



Contract Award Notification

Title	:	Group 79006 Air Travel Services Classification Code(s): 90
Award Number	:	<u>21991</u> (Replaces Award 21137)
Contract Period	:	August 15, 2011 through August 14, 2017
Bid Opening Date	:	February 15, 2011
Date of Issue	:	July 25, 2011 (Revised August 15, 2016)
Specification Reference	:	As Incorporated In The IFB #21991
Contractor Information	:	Appears on Page 2 of this Award

Address Inquiries To:

State Agencies & Vendors	Political Subdivisions & Others
Name : Mark Milstein	Procurement Services
Title : Statewide Travel Coordinator	Customer Services
Phone : 518-402-5005	Phone : 518-474-6717
E-mail : travelcoordinator@ogs.ny.gov	E-mail : customer.services@ogs.ny.gov

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

Description

Use of this contract by Executive Department Agencies is recommended

Contracts with various airlines for air travel to and from various city pair locations throughout the United States and some foreign countries. This contract is recommended for use by all New York State employees of the Executive Branch of government, employees of The Legislative and Judicial Branches of government, New York State Public Authorities and Boards, the State University of New York (SUNY). Additionally, any state or non-state agencies using the contracted Citibank VISA card are eligible to use this contract. **Travel tickets are 100% refundable with no minimum stay or other purchase requirements and contract airfares are not subject to charges for exchanging tickets. Contract prices are one-way fares.** All contract users are required to utilize the New York State Travel Management Services Contractor (Group 79005) to book all contract travel (see page 9).

Airline Travel Services - Statewide

Authorized Users are required to arrange all travel via the New York State Travel Management Services Contractor. Please contact the Statewide Travel Coordinator with any contract related issues.

NOTE: See individual contract items to determine actual awardees.

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS*</u>	<u>FED.IDENT.#</u>	<u>Vendor Identification #</u>
PS65463	Delta Air Lines, Inc. 1030 Delta Blvd, Dept. 746 Atlanta, GA 30320	58-0218548	1000057818
PS65464	JetBlue Airways Corporation 27-01 Queens Plaza North Long Island City, New York 11101	87-0617894	1000045202

*This contract requires authorized users to contact the designated travel management service contractor for reservations (see group 79005 – Travel Management Services Contractor for updated contract).

AGENCIES SHOULD NOTIFY PROCUREMENT SERVICES PROMPTLY IF THE CONTRACTOR FAILS TO MEET 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.

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 Procurement bid solicitations or contract awards. Procurement Services encourages vendors to seek resolution of disputes through consultation with Procurement Services staff. All such matters will be accorded impartial and timely consideration. Interested parties may also file formal written disputes. A copy of Procurement Services Dispute Resolution Procedures for Vendors may be obtained by contacting the person shown on the front of this Contract Award Notification or through the OGS website (www.ogs.ny.gov).

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USE OF THIS CONTRACT BY EXECUTIVE DEPARTMENT AGENCIES IS RECOMMENDED***NEW YORK STATE AIR TRAVEL SERVICES GUIDELINES***

The State has been successful in securing contracts with major airlines to provide reduced air travel fares combined with beneficial service terms. As a result of these contracts, the State has saved millions of dollars a year in air travel costs.

The OGS contract offers discounted prices for many city pairs between New York State and other domestic and foreign destinations. The city pair contract offers features, in addition to price, that are highly beneficial to State travelers and authorized users including but not limited to:

- no cost for refunds or ticket changes,
- no minimum stay,
- no advance purchase requirements, and
- price reductions for some capacity controlled fares (i.e., lower fares available based on capacity).

Our ability to continue achieving such savings depends largely on ensuring that State agencies and authorized users utilize the OGS contract. Accordingly, users are recommended to adhere to the following guidelines when purchasing air travel:

1) All airline tickets must be purchased using the designated Citibank Visa State Corporate Card. Employees may not use personal credit cards or other means for reimbursement.

