

1	If the company is a certified as a MBE. Can the company bid in this contract, and at the same time looking for a prime contractor in-order to Subcontracting?	MBEs are encouraged to bid on any and all regions. If any supplier cannot fulfill the requirements of being a Primary Contractor, they are encouraged to find a supplier that can utilize them as a subcontractor.
2	If the company itself is a MBE certified, can the company team-up with another MBE Certified to carry out this contract?	Yes.
3	Our Uniform is black pants and either a grey or white shirt. Is this acceptable?	NYS expects Security Guards and/or Fire Safety Directors to maintain a clean and professional appearance with distinguishable company logos.
4	Is Nextel point to point acceptable for phone use?	Yes.
5	If Drug testing is done in house, will you accept documentation from us showing the Security officer had a negative test results?	If the drug testing meets the requirements set forth in RFP section II.2.2, in house drug testing would be acceptable.
6	Are you providing on the job trainings, as to use the wand, X-ray scan Machine and Scan Walk-in machine in the building that required them? Or the bidder provides its own?	NYS expects the Security Guards to be able to operate standard security screening equipment prior to beginning work. Authorized Users will include a list of screening equipment at their facility on the Ordering Document. The Authorized User will provide equipment specific training if needed (ie: new machine or badging system).
7	Can you provide us the name of the current bidder and the cost of this contract per year?	No, there is no current centralized contract for security guard services.
8	Does my company qualify for this contract? We have been operating and licensed for the past Three (3) years, But we have no contract on hand to do, as a Minority Certified by NYC & NYS: Department of Small Business, and Disadvantaged Business Enterprise by (MTA).	Based on the information provided, it appears your company qualifies to bid.
9	Does contractor need to provide all the benefit type listed in Exhibit 2?	No – this is a sample of the different benefit types that may be included in a Bidder’s mark-up.
10	Under the % of Mark-Up, can you give example please say for example Guard is paid \$24 per hour and 25% of \$24 = \$6.00 (\$24+\$6) = \$30.00 so billable Rate \$30.00. Is it correct?	The calculation is correct; however the billable rate to NYS will be the percentage mark-up each Bidder provides over the current Prevailing Wage Rate plus Supplemental Benefits.
11	There appears to be a conflict regarding Holiday Pay in the issued Prevailing Wage and in the OGS appendix. Our understanding from DOL is that every guard working on a given site in NYC and 5 Boros is paid straight time for the 10 Federal holidays even when they DO not work. If they work are they then paid an additional 8 hours of straight time (in effect double time) or are they paid and additional 1.5 times, therefore 2.5 times regular pay? The RFP says the contractor cannot charge more than 1.5 times. Please clarify.	The Department of Labor currently advises that each Security Guard working at a site in NYC and the five boroughs will be paid regular pay for the Federal Holidays listed by the Department of Labor. The Contractor is responsible for the payment of these holiday wages. If a Security Guard works on those days they are paid an additional 8 hours of regular pay which would equal double time. Any Security Guard working outside of NYC or the 5 boroughs does not receive holiday pay. Therefore if they work on a holiday the Security Guard will default to the 1.5 times the hourly rate as outlined in the RFP. If a Security Guard is required to work on a holiday the Authorized User is responsible to pay the Security Guard and/or Fire Safety Director for the hours worked.

12	<p>The Appendix states that an Authorized User may require, AED, HIPPA or OSHA training and that the contractor would only be informed of this 30 days after award. Would the contractor than add that to their price if the Authorized User added this requirement? These are extremely expensive trainings and it would not be possible to give a true percentage mark-up unless the contractor knew in advance of bidding if this was required by the Authorized User or not?</p>	<p>Please see the updated Cost Proposal Form. In this updated form, a Bidder is required to submit the cost per employee per training for AED, HIPPA, OSHA and CPR. Therefore, these trainings should not be included in a Bidder's mark-up. In the event an Authorized User requests any of these trainings, the Contractor will bill NYS the cost for each training per employee.</p> <p>When submitting a mark-up % a Bidder should assume that the training required is the standard training outlined in the RFP: http://www.criminaljustice.ny.gov/ops/sqtraining/sqpcourses.htm</p> <p>The cost of NYS Division of Criminal Justice Services training is to be incurred by the Contractor. The cost for additional training (AED, CPR, HIPPA and OSHA) will be billed as a pass through expense to the Authorized User upon completion of the training and noted on the invoice as an individual line item. It should not be included as part of the mark-up and is not subject to the markup.</p>
13	<p>The St. Albans NYS Veterans facility does not currently have an FSD on site or on staff. Will that be required? If so, which shifts and hours will require an FSD?</p>	<p>This RFP is for a centralized contract and does not have specific facility requirements. An Authorized User at the Facility will make a request for the required number and type of Security Guards and/or Fire Safety Directors.</p>
14	<p>At St. Albans Veterans Home we were told that the facility would provide the nextel radios? Is this correct? If not, how many radios would the contractor be required to purchase?</p>	<p>RFP Section II.2.9 Standard Equipment states: "If the Authorized User requires the use of the following items, such would be provided by the Authorized User at no cost to the Contractor. Those items include: building keys (where applicable), logbook, guard handbook, general and special orders and two-way radio/beeper (or other communication device)."</p>
15	<p>At the Adam Clayton Powell Building the radios being used by the security contractor belong to OGS, would they pass these onto the new security company or would the new security company need to purchase radios, chargers, etc? If yes, how many?</p>	<p>See response for question 14.</p>
16	<p>What are the proposed shifts in the new contract for the FSD at the Adam Clayton Powell Building? Will an alternate FSD be required?</p>	<p>Sample historical guard coverage can be found within Attachment 2 - Cost Proposal Form, however, the Authorized User will determine the guard shifts and quantity.</p>
17	<p>(Security company) kindly requests a copy of the following: Sign-In Sheets- RFP Number 22436: Site Visits (December 13, 2011) at the following locations. Adam Clayton Powell (125th St, New York) NYS Veteran's Home of St. Albans (Linden Blvd, Jamaica) Department of Labor (Bond St, Brooklyn)</p>	<p>Information regarding how to file a Freedom of Information Law request with the Office of General Services can be found at: http://www.ogs.ny.gov/About/Freedom.asp</p>

<p>18</p>	<p>Please be advised that Section V.5, Page 24 of the RFP document states the below paragraph/excerpt. It is unclear whether this means that all such "proposed modifications to the terms and conditions outlined in Appendix A, Appendix B, and the RFP" must be included by tomorrow, 12/16/2011's deadline or at some time after the deadline, i.e. with our proposal response?</p> <p>It is customary to negotiate in good faith, certain Terms and Conditions within the RFP and contract documents, especially those that that may be overly onerous and/or absent essential language that would be in the best interest of both parties. It is very important that there be an appropriate opportunity to do so if we are awarded the privilege of being of service. This would require communications beyond the Inquiry deadline. Would you please provide a window of time to do so on a post award basis?</p>	<p>There are two sections of the solicitation that address this issue: RFP section V.5 and Appendix B section 13. Bidders are encouraged but not mandated to send in proposed modifications during the Bidder Inquiry period. However, should you choose to send modifications during the inquiry period, rather than with your bid submission, the modifications will be posted along with the responses to all inquiries for all Bidders to review. It is the State intent to enter into contracts with all awardees on standardized terms and conditions. Any bid deviations /clarification must be submitted during the inquiry period or must be submitted with the proposal.</p>
<p>19</p>	<p>Will the OGS accept a joint bid submission from two contractors?</p>	<p>Yes – however NYS will only contract with the successful Bidder known as the Primary Contractor. When bidding, planned use of Subcontractors must be disclosed in Attachment 1 – General Questions.</p>
<p>20</p>	<p>Referred to section indicates that if current personnel meet all requirements, Contractor must make employment offers. Are there any current security guards or Fire Safety Directors covered by a collective bargaining agreement? If so, please indicate where, and also please provide a copy of respective collective bargaining agreements?</p>	<p>NYS does not have any information on collective bargaining agreements for the current Security Guards and/or Fire Safety Directors.</p>
<p>21</p>	<p>In light of the "requirement" to hire existing staff, for pricing purposes and in light of the increasing level of prevailing wages as well as supplemental benefits in the case of FSDs, please advise of the seniority of the currently employed officers and FSDs for Region 1?</p>	<p>NYS cannot advise on rates or offers made to the current Security Guards and/or Fire Safety Directors.</p>
<p>22</p>	<p>Please indicate what elements are to be part of the medical exam? In addition, please prescribe any specific medical standards the candidates must meet?</p>	<p>Medical exams are only required at the request of an Authorized User. A general physical exam will suffice.</p>

