

## **Attachment 7**

### **Performance Standards**

The following are Security Guard and/or Fire Safety Director Specific Performance Standards the Contractor is required to meet during the Contract. Failure to meet these requirements shall result in the Authorized User submitting a Contractor Deficiency Report to the Office of General Services. This list is intended to set out sample infractions and is not inclusive of all contractual requirements.

- The Contractor shall maintain adequate documentation on background checks, registrations and certifications
- The Contractor shall have adequate staff on site as required to provide the services specified.
- The Contractor shall maintain the requested coverage at each facility. In the event of anticipated and/or unanticipated absenteeism and tardiness it is the obligation of the Contractor to maintain sufficient staffing as required by the facility.
- In the event that a Security Guard and/or Fire Safety Director works more than 40 hours the Contractor will be responsible for paying the employee the appropriate overtime rate but will not bill overtime to NYS
- The Contractor will adhere to all Security Guard and/or Fire Safety Director requirements and responsibilities
- Contractor is responsible for providing the Authorized User and OGS a monthly Report of Contract Usage documenting service performed and cost per service. Details for the Report of Contract Usage can be found in Attachment 6.

### **Consequences of Contractor Non-Compliance with Performance Standards**

Contractor performance is maintained through enforcement of the Performance Standards. Deficient or non-compliant Performance Standards will result in a Contractor Deficiency Report. The receipt of three (3) Contractor Deficiency Reports within a specified time period shall result in a review of the Contractor's status by OGS as set forth below. A determination of consistently poor service will result in change of the Contractor's status level and replacement by the next qualified Contractor. The details are:

- When a service level is not met, the Authorized User shall alert OGS to the deficiency or non-compliance using the Contractor Deficiency Report, where it will be recorded centrally. The Authorized User shall also provide a copy of the Contractor Deficiency Report to the Contractor.
- If a Contractor receives three Contractor Deficiency Reports from Authorized Users for any of the Regions they service within the first quarter (i.e., three month period) of the Contract, or within any twelve month period after that, OGS will conduct a Contractor Status Review.
- The Contractor Status Review includes a discussion with the Contractor regarding the specific incidents as recorded in the Contractor Deficiency Reports, and may result in the development of an improvement and monitoring plan by OGS.
- The length of time which the Contractor has to correct the service issues shall depend on the severity of the deficiencies or non-compliance. OGS reserves the right to determine the amount of time the Contractor shall receive to correct such matters, with input from the Authorized User(s).
- After the designated period of time, OGS shall review the Contractor's improvement according to the plan developed.
- Failure to adequately meet the Performance Levels as outlined in the improvement plan shall result in the reduction of the Contractor's status. Status Reduction shall be on a per Region basis. Issues that span across multiple Regions shall result in status reduction of all applicable Regions. In the case of Contractor Status Reduction, Contractor status shall be adjusted per the following procedures:
  - Status Reduction of Primary Contractor shall mean:
    - Primary Contractor becomes Secondary Contractor;
    - Secondary Contractor becomes Primary Contractor;

- The submission of a Contractor Deficiency Report is not limited to a failure by the Contractor to meet the Required Service Levels as stated in this Attachment. At the discretion of the Authorized User, a Contractor Deficiency Report may be submitted at any time the Authorized User identifies a Contractor performance issue or other non-compliance with contractual requirements.