



**Office of
General Services**

Pre-Bid Conference

**Solicitation 22913 – Elevator, Escalator & Miscellaneous Lift
Equipment Preventive and Corrective Maintenance**

October 8, 2015

General Information

Housekeeping

- If you have not done so already, please sign in at the registration desk located just outside the conference room door.
- Silence all cell phones and if you must make a phone call, please exit the room and do so quietly.
- Please hold all questions until the end of the pre-bid conference.



OGS Representatives

Name	Title
Lori Bahan	Contract Management Specialist 1
Todd Gardner	Contract Management Specialist 3
Jill McCabe	Assistant Director
Lisa Fox	Associate Attorney
Nicole Lipiec	Senior Attorney
Anuola Surgick	Minority Business Specialist



Today's Question and Answer Policy

- **Today's verbal answers are not binding.** Only the written responses published after today's conference will be the official, binding responses of the state.
- Any questions asked today must be submitted in accordance with Section 2.5, *Inquiries* of the Solicitation using Attachment 3 – *Inquiries Template*.
- In the event of an inconsistency between this PowerPoint and the solicitation (including accompanying attachments), the solicitation and the accompanying attachments posted to the OGS Procurement Services website shall supersede information in this presentation.



Conference Schedule

Activity	Time(s)
Introduction – General Information	10:00-10:10 AM
Procurement Lobbying Law	10:10-10:15 AM
Solicitation Overview	10:15-10:45 AM
Proposal Format	10:45-11:15 AM
Insurance Requirements	11:15-11:30 AM
Questions	11:30-12:00 PM



Key Event Calendar

Event	Date	Time
Closing Date for Inquiries	10/15/2015	5:00 PM ET
Responses to Inquiries and MWBE Interest (Estimated)	10/30/2015	NA
Submission of Solicitation and Bid Opening	11/17/2015	11:00 AM ET

Changes may occur. The most recent version of the calendar will be available on our website at: <http://www.ogs.ny.gov/purchase/biddocument/22913Bid.asp>

Procurement Lobbying Law & What You Need to Know

Restricted Period

Remember: We are in a restricted period.

State Finance Law sections 139-j and k regulate communications between bidders and OGS during the procurement process. A bidder is restricted from making contacts from the earliest notice of intent to solicit bids through final award and approval of the procurement contract by OGS, 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

Lori L. Bahan, Contract Management Specialist 1
Phone: (518) 486-7313 | Email: lori.bahan@ogs.ny.gov

Lisa Fox
Associate Attorney

SECONDARY CONTACT

Todd Gardner, Contract Management Specialist 3
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Nicole Lipiec
Senior Attorney

TERTIARY CONTACT

Jill McCabe, Assistant Director
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Designated Contacts for MWBE Inquiries Only

PRIMARY CONTACT

Anuola Surgick

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SECONDARY CONTACT

Tryphina Ramsey

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TERTIARY CONTACT

William Hill

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What if a Bidder wants more information?

- Refer to <http://www.ogs.ny.gov/aboutOgs/regulations/defaultSFL139j-k.asp>
 - Sets forth OGS policies and practices
- <http://www.ogs.ny.gov/ACPL/>
 - Sets forth guidance from the Advisory Council on Procurement Lobbying, including FAQs

Solicitation Overview

Overview

- This solicitation is issued by the New York State Office of General Services Procurement Services (OGS) for the purposes of awarding multiple five (5) year contracts to establish regional, lot coverage for elevator, escalator & miscellaneous lift equipment preventive and corrective maintenance.
- Vendors awarded a contract are prequalified to bid on specific projects let by authorized users at a later date through a mini-bid process.
- Mini-bids are issued by authorized users and distributed to each vendor holding a centralized contract for the lot(s) and region that is applicable to the mini-bid.
- A contractor awarded a mini-bid will be issued a mini-bid agreement number, and all sales that occur through this contract must be reported to OGS.



Who Can Use Our Contracts?

Awarded contract 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, and certain other nonpublic/nonprofit organizations.