23	<p>In this section OGS indicates certain Authorized Users may require additional training such as AED, CPR etc. As the bid requires all costs to be included in the price, how can vendors price in requirements that are not mandated by this centralized contract, but are nonetheless potentially required down the road by certain Authorized Users? Will OGS permit vendors to adjust the markup when Authorized Users impose additional requirements not mandated by this centralized contract? Finally, is any of the training that is in addition to or beyond whatever the requirements are as stipulated by this RFP, billable to the Authorized User requesting such additional training?</p>	<p>See response for question 12.</p>
24	<p>Authorized Users may require "any additional site specific requirements as determined by the Authorized User." In the first place, what is the nature of the additional requirements contemplated here other than extra training requirements, and, secondly, how can vendors price in requirements that are not mandated by this centralized contract but are nonetheless potentially required down the road by certain Authorized Users? Will OGS permit vendors to adjust the mark up when Authorized Users impose additional requirements not mandated by this centralized contract? Since additional requirements are not specified, how can an objective determination be reached as to best value as there is no telling what each vendor may or may not decide to put into the requested mark up? In other words, it would seem impossible for OGS to make an impartial determination in the event of an equivalent or identical bid (See Section III.12 Subsection B) or accept on face-value that the lowest mark up and bill rate (refer to Section VII.2.1) truly are the lowest.</p>	<p>The requirements and responsibilities included as a part of this RFP establish the new standard for Security Guards and/or Fire Safety Directors across NYS Facilities. It is anticipated that additional requirements will be a rare exception.</p> <p>Authorized Users have been advised that any request for additional requirements must be within the duties listed by the Department of State, Division of Licensing Services (http://www.dos.ny.gov/licensing/securityguard/sguard.html).</p> <p>Since these additional requirements will fall within the scope of services provided by Security Guards, no mark-up adjustments will be allowed.</p>
25	<p>Please advise which of the Authorized Users currently require additional site specific requirements and secondly please identify what those additional site specific requirements are for the respective Authorized Users?</p>	<p>Additional site specific requirements are not available at this time. Upon award, the Authorized User will request Security Guard and/or Fire Safety Director services through the Ordering Document.</p>
26	<p>In the recent past there have been many conflicting indications as to the proper treatment of supplemental benefits. Thus, while the DOL in its online posted frequently asked questions provided indications that the supplemental benefit could be used towards PTO some Authorized Users have given contradictory indications supposedly based on conversations they had with representatives of the DOL (however, please note Appendix B, Section 17, subsection b)). Please advise vendors as to the permissible manners in which to account for the supplemental benefits?</p>	<p>Supplemental Benefits and any wage paid to the Security Guards and/or Fire Safety Directors are to follow the Prevailing Wage Rates supplied with this RFP#22436. In the event there is a conflict between the Authorized User and Department of Labor, the information supplied by Department of Labor will apply.</p>
27	<p>This Attachment 4 in column B indicates Attachment 11 would be a document referred to as Outside Counsel Contracts Memorandum. However, when downloading the entire collection of 15 bid documents it appeared Attachment 11 was, and the RFP itself indicates, Attachment 11 should be the prevailing wage schedule, Attachment 10 the Certificate of Compliance and there was no outside counsel contracts memorandum. Please supply same?</p>	<p>Please ensure you are referring to the correct solicitation. The attachments referenced in the question are for the Administrative Services RFP. The RFP for Security Guards and/or Fire Safety Directors is RFP#22436.</p>

28	Is our understanding correct that if a vendor becomes the Primary Contractor in a Region that all the work in that Region will be assigned to the Primary Contractor?	<p>As indicated in the RFP when a need for services occurs in a particular region the Authorized User shall engage the Primary Contractor. The Primary Contractor will be required to provide Security Guards and/or Fire Safety Directors to meet all Authorized Users requests in a region.</p> <p>It is the intent of OGS to award Contracts for each Region, up to two Contractors per Region. Awards will be based on a tiered approach. While awards shall be made to multiple Contractors, each Contractor will be assigned a status as Primary or Secondary. When a need for services occurs the Authorized User shall engage the Primary Contractor. If the Primary Contractor performance is found to be deficient or non-compliant based on the process outlined in Attachment 7 - Performance Standards, then the Secondary Contractor would become the Primary Contractor. This will be communicated through a P-memo released on the OGS Bidder Notification System.</p>
29	Is our assumption that this centralized contract seeks to maintain the monthly billing 30 day terms that were customary under the former Backdrop Contract accurate? Please note, that while Section IV.5 indicates invoicing and payment terms are set forth in Section III.12 replacing the relevant Section from Appendix B, the section omits to indicate invoicing frequency and the terms under which the State will pay those invoices?	As noted in State Finance Law Article 11-A monthly billing with 30 day billing terms for State agencies will continue with this contract.
30	Please clarify the reference to page # 27 and 38 (it only appears to go up to page 36) in Part II, (B), (2)? In the latest version Page 34 is the acknowledgment. Is there another page OGS wishes to receive in lieu of the noted page 38 that appears nonexistent? If so, please advise and please advise what page?	The correct page numbers are 34 and 35.
31	Per Appendix C, bidders are to "submit with the bid a staffing plan identifying the anticipated work force to be utilized on the Contract..." how are bidding vendors in a position to submit this in light of the fact that per Section II.2.1 of the RFP_Main, bidders are directed that they must make employment offers to all current staff who meet OGS's qualifications? In other words, how do bidding vendors have any basis to make any representation about the current staffing in place unless, of course, that bidder currently is in charge of all those assignments? Will OGS consider waiving the requirement to submit this with the bid? Alternatively, perhaps OGS might consider asking bidders for a representation they have EEO policies and procedures in place?	The instructions associated with the EEO 100 form permit the information to be entered in terms of the Contractor's work force to be used on this contract or the total work force. The form can be completed reflecting the Contractor's staff that will be utilized to fulfill the contractual requirements, such as management staff, recruiting staff, staff responsible for billings and clerical staff.
32	With respect to the requested address, does OGS want a local NY State address, or would it prefer a corporate headquarters address?	Please list the corporate headquarters.

