



Office of General Services
Procurement Services

Corning Tower, Empire State Plaza, Albany, NY 12242 | <https://ogs.ny.gov/procurement> | customer.services@ogs.ny.gov | 518-474-6717

Contract Award Notification

Title	:	Group 40625 –Heavy Equipment (Statewide) Classification Code(s): 21, 22, 23, 24, 25, 39 and 40
Award Number	:	<u>PGB-22792</u>
Contract Period	:	Various. See Contractor Information page
Bid Opening Date	:	May 30, 2014
Date of Issue	:	July 8, 2014 (Revised February 27, 2024)
Specification Reference	:	As Incorporated In The Piggyback Agreements
Contractor Information	:	Appears on Page 2 of this Award

Address Inquiries To:

State Agencies & Vendors	Political Subdivisions & Others
Name : Todd Kayser Title : Contract Management Specialist Phone : 518-473-3252 E-mail : Todd.kayser@ogs.ny.gov	Procurement Services Customer Services Phone : 518-474-6717 E-mail : customer.services@ogs.ny.gov

Procurement Services values your input.
Complete and return "Contract Performance Report" at end of document.

Description

This award includes a wide variety of heavy duty equipment including but not limited to aerial lift trucks, backhoes, compaction rollers, compression rollers, compressors, dozers, graders, excavators, mowing tractors, and mowing attachments and trailers with related accessories, attachments and supplies.
This Award has 0% MBE, 0% WBE and 0% SDVOB goal requirements.

PR # 22792

NOTE: See individual contract items to determine actual awardees.

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>FED.IDENT.# / NYS VENDOR#</u>
PC69837	Alamo Group (TX) Inc. DBA Alamo Industrial 1502 East Walnut St. Seguin, TX 78155	742362509 1000058230
PC69406	Caterpillar Inc. 100 NE Adams St., Peoria IL 61629	370602744 1100137599
PC68956	Cives Corporation DBA Viking Cives (USA) 14331 Mill Street Harrisville, NY 13648	160955800 1000007605
PC69396	Clark Equipment Company d/b/a Bobcat Company 250 E. Beaton Dr. West Fargo, ND 58078	380425350 1000009236
PC69377	CNH Industrial America, LLC 700 State Street Racine, WI 53404 (Agriculture)	760433811 1100123548
PC69383	CNH Industrial America, LLC 700 State Street Racine, WI 53404 (Construction)	760433811 1100123548
PC69683	Deere & Company 2000 John Deere Run Cary, NC 27513	362382580 1000009176
PC69378	Deere & Company 2000 John Deere Run Cary, NC 27513	362382580 1000009176
PC69840	Diamond Mowers, LLC 350 E 60th Street N Sioux Falls, SD 57104	460457129 1000019378
PC69150	Gradall Industries, Inc. 406 Mill Ave. S.W. New Philadelphia, OH 44663	742660540 1100121209

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>FED.IDENT.# / NYS VENDOR#</u>
PC69052	Henderson Products, Inc. 1085 South 3rd Street Manchester, IA 52057	271184835 1000034909
PC69513	Hyundai Construction Equipment Americas, Inc. 6100 Atlantic Blvd. Norcross, GA 30071	363793157 1100247262
PC68962	J.A. Larue, Inc. 660 Lenoir St. Quebec City, QC, Canada G1X3W3	300431656 1100143510
PC69235	JCB, Inc. 2000 Bamford Blvd Pooler, GA 31322	520907423 1000018096
PC70139	John Deere Shared Services, Inc. d/b/a John Deere Construction Retail Sales 1515 5th Ave. Moline, IL 61205	363387700 1000044783
PC69404	Kubota Tractor Corporation 1000 Kubota Drive Grapevine, TX 76051	952801513 1100162991
PC69681	Morbark, LLC 8507 S. Winn Rd. Winn, MI 48896	382805772 1000044812
PC69161	RPM Tech Inc. 1318 Principale St-Valerien-de-Milton, Quebec Canada J0H 2B0	981521239 1100243801
PC68896	The Toro Company 8111 Lyndale Ave. South Bloomington, MN 55420-1196	410580470 1100137208
PC69437	Volvo Construction Equipment North America, LLC 304 Volvo Way Shippensburg, PA 17257	221582040 1100260175

For Contractor and pricing information, and equipment for this Award, please see the “Contractor Information Summary” page in the “Contractor Info” weblink and “Equipment” page located on the OGS website at: <http://www.ogs.ny.gov/purchase/spg/awards/4062522792can.HTM>

Cash Discount, If Shown, Should be Given Special Attention.

**INVOICES MUST BE SENT DIRECTLY TO THE ORDERING AGENCY FOR PAYMENT.
(See "Contract Payments" and "Electronic Payments" in this document.)**

AGENCIES SHOULD NOTIFY PROCUREMENT SERVICES PROMPTLY IF THE CONTRACTOR FAILS TO MEET DELIVERY OR OTHER TERMS OF THIS CONTRACT. PRODUCTS OR SERVICES WHICH DO NOT COMPLY WITH THE SPECIFICATIONS OR ARE OTHERWISE UNSATISFACTORY TO THE AGENCY SHOULD ALSO BE REPORTED TO PROCUREMENT SERVICES.

SMALL, MINORITY AND WOMEN-OWNED BUSINESSES:

The letters SB listed under the Contract Number indicate the contractor is a NYS small business. Additionally, the letters MBE and WBE indicate the contractor is a Minority-owned Business Enterprise and/or Woman-owned Business Enterprise.

