

Group 30310– Award 22523
**Automotive Parts and Supplies, Filters, Truck Parts, and Plow Parts
(Statewide)**

HOW TO USE THE CONTRACTS

PROCUREMENT RECORD

When placing purchase orders under the contract(s), the Authorized User should be familiar with and follow the terms and conditions governing its use, which appear in the contract document. The authorized user is accountable and responsible for compliance with the requirements of public procurement processes and strongly encouraged to purchase the least expensive contract item that meets their needs' form, function, and utility. The Authorized User, when purchasing from OGS contracts, should hold the contractor accountable for contract compliance and meeting the contract terms, conditions, specifications, and other requirements. Also, in recognition of market fluctuations over time, authorized users are encouraged to seek improved pricing whenever possible. Authorized Users have the responsibility to document purchases which should include:

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

ACCOUNT SETUP

Authorized users should contact the respective contractor for information regarding their individual Account Setup procedures. The respective contractors' contact information can be accessed by following the "Contractor Information" link on the Award summary page at <http://www.ogs.ny.gov/purchase/spg/awards/3031022523Can.htm>.

PRICE

Pricing for each Item is listed in the full product line price lists, which can be accessed from the Award summary page, <http://www.ogs.ny.gov/purchase/spg/awards/3031022523Can.htm>, by following the "Price Information" link.

PURCHASE ORDERS AND INVOICING

General - All orders and invoices/vouchers shall include the contract number and a line by line listing of separate charges.

Orders Involving Price Lists - Purchase orders are to include the following information when an item is purchased from a price list:

- a. The name of the Manufacturer, number and date of the price list;
- b. Item description;
- c. Product code/manufacturer number;
- d. Full Price for each item;
- e. NYS discount as applicable;
- f. Calculation of NYS net contract price; and
- g. Specific designation of special price which may be better than the NYS Contract price.

Invoices - Authorized Users are instructed not to process invoices that do not include the required information set forth below. Invoices must be detailed and include in the body of the invoice, or an

attachment, to the invoice **all** of the following items. Failure to comply may result in lengthy payment delays. Invoices shall include, at a minimum, the following information:

- a. Contract Number;
- b. Purchase Order Number;
- c. Lot number;
- d. Group number (Lot 1 only)
- e. Item price;
- f. Lot and group (Lot 1 only)Discount;
- g. Item contract price;
- h. Core charge (if applicable); and
- i. Line item breakdown of all contract items invoiced.

It is strongly advised that all contract users FOLLOW-UP WITH THE CONTRACTOR after submitting their purchase order, whether it was submitted by mail, electronically or by fax. This is to insure that the contractor received and placed your order.

Upon receipt of your order and processing payment, be sure to audit your invoice to ensure that correctly discounted pricing was used. If itemized pricing is not included in your invoice, please contact the NYSPRO Contact Person listed on the face of this Award. The authorized user is accountable and responsible for compliance with the requirements of public procurement processes.

CONTRACT PAYMENTS

Payments cannot be processed by Authorized Users until the orders have been delivered and accepted in accordance with Section 2.20, Delivery. Payment will be based on any invoice used in the Contractor's normal course of business. However, such invoice must contain all requirements in contract Section 2.2.1, Appendix B Amendments, including description of the orders as well as vendor identification number.

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

If the contract terms indicate political subdivisions and others authorized by law are allowed to participate, those entities 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.

"OGS OR LESS" GUIDELINES APPLY TO THIS CONTRACT

Purchases of the products included in the Contract are subject to the "OGS or Less" provisions of State Finance Law § 163(3)(a)(v). This means that State agencies can purchase products from sources other than the Contractor provided that such products are substantially similar in form, function or utility to the products 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.

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 (<http://www.ogs.ny.gov/purchase/snt/othersuse.asp>). Questions regarding an organization's eligibility to purchase from New York State Contracts may also be directed to OGS New York State Procurement's Customer Services at 518-474-6717.

POOR PERFORMANCE

Authorized Users should notify New York State Procurement's Customer Services promptly if the Contractor fails to meet the requirements of this contract. Performance which does not comply with requirements or is otherwise unsatisfactory to the Authorized User should also be reported to Customer Services:

Office of General Services
New York State Procurement
Customer Services Coordination
38th Floor Corning Tower
Empire State Plaza
Albany, NY 12242

Tel: 518-474-6717
Fax: 518-474-2437
E-mail: customer.services@ogs.ny.gov

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