

BIDDER ACKNOWLEDGEMENT OF SOLICITATION UPDATES

A Bidder must acknowledge receipt and agreement to all IFB amendments by answering "Yes" to question #19 on Attachment 2: *Bid Documents (Electronic)*, Section A: *Bid Submittal Checklist*.

All other terms and conditions of the IFB remain the same.

Group 40523-22935, Heavy Equipment Rental, OGS Responses to Vendor Inquiries

Q#	Solicitation Document	Document Section	Vendor Question	OGS Response
1	General	General	When or how do we receive the official bid documents? How do we bid?	The official bid documents are located on the OGS website at http://www.ogs.ny.gov/purchase/biddocument/22935crBid.asp . The "Bid Solicitation Information" memo ("Solicitation") posted at that location includes instructions on how to submit a bid (see Section 11 <i>Bid Submission Information</i>).
2	General	General	Where do we submit our bid documents? Is it online or by mail? The Contract reporter mentions an electronic access database. I thought we would upload to a system but we need to send on a cd or thumb drive?	The Solicitation, Section 11.2 <i>Bid Format and Content</i> , includes requirements for the format of bid documents (i.e., paper or electronic). All bid documents required in paper format must be submitted to OGS at the address indicated in Section 11.4 <i>Bid Delivery</i> . Bid documents that are required in electronic format may be submitted either on CD (or thumb drive) with the paper documents to the same address, or via email to SSTIndustrial@ogs.ny.gov. Bidders that choose to submit electronic documents via email are advised to include bid number 22935 and the Bidder business name in the subject line of the email.
3	General	General	Is it mandated that state governments have to use this contract?	State Finance Law section 163 addresses the use of centralized contracts by State agencies. In general, use of centralized contracts for the acquisition of commodities and services is given second priority (after preferred source offerings). Use of the centralized contract is mandated if the offerings meet the State agency's form, function and utility. Use of the contracts by non-State agencies shall be governed by the procurement rules and regulations of the applicable entity.
4	General	General	Can local governments and school districts use this contract?	Yes, local governments and school districts can use this contract. Pursuant to Contract Template Section I.1 <i>Scope</i> , "This Centralized Contract is for use by Authorized Users, as defined in Appendix B §2 <i>Definitions</i> , which includes, but is not limited to, New York State agencies, political subdivisions, local governments, public authorities, public school and fire districts, public and nonprofit libraries, and certain other nonpublic/nonprofit organizations." Please also see Section 14 of the Solicitation.
5	General	General	What about additional services that aren't rental such as training or setup of the rented equipment? Can we offer them to contract users?	No, services other than Rental that are not included in the Contract Template terms and conditions shall not be offered under the resultant Contracts. Authorized Users must follow applicable procurement rules and regulations in order to acquire services that are not included in the Contracts.

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6	Bid Solicitation Information memo	General	How are bid exceptions handled?	<p>Pursuant to the Solicitation Section 11.3 <i>Bid Deviations</i>, "If your bid differs from the specifications, explain such deviation(s) or qualification(s); and if necessary, attach a separate sheet. See Appendix B §6 Extraneous Terms." "Bid deviation" and "exceptions" have the same meaning for the purposes of this solicitation.</p> <p>Vendors are advised to alert OGS prior to the bid opening if bid deviations are known at this time, so that any necessary changes to the Solicitation and resultant Contract terms and conditions may be considered prior to the bid opening. To the extent that OGS elects to respond to questions submitted after the official question and answer period has ended, OGS shall distribute responses in the same manner as questions submitted by the "Closing Date for post pre-bid conference vendor inquiries" indicated in Section 3 Key Events/Dates.</p>
7	Bid Solicitation Information memo	General	Can we bid on rentals only in the 5 boroughs of NYC?	<p>Yes, a Contractor may offer Rentals only in the five (5) boroughs of NYC. Minimum requirements for contract eligibility, which do not include a required Rental area, are set forth in the Solicitation, Section 10 <i>Requirements for Contract Eligibility</i>.</p> <p>A Bidder must complete the "Rental Area" checklist in Attachment 2: Bid Documents (Electronic), Section C: <i>Rental Area by indicating</i> the NYS Counties where the Bidder will provide Rental under the resultant Contract. Upon Contract Award, the list of NYS Counties serviced by the Contractor shall be included in Appendix C: <i>Heavy Equipment Rental Contract Documents</i>, Number 1: <i>Contractor Information</i>, and shall be considered the minimum Rental area in the resultant Contract.</p>
8	Bid Solicitation Information memo	General	How will the contractors know people are looking to rent?	<p>Pursuant to Contract Template Section II.10 <i>Procurement Method</i>, Paragraph C <i>Rental Quote Process</i>, subparagraph 2, "Upon completion of a Rental Quote Request, the Authorized User shall submit the request to at least three (3) Contractors for response. Rental Quote Requests may be submitted via email or fax, or in person. The emails and faxes shall be sent to the email address(es) and fax numbers set forth in Appendix C: <i>Heavy Equipment Rental Contract Documents</i>: Number 1: <i>Contractor Information</i>. The Contractor shall be responsible for providing updated email address(es) during the Contract period to the Procurement Services Contract Administrator identified on the Contract Award Notification page posted at the OGS website."</p>
9	Bid Solicitation Information memo	General	What would be a typical scenario for timeframe for getting a piece of equipment to the user? How long will we have to gather the equipment and have it ready to rent?	<p>OGS is unable to provide a "typical scenario for timeframe," because there are many Authorized Users, each with specific Heavy Equipment Rental needs. Each Rental Quote Request will include specifications for the Heavy Equipment needed, and the timeframe that it will need to be provided (see Contract Template, Appendix C: <i>Heavy Equipment Rental Contract Documents</i>: Number 6: <i>Rental Quote Forms</i>).</p>