RECYCLED, REMANUFACTURED AND ENERGY EFFICIENT PRODUCTS:

Procurement Services supports and encourages the purchase of recycled, remanufactured, energy efficient and "energy star" products. If one of the following codes appears as a suffix in the Award Number or is noted under the individual Contract Number(s) in this Contract Award Notification, please look at the individual awarded items for more information on products meeting the suffix description.

RS,RP,RA	Recycled
RM	Remanufactured
SW	Solid Waste Impact
EE	Energy Efficient
E*	EPA Energy Star
ES	Environmentally Sensitive

NOTE TO AUTHORIZED USERS:

When placing purchase orders under the contract(s), the authorized user should be familiar with and follow the terms and conditions governing its use which usually appears at the end of this document. The authorized user is accountable and responsible for compliance with the requirements of public procurement processes. The authorized user must periodically sample the results of its procurements to determine its compliance. In sampling its procurements, an authorized user should test for reasonableness of results to ensure that such results can withstand public scrutiny.

The authorized user, when purchasing from OGS contracts, should hold the contractor accountable for contract compliance and meeting the contract terms, conditions, specifications, and other requirements. Also, in recognition of market fluctuations over time, authorized users are encouraged to seek improved pricing whenever possible.

Authorized users have the responsibility to document purchases, particularly when using OGS multiple award contracts for the same or similar product(s)/service(s), which should include:

- a statement of need and associated requirements,
- a summary of the contract alternatives considered for the purchase,
- the reason(s) supporting the resulting purchase (e.g., show the basis for the selection among multiple contracts at the time of purchase was the most practical and economical alternative and was in the best interests of the State).

CONTRACT BILLINGS AND PAYMENTS:

a. Billings. Contractor and the dealers/distributors/resellers designated by the Contractor, if any, shall provide complete and accurate billing invoices to each Authorized User in order to receive payment. Billing invoices submitted to an Authorized User must contain all information required by the Contract and the State Comptroller or other appropriate fiscal officer. Submission of an invoice and payment thereof shall not preclude the Commissioner from requesting reimbursement or demanding a price adjustment in any case where the

Product delivered is found to deviate from the terms and conditions of the Contract or where the billing was inaccurate. Contractor shall provide, upon request of the Commissioner, any and all information necessary to verify the accuracy of the billings. Such information shall be provided in the format requested by the Commissioner and in a media commercially available from the Contractor. The Commissioner may direct the Contractor to provide the information to the State Comptroller or to any Authorized User of the Contract.

b. Payment of Contract purchases made by an Authorized User when the State Comptroller is responsible for issuing such payment. The Authorized User and Contractor agree that payments for invoices submitted by the Contractor shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payments shall be made in accordance with ordinary State procedures and practices. The Contractor shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller website at <http://www.osc.state.ny.us/epay/index.htm> or by e-mail at epayments@osc.state.ny.us.

Contractor acknowledges that it will not receive payment on any invoices submitted under this Contract that are payable by the State Comptroller if it does not comply with the State Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above. Inquiries relating to OSC's Electronic Payments program should be directed to:

NYS Office of the State Comptroller
Vendor Management Unit
110 State Street Mail Drop 10-4
Albany, NY 12236
Telephone: (855) 233-8363
E-Mail: helpdesk@sfs.ny.gov

c. Payment of Contract purchases made by an Authorized User when the State Comptroller is not responsible for issuing such payment. The Authorized User and Contractor agree that payments for such Contract purchases shall be billed directly by Contractor on invoices/vouchers, together with complete and accurate supporting documentation as required by the Authorized User. Such payments shall be as mandated by the appropriate governing law from the receipt of a proper invoice. Such Authorized User and Contractor are strongly encouraged to establish electronic payments.

OGS PROCUREMENT SERVICES DISPUTE RESOLUTION POLICY:

It is the policy of the Office of General Services' Procurement Services to provide vendors with an opportunity to administratively resolve disputes, complaints or inquiries related to OGS Procurement Services bid solicitations or contract awards. OGS Procurement Services encourages vendors to seek resolution of disputes through consultation with OGS Procurement Services staff. All such matters will be accorded impartial and timely consideration. Interested parties may also file formal written disputes. A copy of OGS Procurement Services Dispute Resolution Procedures for Vendors may be obtained by contacting the person shown on the front of this document or through the OGS website (www.ogs.ny.gov).

State of New York
Office of General Services
PROCUREMENT SERVICES
Contract Performance Report

Please take a moment to let us know how this contract award has measured up to your expectations. If reporting on more than one contractor or product, please make copies as needed. This office will use the information to improve our contract award, where appropriate. **Comments should include those of the product's end user.**

Contract No.: _____ Contractor: _____

Describe Product* Provided (Include Item No., if available): _____

***Note:** “Product” is defined as a deliverable under any Bid or Contract, which may include commodities (including printing), services and/or technology. The term “Product” includes Licensed Software.

	Excellent	Good	Acceptable	Unacceptable
• Product meets your needs				
• Product meets contract specifications				
• Pricing				

CONTRACTOR

	Excellent	Good	Acceptable	Unacceptable
• Timeliness of delivery				
• Completeness of order (fill rate)				
• Responsiveness to inquiries				
• Employee courtesy				
• Problem resolution				

Comments: _____

(over)

Agency: _____ Prepared by: _____

Address: _____ Title: _____

Date: _____

Phone: _____

E-mail: _____

Please detach or photocopy this form & return to todd.kayser@ogs.ny.gov or mail to:

OGS PROCUREMENT SERVICES
Customer Services, 38th Floor
Attn: Todd Kayser
Corning Tower - Empire State Plaza
Albany, New York 12242
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