33	For each of Regions 1, 2, 3, 4, and 5, for the agencies listed in the Historical Coverage tab of Attachment 2, please indicate the total percentage "set aside" or allotment or "goals" currently in place by those Authorized Users for MWBEs (a total percentage for each region)?	NYS cannot provide historical information on the past MWBE goals for each Facility.
34	Please confirm that if ST220-TD has previously been submitted it need not be submitted now?	Unless the information upon which the ST-220-TD is based changes, this form only needs to be filed once with DTF. If the information changes for the Contractor, its affiliate(s), or its Subcontractor(s), a new Form No. ST-220-TD must be filed with DTF.
35	Does this question mean to imply that vendors have to submit more than one license to "prove" they have been providing services for a minimum of three years? Are there not other ways in which to prove this as well? Please indicate if the most recent license in conjunction with other materials evidentiary of the longevity suffices?	No – the current license is all that needs to be provided.
36	Please advise which of the Authorized Users currently require additional site specific training, what the additional training consists of, and please identify how many hours for each of the additional site specific training(s) are required?	See response for question 12.
37	What Mandatory Restrictions is this question referring to?	Section II.3 in the RFP outlines the mandatory restrictions.
38	This question is requesting to affirm identifying and contact information for each person in each region has been entered in the respective question on the general tab of this attachment. However, it appears the General tab is not designed with information to be entered for five separate regions but instead only offers one space to enter information. Please advise how you wish vendors to submit this?	For bidding purposes, NYS requests the Bidder to provide a single point of contact, even if a Contractor is bidding on multiple regions. Upon award, NYS will work with the Contractor to determine the appropriate point of contact(s) for each awarded region.
39	With respect to Part II, (B)(1), while it is obvious what page 1 is and where it calls for an original signature, page two is the first page 2 is the first page of the Table of Contents and does not require a signature. What is the second page OGS wishes to be included here?	The signatures were originally on both page 1 and 2, however the pages were condensed so Bidders are now only required to submit page 1.

40	<p>The mark up as stated only applies to wage rates. If there is a change in the supplemental benefit, there is no allowance for a mark up on that portion of a mandated change in cost that must be paid. A) Since there is no way of knowing what if any change will occur in supplemental benefits in what County when, will the mark-up also be applied to changes in the supplement? B) If no mark up is applied to the supplemental benefits, there is no way of computing either a profit margin or accurate benefit cost other than for current levels in effect at the time of the bid. Are you therefore requiring that we make assumptions on both our illustrated profit margin and the future cost of supplemental benefits to derive our quoted mark up which is solely based on changes in the prevailing wage?</p>	<p>Supplemental benefits change on an annual basis (July 1st) when the Department of Labor updates the Prevailing Wage rates.</p> <p>NYS defines "Prevailing Wage" as the rate of wage and supplement paid to workers under a public work contract. In the Cost Proposal Form, a Bidder should include a mark-up over the Prevailing Wage Rate plus Supplemental Benefits.</p>
41	<p>Why are components of Supplemental Benefits (Bereavement, Holidays, Vacation, Sick Days, Health, Dental, Vision) listed as line items along with a line item titled "Supplemental Benefits" itself?</p>	<p>The list provided under Benefit Type is a sample list of benefits typically paid to Security Guard employees and includes both mandatory and voluntary benefits. It is up to each Contractor to determine the benefit type and amount that will be paid to their Security Guards and/or Fire Safety Directors.</p>
42	<p>Since there are no line items for additional costs such as rent, phone, advertising, supervision and others, are we to include these costs in "margin"? If not, where are these "other" costs to be identified to derive a mark up?</p>	<p>Yes additional lines can be added to include other costs not listed. Please note Exhibit 2 is set up to provide Bidders guidance on the components of a company's mark-up and will not be considered as a part of the financial evaluation.</p>
43	<p>Can you identify where union dues are payable by an employer and the amounts for each Region?</p>	<p>No – NYS cannot provide any specific information on unions.</p>
44	<p>Please identify if there are any CBA's that exist for any agencies/contracts in the solicitation and please identify the number guards and FSD hours where wages and Supplements are mandated in excess of prevailing wage and Supplemental Benefits?</p>	<p>NYS does not have information available on current Collective Bargaining Agreements.</p> <p>The Department of Labor requires that each Contractor pay their employees at a minimum the Prevailing Wage Rate and Supplemental Benefits listed by each county. NYS is not aware of any circumstances where wages and supplements are mandated in excess of the Prevailing Wage Rate and Supplemental Benefits provided by the Department of Labor.</p>
45	<p>In Region 1 there are materially different supplemental benefits and wage levels since NYC has a far higher supplement than those in Westchester, Suffolk, Nassau et al. While the current supplemental cost might be calculated based on current work in the solicitation should additional work be required in NYC then there will be a higher overall benefit percentage cost for supplemental benefits. Without a mark up on the supplemental benefits how do you propose we account for additional yet to be determined benefit cost not reflected in current mark up?</p>	<p>The Supplemental Benefits and Prevailing Wage Rates are set by Department of Labor by county. Please see the amended Cost Proposal Form in which the mark-up will be applied to both the Prevailing Wage Rate plus Supplemental Benefits.</p>

46	How are vendors to price training when the bid indicates agencies may have additional requirements?	See response for question 12.
47	What does the line item "exams" refer to? If this refers to medical exams then how are vendors to price this when not provided any information on what the medical exams need to include and how many agencies in fact require medical exams?	<p>Medical exams are only required at the request of an Authorized User. A general physical exam will suffice.</p> <p>Please see the updated Cost Proposal Form. In this updated form, a Bidder is required to submit the cost per employee for a medical exam. In the event an Authorized User requests a medical exam, the Contractor will bill NYS the cost for each exam per employee.</p>
48	Please refer to the left most column of this document in this row. Please note Attachment 2 appears to be titled background check requirements. However, in actuality Attachment 2 is the cost proposal form. Did OGS omit to include a document relating to the Backdrop	Please ensure you are referring to the correct solicitation. The attachments referenced in the question are for the Administrative Services RFP. The RFP for Security Guards and/or Fire Safety Directors is RFP#22436.
49	I currently provide guard services at some of the locations that site walk through dated December 13th and 14th 2011. I did not attend the site walk through, because I already know everything about the location. Can I still submit bid?	Yes. Site visits were encouraged not mandatory.
50	During our walkthrough, we reviewed the classifications of the guards/FSD's, however, we were not furnished the delineation of hours and position for each classification. We were instructed to contact you to get this to all bidders.	This RFP is for a centralized contract and does not contain specific volume requirements. Once an Authorized User has a need for Security Guard and/or Fire Safety Director Services they will complete an Ordering Document which will include their facility requirements. This document will be sent to the awarded Contractor who will have 10 business days to fulfill the request.
51	Can vendors price in a billable account manager for this project?	The bid is structured to receive pricing for Security Guards and Fire Safety Directors only. If this is required it will need to be included as a part of the mark-up.
52	Does the facilities require a detex/Deggy Tour watch system for vertical patrols of the premises'?	No – patrols are determined by individual Facility.
53	Please explain the tiered award approach	It is the intent of OGS to award Contracts for each Region, up to two Contractors per Region. Awards will be based on a tiered approach. While awards shall be made to multiple Contractors, each Contractor will be assigned a status as Primary or Secondary. When a need for services occurs the Authorized User shall engage the Primary Contractor. If the Primary Contractor performance is found to be deficient or non-compliant based on the process outlined in Attachment 7 - Performance Standards, then the Secondary Contractor would become the Primary Contractor. This will be communicated through a P-memo released on the OGS Bidder Notification System.
54	Can the vendor Schedule the officers as we wish or are there set times for each shift?	Shifts and quantities will be requested by the Authorized User through the Ordering Document.