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10	Bid Solicitation Information memo	Section 1 <i>To Prospective Bidders</i>	Paragraph B says that Rental will be via a competitive Rental Quote process. Will contracts users choose the contractor for rental based on the best price or best value?	Pursuant to Contact Template Section II.10 <i>Procurement Method</i> , Paragraph C <i>Rental Quote Process</i> , subparagraph 5, "The Authorized User shall be responsible for reviewing all Rental Quotes received and for selecting the Contractor with the lowest price, including the cost of Delivery, which can meet the requested need for Heavy Equipment Rental. The determination of whether or not the Heavy Equipment offered in the Rental Quote meets the Authorized User need is at the sole discretion of the Authorized User."
11	Bid Solicitation Information memo	Section 1 <i>To Prospective Bidders</i>	In regards to daily rental or weekly rental (Paragraph C), would weekly rental be considered 7 days and 24 hours a day?	Weekly Rental is defined in the Contract Template, Section I.2 <i>Definitions</i> , as "a Rental Period of seven (7) consecutive calendar days, computed from the date of commencement of the Rental Period up to but not including the same date in the following week and shall apply when the number of hours the Heavy Equipment is operated in any seven (7) day period does not exceed forty (40) hours of use."
12	Bid Solicitation Information memo	Section 1 <i>To Prospective Bidders</i>	Paragraph D says it's a 1 year periodic recruitment, but I read where it will be a 3 year contract?	Pursuant to the Solicitation, Section 2 <i>Contract Period and Renewals</i> , "All Contracts awarded under solicitation 22935, including those executed during any subsequent periodic recruitment period, shall terminate simultaneously three (3) years from the date of OGS approval of the first Contract awarded. " Section 1.D of the Solicitation states that it is anticipated another periodic recruitment will be issued in one year.
13	Bid Solicitation Information memo	Section 1 <i>To Prospective Bidders</i>	How many contractors will you approve during this recruitment period (Paragraph D)?	All Bids received during this initial recruitment period shall be reviewed and processed in accordance with Solicitation, Section 6 <i>Method of Award of Contract</i> . There is no limitation stated for the number of Contracts that shall be awarded.
14	Bid Solicitation Information memo	Section 8 <i>Pre-Bid Conference</i>	Can we still bid if we do not attend the Pre-Bid Conference? Albany is too far from us.	Yes, a vendor that did not attend the pre-bid conference may still submit a bid. Pursuant to the Bid Solicitation Information memo, Section 8 <i>Pre-Bid Conference</i> , "Attendance at the pre-bid conference is not mandatory."
15	Bid Solicitation Information memo	Section 8 <i>Pre-Bid Conference</i>	Is it Possible to receive the Minutes from the Pre-Bid Conference? I was unable to attend.	OGS did not prepare formal minutes of the pre-bid conference that was held on July 30, 2015. Answers to all vendor questions that were posed at the pre-bid conference are included in this "OGS Responses to Vendor Inquires" document.

