



**Office of
General Services**

Pre-Bid Webinar

Solicitation 23185

**STEM/STEAM and Science Laboratory Education
Supplies and Equipment (Statewide)**

Housekeeping

1. If you have not done so already, please make sure that your phone is on **mute**
2. Please hold all questions until the end of the presentation
3. This PowerPoint presentation will be made available at the following address:

<https://ogs.ny.gov/procurement/biddocument/>



**Office of
General Services**

General Information



**Office of
General Services**

OGS Representatives

Name	Title
Todd Kayser	Contract Management Specialist
Todd Gardner	Team Leader
Sean Hume	Assistant Director



Webinar Agenda

Activity	Approx. Timeframe
Introduction - General Information	1:30 – 1:35 PM
Procurement Lobbying Law	1:35 – 1:40 PM
Solicitation Overview	1:40 – 1:50 PM
Bidder Minimum Qualifications	1:50 – 1:55 PM
Pricing Attachment 1- Overview	1:55 – 2:00 PM
How This Contract Will Be Awarded	2:00 – 2:10 PM
Administrative Bid Requirements	2:10 – 2:25 PM
Questions – time permitting	2:25 – 2:35 PM



**Office of
General Services**

Key Events Calendar

Event	Date	Time
Closing Date for Bidder Inquiries	2/18/2020	3:00PM
Responses to Bidder Inquiries (Estimated)	2/25/2020	3:00PM
Bid Opening / Due date for Bids	3/10/2020	11:00 AM ET

Changes may occur. The most recent version of the calendar will be available in the solicitation document on our website at:

<https://ogs.ny.gov/procurement/bid-opportunities>



**Office of
General Services**

Today's Question and Answer Policy

- Any questions asked today must be submitted in accordance with ***Section 1.9 - Bidder Questions*** of the solicitation using ***Attachment 7 – Bidder Questions Form***
- Only the written responses published after today's conference will be the official, binding responses of the state
- In the event of an inconsistency between this PowerPoint presentation and the solicitation, the solicitation and the attachments posted to the OGS Procurement Services website shall supersede information in this presentation
- Today's verbal answers are not binding



Procurement Lobbying Law & What You Need to Know



**Office of
General Services**

Summary of Policy and Prohibitions on Procurement Lobbying

- Pursuant to State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between OGS and a bidder during the procurement process (“restricted period”)
- A bidder is restricted from making contacts from the earliest posting, on a governmental entity’s website, in a newspaper of general circulation, or in the procurement opportunities newsletter of intent to solicit offers/bids, through final award and approval of the Procurement Contract by OGS and, if applicable, the Office of the State Comptroller to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a)



Who is a Designated Contact?

PRIMARY CONTACT

Todd Kayser, Contract Management Specialist

E-mail: todd.kayser@ogs.ny.gov

SECONDARY CONTACT

Todd Gardner, Team Leader

E-mail: todd.gardner@ogs.ny.gov

TERTIARY CONTACT

Sean Hume, Assistant Director

E-mail: sean.hume@ogs.ny.gov



**Office of
General Services**

Solicitation Overview



**Office of
General Services**

Overview

- This solicitation is issued by the New York State Office of General Services, Procurement Services (OGS) to offer authorized users (AUs) with a means of acquiring:
 - STEM/STEAM and Science Laboratory Education Supplies and Equipment



Overview

- This solicitation will result in multiple contract awards for products in two lots:
 - Lot 1 – Non-Information Technology based products
 - Lot 2 – Information Technology based products
- Within each lot there are seven (7) product categories, and these categories are the same for both lots



Overview – Lot 1 Non-Information Technology Based Products

- Lot 1 products are products that do not have the ability to collect data
- Examples:
 - Parts
 - Tools
 - Consumables
 - Supplies
 - Safety equipment
 - Hands-on project manuals
 - Hard copy printed materials
- For Lot 1 the bidder can be a distributor or the manufacturer of the products offered

Overview – Lot 2 Information Technology Based Products

- Lot 2 products are products that do collect data or that require the acceptance of product terms and conditions
- Examples:
 - Products that come with software or apps
 - Products that collect user data
 - On-line or downloadable apps
 - Stand-alone software
 - Subscription based software products
 - Cloud based technology products
 - Products that require user registration
- **For Lot 2, bidders must be the manufacturer of the products being bid**

Overview – Product Categories

These are the 7 product categories within each of the two (2) lots of this solicitation:

- 3D Printing
- Science Laboratory and Teaching Supplies
- Robotics Kits and Parts
- Drone Kits and Parts
- STEM/STEAM and Science Laboratory Educational Materials
- Virtual Reality and Augmented Reality Equipment and Supplies
- Packaged Virtual Reality Products and Simulation Equipment

Overview – Excluded Products

- The scope of the solicitation does not include stand alone equipment and products unless those products are:
 - Part of a contractor's general product offering
 - Used in conjunction with STEM/STEAM or science laboratory based learning systems and curriculum
- Examples:
 - Computers and peripherals
 - Printers or copiers
 - Furniture
 - Industrial tools and supplies
 - Audio visual products
 - Medical equipment
 - Assistive technology products
 - Books and serials
 - Arts and craft supplies

