

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.state.ny.us>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [00601 - E*](#)

DATE: August 22, 2006

GROUP: 25200 - KITCHEN APPLIANCES, HOUSEHOLD
(MICROWAVES, ELECTRIC RANGES,
BUILT-IN "ENERGY STAR"
DISHWASHERS) (Statewide)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Christopher M. Martinez
Purchasing Officer I
(518) 402-5069
christopher.martinez@ogs.state.ny.us

CONTRACT PERIOD: October 1, 2001 to July 31, 2006

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

CONTRACTORS/

CONTRACT NOS.: General Electric Company /PC58112
Lodging Kit Company / PC58113
Whirlpool Corporation / PC58114

SUBJECT: CONTRACTS LAPSED – NO REPLACEMENT

TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The above referenced contracts for KITCHEN APPLIANCES, HOUSEHOLD (Statewide) lapsed as of July 31, 2006. Due to low sales volume, no new replacement contracts will be issued.

Those agencies with requirements for any of these products should follow their Agency purchasing guidelines.

Please adjust your records accordingly.

If you have questions regarding the above information, please contact this office.

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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [00601 - E*](#)

DATE: June 29, 2006

GROUP: 25200 - KITCHEN APPLIANCES, HOUSEHOLD
(MICROWAVES, ELECTRIC RANGES,
BUILT-IN "ENERGY STAR"
DISHWASHERS) (Statewide)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Thomas A. Comanzo
Purchasing Officer I
(518) 474-2042
tom.comanzo@ogs.state.ny.us

NEW, EXTENDED

CONTRACT PERIOD: October 1, 2001 to July 31, 2006

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

CONTRACTORS/

CONTRACT NOS.: General Electric Company /PC58112
Lodging Kit Company / PC58113
Whirlpool Corporation / PC58114

SUBJECT: SHORT TERM CONTRACT EXTENSION

TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The above referenced contracts are hereby extended for a 30 day period through July 31, 2006 as per the "Short Term Extension" clause contained in the above referenced Notice of Contract Award. All other terms and conditions remain the same.

Please adjust your records accordingly.

New York State Office Of General Services
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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [00601 - E*](#)

DATE: August 29, 2005

GROUP: 25200 - KITCHEN APPLIANCES, HOUSEHOLD
(MICROWAVES, ELECTRIC RANGES,
BUILT-IN "ENERGY STAR"
DISHWASHERS) Statewide

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Thomas A. Comanzo
Purchasing Officer I
(518) 474-2042
tom.comanzo@ogs.state.ny.us

NEW, EXTENDED

CONTRACT PERIOD: October 1, 2001 to June 30, 2006

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

CONTRACTORS/

CONTRACT NOS.: General Electric Company /PC58112
Lodging Kit Company / PC58113
Whirlpool Corporation / PC58114

SUBJECT: EXTENSION OF CONTRACT and Updated Contact Information for Contract PC58113

TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

1. Please be advised the above referenced contracts have been extended through June 30, 2006.
2. In addition, there is a new contact person for Lodging Kit Company – PC58113.. The new contact is Jennifer Capron. She can be reached at 800-328-8439, ext. 32 or 315-942-4246 ext. 32.
3. All other terms and conditions remain the same.
4. Please adjust your records accordingly.

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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [00601 - E*](#)

DATE: June 29, 2005

GROUP: 25200 - KITCHEN APPLIANCES, HOUSEHOLD
(MICROWAVES, ELECTRIC RANGES,
BUILT-IN "ENERGY STAR"
DISHWASHERS) Statewide

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Thomas A. Comanzo
Purchasing Officer I
(518) 474-2042
tom.comanzo@ogs.state.ny.us

NEW, EXTENDED

CONTRACT PERIOD: October 1, 2001 to July 31, 2005

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

CONTRACTORS/

CONTRACT NOS.: General Electric Company /PC58112
Lodging Kit Company / PC58113
Whirlpool Corporation / PC58114

SUBJECT: SHORT TERM CONTRACT EXTENSION

TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The above referenced contracts are hereby extended for a 30 day period through July 31, 2005 as per the "Short Term Extension" clause contained in the above referenced Notice of Contract Award. All other terms and conditions remain the same.