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16	Bid Solicitation Information memo	Section 21 <i>Contractor Requirements and Procedures (EEO and MWBE)</i>	We have many concerns about the MWBE goals for this contract. If we as a vendor are not an MWBE, I don't see how to meet the contract goals. Does every transaction need a 10% participation?	<p>Questions regarding compliance with MWBE participation goals should be directed to the Designated Contacts within the OGS Office of Minority- and Women-Owned Businesses and Community Relations identified on the front page of the solicitation.</p> <p>The front page of the Solicitation erroneously omitted the Designated Contact within the OGS Office of Minority- and Women-Owned Businesses and Community Relations, which is: Anuola Surgick, Phone: 518-486 9284, Email: Anuola.Surgick@ogs.ny.gov.</p> <p>Bidders are advised to contact the office indicated above as soon as possible with any questions and for assistance in completing the MWBE Utilization Plan (see required bid document MWBE-100, http://www.ogs.ny.gov/MWBE/Docs/MWBE100.docx), as obtaining approval of a proposed MWBE Utilization is often a lengthy process.</p>
17	Bid Solicitation Information memo	Section 21 <i>Contractor Requirements and Procedures (EEO and MWBE)</i>	Bidder generally does not utilize subcontractors for rental transactions. Would the State remove the Contract MWBE goal for this opportunity?	OGS declines to remove the Contract MWBE goals for this solicitation, which are "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%." See also Question 16.
18	Bid Solicitation Information memo	Section 21 <i>Contractor Requirements and Procedures (EEO and MWBE)</i>	Are there any provisions for service disabled veteran-owned or disadvantaged businesses?	No, there are no applicable Service-Disabled Veteran-Owned Business or Disadvantaged Business Enterprise contracting goals for Solicitation 22935.
19	Bid Solicitation Information memo	Section 21 <i>Contractor Requirements and Procedures (EEO and MWBE)</i>	Should the EEO 100 form (http://www.ogs.ny.gov/MWBE/Docs/EEO100.docx) identify staff companywide or just for NY?	A Bidder may identify employees either for the resultant Contractor's work force to be utilized on this contract, or the Contractor's total work force (see section on the top right-hand side of the form).
20	Bid Solicitation Information memo	Section 23 <i>New York State Procurement Rights</i>	What is the process for the online reverse auction process described in paragraph R?	<p>A process for an online reverse auction for Heavy Equipment Rental has not been established for the Contracts resulting from Solicitation 22935, and may not be. It is a right the State elects to reserve at this time.</p> <p>See Solicitation, Section 23 <i>New York State Procurement Rights</i>, Paragraph R, "OGS reserves the right to use an on-line process, such as reverse auction, to make acquisitions under the resulting contracts. Bidder agrees that if awarded a Contract, it will participate in the on-line process established by OGS."</p>

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21	Contract Template	Section II.10 <i>Procurement Method, Paragraph C Rental Quote Process</i>	Are municipalities and state entities required to go through the rental quote process and get three quotes while using this contract? If so, why? One of the benefits of the heavy equipment rental contract was that they would not need to get 3 prices.	<p>Yes, municipalities and State entities that choose to use the resultant Contracts must use the Rental Quote Process, which includes submitting the request to at least three (3) Contractors for response, in order to acquire Rental services under the resultant Contracts. OGS has determined that this Rental Quote Process is in the best interests of the State for Heavy Equipment Rental.</p> <p>Pursuant to Contact Template Section II.10 <i>Procurement Method, Paragraph C Rental Quote Process</i> "Rental to Authorized Users under this Contract shall be made through a competitive Rental Quote Process as described below. The Contractor shall only provide a Rental under this Contract when the Authorized User has submitted a Rental Quote Request and subsequently requests a Rental as the result of this Rental Quote Process."</p>
22	Contract Template	Section II.10 <i>Procurement Method, Paragraph C Rental Quote Process</i>	For clarification about who must follow the rental quote process: If an entity puts the contract number on their purchase order, they must use this process otherwise they can't put the contract number on purchase order?	That is correct. Every Authorized User must indicate a Contract number on Purchase Orders issued for Heavy Equipment Rental under the resultant Contracts. If the Authorized User obtains Rental from a vendor without following the Rental Quote Process that is mandated under Award 22935 (e.g., if the Authorized User is using some other procurement method), than they may not indicate the vendor's Contract number under Award 22935 for their Rental on their Purchase Order.
23	Contract Template	Section II.10 <i>Procurement Method, Paragraph C Rental Quote Process</i>	Where do we submit our rental quotes? Does the vendor respond and send it back to the municipality, or is there an online process?	<p>A Contractor shall submit Rental Quotes to the Authorized User that submitted the Rental Quote Request (see Contact Template Section II.10 <i>Procurement Method, Paragraph C Rental Quote Process</i>, subparagraph 4). While OGS has not established a centralized online submittal process, an Authorized User can mandate that quotes are submitted electronically.</p> <p>Contact Template Section II.10 <i>Procurement Method, Paragraph C Rental Quote Process</i>, subparagraph 4: "A Contractor must provide Rental Quotes to the Authorized User, using the method specified by the Authorized User on the Rental Quote Request, on the Rental Quote form included in Appendix C: <i>Heavy Equipment Rental Contract Documents: Number 6: Rental Quote Forms</i>. Instructions for completion are included on the form. A Rental Quote submitted in a format other than on the Rental Quote form may be rejected by the Authorized User."</p>
24	Contract Template	Section II.10 <i>Procurement Method, Paragraph C Rental Quote Process</i>	Can a contract user get a rental quote for equipment to be used for different time periods during their fiscal year? For example, for all equipment to be used for one project over the course of several months, will there be a set price every time they need that equipment?	Yes, an Authorized User may submit a Rental Quote Request to Contractors for equipment to be used for different time periods during their fiscal year. Each Rental Quote Request will include specifications for the Heavy Equipment needed, and the timeframe that it will need to be provided (see Contract Template, Appendix C: <i>Heavy Equipment Rental Contract Documents: Number 6: Rental Quote Forms</i>).