55	Can multiple companies be awarded the full 40 points described in the RFP?	Yes – each Bidder’s scores will be evaluated individually so there is a potential for multiple Bidders to be awarded the full 40 points.
56	If the evaluation is based on mark-up, how does a volume discount matter?	Volume discounts are not included in the financial evaluation however if a Contractor exceeds any spend thresholds on an annual basis a volume discount can be applied.
57	Are the magnetometers owned by the vendor? Add to NYS equipment list	A requirement of an individual Facility may be to operate a magnetometer but the Facility is responsible for providing.
58	RFP states that additional equipment will be supplied at no cost to vendor, does this include the magnetometer?	A requirement of an individual Facility may be to operate a magnetometer.
59	Who is responsible for the maintenance of the magnetometers?	The Facility is responsible for the maintenance of magnetometers.
60	Do the local end users have the ability to approve overtime for the holidays?	No – holiday pay is subject to the regulations set by the Department of Labor.
61	Do the local end users have the ability to approve overtime for non-holidays?	No – overtime is subject to the regulations set by the Department of Labor.
62	Are we to assume similar adjustments for level 2 & 3 guards?	Level 3 guards do not exist. Although a prevailing wage rate does not exist for Level 2 Security Guards, a Contractor should consider any adjustments to the Level 2 pay rate to coincide with the Level 1 adjustment. Additionally, it is the Contractor’s responsibility to submit the new prevailing wage schedule and updated Level 2 pay rate with their July invoice.
63	Is there a particular uniform required? (color/style)	NYS does not require a specific uniform however we do request Security Guards and/or Fire Safety Directors wear uniforms with the company logo/name visible. Uniforms should be clean and neat in appearance.
64	With a Crime Policy in effect would (security company) be liable for incidents between employees? (stealing, etc)	An ISO commercial crime policy, covers among other things employee theft. Coverage for employee theft is broad as it includes coverage for loss by forgery or alteration, computer fraud, and funds transfer fraud. This coverage is required to be provided by the contractor’s crime policy and, as applicable, the contractor’s policy would be expected to cover appropriate claims.
65	Which sites are required to provide medical exams?	Medical Exams are only at the request of the Authorized User.
66	Will NYS provide CPR, OSHA, and HIPPA training? Will all guards need to be trained in all areas?	See response for question 12.
67	Do the guards have to be provided with health Insurance?	It is up to the Contractor to determine which supplemental benefits will be provided to their employees.
68	Section II.2.1 states that bidders must identify any planned subcontractors at time of submission. If a Contractor determines post award that a subcontractor is required, what is the process for notifying OGS to get approval?	A Contractor will be required to submit a list of subcontractors to OGS for approval prior to the subcontractors beginning to provide services.

69	<p>It really is Attachment 5 according to the document numbering but the drop down list has it listed as Attachment 7. Attachment 5 identifies the required insurance limits. However, no limits were stated for vehicles. Would the State please identify the required limits for vehicle insurance? Additionally, the State has identified a rather unusual limit for the crime policy, of \$5,450,000. Would the State please confirm this is accurate?</p>	<p>Please ensure you are referring to the correct solicitation. The attachments referenced in the question are for the Administrative Services RFP. The RFP for Security Guards and/or Fire Safety Directors is RFP#22436.</p> <p>Yes – the crime policy of \$5,450,000 is accurate as it is based upon 50% of the contract value. The limit for the commercial auto liability insurance is \$1,000,000.00.</p>
70	<p>Would the State please confirm if the level 2 officers are considered shift or site supervisors? And if not, would the State please identify their expectations for shift/site supervision?</p>	<p>At the request of the Authorized User, Level 2 Security Guards may be considered shift or site supervisors. Requirements and Sample Responsibilities for Level 2 Security Guards can be found in Section II.4.2 and Section II.5 and II.5.1.</p>
71	<p>Section II.2.2 states that the Authorized Users may require medical exams of the security force to be provided by the contractor at no additional cost to the State. However, there is a cost associated with medical exams. Therefore, does the State expect for bidders to calculate the cost of providing medical exams for all personnel in the event that an authorized user might require one? Or would it be more reasonable for the State to modify the pricing submission to identify each contractor's cost for medical exams and allow contractors to bill back directly only those exams required?</p>	<p>Please see the updated Cost Proposal Form. In this updated form, a Bidder is required to submit the cost per employee for a medical exam. In the event an Authorized User requests an exam, the Contractor will bill NYS the cost for each exam per employee.</p>
72	<p>Attachment 9 states that services are to start within 15 days of notification. Would the State please consider revising this requirement to reflect industry standards of 30 days notification for contract start for standard services to allow contractors sufficient opportunity to staff the program and conduct any necessary training?</p>	<p>The Ordering Document allows for an agreement between the Authorized User and Contractor to a different timeframe. Further, the ordering document has been revised to require 30 days notification when additional training requirements are requested by the Authorized User.</p>
73	<p>Section II.1 states that a State agency or authority will establish its MBE and WBE goal on an order at each facility. M/WBE goals for each facility will be made part of the Ordering Document. Is it the State's expectations that each bidder will propose at time of submission MBE/WBE subcontractors to fulfill any potential MBE/WBE requirements without the ability to identify what agencies or areas of the State will have MWBE goals? Would the State please provide all bidders with agency specific goals to allow for reasonable discussions with MWBE partners?</p>	<p>It is not possible to provide the MWBE goals in advance as each Agency determines their goals at the time their services are requested.</p>

74	Appendix C - Equal Employment and Business Participation - page 2, second paragraph states that bidders must document good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in performance of the contract. Would the State please clarify if there are any existing MWBE participation goals?	NYS cannot provide historical information on the past MWBE goals for each Facility
75	It is really Attachment 9 by the way the documents are numbered and is the "ordering document" but the drop down list does not actually match the numbering. Attachment 9 states that an Agency may impose MWBE goals. Are there existing goals today? And if so, would the State please identify them by agency? Additionally, would the State please identify how the current contractors are performing/complying with any existing goals?	<p>Please ensure you are referring to the correct solicitation. The attachments referenced in the question are for the Administrative Services RFP. The RFP for Security Guards and/or Fire Safety Directors is RFP#22436.</p> <p>NYS cannot provide historical information on the past MWBE goals for each Facility. It is not possible to provide the MWBE goals in advance as each Agency determines their goals at the time their services are requested.</p>
76	Is the City willing to accept language limiting a contractor's liability under the ISO Form CG 2010 additional insured endorsement to the insurance limits set forth in the contract	<p>No – the Insurance requested is the limits. If a Bidder wants to take exception to the terms, please see Section V.5 Bid Deviations.</p> <p>Please note this RFP is for New York State, not the City.</p>
77	This section states that an Authorized User may require additional training and identifies several examples. As training requirements can vary dramatically based on regulations and subject matter, would the State please provide training requirements by user agency to allow bidders to correctly calculate not only the time commitment but the cost associated with any specialized training? For example, not all officers would require HIPAA training whereas all officers might require AED training. Additionally, would the State identify any additional specialized training such as operation of screening equipment, any regulatory compliance training such as MTSA, etc?	See response for question 12.
78	Actually, attachment 11 based on document numbering but the drop down list has it as attachment 10. Are the incumbent employees providing services today members of any collective bargaining agreement and if so, which one and would the State please provide a copy of any current CBAs?	<p>Please ensure you are referring to the correct solicitation. The attachments referenced in the question are for the Administrative Services RFP. The RFP for Security Guards and/or Fire Safety Directors is RFP#22436.</p> <p>NYS does not have information available on current Collective Bargaining Agreements.</p>