Bidder Minimum Qualifications

Minimum qualifications are listed in Section 3.1 of the Solicitation “Qualifications of Prospective Bidders/Minimum Qualifications”

Organizational Requirements:

- Continuous operation for a minimum of five years
- Regional service facility requirement



Bidder Minimum Qualifications

Experience Requirements:

- Experience providing maintenance for the type(s) of lift equipment being bid on in facilities such as schools, colleges, correctional facilities, hospitals, office buildings or other large commercial accounts for five years.

Portfolio Requirement:

- Maintenance responsibility for a minimum number of lift equipment, as listed in 3.1.3 Lift Equipment Portfolio Requirements.



MWBE Participation Goals

- OGS has established a goal of 5% for minority-owned business enterprises (MBE) participation and 5% for women-owned business enterprises (WBE) participation (collectively referred to as MWBE) for a total contract MWBE goal of 10%.
- The requirements are included in Section 8.19 of the solicitation.



MWBE Utilization and Staffing Plans

- Bidders are required to submit a completed utilization plan on Form MWBE 100 with their bid.
- Bidders are required to submit a completed equal employment opportunity staffing plan on Form EEO 100 with their bid.

OGS strongly encourages bidders to begin working with the OGS Office of Minority and Women-Owned Business Enterprises to complete these requirements.

Forms are available at: <http://www.ogs.ny.gov/MWBE/Forms.asp>.



How This Contract Will Be Awarded

Method of Award

- Solicitation 22913 will be awarded based on the responses received.
- It will be awarded by region and lot to each bidder who meets the minimum qualifications and offers reasonableness of price.
 - Administrative Proposal evaluation will be pass/fail
 - Technical Proposal evaluation will be pass/fail
 - Cost Proposal evaluation will be based on reasonableness of price analysis.
 - » The bidder's estimated total monthly price for the region and lot must be less than or equal to 150% of the average estimated monthly price for all bidders of that region and lot.

Method of Award

- Bidders may provide a bid for any or all lots within a region.
- Bidders don't have to bid on every lot within a region.
- Within a lot the bidder is required to provide a bid for all fees and markup rates listed on the price page for that lot.
- The centralized contract pricing is a maximum, not to exceed price.



Method of Award for Mini-Bids

- Contractors must hold a centralized contract for the lot and region applicable to the mini-bid in order to participate.
- Mini-bid agreements are awarded as a result of responses to specific mini-bids.
- Mini-bid agreements are awarded on the basis of best value.
- Mini-bid pricing and mark-up rates shall not exceed the centralized contract pricing.

Regional Structure

The solicitation uses a regional structure (see Section 1.3):

- Region 1 – Long Island
- Region 2 – New York
- Region 3 – Lower Hudson Valley
- Region 4 – Hudson Valley
- Region 5 – Capital Region
- Region 6 – North Country
- Region 7 – Mohawk Valley/North Country
- Region 8 – Central New York
- Region 9 – Southern Tier
- Region 10 – Finger Lakes
- Region 11 – Western New York



Lot & Pricing Structure

There are four (4) lots:

- Lot 1 – Traction Elevator Equipment (Geared and Gearless)
- Lot 2 – Hydraulic Elevator Equipment
- Lot 3 – Escalator Equipment
- Lot 4 – Miscellaneous Lift Equipment (Dumbwaiters, Wheelchair Lifts and Stage Lift Elevators)



Pricing Structure

- Lots 1 & 2 pricing includes:
 - Monthly maintenance fee
 - Fire service testing fee
 - Labor markup rate
 - Material markup rate
- Lots 3 & 4 pricing includes:
 - Monthly maintenance fee
 - Labor markup rate
 - Material markup rate



Summary of Services and Fees

Monthly Maintenance Fee

- Includes preventive maintenance, minor corrective maintenance, and all other services listed in Section 7.1, Table 1 under ‘Monthly Maintenance Fee’

Fire Service Testing Fee

- Includes fire service testing (Lots 1 and 2)

Labor and Material Markup Rates

- Includes major corrective maintenance and pre-maintenance repairs



Corrective Maintenance (Section 7.4)

Corrective maintenance is separated into two categories: Minor and Major Corrective Maintenance

- Minor Corrective Maintenance has a total cost (labor and materials) less than or equal to the thresholds listed in Section 7.4, Table 2 *Corrective Maintenance Thresholds* and is included in the price bid for the Monthly Maintenance Fee.
- Major Corrective Maintenance has a total cost (labor and materials) greater than the thresholds listed in Section 7.4, Table 2 *Corrective Maintenance Thresholds* and is paid for using the Labor and Material Markup Rates.