Please adjust your records accordingly.

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Albany, New York 12242
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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [00601 - E*](#)

DATE: February 23, 2004

GROUP: 25200 - KITCHEN APPLIANCES, HOUSEHOLD
(MICROWAVES, ELECTRIC RANGES,
BUILT-IN "ENERGY STAR"
DISHWASHERS) Statewide

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

James R. Essman
Purchasing Officer I
(518) 402-5069
james.essman@ogs.state.ny.us

NEW, EXTENDED

CONTRACT PERIOD: October 1, 2001 to June 30, 2005

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

CONTRACTORS/

CONTRACT NOS.: General Electric Company / PC58112
Lodging Kit Company / PC58113
Whirlpool Corporation / PC58114

SUBJECT: EXTENSION OF CONTRACT

TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

All terms and conditions of this contract have been extended through June 30, 2005.

Please adjust your records accordingly.

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
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Albany, New York 12242
<http://www.ogs.state.ny.us>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [00601-E*](#)

DATE: February 4, 2004

GROUP: 25200 - KITCHEN APPLIANCES
(HOUSEHOLD MICROWAVES
ELECTRIC RANGES, BUILT-IN
"ENERGY STAR" DISHWASHER)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

James. R. Essman
Purchasing Officer I
(518) 402-5069
james.essman@ogs.state.ny.us

CONTRACT PERIOD: October 1, 2001 to
June 30, 2004

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

CONTRACTOR/ Whirlpool Corporation
CONTRACT NO.: PC58114

SUBJECT: PRODUCT SUBSTITUTION FOR ITEM #3

TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

A product substitution has been issued for Item No. 3.

Contractor: Whirlpool Corporation
Contract No: PC58114
New Item No.3: Microwave Oven, Household
Capacity: 1.4 cubic feet
Power Output: 1,100 watts
Brand: Whirlpool
New Model No: MT4145SKQ
Color: White on White
Optional Colors: Black on Black
Biscuit on Biscuit
Price: \$89.00

Please adjust your records accordingly.

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Corning Tower Building
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<http://www.ogs.state.ny.us>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [00601-E*](#)

DATE: July 14, 2003

GROUP: 25200 - KITCHEN APPLIANCES
(HOUSEHOLD MICROWAVES
ELECTRIC RANGES, BUILT-IN
"ENERGY STAR" DISHWASHER)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

James. R. Essman
Purchasing Officer I
(518) 402-5069
james.essman@ogs.state.ny.us

CONTRACT PERIOD: October 1, 2001 to
June 30, 2004

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

CONTRACTOR/ Whirlpool Corporation
CONTRACT NO.: PC58114

SUBJECT: PRICE DECREASE FOR ITEM 3

TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

A price decrease has been issued for Item No. 3.

Contractor: Whirlpool Corporation
Contract No: PC58114
New Item No.3: Microwave Oven, Household
Capacity: 1.4 cubic feet
Power Output: 1,100 watts
Brand: Whirlpool
New Model No: MT4140SKQ
Color: White on White
Optional Colors: Black on Black
Biscuit on Biscuit
New Price: \$89.00

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Procurement Services Group
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Albany, New York 12242
<http://www.ogs.state.ny.us>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [00601-E*](#)

DATE: April 28, 2003

GROUP: 25200 - KITCHEN APPLIANCES
(HOUSEHOLD MICROWAVES
ELECTRIC RANGES, BUILT-IN
"ENERGY STAR" DISHWASHER)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

James. R. Essman
Purchasing Officer I
(518) 402-5069
james.essman@ogs.state.ny.us

CONTRACT PERIOD: October 1, 2001 to
June 30, 2004

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

CONTRACTOR/ Whirlpool Corporation
CONTRACT NO.: PC58114

SUBJECT: PRODUCT SUBSTITUTION

TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

An updated model will be substituted for Item 2 with the same features and pricing as the old model.