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25	Contract Template	Section II.10 <i>Procurement Method</i> , Paragraph C <i>Rental Quote Process</i>	This section say that the Authorized User submits the request to at least three Contractors for response. What if the contract user requests 3 prices and they only get 1 or 2 back?	Pursuant to Contact Template Section II.10 <i>Procurement Method</i> , Paragraph C <i>Rental Quote Process</i> , subparagraph 5, "If at least three (3) Rental Quotes are not submitted, the Authorized User must justify the reasonableness of the Contractor selection in their procurement record."
26	Contract Template	Section II.10 <i>Procurement Method</i> , Paragraph C <i>Rental Quote Process</i>	Will rental quote requests from a contract user go to one direct person? We have multiple locations with multiple contacts.	Rental Quote Requests shall be sent to the individual(s) at the email address(es) and fax numbers identified by the Bidder on Attachment 2: Bid Documents (Electronic), Section B: <i>General Questions</i> (see Question 9), and subsequently included on the Contract (Appendix C: <i>Heavy Equipment Rental Contract Documents</i> , Number 1: <i>Contractor Information</i>). If a Bidder has multiple locations and/or contact persons for the Rental Quote Process, then a separate sheet with that information may be provided with the bid. See also Contact Template Section II.10 <i>Procurement Method</i> , Paragraph C <i>Rental Quote Process</i> , subparagraph 2.
27	Contract Template	Section II.10 <i>Procurement Method</i> , Paragraph C <i>Rental Quote Process</i>	Vendor 1: Do prices quoted in the rental quote process have to be the same as on the contract price list? Vendor 2: When you mention "ceiling price" on the rental price list that means the contractor can still lower their rates on the rental request form that the authorized user sends correct?	Prices quoted in the Rental Quote Process do not have to be the same as those listed on the Contract Pricelist. The Contactor may lower the rates listed on the Contract Pricelist when responding to a Rental Quote Request. However, it is required that the prices quotes not be higher than those listed on the Contract Pricelist. See Contract Template Section I.2 <i>Definitions</i> : "Ceiling Price" shall refer to a maximum price that Contractor may charge an Authorized User for a service offered under the Contract." Pursuant to Contract Template Section III.1.2 <i>Ceiling Price</i> , Paragraph B, "All Rental Prices included on a Rental Quote shall be equal to or less than the Ceiling Price listed on the Contract Pricelist. A Rental Quote that includes a Rental Price that exceeds the published Ceiling Price(s) for the Rental of the Heavy Equipment shall be deemed non-responsive and shall result in the rejection of the Rental Quote for that Rental Quote Request."
28	Contract Template	Section II.10 <i>Procurement Method</i> , Paragraph C <i>Rental Quote Process</i>	Does the Rental Quote response form have hours used and year of model? It would be difficult for us to specify that, since we don't know exactly which equipment will be available on the day of rental.	No, the Rental Quote form (see Contract Template, Appendix C: <i>Heavy Equipment Rental Contract Documents</i> , Number 6: <i>Rental Quote Forms</i>) does not require that the Contractor specify hours used and Model Year. The descriptors listed in the "Equipment Description" field are only examples of the information that may be listed, not mandatory information. Pursuant to Contract Template Section III.3 <i>Rental Service Requirements</i> , Paragraph C <i>Equipment Condition Report</i> , "A signed, written equipment condition report shall be provided to the Authorized User for signature prior to the start of the Rental Period." This equipment condition report shall include, among other details, the current hour/usage meter of the Heavy Equipment.