Solicitation Format

- Bidders must submit three separate proposals:
 1. Administrative
 2. Technical
 3. Cost
- The materials required for each proposal are detailed in Section 3 'Proposal Requirements'.
- Should any amendments be issued, please make sure that the latest documents are submitted with your proposal along with the Purchasing Memo issued for the amendment.



Solicitation Submission

All bids must have a label on the outside of the box or package itemizing the following information:

1. SOLICITATION ENCLOSED (preferably bold, large print, all capital letters)
2. Group Number 71004
3. SOLICITATION #22913
4. Bid Opening date and time (November 17, 2015 11:00 AM)
5. The number of boxes or packages (i.e., 1 of 2, 2 of 2)



Solicitation Submission

All bids shall be delivered to the following address on or before 11:00 AM ET on or before the bid opening date:

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



Format and Content of Solicitation Submittal

Administrative Proposal:

Bidder shall submit one bound and one electronic version of each of the following:

- Pages 1 and 2 of the solicitation with original ink signatures;
- Completed MWBE Utilization Plan (Form MWBE 100) with original ink signatures;
- Completed Equal Employment Opportunity Staffing Plan (Form EEO 100) with original ink signatures;
- Completed Attachment 02 – General Questions, with original ink signatures;
- Completed Attachment 04 – New York State Required Certifications with original ink signatures;



Format and Content of Solicitation Submittal

- All necessary proof of insurance (see Attachment 5 – Insurance Requirements for detailed requirements);
- Completed Attachment 06 - Encouraging Use of NYS Businesses;
- Completed Attachment 08 – Use of Service-Disabled Veteran Owned Business Enterprises in Contract Performance;
- Completed Form ST-220-CA, Contractor Certification notarized with original ink signatures;
- Completed, signed and notarized paper copy of Vendor Responsibility Questionnaire For-Profit Business Entity if online Questionnaire has not been completed.



Format and Content of Solicitation Submittal

Technical Proposal:

A complete bid consists of one bound and one electronic version of each of the following:

- Portable electronic media containing the completed Attachment 07 – Technical Proposal Submission Form.

Cost Proposal:

A complete bid consists of one bound and one electronic version of each of the following:

- Completed Attachment 01 Price Pages (to be submitted in Microsoft Excel)

New York State Contract Reporter

- You must register with the New York State Contract Reporter (NYSCR) at <https://www.nyscr.ny.gov> in order to receive notifications about this solicitation.
- Navigate to the “I want to find contracts to bid on” page to register for your free account.
- You must choose the option “send me notification updates on this,” located in the lower right hand corner of the particular ad.
- The question and answer document will be available through the NYSCR.
- Any updates to solicitation documents will also be available through the NYSCR.
- If you do not opt-in to receive notification updates regarding a particular ad, you will not receive e-mail notifications regarding updates.
- **Be advised that submission of responses to the solicitation that do not reflect and take into account updated information may result in your bid being deemed non-responsive to the solicitation.**



Insurance Requirements

- See Attachment 5 of the solicitation for complete requirements.
- Proof of Workers' Compensation and Disability Benefits Insurance shall be provided at the time of bid submission; and
- Proof of Commercial General Liability Insurance and Comprehensive Business Automobile Liability Insurance shall be provided within ten (10) business days of tentative award.



