiative when purchasing zero emission vehicles?**

For State Agencies subject to State Finance Law (SFL) §163-c, Purchase or lease of zero emission vehicles and charging or fueling infrastructure, consider if a requirement for "Final Assembly in USA" should be included.

SFL §163-c requires that agencies include a requirement in any procurement for the purchase of light-duty, non-emergency ZEVs, that final assembly of the ZEV and charging or fueling infrastructure occurs in the United States.

If the Vehicle Request is for a ZEV, and final assembly in the United States will be a requirement for award of the Mini-Bid, select "Yes" for Question 5.2 under Part D: Vehicle Request Information.

More information regarding the State Finance Law § 163-c Buy American Requirements for Zero Emission Vehicles and Electric Vehicle Chargers can be found below:

1. <https://www.nysenate.gov/legislation/laws/STF/163-C>
2. <https://ogs.ny.gov/waiver-state-finance-law-ss-163-c-buy-american-requirements>

### **14. What is the Advanced Clean Trucks (ACT) Regulation?**

In December 2021, New York State adopted the California Air Resources Board's Advanced Clean Trucks (ACT) Regulation (6 NYCRR Subpart 218-4). ACT applies to medium- and heavy-duty vehicles (M/HDVs), defined as on-road vehicles with a gross vehicle weight rating (GVWR) greater than 8,500 pounds. The regulation consists of two sections: the first (6 NYCRR 218-4.1) is specific to M/HDV manufacturers only, while the second (6 NYCRR 218-4.2) is specific to public or large private fleet owners or brokers which operated or dispatched M/HDVs under their common ownership or control in New York State. The ACT regulation requires applicable M/HD vehicle manufacturers to sell a percentage of their total sales in New York State as zero-emission vehicles (ZEV).

Essentially, manufacturers of these vehicles earn credits for each Zero Emission Vehicle (ZEV) of theirs that is sold and registered in New York State. Manufacturers can then apply the credits they earn for sold ZEVs towards vehicles that are sold with internal combustion engines (ICE). If a manufacturer does not make ZEVs or does not have enough credits to counteract the sale of ICE vehicles the manufacturer can either purchase credits or pay penalties. While purchasers are instrumental to the success of this regulation, the ACT regulatory compliance applies to the manufacturer - not the purchaser.

The New York State Department of Environmental Conservation is responsible for identifying which M/HDVs can be exempt from the ACT regulations.

More information regarding the ACT Regulations can be found on various websites such as:

- a. <https://www.governor.ny.gov/news/governor-hochul-announces-adoption-regulation-transition-zero-emission-trucks>
- b. [https://govt.westlaw.com/nycrr/Browse/Home/NewYork/UnofficialNewYorkCodesRulesandRegulations?guid=Ib5df7ba0b5a011dda0a4e17826ebc834&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)&bhcp=1](https://govt.westlaw.com/nycrr/Browse/Home/NewYork/UnofficialNewYorkCodesRulesandRegulations?guid=Ib5df7ba0b5a011dda0a4e17826ebc834&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default)&bhcp=1)
- c. <https://dec.ny.gov/environmental-protection/air-quality/controlling-motor-vehicle-pollution/heavy-duty-vehicles>
- d. <https://www.dot.ny.gov/nypermits/faqs#:~:text=F.%C2%A0%20What,side%20door%20jamb>

**15. Are there any resources we can read up on the ACT and what Authorized Users should do?**

The New York State Department of Environmental Conservation is responsible for identifying which M/H DVs can be exempt from the ACT regulations.

**16. What is build-out date? How can I check a build-out date? Why do build-out dates change?**

A “Build-Out Date” is the last calendar date that a Model shall be manufactured for a particular Model Year.

Authorized Users are encouraged to check on the build out dates by contacting dealerships, OEMs, or other potential resources such as:

- <https://www.elementfleet.com/insights-and-resources/resources/start-ups-and-build-outs>
- [https://www.wheels.com/fleet/orderreference/startupdates\\_usa.pdf](https://www.wheels.com/fleet/orderreference/startupdates_usa.pdf)

Build-Out Dates for vehicles change depending on various factors which may include production planning, consumer demand, and the availability of raw materials.