2) All airline ticketing must be done through the authorized State travel agent contractor (OGS Travel Agent Services contract - web link below), responsible for certifying that the ticketing is done in accordance with these guidelines.
<http://www.ogs.ny.gov/purchase/snt/awardnotes/7900522536can.htm>

3) Recommended exceptions include: emergency situations, when the non-contract fare saves \$200 or more per roundtrip ticket, or contract flights would require the traveler to incur unnecessary overnight lodging costs.

When an exception occurs, the attached form (Attachment 1) must be completed and approved by your Agency Finance Officer or other appropriate authority and a copy e-mailed to the Statewide Travel Coordinator, Mark Milstein, 38th Floor, Corning Tower, Empire State Plaza, Albany, NY 12242. Phone: 518-402-5005, e-mail: travelcoordinator@ogs.ny.gov

The OGS Air Travel Services Guidelines and exception form is found on the OGS web link below at: <http://www.ogs.ny.gov/purchase/spg/pdfdocs/CL744.pdf>

PROCUREMENT INSTRUCTIONS

- A. All rates are available for business use only.
- B. All authorized users must use the New York State Citibank VISA Travel Card or Citibank Visa Non-Employee Travel Card (NET) to purchase tickets. These cards must begin with either "4046" or "4275" as the first four digits of the card number. Personal credit cards or other means of reimbursement are not to be used.
- C. It is preferred that travelers contact their Agency Travel Coordinator first to make travel arrangements. The Coordinator is more up to date and informed of any changes in our travel program. The Agency Travel Coordinator and the traveler will review the list of rates and services from the Air Travel Services Contract Award Notification (this document) to determine what services (city pair rates) best fit their needs.
- D. **State authorized travel agents must be used to make reservations.** Internet fares may not be used unless booked through the authorized State Travel Management Services contractor. The Procurement Services listing for Travel Management Services is available at: <http://www.ogs.ny.gov/purchase/snt/awardnotes/7900522536can.htm> The agency may also wish to communicate any specific cost accounting requirements for travel payment to the contracted travel management services contractor.

METHOD OF PAYMENT

The method of payment for any eligible entity under contracts resulting from this solicitation is the Citibank VISA Travel Card and the Citibank Visa Non-Employee Travel Card (NET). Personal credit cards or other means to require reimbursement are not to be used.

City Pair Use Instructions

- To determine contract information for air travel, look up travel segment by Departure City (any city or airport noted in city pair may be utilized as a departure city).
- City pairs are arranged on the following pages alphabetically as indicated on the price list.
 - Primary alphabetization is by the New York State Departure City.
 - Secondary alphabetization is by the Destination City.
- **All fares are for one-way travel.**
- Some non-contract airlines may "match" the contract government fare in certain city pairs. These fares are not covered under the terms and conditions of this contract, nor do they offer the protections covered by this contract and are not to be used.
- Some metropolitan areas may have service from more than one airport at varying prices. For destinations where more than one airport is available, consideration should be given to using any of the alternate airports to make a best value determination. Travelers should take into consideration cost, total travel time and scheduling convenience when making their best value determination. Examples of cities with more than one airport include, but are not limited to:

Chicago - Served by Midway (MDW) & O'Hare (ORD)

New York City - served by Kennedy (JFK), LaGuardia (LGA) & Newark Liberty (EWR)

Washington DC - served by Dulles (IAD), Reagan National (DCA) & Baltimore (BWI)

To provide additional contract city pairs for the convenience of authorized users where no compliant bids were received for a particular city pair, OGS has made awards to non-compliant bidders that may not meet the daily flight requirements and/or exceed the maximum length of time allowed for stopovers.

Airline Travel Services - Statewide

BACKGROUND/USE

This group of contracts replaces the contracts under Award 21137 and provides discounted airfares directly with airlines to city pairs across the United States and certain international destinations.