79	Actually, attachment 11 based on document numbering but the drop down list has it as attachment 10. The prevailing wage requires for an employee's tenure at a facility within the Counties of the Bronx, Kings, New York, Queens, Richmond to be recognized for benefits eligibility. Would the State please provide bidders with a seniority list of all current employees that identifies their position and level, date of employment on the State contract and current wage?	Please ensure you are referring to the correct solicitation. The attachments referenced in the question are for the Administrative Services RFP. The RFP for Security Guards and/or Fire Safety Directors is RFP#22436. This information is not available.
80	The State has identified the contract award as April 2012. Are there existing State contracts with expirations past the anticipated contract start date? And if so, is it the State's intent to exercise the early termination clause in all existing contracts and transition all programs at the same time?	NYS does not have insight into the end dates of all Security Guard and/or Fire Safety Directors contracts across the State. If an agency chooses to use the Centralized Contract they may execute on the early termination clause if it is a term in their current contract.
81	Actually, attachment 2 per document numbering but drop down list has it as attachment 4. The State has only requested markups for Level 1 and Level 2 officers. As there are many additional levels of personnel that are required to successfully manage the State's security programs, we respectfully request for the State to please modify the pricing submission to include mark ups for the following positions in order for the State to have a clear comparison of each company's structure: Security Managers, Site Supervisors, Field Supervisors	OGS declines the requested change. Authorized Users will only request Level 1 and Level 2 Security Guards and/or Fire Safety Directors. No additional personnel titles are authorized under the contract.
82	Does all of the incumbent personnel assigned to the State contracts meet the requirements of the current RFP for background/screening, employee qualifications and training?	NYS cannot provide this information as historically it was the responsibility of the current Contractor to ensure each Security Guard met all requirements including background screens, qualifications, training, etc.
83	Would the State please clarify what is included in supplemental benefit? Are vacation time, sick pay, and holiday pay eligible to be deducted from the benefit or is it outside of the supplemental benefit?	Supplemental Benefits do not include: vacation time, sick pay or holiday pay. If there are additional questions on Supplemental Benefits please see http://www.labor.ny.gov/home/businesses.asp
84	Are pre-bid meetings mandatory, because in the RFP it only states they are encouraged	No – site visits are not mandatory.
85	Can vendors receive the seniority list for the current employees?	No – this information is not available.
86	Aren't there Prevailing Wage schedules for FSD's so not to supply our own level II wages	Level 2 Security Guards and Fire Safety Directors are not the same. There is a Prevailing Wage Rate for Fire Safety Directors attached with this RFP. Level II Security Guards do not have a specific Prevailing Wage Rate for their title.

87	What particular hardware items are required for vendors to supply?	Per Section II.2.9 the following equipment will be required for each Security Guard and shall be provided by the Contractor at the Contractor's expense: an operable flashlight, pen or pencil and watch, memo book, and whistle.
88	How may hours of OJT are required, pre-assignment/annually	A Bidder should assume that the training required is the standard training outlined in the RFP: http://www.criminaljustice.ny.gov/ops/sqtraining/sqpcourses.htm It is up to the Authorized User to determine if any additional on the job training is required.
89	Will annual adjustments to billing be allowed, based upon changes in Prevailing Wages	Yes. See Section III.5 Prevailing Wage Rate Advisory Notice in this RFP.
90	Does paid time off come out of the Supplemental portion of the Prevailing Wages	It is up to each Contractor to determine what is included as part of the Supplemental Benefits.
91	Are there mandated health Benefit Requirements	It is up to each Contractor to determine the health benefits they would like to provide to their employees.
92	Overview: You have indicated that the services are or may not be limited to NYS Agencies. Please advise as to what non NYS agencies might utilize this contract? a. Would they be governed by the same scope, terms and conditions?	This will be set up as a centralized contract and will be available for use by any New York State Agency or municipality. For more information on entities eligible to use centralized contracts, see http://www.ogs.ny.gov/BU/PC/BuyerInfo.asp . Under the centralized contract, all Authorized Users will be governed by the same scope, terms and conditions.
93	Scope, Paragraph 2. When you refer to it being the intent of OGS to award up to two Contracts per Region, please explain. It reflects that two providers will be awarded, a Primary and a Secondary. It then goes on to refer to awards to multiple contractors. a. Is this only in the case that the Primary and/or Secondary awardees are replaced? b. If there were to be a replacement, would that be for just that assignment or all assignments in that Region? i. In this case, how may replacement spill over into other Regions?	It is the intent of OGS to award Contracts for each Region, up to two Contractors per Region. Awards will be based on a tiered approach. While awards shall be made to multiple Contractors, each Contractor will be assigned a status as Primary or Secondary. When a need for services occurs the Authorized User shall engage the Primary Contractor. If the Primary Contractor performance is found to be deficient or non-compliant based on the process outlined in Attachment 7 - Performance Standards, then the Secondary Contractor would become the Primary Contractor. This will be communicated through a P-memo released on the OGS Bidder Notification System. If there is a replacement it would be for all future orders in that Region. If a Contractor is awarded multiple Regions but becomes deficient in one Region, Contractor status will change from Primary to Secondary in the deficient Region only.

94	<p>Key Event Dates: Considering the holidays and adequate timeframes to review your responses to questions, might you consider a one week delay in accepting responses. NYC DCAS has also issued an RFP with the same questions due date and they have a 1/20/2012 due date.</p>	<p>At this point in time we will not be changing the RFP due date.</p>
95	<p>Qualifications of Prospective Bidders / Additional Qualifications: a. What qualifications other than a Dunn & Bradstreet Business Information Report, would constitute additional evidence? i. Could it be a financial report? ii. Could it be a confirmation of a state, federal, or other contract or contracts during that timeframe?</p>	<p>Bidder must provide alternative evidence that it meets this requirement. Acceptable forms include a copy of a company’s Security Guard license, financial report, confirmation of an existing contract, etc.</p>
96	<p>General Requirements: Please advise as to parking fees that would be anticipated as being other than nominal?</p>	<p>NYS is not responsible to pay a Contractor’s parking fees while they are providing work at NYS. It is unknown if there are other than nominal parking fees at a facility.</p>
97	<p>Service Requirements / Staffing: a. We agree that retention and job security is important. In the event that an incumbent staff member meets the requirements of the RFP, but not that of our company employment standards, are you suggesting that we “must make employment offers”? b. Paragraph 2; subcontractors that may be used must be indistinguishable from Primary Contractor: Please confirm that this would not relate to Primary contractors uniforms and ID cards. These items, patches, badges, ID cards are subject to state approval and specific to the licensed vendor.</p>	<p>If an incumbent staff member does not meet your company employment standards, it is not required to make them an offer but the Contractor must document their employment standards and deficiencies to the Authorized User. A subcontractor must be indistinguishable from a Primary Contractor; this includes having the same uniforms, id cards, etc.</p>
98	<p>Drug Testing and Medical Exams: a. Paragraph 2: When you refer to “Authorized Agency may request a random drug test for a current Security Guard and/or Fire Safety Director.... and limited to one additional test per year.” Is it your intention that all officer would be requested or just a few? This is relative to pricing factors. b. Paragraph 3: You indicated that “Certain User Agencies may require a medical exam.....” Please advise which User Agencies that this applies to?</p>	<p>NYS does not intend that Authorized Users will request additional drug tests frequently, however an Authorized User has the right to request an additional test if there is cause for suspicion. Medical exams are only required at the request of an Authorized User.</p>