**17. How can I see who the approved dealers/vendors that are currently on State Contract?**

Please visit <https://ogs.ny.gov/contract-award-23166>, scroll down to under Award Information and select “Contractor Information”, this will provide the current list and contact information of all approved vendors.

**18. Should I send out a Mini-Bid if I am just looking for financial information but not ready to purchase a vehicle yet?**

No. You should not send out a Mini-Bid if you are just looking for information, including information for budgetary purposes. As part of their research, Authorized Users can visit various manufacturer’s websites. At least some of those websites have tools where an Authorized User can “build” the vehicle they wish to purchase and obtain an estimated Manufacturer Suggested Retail Price (MSRP) from there.

Form As/Mini-Bids should only be released if the Authorized User intends to purchase what they are requesting.

**19. Is an RFQ required if the purchase is for a small amount of money? More specifically, do we have to do an RFQ or Mini-Bid if the purchase is less than \$50K.**

Depending on the circumstances surrounding the procurement. It is recommended to consult with the agencies internal legal or finance department on what the procurement guidelines dictate on how to proceed.

**20. Do I need to do a Mini-Bid if I know who & where I want to buy from?**

Yes. This Contract designed to be a fair and competitive bidding process. The approved Vendors listed all have the ability to participate in the bidding process of any active Mini-Bid.

An Authorized User (AU) that goes directly to any dealer listed to purchase a vehicle, would not be constituted as a State Contract Purchase.

**21. How do I know which Form A to use for my Mini-Bid?**

If it is determined that you will accept responses from any manufacturer, such as Nissan, Chevrolet, Toyota, etc, then you would select the form for “Award 23166 Form A (Single OEM Any Make/Model).

If it is determined that you will only accept bid responses from Ford, then you would select the form for “Award 23166 Form A (Single OEM Specific Make/Model) because you want a Ford Specifically. If you are requesting a standard Pick-Up truck, then based on the description above you would choose one of the Single OEM forms.

If you are changing the configuration of a Pick-Up Truck and/or a Van (Cutaway) then you would use the Form A for Chassis/Body. This form can be used for Chassis Only, Body Only or a Complete Vehicle.

**22. Do you have examples of each type of Form A/Mini-Bid?**

Yes. Visit <https://ogs.ny.gov/vehicle-buyers>, scroll down to the Vehicle Request Forms section, then click on “View Example” which is at the end of the description of each version of the Form A.

**23. Should I be uploading specs or should I just be answering the questions on the forms? Can I just answer the questions on the form?**

It is always encouraged to include an additional specs specifications document to list all items/features/options required on the vehicle even if you believe they are standard items, this way the Dealers know exactly what you are looking for.

**24. I have completed my mini bid request form, how do I make a separate spec sheet for options?**

To document to outline all options, features, items, that the vehicle will need to be equipped with can be done on any document such as Word, PDF or Excel.

**25. I am looking to put out a mini bid. Can I put out this mini bid for both “Pre-Existing” inventory and “Built to Spec”? Or does it have to be one or the other?**

It can be for both. In Part C Mini-Bid Process 1.0, if you need this vehicle sooner rather than later, I recommend choosing Pre-Existing in this question. Then question 1.2 asks if you would like to consider Built to spec and you can answer yes to that.

**26. Are delivery charges included in the Mini-Bid price submitted by the Vendor?**

Yes, NYS Price For Vehicle” Shall mean the dollar amount charged to the Authorized User for each Vehicle, and includes all standard equipment provided with the Vehicle, all Options necessary to meet the Authorized User Specifications, and all applicable OEM fees, (e.g., destination charges), all customs duties and charges, all Vehicle preparation and clean-up charges, Aftermarket Components, installation charges, delivery, and all other incidentals included with providing the Vehicle to the Authorized User.