USE OF NEW YORK STATE CONTRACT OR AUTHORIZED TRAVEL AGENTS

All ticketing for air travel contracted under this Award must be through the New York State Travel Management Services contractor.

USE OF CONTRACTS BY OTHERS

This service shall be available for use by all New York State employees acting in official capacity to carry out assigned duties of the Executive, Legislative and Judicial Branches of government including New York State Public Authorities and Boards, and the State University of New York (SUNY). All other non-state agencies may use this contract provided they purchase their tickets with the Citibank VISA travel card or Citibank Non-Employee Travel Card (NET) designated exclusively for New York State (see METHOD OF PAYMENT). Use of this contract and the awarded airline is recommended of all Executive Department Agencies.

AIRLINE CONTRACTORS EXTENDING CONTRACT PRICING

Airline Contractors Extending Contract Pricing to: New York City Agencies; Members of State Boards, Procurement Council, etc.; Government Witnesses, Prisoners, Runaways, Wards of the State, other governmental entities, etc.

Airline Contractor	NY City Agencies	State Boards/ Procurement Council	Government Witnesses, Prisoners, Runaways, Wards	Other Government Entities
Delta Air Lines	YES	YES	YES*	NO
JetBlue Airways	YES	YES	NO	NO

* Delta Airlines has specific rules and regulations regarding the acceptance of prisoners –civilian or military. Please contact Delta Airlines directly or authorized travel management services contractor for details.

CONTRACTOR'S DESIGNATED CODE FOR CAPACITY CONTROLLED FARES

Contractor's Designated Code for Capacity Controlled Fares, Charge for Paper Ticket and required OSI information for the PNR:

Airline	Capacity Controlled Fare Code	Charge For Paper Ticket	Required Service Information
Delta Air Lines	LCANY	\$50	OSI GOV/MIL
JetBlue Airways	YCANY	Electronic Only	OSIB6 GOV/MIL

DEFINITIONS

"Agency Representative" - The authorized representative of an authorized user.

"Aircraft" - Aircraft shall mean aircraft having a minimum of nineteen (19) or more passenger seats.

"Airport Code" - The three-letter code that identifies the specific points of origin and destination for each item.

"Capacity Controlled Fare" - The fare offered for a limited number of seats on all flights. The fare basis code is _CANY. The number of seats available will be determined by the contract carrier, but can be no less than 35% of the airlines' economy class seat inventory. The fare will contain no restrictions, (i.e., advance purchase requirements, change fee, cancellation fee, etc.) and will be fully refundable.

"Centrally Billed Account" - The designated New York State centrally billed travel account(s) currently under New York State contract. The current designated Centrally Billed Account provider is Citibank Visa and the types of accounts used are the Corporate Travel Card or the Central Travel Account (CTA).

"Certificated Air Carrier" - An air carrier holding a Certificate of Public Convenience and Necessity granted under Section 401 of the Federal Aviation Act.

"Commuter Air Carrier" - An air carrier under Section 204 or 298 of the Economic Regulations of the United States Department of Transportation carrying passengers on at least five round trips per week between two points according to its published schedules, but which does not hold a Certificate of Public Convenience and Necessity granted under Section 401 of the Federal Aviation Act.

"Connecting Service" - Service between origin and destination points with only one stop and that stop involves changing planes.

"Daily Flights" - Flights which are scheduled each day, Monday through Friday.

"Direct Service" - Service between origin and destination points with only one stop and that stop does not include a change of plane.

"Domestic" - All city pairs within the fifty states, the District of Columbia, the United States Virgin Islands and the Commonwealth of Puerto Rico.

"Eligible Travelers" - This service shall be available for use by all New York State employees acting in official capacity to carry out assigned duties of the Executive, Legislative and Judicial Branches of government including New York State Public Authorities and Boards, and the State University of New York (SUNY). Additionally, any state or non-state agencies currently using the contracted Citibank VISA card are eligible to use this contract.