New Item No. 2: Microwave Oven, Household
Capacity: 1.1 cubic feet
Power Output: 1,100 watts
Brand: Whirlpool
New Model No.: MT4110SKQ
Color: White on White
Optional Colors: Black on Black
Price: \$85.00

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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [00601-E*](#)

DATE: April 22, 2003

GROUP: 25200 - KITCHEN APPLIANCES
HOUSEHOLD (MICROWAVES,
ELECTRIC RANGES, BUILT-IN
DISHWASHER) Statewide

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

James R. Essman
Purchasing Officer I
(518) 402-5069
james.essman@ogs.state.ny.us

NEW, EXTENDED

CONTRACT PERIOD: October 1, 2001 to
June 30, 2004

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

CONTRACTOR(S)/

CONTRACT NO(S): PC58112 - General Electric Company
PC58113 - Lodging Kit Company
PC58114 - Whirlpool Corporation

SUBJECT: EXTENSION OF AWARD

TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

All terms and conditions of this contract have been extended through June 30, 2004.

Please adjust your records accordingly.

State of New York Executive Department
Office Of General Services
Procurement Services Group
Corning Tower Building - 38th Floor
Empire State Plaza
Albany, New York 12242
<http://www.ogs.state.ny.us>

CONTRACT AWARD NOTIFICATION

Title	:	Group 25200 - KITCHEN APPLIANCES, HOUSEHOLD (Microwaves, Electric Ranges, Built-in Dishwasher) Statewide
Award Number	:	00601-E* (Replaces 3301-G)
Contract Period	:	October 1, 2001 to June 30, 2002
Bid Opening Date	:	June 14, 2001
Date of Issue	:	August 20, 2001
Specification Reference:		As Incorporated Herein

Address Inquiries To:

All State Agencies	Non-State Agencies
Name : James R. Essman	Name : Judy Gibbons
Title : Purchasing Officer I	Title : Purchase Coordinator
Phone : 518-402-5069	Phone : 518-474-6717
Fax : 518-473-7974	Fax : 518-474-2437
E-mail : james.essman@ogs.state.ny.us	E-mail : customer.services@ogs.state.ny.us

Description

For counter-top microwaves, free standing electric oven, and "Energy Star" built-in dishwasher.

PR # 00601-T

(continued)

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>TELEPHONE #</u>	<u>FED.IDENT.#</u>
PC58112	GENERAL ELECTRIC COMPANY 307 N. Hurstbourne Parkway Louisville, ky 40222	800-654-4988 502-339-3254 Rusha Miles Fax No. 800-618-7485 502-339-3068 E-mail: rusha.miles@appl.ge.com	140689340

Contractor offers electronic access ordering. Contact contractor for details.

PC58113 SB	LODGING KIT COMPANY 13492 State Route 12 Boonville, NY 13309	800-328-8439 315-942-4246 Deborah J. Domagala Fax No. 315-942-5622 E-mail: 1kc@borg.com	161363460
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Contractor will accept the New York State Purchasing Card for orders up to \$2,500.00.

PC58114	WHIRLPOOL CORPORATION 412 N. Peters Rd. Knoxville, TN 37922	800-634-9621 x5 Barbara E. Smith Fax No. 800-670-9854 E-mail: barbara_e_smith@email.whirlpool.com	381490038
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Contractor offers electronic access ordering. Contact contractor for details. Contractor will accept the New York State Purchasing Card for orders up to \$2,500.00.

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

INVOICES MUST BE SENT DIRECTLY TO THE ORDERING AGENCY FOR PAYMENT.

AGENCIES SHOULD NOTIFY THE PROCUREMENT SERVICES GROUP PROMPTLY IF THE CONTRACTOR FAILS TO MEET THE DELIVERY TERMS OF THIS CONTRACT. PRODUCT WHICH DOES NOT COMPLY WITH THE SPECIFICATIONS OR IS OTHERWISE UNSATISFACTORY TO THE AGENCY SHOULD ALSO BE REPORTED TO THE PROCUREMENT SERVICES GROUP.

NOTE TO AGENCY:

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

NOTE TO ALL CONTRACT USERS:

The terms and conditions of the solicitation which apply to the award appear at the end of this document. We strongly advise all contract users to familiarize themselves with all terms and conditions before issuing a purchase order.