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29	Contract Template	Section II.10 <i>Procurement Method</i> , Paragraph C <i>Rental Quote Process</i>	Can you can submit a no bid? Is there a penalty if you don't respond?	<p>Yes, a Contractor may either submit a "No Quote," or not respond at all to a Rental Quote Request, and there is no penalty for doing so. If the Heavy Equipment that is requested cannot be provided for Rental during the time period requested by the Authorized User, then the Contractor should indicate that on the Rental Quote form in the "Contractor Comments" section.</p> <p>Contract Template, Appendix C: <i>Heavy Equipment Rental Contract Documents</i>, Number 6: <i>Rental Quote Forms</i>, "Rental Quote," has been amended to include instructions regarding the unavailability of the Heavy Equipment requested by the Authorized User, and to add a "Contractor Comments" section.</p>
30	Contract Template	Section II.10 <i>Procurement Method</i> , Paragraph C <i>Rental Quote Process</i>	Say there's an emergency, what's the time frame for rental quote process?	<p>Pursuant to Contact Template Section II.10 <i>Procurement Method</i>, Paragraph C <i>Rental Quote Process</i>, subparagraph 3, "From the send date and time of either the email or fax that includes the Rental Quote Request, or when it was presented in person, Contractors shall have a minimum of one (1) complete Business Day, not including either the day that the email or fax was sent, or the day it was presented in person, to submit a Rental Quote. The Authorized User reserves the right to set Rental Quote submittal deadlines that are shorter than one (1) business day in the event of an Emergency. The Rental Quote submittal deadline shall be included on each Rental Quote Request."</p>
31	Contract Template	Section II.10 <i>Procurement Method</i> , Paragraph C <i>Rental Quote Process</i>	How will you communicate to contract users that they need to follow this process? How do you educate users on how to use the contract?	<p>OGS will communicate to Authorized Users that they need to follow this process for the Contracts resulting from Solicitation 22935, by posting a "How to Use this Contract" document, that includes instructions for the Rental Quote Process, at the OGS website with Award 22935 documents. When Award 22935 documents are posted on the OGS website, OGS will notify registered Authorized Users of the posting via a Purchaser Notification Service.</p>
32	Contract Template	Section II.12 <i>Contract Payments</i>	As the Rental Period under this contract could range from a day to a multiple-month term, payment terms should reflect the potential for extended rental periods. Will the State clarify this section to note that payment is due and payable within 30 days of receipt of invoice in accordance with Appendix B, General Specifications Section 50?	<p>OGS declines to amend Contract Template Section II.12 <i>Contract Payments</i> as requested. The provisions in Contract Template Section II.12 <i>Contract Payments</i> do not replace the terms and conditions in Appendix B <i>General Specifications</i>, Section 50 <i>Prompt Payments</i>. Please see State Finance Law Article 11-A for the details regarding timing of payments by State agencies.</p>

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33	Contract Template	Section II.14 <i>Report of Contract Use</i>	Every quarter we need to submit a report that tells us who is using the contract. Can we use our format?	<p>No, a Contractor may not use their own format to report Contract usage.</p> <p>Pursuant to Contract Template Section II.14 <i>Report of Contract Use</i>, "Contractor shall furnish a report of all Heavy Equipment Rentals under the Contract during each quarterly period, no later than fifteen (15) days following the close of the quarterly period. A template for such report is included in Appendix C: <i>Heavy Equipment Rental Contract Documents</i>: Number 2: <i>Report of Contract Usage</i>. The report is to be submitted electronically via email utilizing the template provided, in Microsoft Excel 2003, or newer (or as otherwise directed by OGS)."</p> <p>Bidder are advised that an electronic Excel version of the Report of Contract Use template shall be provided by OGS to each Contractor upon Contract Award.</p>
34	Contract Template	Section II.14 <i>Report of Contract Use</i>	If we haven't had any activity for a quarter do we still submit a contract use report?	Yes, a Report of Contract Usage submitted to OGS in accordance with Contract Template Section II.14 <i>Report of Contract Use</i> , is required even if there have been no Rentals to Authorized Users during the applicable quarterly period. If there have been no Rentals, Contractor should indicate "No Rentals" on the report.
35	Contract Template	Section II.14 <i>Report of Contract Use</i>	Is the sales report a public record?	Yes, the Reports of Contract Use submitted by Contractors to OGS will be a part of procurement record of the resultant Contracts, and will therefore be considered public record. Reports of Contract Use for OGS contracts are not generally posted publicly on the OGS website, however they may be requested via a FOIL (Freedom of Information Law) request.
36	Contract Template	Section III.1 <i>Heavy Equipment Rental Prices</i>	Bidder is a nationwide company generating a large volume of transactions for thousands of customers located in diverse markets with different market conditions. Accordingly, Bidder cannot agree to immediately reduce prices under this contract to match prices offered to other federal, state or local governmental entities outside of this contract for the same or smaller quantities of the products. Will the State delete this provision?	<p>OGS declines to delete this provision, which states, "Heavy Equipment Rental Prices shall not exceed the prices charged to other government or private entities in the Contractor's normal course of business." It has, however, amended Contract Template Section III.1 <i>Heavy Equipment Rental Prices</i>, to add the sentence "See also Appendix B §15 Pricing."</p> <p>See also Question 46.</p>
37	Contract Template	Section III.1.2 <i>Ceiling Price</i>	Why do you need a ceiling price?	A Ceiling Price is required for all Heavy Equipment included on the Contract Pricelist, and offered for Rental under the Contract, to (1) help Authorized Users estimate the cost of Rental, and (2) establish a starting price point for the competitive Rental Quote Process.