"Electronic Ticket" - Generation of ticket without the production of flight coupon. A message is sent to the carrier requesting an electronic ticket. Upon acceptance an electronic ticket file is created in the carrier's database that includes the passenger's name, ticket number, frequent flier number, form of payment and itinerary. On the date of travel, passenger presents positive identification such as a picture I.D. (driver's license or passport) and is issued a boarding pass.

"FAA" - Federal Aviation Agency.

"Federal Aviation Act" - The Federal Aviation Act of 1958 and any applicable statutory changes incorporated.

"Global Distribution System (GDS)" - Any of several proprietary computer systems allowing real-time access to airline fares, schedules and seating availability, and offering the capability of booking and generating tickets.

"Intrastate Flights" - Scheduled flights where both the departure city and the destination city is in the State of New York.

Airline Travel Services - Statewide

"International" - City pair routes in this solicitation where at least one of the origin or destination cities is not domestic.

"Nonstop Service" - Service between origin and destination points without any stops.

"Passenger Facility Charges" - Mandatory fees assessed by airports and or cities which airlines are mandated to collect for these entities.

"Shortest Elapsed Flight Time (SET)" - The shortest total minutes from initial departure to final arrival for flight time and layover and stopover time(s) if any.

"Unrestricted Fare" - Fares designated YCANY, or other booking codes used by airlines to designate *unrestricted coach class* seats. These fares are available on a last seat availability basis with no restrictions and are fully refundable.

"YCANY" - The New York State designation for Unrestricted Class fares under this contract.

STATUTORY REQUIREMENTS

All contractors are either a Certified Air Carrier or Commuter Air Carrier recognized by the United States Department of Transportation and other applicable regulatory agencies.

SERVICE REQUIREMENTS

Travelers of eligible purchasing entities shall not be subject to any additional purchase or use restrictions except as noted. Contract passengers shall be provided all services and considerations which are provided to the general public including but not limited to inter-airline agreements, standard free baggage allowance, food and beverage service and compensation for denied boarding.

Fuel Surcharges

Should the state experience volatility in fuel costs, a fuel surcharge may be imposed under the following conditions: the fuel surcharge may not be higher than that imposed commercially; the surcharge has been in place commercially for a minimum of 14 consecutive days; and the fuel surcharge will be removed from the contract fares when it is no longer imposed commercially. Fuel surcharges may not be added to ticketed reservations. Fuel surcharges must be assessed at the time of ticketing. The contractor must request the fuel surcharge via e-mail or letter to the Statewide Travel Coordinator. This request must include in Excel format, the following information:

- The contract city pair to which the fuel surcharge request applies;
- The effective date of the contract city-pair (must be more than 14 days after commercially imposed);
- The dollar amount of fuel surcharges;
- The final contract city-pair fare, or fares after the fuel surcharge has been added.

RESERVATIONS AND TICKET SALES

Reservations and tickets shall be available through one of the authorized travel agents of record as listed below. All travel agents are members of the Airlines Reporting Corporation (ARC) and the International Airlines Travel Agent Network (IATAN). Reservations for contract passengers shall be confirmed on the same basis that reservations are confirmed for the general public with no consideration given in favor of passengers paying higher fees in the same class of service.

Please refer to the contracted travel management services contractor listed below. **The New York State authorized travel management services contractor is required to offer contract fares awarded in lieu of any possible matched fares.**

NEW YORK STATE TRAVEL MANAGEMENT SERVICES CONTRACTOR

IATAN / ARC NUMBERS	CONTRACTOR NAME & ADDRESS	RESERVATION TELEPHONE NO.
47-50573-2 33-52020-0 31-65239-0 31-86460-4 39-56963-3	Child Travel dba Direct Travel 30 Corporate Drive Clifton Park, NY 12065	(800) 774-0655 (518) 292-9000

FARE BASIS CODES

The contractor shall have all contract fares entered in any CRS or GDS electronic reservation system in which they participate.