<p>99</p>	<p>Background, Registration, and Training: Please advise as to which authorized users may require AED, HIPPA, and OSHA training?</p> <p>a. Please address this requirement in the event of a short notice request for services. Will there be a grace period?</p> <p>b. Fire Safety Directors have requirements that are mandated, for training, testing, on site testing for Certificates of Fitness, and as may be required, EAP certifications. Since there is no way of knowing whether or not incumbent personnel would be maintained or qualify through our company's strict background process, the associated costs for new Certifications would likely be several hundred dollars per case. Vendors would have to factor these unknown costs into their markup. In the event that most on site FSD's were retained, the Agency would be experiencing a higher than actual pricing factor. Would it not be more practical and cost effective, to make these costs billable on a dollar for dollar pass through?</p> <p>i. Please advise as to any EAP certification requirements that would be required?</p>	<p>a) Please see the updated Ordering Document. If additional training is required the Authorized User must provide advanced notice to the Contractor.</p> <p>b) If the current Security Guard and/or Fire Safety Directors do not meet all requirements and the Contractor's employment standards, Contractor is not obligated to make employment offers. Certain additional trainings have been made a pass through, otherwise a Bidder needs to decide if these requirements will be included in their mark-up.</p> <p>i. At the Authorized User's request, a Fire Safety Director may need to help develop an Emergency Action Plan (EAP) but are not required to have EAP certifications.</p>
<p>100</p>	<p>Workday/Hours:</p> <p>a. Questions: Under which of the following circumstance would overtime billing be accepted?</p> <p>i. In the event that the client requests that a specific officer work hours that would result in overtime?</p> <p>ii. Schedules that are mandated by client in which there is built in overtime?</p> <p>iii. Short notice requests for extra coverage?</p> <p>iv. Short term extra coverage requests?</p> <p>v. Coverage for labor disputes?</p> <p>vi. Incidents and or events require an officer to stay beyond the scheduled shift to complete reports, report in for follow-up inquiries or investigations, and/or required to meet with law enforcement or attend hearings or proceedings which are beyond an officers scheduled times?</p> <p>b. Holiday: Since the state Prevailing Wage requirements mandate that officers working on said holidays are to receive an additional day of pay and those who are off, are to receive a single day of pay, why do you stipulate that worked holidays be paid and billed at the 1.5X rate?</p> <p>i. Is this in error?</p> <p>ii. The Prevailing Wage and Supplemental benefits set standards for holiday pay (worked and not worked), sick days, and vacation days. Please confirm that the markup will apply to these factors and any others that may be included, added or implemented?:</p>	<p>a) As stated in the RFP, Authorized Users do not anticipate paying overtime rates under this contract. The Contractor will be responsible for scheduling Security Guards and/or Fire Safety Directors so that shifts do not exceed the parameters identified in the prevailing wage schedule for which overtime pay is required. In the event that overtime is necessary to maintain coverage due to scheduling problems on the part of the Contractor, the Contractor shall pay the appropriate overtime rate to the Security Guard and/or Fire Safety Director at no additional cost to Authorized User.</p> <p>b) See response for question 11.</p> <p>NYS defines "Prevailing Wage" as the rate of wage and supplement paid to workers under a public work contract. In the Cost Proposal Form, a Bidder should include a mark-up over the Prevailing Wage Rate plus Supplemental Benefits.</p>

101	<p>In the event that a User Agency requests a level that is not listed in the RFP, covered in the Prevailing Wage Act, or beyond what may have been proposed, i.e. Security Office L 2, Security Supervisor, or other; how will rates be determined and approved?</p> <p>a. In the event that User Agency requests a pay scale that differs from the Prevailing Wage rates in effect, how will that be handled and approved? Section III:</p>	<p>Authorized Users will only request Level 1 and Level 2 Security Guards and/or Fire Safety Directors. No additional personnel titles are authorized under this contract.</p> <p>Authorized Users are precluded from requesting a pay scale that differs from Prevailing Wage Rates under this contract.</p>
102	<p>Contract Period:</p> <p>a. Please advise as to extension periods that may be permitted beyond the 5-year term?</p>	<p>No extensions are anticipated as part of this contract, however see Appendix B §71 for language on extensions.</p>
103	<p>You refer to a 20% MWBE rate.</p> <p>a. Can this be 20% to one or the other (MBE or WBE)?</p> <p>b. What if an organization is qualified as both?</p>	<p>Although 20% is the overall MWBE participation goal across NYS, Authorized Users will determine the appropriate MWBE goals for their facility.</p>
104	<p>NYS Procurement Card: When you refer to \$15,000, is this per weekly service billing or some other period of service/billing. Please specify?</p>	<p>\$15,000 is the maximum limit per transaction.</p>
105	<p>Procurement Instructions:</p> <p>a. When there is an estimated cost utilized by the User Agency, how will cost overrides be determined and handled?</p>	<p>There will not be estimated costs as the mark-up percentages from the Awarded Contractor will apply to all Authorized Users in a Region.</p>
106	<p>Set off Rights: We request the right, in the event of an "equitable adjustment" in rate, to be party to such an agreement. It would not be logical for a determination of this type to be made at the sole discretion of the Commissioner.</p>	<p>OGS declines the requested modification.</p>
107	<p>We request that the replacement of service providers be consistent with the language of the RFP, in which the replacement provider would be moved up the scale. This example would be as indicated, secondary would replace primary and so on.</p>	<p>Please see Section I.2 of the RFP which states "It is the intent of OGS to award Contracts for each Region, up to two Contractors per Region. Awards will be based on a tiered approach. While awards shall be made to multiple Contractors, each Contractor will be assigned a status as Primary or Secondary. When a need for services occurs the Authorized User shall engage the Primary Contractor. If the Primary Contractor performance is found to be deficient or non-compliant based on the process outlined in Attachment 7 - Performance Standards, then the Secondary Contractor would become the Primary Contractor. This will be communicated through a P-memo released on the OGS Bidder Notification System. If a Contractor is awarded multiple Regions but becomes deficient in one Region, Contractor status will change from Primary to Secondary in the deficient Region only."</p>

108	<p>Please advise if there are any requirements for a Collective Bargaining Agreement for any of the services that are specified, or may be specified by virtue of this RFP and representative User Agencies? a. If so, with who and why would there be any such obligation?</p>	<p>NYS does not have information available on current Collective Bargaining Agreements.</p>
109	<p>There may be additional questions that arise from your responses to inquiries, will we have another opportunity to clarify these responses?</p>	<p>No additional question and answer period will be provided.</p>
110	<p>Prevailing Wage Schedule (Supplemental Benefits): Please be advised that there are programs that were available on the market place through third party benefit providers, one being The Boon Group. These agencies provide services that take the supplemental wage (\$4.56) and distribute out in benefits on a pay as you go type basis, on behalf of contractors. Historically, and I expect, in many cases to date, contractors that utilize this program, or that pay the Supplemental Benefits on their own, include vacation, sick pay, and holiday pay, in, as part of the Supplemental. The NYS Department of Labor advised that these particular Supplemental Benefits, due to being listed, as are the wages, cannot be included within the \$4.56 Supplemental. Please review this requirement and confirm that these specific elements cannot be included in the \$4.56. Doing so may be illegal and in fact create a taxable savings for a contractor, but short change these benefits for the employees that would be entitled to the \$4.56 + Prevailing Wages + Vacation, Sick, and Holiday pay. a. Going forward it should be clear. b. Going backward, it may be a clear violation.</p>	<p>According to the NYS Department of Labor, the Supplemental Benefit is in addition to vacation and sick time. Vacation and sick time are not part of Supplemental Benefits. The Awarded Contractor(s) will abide by the Supplemental Benefits outlined by the Department of Labor.</p>
111	<p>Please stipulate the length of and notice of extension periods, to include the maximum timeframe by which services could be ordered, under this agreement.</p>	<p>The Contract shall be in effect for five (5) year(s). An Authorized User may submit an Ordering Document for Security Guard and/or Fire Safety Director Services at any time during the five year duration of the centralized Contract. The Authorized User is only required to submit one Ordering Document per facility for the life of the Contract, unless there are changes in scope to include but are not limited to changes in shifts, coverage or requirements or the Authorized User and Contractor agree to a different timeframe, as long as the Ordering Document end date does not surpass the expiration date of the centralized contract.</p>
112	<p>We reserve the right to negotiate the final terms and conditions of a contract if awarded.</p>	<p>It is the State's intent to enter into standardized contracts with all Awardees.</p>