Overview – Excluded Products

- Industrial or commercial grade 3D printing equipment, robotics or drones that are not intended for an educational setting are also excluded
- Installation work which is considered public works in accordance with the New York State Labor Law is **excluded** from purchase under this contract
 - Historically, the New York State Bureau of Public Works has maintained that installation, maintenance and repair of equipment attached to any wall, ceiling or floor or affixed by hard wiring or plumbing is public work



Overview – Authorized Users

- Awarded contracts may be utilized by all New York State agencies and other authorized users as authorized by §163(1)(k) of the State Finance Law, including but not limited to:
 - Local governments
 - Public authorities
 - Public school and fire districts
 - Public and nonprofit libraries
 - Certain other nonpublic/nonprofit organizations

Overview – Conclusion

- A contract resulting from this solicitation shall be an estimated quantity contract
- No specific quantities are represented or guaranteed and New York State provides no guarantee of individual authorized user participation
- The individual value of each resultant contract is indeterminate and will depend upon the number of contracts issued and the competitiveness of the pricing offered



Bidder Minimum Qualifications



**Office of
General Services**

Minimum Qualifications

1. The bidder must have maintained an organization, in continuous operation, for a minimum of three (3) years immediately preceding the bid opening date selling STEM/STEAM or science laboratory-related educational supplies
2. The bidder must have verifiable sales of at least \$100,000 of products described in Section 1.2 Scope to either governmental entities or educational agencies in each of the three (3) years immediately preceding the bid opening date (see *Section 2.1- Verifiable Sales*)
3. For Lot 2 Information Technology Based STEM/STEAM or Science Laboratory Products, the bidder must be the manufacturer of the products being bid



Minimum Qualifications - Conclusion

- Bidder minimum qualifications are documented and supported using *Attachment 9 – Verifiable Sales*
- The bidder is advised that the State's intent in having the requirements listed in the solicitation are to ensure that only qualified and reliable contractors perform the work of the resulting contract



Attachment 1 – Pricing Overview



**Office of
General Services**

Attachment 1 – Pricing

- Bidders will use *Attachment 1 – Pricing* to submit discounts off their pricelist
- Where multiple discount levels are offered, bidders can use the deeper discount column to achieve offering different discounts for sub categories within their pricelist
- Discounts and deeper discounts provided at the time of bid cannot be changed for the life of the contract



Attachment 1 – Reasonableness of Price

- Per *Section 4.2 - Reasonableness of Price*, a bidder must offer OGS the same or better pricing than those provided to other governmental entities or educational agencies
- The bidder may use multiple comparable contracts or invoices to establish reasonableness of price
- The bidder must offer a product category discount that is greater than zero



Attachment 1 – Pricing Spreadsheet Column Identification

- *Attachment 1 – Pricing* Excel spreadsheet contains the following columns that are required to be completed:
 - Bidder's Name
 - Bidder's Part Number
 - Item Description
 - Manufacturer Name
 - Manufacturer's Part Number
 - Product Category
 - Unit of Measure
 - Quantity Per Unit of Measure
 - List Price
 - Category Discount
 - Deeper Discount
 - Total Discount
 - Net NYS Price
 - Comparable Contract or Invoice Price
 - Comparable Government Entity/Educational Agency
 - NYS Price Comparison



Attachment 1 Pricing – Bid Overview Conclusion

“A Bidder is responsible for the accuracy of its Bid. A Bidder is directed to take extreme care in developing their Bid and to carefully review their Bid prior to submittal, as requests for withdrawals of any type are not likely to be granted.”

~OGS Procurement Services



Office of
General Services

How This Contract Will Be Awarded



**Office of
General Services**

Method of Award

- In accordance with New York State Finance Law Article 11 State Purchasing, it is the intent of OGS to award contracts using competitive pricing to responsive and responsible bidders who meet minimum qualifications and offer reasonable prices
 - Section 2 - Bidder Qualifications
 - Section 4.2 - Reasonableness of Price



Method of Award – Three Years in Business

- Bidders must have maintained an organization, in continuous operation, for a minimum of three years immediately preceding the contract bid opening date, selling STEM/STEAM and science laboratory-related educational supplies and equipment



**Office of
General Services**

Method of Award – Reasonableness of Pricing

- Applies to **Lot 1 and Lot 2**
- Determined by comparing the New York State contract price to the comparable government entity or educational agency contract price or government entity or educational agency invoice price
- The bidder must offer OGS the same or better net price than those provided to other government entities or educational agencies



Method of Award

- OGS reserves the right to make contract awards in phases and have contracts start on a rolling basis based on the number of bids received
- Bids that do not require clarification or the submission of additional supporting documentation from the bidder will be awarded first, in phases to responsive and responsible bidders (see *Section 4.1 - Method of Award*)