Insurance Requirements

- Policies of insurance must be written by companies:
- Licensed or authorized by the New York State Department of Financial Services to issue insurance in the State of New York (<https://myportal.dfs.ny.gov/web/guest-applications/ins.-company-search>); and
- That have an A.M. Best Company rating of “A-,” Class “VII” or better (<http://www.ambest.com/>).
- Policies written by Eligible E&S Insurers filed with ELANY are permitted, however the declarations page which has been stamped in accordance with the requirements of the NYS Insurance Law is required for verification.

Insurance Requirements

- Commercial General Liability (CGL) – Limits
- Each Occurrence Limit-\$1,000,000.00
- General Aggregate Limit-\$2,000,000.00
- Products/Completed Operations Limit-\$2,000,000.00
- Personal Advertising Injury Limit-\$1,000,000.00
- Damage to Rented Premises Limit-\$50,000.00
- Medical Expenses Limit-\$5,000.00
- Business Automobile Liability – Limits
- \$2,000,000.00 each accident



Insurance Requirements

Required Documentation:

- With bid submission:
 - Workers' Compensation and Disability Insurance Forms
- Within 10 business days of tentative award:
 - Certificate(s) of Insurance
 - Endorsements
 - Additional Insured (CGL, Auto)
- OGS has not requested vendors to submit copies of entire insurance policies.



Insurance Requirements

Workers' Compensation Insurance:

- A Certificate of Insurance (Acord) is **NOT** acceptable proof of workers' compensation coverage.
- One of the following forms must be provided:
 - Form CE-200
 - Form C-105.2 (9/07)
 - Form U-26.3
 - Form SI-12
 - Form GSI-105.2
- The legal entity name and the Federal Employer Identification Number (FEIN) on forms must exactly match the legal entity name and FEIN of the vendor.



Insurance Requirements

Disability Benefits Coverage:

- A Certificate of Insurance (Acord) is **NOT** acceptable proof of disability benefits coverage.
- One of the following forms must be provided:
 - Form CE-200
 - Form DB-120.1
 - Form DB-155
- The legal entity name and the Federal Employer Identification Number (FEIN) on forms must exactly match the legal entity name and FEIN of the Vendor



Insurance Requirements

Certificate of Insurance:

- The Acord 25 Certificate of Liability Insurance is the most common certificate of insurance.
- Certificate holder must be:
 - New York State Office of General Services, Procurement Services
 - 38th Floor, Corning Tower, Empire State Plaza
 - Albany, NY 12242
- The certificate must reference Solicitation #22913.
- Contact information must be provided on the certificate to allow OGS to contact the insurance carrier, agent or broker issuing the certificate.

Insurance Requirements



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(s) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of each endorsement(s).

PRODUCER	<small>CONTACT</small>	<small>PHONE</small>	<small>FAX NO.</small>	
	<small>ADDRESS</small>	<small>CITY</small>	<small>STATE</small>	<small>ZIP</small>
	<small>INSURER'S</small>	<small>INSURER'S</small>	<small>INSURER'S</small>	<small>INSURER'S</small>
	<small>INSURER'S</small>	<small>INSURER'S</small>	<small>INSURER'S</small>	<small>INSURER'S</small>

INSURED

<small>INSURER'S</small>	<small>INSURER'S</small>	<small>INSURER'S</small>	<small>INSURER'S</small>
<small>INSURER'S</small>	<small>INSURER'S</small>	<small>INSURER'S</small>	<small>INSURER'S</small>
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<small>INSURER'S</small>	<small>INSURER'S</small>	<small>INSURER'S</small>	<small>INSURER'S</small>

COVERAGES **CERTIFICATE NUMBER:** _____ **REVISION NUMBER:** _____

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF EACH POLICY. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