Unrestricted Fare

Fare code YCANY (New York State Contract designated "Y Class Fare") as defined under DEFINITIONS shall be established to identify all fares provided at the proposed contract rate.

Capacity Controlled Fare

Refer to page of this Contract Award Notification for Capacity Controlled Fare Codes.

APPLICABILITY OF FARES

Fares shall apply to all airline flights routinely scheduled and available to the general public for city/airport pairs listed in this solicitation or subsequently offered by the bidder and shall **not** be applicable to or from intermediate points. All item/city pair pricing shall include the total cost excluding Passenger Facility Charges (PFC), segment fees and other ancillary fees but including taxes, fees, commissions or prepaid ticket charges. Passenger Facility Charges (PFC), security fees, fuel surcharges and segment fees or other ancillary fees assessed by political entities and collected by airlines normally passed through to corporate and public customers may be assessed at the time of ticketing.

STOP-OVERS

Domestic city pair connecting flights shall have maximum two (2) hour cumulative stopover time; and international city pairs shall have three hours (3) maximum cumulative stopover time.

DATES OF TRAVEL

Travel booked and ticketed within the term of any contract(s) shall be allowed thirty one (31) days after the term of the contract. Contract fares from any subsequent contract year's Contract Award Notice available for use to travelers or travel agencies will not be made available for travel prior to the termination of the current year's agreement.

TRAVEL INCENTIVES

Records of any Travel Incentives granted Individual Travelers this contract shall be outside the scope of this contract.

TRAVEL IDENTIFICATION

The following forms of identification (in conjunction with the contract method of payment) shall authorize state business travelers to utilize contract services under the New York State contract payment form indicated:

- New York State driver's license **OR**
- New York State entity picture ID.

MODIFICATIONS OF SCHEDULE OR FLIGHT FREQUENCY

Contractors under any contract resulting from this Award may change, increase, decrease or terminate service to any destination provided the contractors' schedule changes are effective for the general public also. The Procurement Services Associate identified in this Award shall be advised in writing of any changes that result in the overall schedule for that city/pair item falling below the requirements defined under the "DAILY FLIGHT FREQUENCY" or "STOP OVERS" defined in this Award.

In the event any contractor's city pair service decreases below the requirements defined in this Award, New York State reserves the right to re-award that specific city/pair to a bidder offering the next best value service or accept offers for replacement service in the best interests of New York State.

ELECTRONIC TICKETING

The use of electronic ticketing (e-ticketing) by the New York State travel agent contractors shall be required when available. If available, there will be a charge for a "paper" ticket.

PRICE ADJUSTMENT

The contract may be renewed by mutual agreement between the state and the contractor. Any price adjustment would be based on the change in the Consumer Price Index (CPI) Table 3 published by the Bureau of Labor Statistics, of the U.S. Department of Labor. <http://www.bls.gov/cpi/> Table 3-monthly Consumer Price Index for all Urban Consumers (CPI-U): United States city average, detailed expenditure categories for Airline fare. Price adjustments only apply to the original contract price and do not apply to any additional fuel surcharges.

Price adjustments using the CPI involve changing the base payment by the percent change in the level of the CPI between the reference period and a subsequent time period. This is calculated by first determining the index point change between the two periods and then the percent change. The price adjustment shall be calculated as follows. Take the CPI value for the 3rd month prior to the current anniversary date and subtract the CPI value for the 3rd month prior to the previous anniversary date [e.g.: If the contract begins in May take the 3rd month (February) CPI value of the current year and subtract the 3rd month CPI value of the previous year]. That sum is then divided by the previous period CPI value for the original 3rd month prior to start date and this result is then multiplied by 100 to equal the percent change which is the price adjustment value. This percentage change (increase or decrease) shall be applied to the next contract year, upon release of a Contract Addendum from OGS Procurement Services. **The following example illustrates the computation of percent change for a hypothetical May 2010 anniversary calculation from the Consumer Price Index for Air Transportation.**