Method of Award – Notification of Award

- OGS will send written notice of tentative Contract award(s) to all bidders meeting the minimum qualifications and found to be responsive and responsible
- Non-awardees will also be notified that their bid was not selected for award



Method of Award – Responsiveness

- To be considered responsive, a bidder must submit a complete bid that satisfies and addresses all requirements stated in the solicitation



Administrative Bid



**Office of
General Services**

Administrative Bid – Bidder Responsibility

- OGS conducts a review of prospective contractors (“bidders”) to provide reasonable assurances that the bidder is responsive and responsible
- A for-profit business entity questionnaire is used for non-construction contracts and is designed to provide information to assess a bidder’s responsibility to conduct business in New York based upon:
 - Financial and organizational capacity
 - Legal authority
 - Business integrity
 - Past performance history



**Office of
General Services**

Administrative Bid – Bidder Responsibility

- OGS recommends each bidder file the required for-profit business entity questionnaire online via the New York State VendRep System
- To enroll in and use the VendRep System, please refer to the VendRep System Instructions and User Support for Vendors available at the Office of the State Comptroller's (OSC) website at <http://www.osc.state.ny.us/vendors/index.htm>
- Or to enroll, go directly to the VendRep System online at <https://portal.osc.state.ny.us>



**Office of
General Services**

Administrative Bid – Insurance Requirements

- **Attachment 4** of the solicitation lists the complete insurance requirements for this solicitation
- The bidder shall be required to procure, at its sole cost and expense, all insurance required by Attachment 4, including:
 - Commercial General Liability
 - Business Automobile Liability
 - Workers' Compensation and Disability Benefits



Administrative Bid – Insurance Requirements

- Lot 1 (products or services that do not collect data)
 - \$2 million Commercial General Liability
 - \$2 million Business Automobile Liability
 - In addition, Workers Compensation and Disability proof is also required at the time of bid
- Lot 2 (products or services which have the ability to collect data)
 - Proof of Insurance equal to the Lot 1 requirements
 - In addition: \$2 million for Data Breach and Privacy/Cyber Liability



Administrative Bid – NYS Contract Reporter

- To ensure a bidder receives all updates and responses to the latest version of this solicitation:
 - 1) The bidder must register with the New York State Contract Reporter (NYSCR) at <https://www.nyscr.ny.gov> in order to receive notifications about this solicitation
 - 2) Navigate to the “I want to find contracts to bid on” page to register for a free account



Administrative Bid – NYS Contract Reporter

- 3) Any updates to the solicitation documents will also be available through the NYSCR
- 4) The questions and answers document will also be available through the NYSCR
- 5) If you do not opt-in to receive notification updates regarding a particular ad, you will not receive email notifications regarding updates



Administrative Bid - Format of Bid Submission

- The requirements for the bid are detailed in *Section 3.4 - Format of Bid Submission* and *Section 3.5 - Proposal Content*
- Should any amendments be issued, please make sure that the latest documents are submitted with your Bid along with the signed Purchasing Memo issued for the amendment
 - **To be notified of amendments and other changes, you must register with the NYS Contract Reporter and choose the option to receive notifications**



Administrative Bid – Bid Package

- A complete bid package must be received by OGS Procurement Services by the due date and time of the bid opening
- Late bids shall be handled in accordance with *Appendix B - Late Bids*
- Any bid pricing or portions thereof submitted on a USB flash drive that are incomplete or that cannot be opened/accessed may be rejected



Administrative Bid – Bid Package

- Bidders are responsible for the accuracy of their bids
- All bidders are directed to take extreme care in developing their bids
- Bidders are cautioned to carefully review their bids prior to bid submission.
- A bid that fails to conform to the requirements of the solicitation may be considered non-responsive and may be rejected
- The list of a complete bid may be found in *Section 3.5 - Proposal Content*



Administrative Bid – Submission

- All bids must have a label on the outside of the box or package itemizing the following information:
 1. BID ENCLOSED (preferably bold, large print, all capital letters)
 2. SOLICITATION **#23185**
 3. Bid Opening due date and time (3/10/2020 at 11:00 AM)
 4. The number of boxes or packages (i.e., 1 of 2, 2 of 2)



**Office of
General Services**

Administrative Bid – Submission

- All bids shall be delivered to the following address on or before 11:00 AM ET on the bid opening date of 3/10/2020:

**State of New York Executive Department
Office of General Services
Procurement Services
Corning Tower - 38th Floor Reception
Desk Empire State Plaza
Albany, NY 12242**



**Office of
General Services**

Reminders:

- 1) How to contact us:
 - Reach out to the designated contacts listed on page 1 of the solicitation
- 2) Where to find information on the solicitation:
 - <https://ogs.ny.gov/procurement/biddocument/23185bid>
- 3) When bidder questions are due:
 - 2/18/2020 at 3:00 PM EST
- 4) When the bids are due:
 - 3/10/2020 at 11:00 AM EST



Questions?



**Office of
General Services**