**27. Do Vendors include Taxes and surcharges in their Mini-Bid response.**

The quoted Bid price includes all taxes applicable to the transaction.

Purchases made by the State of New York and certain non-State Authorized Users are exempt from New York State and local sales taxes and, with certain exceptions, federal excise taxes. To satisfy the requirements of the New York State sales tax exemption, either the Purchase Order issued by a State Agency or the invoice forwarded to authorize payment for such purchases will be sufficient evidence that the sale by the Contractor was made to the State, an exempt organization under Section 1116(a)(1) of the Tax Law. Non-State Authorized Users must offer their own proof of exemption upon request. No person, firm or corporation is, however, exempt from paying the State Truck Mileage and Unemployment Insurance or Federal Social Security taxes, which remain the sole responsibility of the Bidder/Contractor.

Purchases by Authorized Users other than the State of New York may be subject to certain taxes which were not included in the Bid price, and in those instances the tax should be computed based on the Contract price and added to the invoice submitted to such entity for payment. Please refer to the Contract Appendix B Section 8 - Taxes details: <https://ogs.ny.gov/award-23166-Specifics>

**28. Where do I find information on how to evaluate and award bid responses received?**

Please visit <https://ogs.ny.gov/vehicle-buyers> scroll about 3/4's of the way down the page to the section "Mini-Bid Evaluation and Award" here you will find the Buyer's Guide for instructions on best practices on how to evaluate and award a Mini-Bid.

**29. Do I need to provide a copy of the bid results tabulation to the dealers who submitted a response to my Mini-Bid request?**

Yes. All dealers/vendors who submitted a Form B Mini-Bid response should receive a copy of the tabulation to see where they ranked. This aids them for future bids on how they may be more competitive.

**30. I received two responses from our mini bid for the transit van. We would like to award to the vendor that is priced slightly higher, but it is more of what we are looking for. Is that ok to do?**

If both responses meet the specs identified in the mini bid, then you must award it to the lowest responsible bidder.

If there is something specific about the other transit van you prefer or require then you can always cancel/non-award the mini bid and issue a new one with updated specs to reflect the exact features, you need.

**31. We asked for Pre-Existing Inventory. The one at the higher cost is Pre-Existing inventory the lower cost vehicle is built to spec not Pre-Existing. Can we award based on that?**

If the mini bid request was for and identified as the primary choice of Pre-Existing Inventory and the lower bid is not that, then yes you would be allowed to award to the vendor who meets the pre-existing inventory requirement. Please be sure to document your decision in your Procurement Record.

**32. Can you confirm how long the Vendor has to hold their price for a Pre-existing Inventory Request?**

In order for a Mini-Bid response to be responsive to a Mini-Bid involving Pre-Existing Inventory Vehicle(s), the Contractor is required to retain the Pre-Existing Inventory Vehicle(s) for the ten (10) calendar day period, or such other period of time as set forth in the Mini-Bid. Contractor's failure to retain the Pre-Existing Inventory Vehicle(s) for such period of time Shall render Contractor's Mini-Bid response nonresponsive and the Mini-Bid response Shall be disqualified.

**33. Is there a mechanism for price increases after a Purchase Order (PO) is cut & agreed to?**

The Vehicle and pricing offered in a Mini-Bid is Firm and cannot be changed. Once the Contractor has accepted a Purchase Order the Contractor may not withdraw or increase the price.

Please see Contract Reference for Award 23166 <https://ogs.ny.gov/award-23166-Specifics> (Section 2.12 Ordering) and Appendix B, 30. For additional information

**34. Are the Contract Performance Reports still being reviewed, or do you prefer that agencies only use Procurated moving forward?**

Please visit <https://go.procurated.com/new-york/> to leave comments and rate our Contractors. You will be asked to create a free account if you don't already have one.

While we would prefer that the Procurated platform be used moving forward, we welcome performance reports however a user is willing to submit them.