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38	Contract Template	Section III.1.2 <i>Ceiling Price</i>	Since you're going to get ceiling prices, is there anyway the end user doesn't have to go through the rental quote process if they accept the ceiling price?	<p>No, the Authorized User cannot bypass the Rental Quote Process by accepting the ceiling price.</p> <p>Pursuant to Contract Template Section II.10 <i>Procurement Method</i>, Paragraph C <i>Rental Quote Process</i> "Rental to Authorized Users under this Contract shall be made through a competitive Rental Quote Process as described below. The Contractor shall only provide a Rental under this Contract when the Authorized User has submitted a Rental Quote Request and subsequently requests a Rental as the result of this Rental Quote Process."</p>
39	Contract Template	Section III.1.2 <i>Ceiling Price</i>	Say contractor A, B, C and D all list the same equipment, but with different ceiling prices, and contractor A has the highest ceiling price. Since the contract user only has to get three quotes, will they choose to not send a quote request to contractor A?	<p>The Contract does not dictate how an Authorized User chooses the three (3) Contractors that Rental Quote Requests are sent to, or that Rental Quote Requests be sent to a maximum of three (3) Contractors (see Contract Template Section II.10 <i>Procurement Method</i>, Paragraph C <i>Rental Quote Process</i>, subparagraph 2, below). An Authorized User could elect to send the Rental Quote Request to all eligible contractors.</p> <p>Contact Template Section II.10 <i>Procurement Method</i>, Paragraph C <i>Rental Quote Process</i>, subparagraph 2: "Upon completion of a Rental Quote Request, the Authorized User shall submit the request to at least three (3) Contractors for response."</p>
40	Contract Template	Section III.1.2 <i>Ceiling Price</i>	As far as pricing, the last contract had a CPI increase. Are there any this year or do you want us to come back to you after 12 months with revision to ceiling prices?	<p>There is no provision for a CPI adjustment for the Ceiling Prices which are included on the Contract Pricelist.</p> <p>Ceiling Prices may be updated by the Contractor in accordance with Contract Template Section III.1.3 <i>Contract Pricelist</i>, Paragraph C, which states "Ceiling Prices are firm for the first twelve (12) months of the Contract period. Thereafter, price changes may be requested quarterly (see Section II.21 <i>Centralized Contract Modifications</i>), and shall go into effect after all necessary approvals on the first day of the next quarter (e.g. January 1, April 1, July 1 and October 1). OGS reserves the right to request additional information that may be needed in order to determine if the price changes are reasonable."</p>
41	Contract Template	Section III.1.2 <i>Ceiling Price</i>	We have to increase prices sometimes for various reasons (cost of fuel and equipment, cost of doing business, new regulations for environmental concerns, etc.). You want a ceiling price as low as possible for the first 12 months and then will consider increases with the modification process?	<p>As noted in Contract Template, Section I.2 Definitions, "Ceiling Price" is defined as "a maximum price that Contractor may charge an Authorized User for a service offered under the Contract." When establishing a Contract through Solicitation 22935, a Bidder is advised to include Ceiling Prices on the Contract Pricelist that will allow for fluctuation over the initial twelve (12) months of the Contract term.</p> <p>Increases to the Ceiling Prices set forth on the Contract Pricelist shall be considered in accordance with Contract Template Section III.1.3 <i>Contract Pricelist</i>, Paragraph C, which states: "Ceiling Prices are firm for the first twelve (12) months of the Contract period. Thereafter, price changes may be requested quarterly (see Section II.21 <i>Centralized Contract Modifications</i>), and shall go into effect after all necessary approvals on the first day of the next quarter (e.g. January 1, April 1, July 1 and October 1). OGS reserves the right to request additional information that may be needed in order to determine if the price changes are reasonable."</p>