CPI for February 2010	265.3
Less CPI for February 2009	259.5
Equals index point change	5.8
Divided by previous period-CPI	259.5
	Equals 0.02
Results multiplied by 100	
Equals Percent of Adjustment	2.0

The Contractor has the sole responsibility to notify OGS Procurement Services that they wish to receive the CPI rate change and to submit a request for the adjusted rate on the applicable anniversary date and shall provide a copy of the index and other supporting documentation necessary to support the increase or decrease to OGS and the Authorized User, as appropriate. Should the Contractor fail to make a request and submit supporting documentation to OGS within three (3) months after the applicable anniversary date, the Contractor shall be deemed to have waived its right to any increase in price for that year, but the state shall not be barred from making the appropriate adjustment in the case of a decrease determined in accordance with the above methodology. These price changes will take effect upon release of a Contract Addendum from OGS Procurement Services no later than three weeks after receipt of the request. Such adjustment shall be limited to the amount of the increase or decrease and shall not exceed 5% for any given year rounded to the nearest dollar.

CONTRACT PERIOD

This contract shall commence after approval by the New York State Comptroller (see Cover Page) and shall be in effect for one year. If mutually agreed between the Procurement Services and the Contractor, the contract may be renewed up to an additional four one-year periods. Renewal(s) shall not exceed a cumulative total of five years.

SHORT TERM EXTENSION

In the event the replacement contract has not been issued, any contract let and awarded hereunder by the State, may be extended unilaterally by the State for an additional period of up to one month upon notice to the contractor with the same terms and conditions as the original contract including, but not limited to, quantities (prorated for such one month extension), prices, and delivery requirements. With the concurrence of the contractor, the extension may be for a period of up to three months in lieu of one month. However, this extension terminates should the replacement contract be issued in the interim.

CANCELLATION FOR CONVENIENCE

The State of New York retains the right to cancel this contract, in whole or in part without reason provided that the Contractor is given at least sixty (60) days notice of its intent to cancel. This provision should not be understood as waiving the State's right to terminate the contract for cause or stop work immediately for unsatisfactory work, but is supplementary to that provision

ADMINISTRATIVE AND REPORTING REQUIREMENTS

Any reports tracking authorized users and dollar volume activity will be performed by the New York State contract travel agent(s) or through the New York State centrally billed payment instrument designated Contractors. The airline contractors are not required to provide any reports under this contract.

APPENDICES

The contractor is responsible for adhering to all requirements of the appendices that were in the Invitation for Bid.

ATTACHMENT 1 -- Air Travel Services Contract Exception Form



**Office of
General Services**

**Procurement
Services**

AIR TRAVEL SERVICES CONTRACT EXCEPTION FORM

There are three recommended exceptions to contract city-pair usage:

- ✓ An emergency
- ✓ Non-contract fare saves \$200 or more per round-trip ticket.
- ✓ Contract flights would require the traveler to incur unnecessary overnight lodging costs.

When an exception occurs, this form must be completed and approved by your Agency Finance Officer or other appropriate authority with a copy of this emailed to the Statewide Travel Coordinator, Mark Milstein, 38th Floor, Corning Tower, Empire State Plaza, Albany, NY 12242. Phone: 518-402-5005, e-mail: travelcoordinator@ogs.ny.gov

Agency Travel Coordinator Name
Agency Name and Address
Passenger Name
Passenger Phone and Email Address
Lowest contract fare
Amount of non-contract fare (desired flights)
Total amount lost/gained by not using contract fare
Routing and Date of Travel
Airline (s)
Reason for exception (detailed explanation)

Name of Finance Officer (or name of designated authority):

Name: _____ Title: _____ Date: _____