TYPE	TYPE OF INSURANCE	POLICY PERIOD	POLICY NUMBER	POLICY TYPE	POLICY TYPE	LIMITS
<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAWBACK WAIVER <input type="checkbox"/> MEDICAL MALPRACTICE <input type="checkbox"/> PRODUCT LIABILITY <input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> AIRCRAFT LIABILITY <input type="checkbox"/> UMBRELLA LIABILITY <input type="checkbox"/> DIRECTORS AND OFFICERS LIABILITY <input type="checkbox"/> EMPLOYERS LIABILITY <input type="checkbox"/> PROFESSIONAL LIABILITY <input type="checkbox"/> FIDELITY AND SURETY	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAWBACK WAIVER <input type="checkbox"/> MEDICAL MALPRACTICE <input type="checkbox"/> PRODUCT LIABILITY <input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> AIRCRAFT LIABILITY <input type="checkbox"/> UMBRELLA LIABILITY <input type="checkbox"/> DIRECTORS AND OFFICERS LIABILITY <input type="checkbox"/> EMPLOYERS LIABILITY <input type="checkbox"/> PROFESSIONAL LIABILITY <input type="checkbox"/> FIDELITY AND SURETY					COMMERCIAL GENERAL LIABILITY AUTOMOBILE LIABILITY AIRCRAFT LIABILITY UMBRELLA LIABILITY DIRECTORS AND OFFICERS LIABILITY EMPLOYERS LIABILITY PROFESSIONAL LIABILITY FIDELITY AND SURETY
	<input type="checkbox"/> AUTOMOBILE LIABILITY					
	<input type="checkbox"/> AIRCRAFT LIABILITY					
	<input type="checkbox"/> UMBRELLA LIABILITY					
	<input type="checkbox"/> DIRECTORS AND OFFICERS LIABILITY					
	<input type="checkbox"/> EMPLOYERS LIABILITY					
	<input type="checkbox"/> PROFESSIONAL LIABILITY					
	<input type="checkbox"/> FIDELITY AND SURETY					
	<input type="checkbox"/> FIDELITY AND SURETY					
	<input type="checkbox"/> FIDELITY AND SURETY					

DESCRIPTION OF OPERATIONS (LOCATIONS) IS ESSENTIAL (ACORD 90). Additional Permits/ Licenses may be affected if none appear to be required.

CERTIFICATE HOLDER	CANCELLATION
	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE _____

ACORD 25 (2014/91) The ACORD name and logo are registered marks of ACORD. © 1988-2014 ACORD CORPORATION. All rights reserved.

Insurance Requirements

Endorsements – General Information:

- All endorsement forms must refer to the same policy number as the Certificate of Insurance.
- The state will accept blanket endorsements if they provide the requisite coverage.



Insurance Requirements

Additional Insured – CGL and Auto:

- The solicitation requires that the following be named as additional insureds:
 - “The People of the State of New York, The New York State Office of General Services, any entity authorized by law or regulation to use any Contract resulting from this solicitation and their officers, agents, and employees.”
- CGL Policies - CG 20 10 11 85 or an equivalent – Additional Insured – Owner, Lessees or Contractors (Form B) which provides coverage for ongoing and completed operations must be provided.
- Umbrella/Excess policies overlaying either policies must provide the same additional insured coverage as that of the underlying policy.



Insurance Requirements

Business Automobile Liability Attestation:

- In the event that the Business Automobile Liability insurance policy possessed by your firm does not meet the requirement that liability will be covered for “Any Automobile” and your firm will not be using any automobiles in fulfillment of the requirements of the Contract, an attestation to this effect will be required.
- The attestation must be signed by an individual who is authorized to bind the organization in a contract.



Insurance Requirements

Umbrella/Excess Liability:

- The solicitation allows for the required insurance limits to be provided through a combination of primary and umbrella liability policies.
- Umbrella policy limits must be large enough to meet all underlying policy limits at once as required by the solicitation.
- Schedule of Underlying Policies.
- Endorsements are required for the policies being overlaid.



Insurance Requirements

Schedule of Underlying Insurance:

- A commercial umbrella/excess policy acts as excess to the primary (underlying) policies.
- These policies will be specifically identified on a “schedule of underlying insurance” endorsed to the umbrella/excess policy.



Reminders

- We are in a restricted period.
- Here's how to contact us:
- ✓ Reach out to the Designated Contacts listed on page 10
- Where to find the solicitation documents:
- ✓ <http://www.ogs.ny.gov/purchase/biddocument/22913Bid.asp>
- When the solicitation is due:
- ✓ November 17, 2015 at 11:00 AM ET



Questions?