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42	Contract Template	Section III.3 <i>Rental Service Requirements</i>	See Section E. Some equipment needs certification to operate. Maybe there should be some language stating just general operating information is required and we are not responsible for certifications or mandated training. Some certifications require a four hour course.	<p>Section III.3 <i>Rental Service Requirements</i>, Paragraph E <i>Training</i>, has been amended to read "General operating instructions for the Heavy Equipment, including instructions regarding safety, maintenance and routine service, shall be given by the Contractor to the Authorized User prior to the start of the Rental Period.</p> <p>Pursuant to Contract Template Section III.5 <i>Authorized User Responsibilities/Rights</i>, Paragraph D <i>Permits</i>, "The Authorized User shall be solely responsible for obtaining, maintaining and paying costs of any permits or licenses needed for the use or operation of the Heavy Equipment. This includes any OSHA required certifications or licenses associated with the Rental. The Contractor makes no representation regarding the requirement of permits for the use or operation of the Heavy Equipment."</p>
43	Contract Template	Section III.3 <i>Rental Service Requirements</i>	Bidder provides familiarization training upon delivery of equipment rented. Additional training can be provided at an additional cost. Will the State revise this provision to read "Familiarization training for the Heavy Equipment shall be given by the Contractor to the Authorized User prior to the start of the Rental Period."?	See Question 42.
44	Contract Template	Appendix C	I intend to bid and for the Appendix C documents I don't have a contract number or sales period. I don't want to leave it blank.	<p>Each Bidder will receive a Contract number upon successful completion of the Solicitation process (see Solicitation, Section 6 <i>Method of Award of Contract</i>), and a Report of Contract Usage (see Contract Template, Appendix C: <i>Heavy Equipment Rental Contract Documents</i>: Number 2: <i>Report of Contract Usage</i>), will subsequently a required submission from each Contractor in accordance with Contract Template Section II.14 <i>Report of Contract Use</i>.</p> <p>Pursuant to the Solicitation, Section 11.2 <i>Bid Format and Content</i>, Paragraph A, "Do not submit the Contract Template with your bid. The Contract Template is intended to familiarize Bidders with the terms and conditions that will be included in the resultant Contracts from this solicitation. The Contract Template is not the final Contract. Portions of the Contract Template that are blank shall be completed by OGS based on the Bidder's submission and tentative awardees will be provided with a final Contract for execution by the Bidder and OGS." (Emphasis added.)</p>
45	Contract Template	Appendix C, Number 6: <i>Rental Quote Forms</i>	On the rental rate form, it requests the daily weekly or monthly price. We don't know how long they will have it (it may change from what they thought it would be) so all prices should be required. This is how quotes are normally given.	Contract Template, Appendix C: <i>Heavy Equipment Rental Contract Documents</i> : Number 6: <i>Rental Quote Forms</i> , has been amended to include fields for the Contractor to enter a Daily, Weekly <u>and</u> Monthly Rental Price for the Heavy Equipment requested by the Authorized User.

Q#	Solicitation Document	Document Section	Vendor Question	OGS Response
46	Appendix B: <i>General Specifications</i>	Section 15 <i>Pricing</i>	Bidder is a nationwide company generating a large volume of transactions for thousands of customers located in diverse markets with different market conditions. Accordingly, Bidder cannot agree to immediately reduce prices under this contract to match prices offered to other federal, state or local governmental entities outside of this contract for the same or smaller quantities of the products. Will the State delete these provisions?	<p>OGS declines to delete the provisions in Section 15 <i>Pricing</i>, including those set forth below. A Contractor shall offer Rental Prices that are equal to or lower than what is offered to the other specified entities, provided that they have the "same or similar terms and conditions as that of this Contract." Also, special offer/promotions that are offered to other customers shall apply for similar quantity transactions under this Contract</p> <p><i>Appendix B Section 15 Pricing</i> <i>f. Best Pricing Offer</i> During the Contract term, if substantially the same or a smaller quantity of a Product is sold by the Contractor outside of this Contract upon the same or similar terms and conditions as that of this Contract at a lower price to a federal, state or local governmental entity, the price under this Contract, at the discretion of the Commissioner, shall be immediately reduced to the lower price.</p> <p><i>g. Specific Price Decreases, (iii) Special Offers/Promotions Generally</i> Where Contractor generally offers more advantageous special price promotions or special discount pricing to other customers during the Contract term for a similar quantity, and the maximum price or discount associated with such offer or promotion is better than the discount or net pricing otherwise available under this Contract, such better price or discount shall apply for similar quantity transactions under this Contract for the life of such general offer or promotion.</p>
47	Appendix B: <i>General Specifications</i>	Section 58 <i>Warranties, C Product Warranty</i>	The Product Warranty described is not relevant for the rental transactions contemplated. Will the State revise or delete this section to provide that the Contractor will deliver equipment in good working order?	<p>OGS declines to revise or delete Appendix B, Section 58 <i>Warranties</i>, Paragraph C <i>Product Warranty</i>.</p> <p>The Contract Template, Section III.2 <i>Heavy Equipment Requirements</i>, Paragraph D <i>Equipment Condition</i>, obligates the Contractor to provide equipment that is in good working order.</p>