(continued)

PRICE:

Price is net, F.O.B. destination any point in New York State as designated by the ordering agency and shall include:

- residential delivery to community residences and other locations.
- inside delivery to ground floor.
- being in US Dollars.
- all custom duties and charges.

Unpacking, setting in-place and installation are not included.

Upon mutual agreement, delivery locations may be expanded per the "Extension of Use" clause.

<u>Item No.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Model Number</u>
1.	<u>Microwave Oven, Household,</u> .7 cu. ft. Capacity, Counter-Top Type, Power Output: 700 watts. Color/Finish: White	\$74.75	MA790

Manufacturer: LG Electronics

Guaranteed Delivery in calendar days: 6 Days A/R/O

ADDITIONAL OPTIONS OFFERED BY CONTRACTOR

1. Contractor may offer five (5) day delivery per unit \$5.00.
2. Contractor may offer 24 hour delivery per unit \$39.00.

CONTRACTOR, ITEM NO. 1: LODGING KIT COMPANY

(continued)

<u>Item No.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Model Number</u>
2.	<u>Microwave Oven, Household,</u> 1.0 cu. ft. Capacity, Counter-Top Type, Power Output: 1,100 watts. Color/Finish: Epoxy Powder Coat	\$85.00	MT1100SHQ
Additional colors/finishes available at no cost: MT1100SHB Black			
Manufacturer: Whirlpool/Goldstar			
Guaranteed Delivery in calendar days: 7 Days A/R/O			

ADDITIONAL OPTIONS ORDERED BY CONTRACTOR

1. Contractor may offer moving to point of use.
May include uncrating and set in place per unit \$8.00.
2. Contractor may offer five (5) day delivery per unit.
3. Contractor may offer an extended warranty/maintenance coverage \$20.00/per yr.

CONTRACTOR, ITEM NO. 2: WHIRLPOOL CORPORATION

<u>Item No.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Model Number</u>
3.	<u>Microwave Oven, Household,</u> 1.3 cu. ft. Capacity, Counter-top Type, Power Output: 1,000 watts. Color/Finish: Epoxy Powder Coat	\$92.00	MT1130SGQ

Additional colors/finishes available at no cost: MT1130SGZ Almond, MT1130SGB Black

Manufacturer: Whirlpool/Goldstar

Guaranteed Delivery in calendar days: 7 Days A/R/O

ADDITIONAL OPTIONS OFFERED BY CONTRACTOR

1. Contractor may offer moving to point of use.
May include uncrating and set in place \$8.00 per unit.
2. Contractor may offer five (5) day delivery per unit.
3. Contractor may offer an extended warranty/maintenance coverage \$20.00 per unit/per yr.

CONTRACTOR, ITEM NO. 3: WHIRLPOOL CORPORATION

4. Microwave Oven, Commercial - NO AWARD

(continued)

<u>Item No.</u>	<u>Estimated Description</u>	<u>Unit Price</u>	<u>Model Number</u>
5.	<u>Electric Range with Oven, Household</u> 30" width, Freestanding, Self-Cleaning Oven System, Color: White As described in the "Detailed Specifications."		
	A. RANGE WITH OVEN w/o cord	\$273	JBP21
	B. Three Prong Cord	\$7	WX9X6
	C. Four Prong Cord	\$9	WX9X35

Additional colors/finishes (other than white) available: Bisque
 Manufacturer: General Electric - Mabe
 Guaranteed Delivery in calendar days: 3 - 5 Days A/R/O

ADDITIONAL OPTIONS OFFERED BY CONTRACTOR

1. Contractor may offer moving to point of use at some locations.
May include uncrating and set in place per unit is available.
2. Contractor may offer complete installation per unit if available.
3. Contractor may offer 24 hour delivery per unit sometimes.