113	Other than Department of State mandatory training requirements, please advise as to the requirement of training at the site, prior to commencing independent work. a. Would this be billable at the same markup as the bid markup percentage?	See response for question 12.
114	Can I schedule a tour of the site before the bid release date?	Site visits already occurred on 12/13 and 12/14.
115	How many level 1 security guards per/tour are needed for the specific site that I am bidding on?	This RFP is for a centralized contract and does not have specific facility requirements. Upon request the Authorized User at the facility will make a request for their required number and type of Security Guards and/or Fire Safety Directors.
116	How many level 2 security guards per/tour are needed for the specific site that I am bidding on?	This RFP is for a centralized contract and does not have specific facility requirements. Upon request the Authorized User at the facility will make a request for their required number and type of Security Guards and/or Fire Safety Directors.
117	How many Fire Safety Directors are needed per/tour for the specific site that I am bidding on?	This RFP is for a centralized contract and does not have specific facility requirements. Upon request the Authorized User at the facility will make a request for their required number and type of Security Guards and/or Fire Safety Directors.
118	Are there any collective bargaining agreements involved in Region 1 of this bid?	NYS does not have information available on current Collective Bargaining Agreements.
119	How will answers to our questions be given? Through addendum or directly?	All questions received by 12/16/11 at 5:00 pm EST will be answered via an addendum that will post on 12/21/11 at: http://ogs.ny.gov/purchase/bidcalendarlv.asp and also through the Bidder Notification System.
120	Will Fire Directors also be required outside the 5 regions like the unarmed security guards?	No – Fire Safety Directors are only required in Facilities within Bronx, Kings, Queens, New York and Richmond counties of Region 1.
121	Will a separate proposal be required for each region proposed?	Separate pricing is required for each Region; however the technical questions only need to be answered once.
122	Are there current incumbents under contract per region? If so, who are they?	Current incumbent information will not be shared as a part of this RFP.
123	Can contractors provide additional project information as part of the three references required?	No – please only provide the information requested.
124	Will financial statements be required to be submitted as part of our proposal?	No – financial statements are not required to be submitted with the proposal, but in accordance with I.11, the State reserves the right to request additional documentation, including financial statements.
125	What are the standard M/WBE goals that a facility may issue as part of an Ordering Agreement?	It is not possible to provide the MWBE goals in advance as each Agency determines their goals at the time their services are requested.

126	If at the time of proposal submittal no subcontractor is identified under Attachment 1, can contractors still subcontract after potential contract award and identify them during the ordering process?	A Contractor will be required to submit a list of subcontractors to OGS for approval prior to the subcontractors beginning to provide services.
127	What rest period scheme does New York State desire in addition to the meal time? Or does a contractor simply follow New York State law?	A Contractor is required to follow NYS law regarding breaks.
128	Is there any additional equipment that will be required outside the standard equipment?	No.
129	What is the typical lead time and process for post-award ordering of services?	Authorized Users are required to submit their request 15 business days before the services are needed. Contractor has 10 business days to fulfill request. If the Authorized User is requesting additional training, the ordering document must be submitted 30 days prior to the start date.
130	What is the typical ratio for sites between the number of Level I and Level 2 security guards?	It varies by facility. Historical coverage is provided as part of the Cost Proposal Form.
131	Are Level II Security Guards seen as site supervisors? Are there higher level supervisors required?	At the request of the Authorized User, Level 2 Security Guards may be considered shift or site supervisors.
132	Do M/WBE need to be certified prior to contract award?	In order for NYS to recognize a company as MWBE they need to be certified through NYS. Certification must be completed before the work is performed.
133	Please clarify if the M/WBE 20% goal mentioned will be the overall contract goal or an overall State agency goal?	Although 20% is the overall MWBE participation goal across NYS, Authorized Users will determine the appropriate MWBE goals for their facility.
134	What is the likelihood that other New York State political subdivisions and others authorized by New York will participate or utilize the contracts awarded?	This is a centralized contract and will be available for use by all NYS entities (both Executive Agencies and municipalities).
135	Is there any page limitation or font size/style restrictions for the required General Proposal Content?	No.
136	What is the frequency of those items listed in Attachment 7 will be required to be submitted (i.e. weekly, monthly, quarterly, etc.)?	There is no set frequency for Contractor Deficiency Reports; they will only need to be completed if issues arise.
137	Under this attachment it states "Months of employment shall be defined as an Employee's length of service with the Employer." How does this work if there are incumbent security personnel already working and have seniority? Do we assume they start at "0" if they are not employed with our company already? How does the seniority system work under this eventual contract?	Length of service/seniority is determined by the Security Guard's tenure with their employer. If a Security Guard changes employers, their length of service will start over on Day 1 with their new employer.

138	Attachment 13 was included as part of the RFP but seems to be the same. Is it correct to assume that just Attachment 1 is required?	Please ensure you are referring to the correct solicitation. The attachment referenced in the question does not exist in the RFP for Security Guards and/or Fire Safety Directors (RFP#22436).
139	Will there be an allocation training hours? If so, will a training area be provided?	No.
140	Does New York State want the follow-on contractor to consider retaining incumbent supervisors or guards?	Per Section II.2.1 of the RFP if requested by the Authorized User and listed on the Ordering Document, the Contractor must first consider current Security Guards and/or Fire Safety Directors employed at the facility.
141	What is the anticipated start date?	The estimated contract start date is April 1, 2012.
142	Does the incumbent personnel meet all minimum qualifications? Will they require start up or refresher training?	The Contractor has the right to screen the current Security Guards and/or Fire Safety Directors to ensure they meet all requirements as outlined in this RFP. If an incumbent personnel does not meet your company employment standards it is not required to make them an offer but must document the company's employment standards and the incumbent's deficiencies to the Authorized User.
143	Can training be conducted while in an on-duty status or off-duty status?	Training can only be conducted off-duty.
144	Please clarify that percentage markup is applied to TOTAL Prevailing Wage; inclusive of Supplemental Benefits and Paid Leave Entitlements (vacation, holiday, sick) for level I guards. Please advise if the same clarification holds true for Fire Safety Directors.	Yes the percentage mark-up should apply to the Prevailing Wage Rate plus Supplemental Benefits. See definition of "Prevailing Wages" in the RFP.
145	Please define the incremental wage that should be paid for a level 2 guard in excess of the fully burdened level 1 guard rate based on the position requirements set forth in the RFP.	Prevailing Wage Rates do not exist for a Level 2 guard therefore it is up to the Bidder to determine the pay rate by county.
146	Please define the mechanism that is in place to recoup payroll tax and insurance increases under a fixed mark-up percentage. To illustrate, the statutory state worker's compensation rate is increasing by 4.7% in 2012. How do we adjust for increases if markup percentage is to remain fixed?	While an increase in worker's compensation would be considered a government mandated program price increase, the State may, at its sole discretion, address the issue of government mandated program price adjustments on a case by case basis if and when such a government mandate comes to pass.
147	Can multiple Exhibit 2 Pricing Breakdowns be submitted for each county and each position within a region? A single pricing format does not allow for prevailing wage rates, supplemental benefits, and paid leave entitlements for each position at each region.	Exhibit 2 will not be considered as a part of the financial evaluation criteria. If a Bidder would like to submit multiple pricing breakdowns for Exhibit 2, feel free to do so.
148	Please define the volume discount schedule in terms of <i>Total Annual Spend Range and Remaining Years</i> .	At the end of year one, the Contractor will provide to NYS the total annual spend from all Authorized Users. If a Contractor's total annual spend with NYS in year one exceeds any of the thresholds listed, the proposed percentage (%) discount will be applied to the remaining contract years mark-up percentages for all Authorized Users. These discounts will be applied by taking the proposed original mark-up and subtracting the discount offered to equal the new mark-up %for the remaining life of the contract.

