

How to Use the Hazardous Incident Response Equipment (HIRE) Contract
Award #22872
(Revised February 19th, 2016)

The purpose of the Hazardous Incident Response Equipment (HIRE) contract is to provide Authorized Users, including other participating states, with a means of acquiring various types of Hazardous Incident Response Equipment as per, but not limited to, the **Department of Homeland Security (DHS) Authorized Equipment List (AEL)**.

The Statewide, multiple award contracts are with manufacturers and/or authorized distributors and are based on the terms and conditions contained within the Contract Award Notification document. Contracts have been awarded for equipment that will qualify for Homeland Security Grant Funding (SHSP) and Law Enforcement Terrorism Prevention Program (LETPP) funding.

NYS Department of Homeland Security and Emergency Services (DHSES) grant guidance requires that any equipment purchased with Federal Homeland Security grant funds must meet any applicable standard listed on the DHS/FEMA AEL. The Contract Award Notification document contains links to various standards adopted by the US Department of Homeland Security's Science and Technology Directorate, which apply to Personal Protective Equipment and Radiation and Nuclear Detection Equipment. Additional information can be found on the NYS DHSES website: <http://www.dhses.ny.gov/>. The DHS/FEMA Authorized Equipment List (AEL) can be found at <http://www.fema.gov/media-library/assets/documents/101566>.

NOTE: Equipment is available on the HIRE contracts that may be used for emergency response related activities but does not qualify for grant funding.

All Authorized Users of NYS OGS contracts may purchase from the HIRE contracts. Additional States may join at any time by signing a Participating Addendum.

States requiring the addition of significant terms and conditions to those already accepted by the contractors should attach them to the Participating Addendum and submit to each contractor for signature. If no additional terms are needed Participating States should have the Participating Addendum signed by the contractors under the resulting Contract Number (i.e. PCxxxxx) and forward a copy of the signed agreement to the NYS OGS HIRE Contract Administrator at: psghire@ogs.ny.gov

Authorized Users should be aware of the following:

- The basis for selection among multiple contracts at the time of purchase shall be the most economical alternative that meets their form, function, and utility, unless there are overriding practical issues, and should be in the best interests of the States. Consideration should also be given to price, overhead associated with storage and inventory of the goods, and the Authorized Users internal policies and procedures.
- Construction costs to prepare for installation, and installation services are not covered in this award.
- The HIRE contracts are not limited to authorized equipment only. If using Federal Homeland Defense funds or Law Enforcement Terrorism Prevention Federal Grant monies end-users should ensure equipment they wish to purchase under these contracts is authorized. **End-users must notify the vendor at time of ordering by including the proper information**

on the Purchase Order that these funds or grant monies are being used. This requirement enables vendors to meet Federal grant tracking requirements.

- If you are purchasing a costly item or a large volume of a specific piece of equipment, and know the manufacturer of the product, please access the manufacturer line spreadsheet. The sheet lists contractors and their included manufacturers. It is strongly recommended that Authorized Users obtain and compare pricing from as many vendors as possible.
- The HIRE website contains a Category Matrix which lists each contractor and the category of product they offer on contract. Each contractor has a pricelist posted on the HIRE website, which includes the category number for each product they have on contract. It is recommended that you contact the vendor(s) offering the type of equipment you wish to purchase should you have questions, as well as to inquire about lower pricing. HIRE contractors may offer lower than contract pricing, but cannot charge more than the current posted price on their pricelist.
- Choose the most cost effective option meeting your needs, document your choice for the procurement record, and proceed with the purchase.
- Prices quoted shall be net F.O.B. destination any point within the participating states, as designated by the ordering agency, including tailgate delivery, unless otherwise noted in the contract award. Price includes all applicable customs, duties, taxes, license fees and surcharges, as stated in Appendix B under section 11 and as designated by the ordering Authorized User. For those items shipped outside the 48 contiguous United States, on which there are extraordinary freight charges that cannot reasonably be covered by the contract price, vendors may negotiate with those non-contiguous States regarding delivery terms and charges. Shipping is to be FOB Destination 48 states, Washington DC and point of exportation for Alaska, Hawaii, Puerto Rico, etc. for shipments outside the 48 contiguous states. The location must be agreed to by the vendor and the negotiating State. From that point, shipping terms, charges and conditions should be negotiated with the end-user. The State must be notified in advance of the possible shipping charges and agree to the final contract price and arrangements.
- NOTE: The State of New York and its political subdivisions are exempt from New York State and local sales taxes and federal excise taxes.
- In case of an emergency please follow your agency's emergency procurement procedures.

Frequently Asked Questions (FAQ's)

1. How do I know if I'm an Authorized User of NYS OGS contracts, including the HIRE contract?

Answer: If you are a NYS entity, please contact NYS OGS Procurement Services Customer Services at: 518-474-6717, or via email at: OGS.sm.customer.services@ogs.ny.gov.

Answer: If you are not a NYS entity (other state), and would like to purchase from the HIRE contract, Please contact the HIRE Contract Administrator using the current contact information located at <http://ogs.ny.gov/purchase/spg/awards/3823222872CAN.HTM> or via email at: psghire@ogs.ny.gov. If you have not already done so, you must submit a Participating Addendum.

2. If I am a NYS Agency, and I'm making a purchase from the HIRE contract, am I required to obtain three (3) quotes?

Answer: No. See The NYS Procurement Guidelines "Procurement Basics" for rules on Agency purchasing: <http://nyspro.ogs.ny.gov/sites/default/files/uploaded/NYS%20Procurement%20Guidelines.pdf>

3. What if more than one HIRE contractor has the item(s) I need, but they are listed at different prices?

Answer: Although not an Agency requirement, it is strongly recommended that all Authorized Users seek quotes from more than one participating HIRE contractor to obtain the best possible pricing when the same item is offered by more than one contractor at different pricing.

4. How do I know if a product on the HIRE contact meets Federal Guidelines for use of grant funds?

Answer: See Section 6-Standards for links to sites pertaining to standards for personal protective gear for first responders, and/or contact the contractor or manufacturer for specification sheets and additional information.

5. Where will I be able to find the Authorized Equipment List (AEL)?

Answer: The Authorized Equipment List (AEL) is now available in PDF format at <http://www.fema.gov/grants>. For questions about the AEL, please contact your Grant Programs Directorate (GPD) Program Analyst or the Centralized Scheduling Information Desk (CSID). You can reach the CSID by phone at (800) 368-6498 Monday through Friday, 8:00 a.m.–5:30 p.m. EST, or by email at askcsid@dhs.gov. FEMA GPD is working to develop interactive functionality on the FEMA website and will provide further communication once this functionality is available.

6. When are contractor pricelists updated, and how long does it take?

Answer: HIRE Contract holders are allowed to update their pricelists once a year, beginning in December 2015. New items under a Contractors listed categories and manufacturers may be added and/or items may be removed. Prices may also be increased or decreased and item numbers may be revised. Pricelist update approval times may vary. No general timeframe for review and approval is given.

7. If I don't see certain contractor or manufacturer listed, is it possible for an Authorized User to request that OGS add a new contractor or new manufacturer product line to the HIRE contract?

Answer: No. New contractors and manufacturers are not allowed to be added during the contract term. In addition, Contractors may not add new categories to their pricelist.

8. Who do I contact if I have questions regarding the HIRE contract?

Answer: Please contact the HIRE Contract Administrator using the current contact information located at <http://ogs.ny.gov/purchase/spg/awards/3823222872CAN.HTM> or via email at: psghire@ogs.ny.gov.

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