CONTRACTOR, ITEM NO. 5: GENERAL ELECTRIC COMPANY

6. Electric Range with Oven, Household 24"- NO AWARD

(continued)

<u>Item No.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Model Number</u>
7.	<u>Dishwasher, Household, *Energy Star,</u> Approx.24", Built-in, Color: White. Installation <u>not</u> included.	\$255.00	DU915PWKQ

Additional colors/finishes (other than white) available: DU915PWKT Bisquit, DU915PWKB Black

Manufacturer: Whirlpool

Guaranteed Delivery in calendar days: 7 Days A/R/O

ADDITIONAL OPTIONS OFFERED BY CONTRACTOR

1. Contractor may offer moving to point of use.
May include uncrate and set in place per unit \$8.00.
2. Contractor may offer complete installation. Please contact Whirlpool for installation.
3. Contractor may offer five (5) day delivery per unit.
4. Contractor may offer an extended warranty/maintenance coverage \$20.00 per unit/per yr.
5. Contractor may offer removal of old equipment \$10.00.

CONTRACTOR, ITEM NO. 7: WHIRLPOOL CORPORATION

REQUEST FOR CHANGE:

Any request by the agency or contractor regarding changes in any part of the contract must be made in writing to the Office of General Services, Procurement Services Group, prior to effectuation.

CONTRACT PAYMENTS:

Payments cannot be processed by State facilities until the contract products have been delivered in satisfactory condition. Payment will be based on any invoice used in the supplier's normal course of business. However, such invoice must contain sufficient data including but not limited to Contract No., description of product, quantity, unit and price per unit as well as Federal Identification Number.

State facilities are required to forward properly completed vouchers to the Office of the State Comptroller for audit and payment. All facilities are urged to process every completed voucher expeditiously giving particular attention to those involving cash discounts.

If the contract terms indicate political subdivisions and others authorized by law are allowed to participate, they are required to make payments directly to the contractor. Prior to processing such payment the contractor may be required to complete the ordering non-State agency's own voucher form.

(continued)

NON-STATE AGENCIES PARTICIPATION IN CENTRALIZED CONTRACTS:

New York State political subdivisions and others authorized by New York State law may participate in contracts. These include, but are not limited to local governments, public authorities, public school and fire districts, public and nonprofit libraries, and certain other nonpublic/nonprofit organizations. See "Participation in Centralized Contracts" in Appendix B, OGS General Specifications. For purchase orders issued by the Port Authority of New York and New Jersey (or any other authorized entity that may have delivery locations adjacent to New York State), the terms of the "Price" clause shall be modified to include delivery to locations adjacent to New York State.

Upon request, all eligible non-State agencies must furnish contractors with the proper tax exemption certificates and documentation certifying eligibility to use State contracts. A list of categories of eligible entities is available on the OGS web site (www.ogs.state.ny.us) under "Non-State Agency Legal References." Questions regarding an organization's eligibility to purchase from New York State Contracts may also be directed to OGS Procurement Services Group's Customer Services at 518-474-6717.

EXTENSION OF USE:

Any contract resulting from this bid solicitation may be extended to additional States or governmental jurisdictions upon mutual written agreement between New York State (the lead contracting State) and the contractor. Political subdivisions and other authorized entities within each participating State or governmental jurisdiction may also participate in any resultant contract if such State normally allows participation by such entities. New York State reserves the right to negotiate additional discounts based on any increased volume generated by such extensions.

MINIMUM ORDER:

Minimum order shall be one appliance. (NOTE: Also see "RESERVATION" clause.)

DELIVERY:

Delivery is expressed in number of calendar days required to make delivery after receipt of a purchase order.

DELIVERY IS REQUIRED TO BE COMPLETED WITHIN 15 CALENDAR DAYS AFTER RECEIPT OF ORDER.

Delivery shall be made in accordance with instructions on Purchase Order from each agency. If there is a discrepancy between the purchase order and what is listed on the contract, it is the contractor's obligation to seek clarification from the ordering agency and, if applicable, from the Office of General Services, Procurement Services Group + others.

CONTRACT PERIOD AND RENEWAL:

Prices are firm for the entire period of the contract. Price escalation will not be allowed and is specifically excluded from the terms and conditions of the Invitation for Bid, its specifications and subsequent contract award.

If mutually agreed between the Procurement Services Group and the contractor, the contract may be renewed under the same terms and conditions for additional period(s) not to exceed an aggregate total of thirty six additional months.

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.

(continued)

CONTRACT MIGRATION:

State Agencies or any other authorized user holding individual contracts with contractors under this centralized contract shall be able to migrate to this contract award, effective on the contract begin date (retroactively, if applicable). Migration by an agency or any other authorized user to the centralized contract shall not operate to diminish, alter or extinguish any right that the agency or other authorized user otherwise had under the terms and conditions of their original contract.