149	What is the expected length of time that will exist between a specific user agency contract award and the commencement date of such award?	This is a centralized contract and will not have specific User Agency awards tied to it. This is not a mini-bid contract.
150	Please establish the M/WBE goals per each authorized user agency.	There are no specific MWBE goals in this contract. Authorized Users will determine the appropriate MWBE goals for their facility.
151	If any additional user agency specifications/requirements exist within a particular user agency, would we have the latitude to increase our pricing? (Examples: additional training, 10 hour shifts, equipment purchases, etc.)	See response for questions 12 and 24.
152	Please outline what specific training and certifications are required at each user agency?	See response for question 12.
153	Is rollcall required at any of the authorized user agencies?	It may be requested by an Authorized User.
154	Please verify the actual holiday entitlements paid to guards at authorized user agencies. For example, the RFP currently lists ten (10) holidays at overtime (time and one-half pay) if worked, while NYC Labor Law 230 only lists seven (7) holidays with a full days pay.	See response for question 11.
155	Can you please indicate the monthly mileage and number of vehicles estimated within region 1?	There is no estimate for the monthly mileage or number of vehicles required.
156	The RFP states Fires Safety Director classes in terms of number of persons, whereas Prevailing Wage Schedule 230 defines classes by building square footage. Please define what class of Fire Safety Directors will be needed; Class A, Class B, or Class C?	Fire Safety Directors will be needed for Class A, B and C buildings.
157	Can a contractor utilize M/WBE goal against purchases?	Yes.
158	What if prevailing wage rates change at any time other than July 1, are we subject to a waiting period before any price adjustments will be approved? Would we be able to adjust pricing at the time of wage increase, as we are mandated to pay the additional prevailing wage, supplemental benefit, and paid leave entitlement effective at the time new rates/benefits are published.	Under guidelines set by the Department of Labor, Prevailing Wage Rates only change on July 1.

159	Where the percentage mark up remains unchanged, paid leave can not be included in the percentage mark up. Please note that prevailing wage has three components; prevailing wage, supplemental benefits, and paid leave entitlements (vacation, sick, and holiday). No prevailing wage components can be in the percentage mark-up, because as they increase there are no means to adjust pricing when percentage mark-up is kept at a fixed rate. Please clarify.	The mark-up is to include the cost factors outside of Prevailing Wage Rate/Pay Rate that impact the NYS bill rate. The percent mark-up will be a fixed rate over the life of the contract, however Prevailing Wage Rates and Supplemental Benefits adjust annually.
160	For the purposes of using a credit card per order, is an "order not to exceed \$15,000" a maximum spend budget per invoice, per time period, or per contract value?	\$15,000 is the maximum limit per transaction
161	Section II.2.1 states that bidders must identify any planned subcontractors at time of submission. If a contractor determines post award that a subcontractor is required, what is the process for notifying OGS to get approval?	A Contractor will be required to submit a list of subcontractors to OGS for approval prior to the subcontractors beginning to provide services.
162	Pricing is being judged on a markup basis, but to what is the markup applied? Prevailing wage states both a specified wage and a specified benefit amount. Is the markup applied on wage + benefits, or just on wage? If it is applied just on wage, the state is asking bidders to project prevailing wage health care supplements, which is an uncontrollable cost mandated by the state, and to estimate this increase over 5 years. If the markup is to be applied to wage + supplemental benefits, please clarify why "health and medical", and "supplemental benefits" are listed on attachment 2, cost proposal form.	<p>NYS refers to the Prevailing Wage as the Prevailing Wage Rate plus Supplemental Benefits. See definitions in the RFP. In the Cost Proposal Form, a Bidder should include a mark-up over the Prevailing Wage Rate plus Supplemental Benefits.</p> <p>The list provided is a sample of the different benefit types that may be included in a Bidder's mark-up.</p>
163	We have come across some contractors that deduct training, uniforms, worker's compensation insurance, and even payroll taxes such as FICA, FUTA, and SUTA from the supplemental benefit specified by the prevailing wage. Vendors that do this have a significant cost advantage. Please confirm that the supplemental benefit specified by the New York prevailing wage does not include these items.	According to the NYS Department of Labor, Supplemental Benefits do not include FICA, FUTA, SUTA, uniforms, training, and worker's compensation insurance.
164	Will bidders be allowed a markup adjustment in the event that local, state, or federal legislation impacts our cost structure?	No.
165	Please clarify Exhibit 4 – Volume discounts. For example, if our markup is 50%, and we offer a 2% discount for total spend above \$10.1Million, does this lower our markup to 48%, or are we reducing our markup by 2%, which would lower the effective markup to 49%? In addition, does the total spend represent annual totals or contract totals? If total spend reaches \$10.2 Million, are we to apply the discount only on the incremental spend, or are we to rebate the entire \$10.1 Million?	<p>In the example provided, if a volume threshold is reached, pricing would be updated so that the new mark-up on the incremental spend for the remaining years of the contract would be 2% less than the original mark-up (48%).</p> <p>The spend represents annual totals per Contractor.</p>

166	Please describe how pricing will be evaluated, specifically level 2 pay rates. It appears that markup will remain consistent for level 1 & 2 officers. Therefore, the lowest wages will result in the lowest cost for level 2 officers. Is the state looking for the lowest wage we can pay a level 2 officer? Or is the state interested in the going market wage for an officer that meets the level 2 officer criteria? If evaluation points are awarded on cost, the bidders that provide the lowest wage will have the lowest cost.	The financial evaluation criteria is based on mark-up percentage not NYS bill rates.
167	New York State Procurement Card and any discounts – Please advise as to the usage fees associated on the part of the contractor.	While there are no usage fees for the Authorized User, the Contractor would incur a usage fee in accordance with its merchant agreement with the card acceptance processor.
168	The crime insurance has a requested coverage of \$5,450,000. This seems like an odd amount, so I am assuming it is a typo. Most clients only require \$1 million. Please review and advise.	This is the correct amount. (The amount is based upon 50% of the contract value.
169	I noticed Questions #4 and 5 on Attachment 1 ask whether the prices quoted are the same as or lower than prices quoted to other corporations, institutions and government agencies and it asks for a copy of our GSA schedule. This is a “most favored customer” clause and we typically don’t agree to those. The scope of services that we provide are so different and the pricing based on so many factors, that it is impossible to compare the pricing in this way. We don’t offer one standardized product. Please clarify this as to these factors and agree that this would not be applicable, unless the terms, conditions, scope of work, duties, equipment, etc were apples to apples.	Yes – prices quoted should be the same or lower than prices quoted to other corporations, institutions and government agencies when terms, conditions, scope of work, duties, equipment, etc...are comparable. See Appendix B §24(f) for the full text of the most favored nations clause.
170	Are there collective bargaining agreements in place currently at any of the locations in Regions 1 and 5? If so, can we receive copies?	NYS does not have information available on current Collective Bargaining Agreements.
171	Can OGS provide a list of which Authorized Users require additional training and what type of additional training is required?	See response for question 12.
172	Can OGS provide a list of which Authorized Users require additional training for security guards and what type of additional certifications are required?	See response for question 12.
173	Will OGS provide a list of which Authorized Users require additional equipment?	No additional equipment is required.
174	Are there any other types of equipment required not listed within Section II.2.9?	No additional equipment is required.
175	Will OGS provide a list of security guard tenure at each facility?	This information is not available.