RESERVATION:

THE STATE RESERVES THE RIGHT TO NEGOTIATE LOWER PRICING, OR TO ADVERTISE FOR BIDS, ANY UNANTICIPATED EXCESSIVE PURCHASE. AN "UNANTICIPATED EXCESSIVE PURCHASE" IS DEFINED AS AN UNEXPECTED ORDER FOR A CONTRACT PRODUCT(S) TOTALING MORE THAN 30 APPLIANCES.

INSTRUCTION MANUALS:

Simultaneous with delivery of the first component of the product specified, the contractor(s) shall furnish to the authorized user a complete instruction manual for the product and for each component supplied. The manual shall include complete instructions for unpacking, inspecting, installing, adjusting, aligning, and operating the product, together with layout and interconnection diagrams, schematic and wiring diagrams, preventive and corrective maintenance procedures, and complete parts lists, manufacturer's catalog numbers, and ordering information.

REPORT OF CONTRACT PURCHASES:

Contractor shall furnish report of purchases made from contract the fifteenth of the month following the end of each six month period. The reports shall be in the following format:

<u>Item/ SubItem Number</u>	<u>Product Description</u> (Size, Stock No., etc.)	<u>Total Quantity Shipped</u> (To be in Units listed in the Invitation for Bids)	<u>Total \$ Value</u>
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The report is to be submitted to the Office of General Services, Procurement Services Group, Tower Bldg., Empire State Plaza, Albany, NY 12242, to the attention of the individual shown on the front page of the Contract Award Notification and shall reference the commodity group number, the Invitation for Bids number, contract number, sales period, and contractor's name.

Failure to submit the required report may be cause for disqualification of contractor for future contracts.

OVERLAPPING CONTRACT ITEMS:

Products available in the resulting contract may also be available from other State contracts. Agencies will be advised to select the most cost effective procurement alternative that meets their program requirements and to maintain a procurement record documenting the basis for this selection.

Agencies should consider awards (or the updates) for the following:

- **FOOD, HOUSEHOLD ITEMS, SUNDRIES**

- Group 02450
- Award 3713-G
- B/O 11/24/98
- Contract No. PC54751
- Expiration: April 30, 2002

(continued)

• **INDUSTRIAL AND COMMERCIAL SUPPLIES AND EQUIPMENT**

Group 39000
Award 4513-G
B/O 05/22/00
Contract No. Several
Expiration: October 31, 2005

"OGS OR LESS" GUIDELINES APPLY TO THIS CONTRACT:

Purchases of the product(s) included in the Invitation For Bids and related Contract Award Notification are subject to the "OGS or Less" provisions of Section 163.3.a.v., Article XI, of the New York State Finance Law. This means that State agencies can purchase product(s) from sources other than the contractor provided that such product(s) are substantially similar in function, form or utility to the product(s) herein and are:

1. lower in price
-and/or-
2. available under terms which are more economically efficient to the State agency (e.g. delivery terms, warranty terms, etc.).

Agencies are reminded that they must provide the State contractor an opportunity to match the non-contract savings at least two business days prior to purchase. In addition, purchases made under "OGS or Less" flexibility must meet all requirements of law including, but not limited to, advertising in the New York State Contract Reporter, prior approval of the Comptroller's Office and competitive bidding of requirements exceeding the discretionary bid limit. State agencies should refer to Procurement Council Bulletin "OGS or Less Purchases" for complete procedural and reporting requirements.

(continued)

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

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

Contract No.: _____ **Contractor:** _____

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

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

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

CONTRACTOR

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

Comments: _____

 _____ (over)

Agency: _____ Prepared by: _____

Address: _____ Title: _____

_____ Date: _____

_____ Phone: _____

_____ E-mail: _____

Please detach or photocopy this form & return by FAX to 518/474-2437 or mail to:

OGS PROCUREMENT SERVICES GROUP
 Customer Services, Room 3711
 Corning 2nd Tower - Empire State Plaza
 Albany, New York 12242
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