Q#	Solicitation Document	Document Section	Vendor Question	OGS Response
48	Attach 2: <i>Bid Documents (Electronic)</i>	Section B: <i>General Questions</i>	<p>Question 4 asks if prices quoted will be the same as or lower than those quoted other corporations, institutions and government agencies and references Appendix B §15, Paragraph f Best Pricing Offer (see below). This seems to conflict with the concept of the prices listed on the contract pricelist being the highest that we would charge for rental of the item.</p> <p><i>Appendix B §15 Pricing, Paragraph f Best Pricing Offer.</i></p> <p>During the Contract term, if substantially the same or a smaller quantity of a Product is sold by the Contractor outside of this Contract upon the same or similar terms and conditions as that of this Contract at a lower price to a federal, state or local governmental entity, the price under this Contract, at the discretion of the Commissioner, shall be immediately reduced to the lower price.</p>	<p>Question four (4) is asking if the Bidder intends to provide Rental Quotes (Note: this is erroneously mislabeled "Mini-Bid") under the resultant Contract that includes prices that are the same or lower than those offered to other entities with similar quantity requests, under similar terms and conditions. Question four (4) does not refer to the Ceiling Prices that the Bidder had provided on Attachment 2: <i>Bid Documents (Electronic)</i>, Section E: <i>Contract Price List</i>.</p> <p>If the answer to Question four (4) is "No," Question 4.1 requests an explanation from the Bidder.</p>
49	Attach 2: <i>Bid Documents (Electronic)</i>	Section B: <i>General Questions</i>	On attachment 2 bid documents 14.4 there is a request made regarding where the equipment is manufactured. Do you want us to attach something or note about multiple manufacturers?	Yes, if the Bidder has answered "yes" to question 14.2 or 14.3, and the "location (State) where all or more than half the value is added to the Product(s) bid" is multiple locations, then the Bidder should enter "multiple States and/or countries" (as applicable).
50	Attach 2: <i>Bid Documents (Electronic)</i>	Section B: <i>General Questions</i>	What is the purpose of asking bidders where product is manufactured?	Bidders are asked the "Place of manufacture of Product(s) bid and Principal Place of Business," in order to determine if the Products are of foreign manufacture (i.e., where the principal place of business is outside New York State), and to comply with the Omnibus Procurement Act.

Q#	Solicitation Document	Document Section	Vendor Question	OGS Response
51	Attach 2: <i>Bid Documents (Electronic)</i>	Section D: <i>Equipment Offered</i>	<p>Vendor 1: On the Electronic Bid docs under the Equipment offered I do not see any sizes specified for each type of equipment. Am I missing something here?</p> <p>Vendor 2: Why is there no longer a bid spec for each machine type? This is going to make it quite difficult for the users to compare each type of machine. There are many different makes and models that exist all with different model number nomenclature</p>	<p>There are no required sizes or types of Heavy Equipment that a Bidder must be able to offer for Rental in order to become a Contractor, but a Bidder must offer their complete Product Line. See also Question 54</p> <p>A Bidder must provide a list of the complete Product Line of Heavy Equipment that shall be available for Rental under the resultant Contract on Attachment 2: <i>Bid Documents (Electronic)</i>, Section E: <i>Contract Price List</i>. The Authorized Users shall be responsible for providing specifications for Heavy Equipment that is needed for Rental on the Rental Quote Forms that are submitted to Contractors (see Contract Template, Appendix C Heavy Equipment Rental Contract Documents, Number 6 <i>Rental Quote Forms</i>).</p> <p>OGS has determined that this Rental Quote Process is in the best interests of the State for Heavy Equipment Rental.</p>
52	Attach 2: <i>Bid Documents (Electronic)</i>	Section D: <i>Equipment Offered</i>	Are there any year of equipment minimums? Does it has to be equipment that is at least 2 years or newer?	There is no required minimum or maximum Model Year of Heavy Equipment that a Bidder may offer under the resultant Contract, but a Bidder must offer their complete Product Line. See also Question 51 and 54.
53	Attach 2: <i>Bid Documents (Electronic)</i>	Section D: <i>Equipment Offered</i>	Is there any stipulation for environmental concerns? My competition may not have equipment that meets Tier 4 emissions standards, and inferior products will be considerably cheaper.	<p>Contract Template Section III.2 <i>Heavy Equipment Requirements</i>, includes the minimum requirements for the Heavy Equipment offered for Rental. Pursuant to Paragraph A <i>Standards, Codes, Rules and Regulations</i>, Heavy Equipment shall comply with all applicable governmental regulations.</p> <p>The Authorized Users shall include supplemental required specifications in the Rental Quote Requests. If Heavy Equipment that meets Tier 4 emissions standards is required, then the Authorized User shall include that specification on their Rental Quote Request.</p>
54	Attach 2: <i>Bid Documents (Electronic)</i>	Section E: <i>Contract Pricelist</i>	<p>Vendor 1: Is there a set list of equipment or can we provide what we feel is used in the open market?</p> <p>Vendor 2: We only rent forklifts, scissor lifts, electric pallet jacks, and telehandlers. Where can we see a list of what equipment you are looking to get bids on?</p>	<p>There is no set list of Heavy Equipment that a Bidder must be able to offer for Rental in order to become a Contractor, but a Bidder must offer their complete Product Line. See also Question 53.</p> <p>Pursuant to the Bid Solicitation Information memo, Section 10 <i>Requirements for Contract Eligibility</i>, "This contract area is open to vendors that provide Heavy Equipment Rental that meet the following minimum qualifications: Paragraph B., Offer their complete Heavy Equipment Product Line for Rental."</p>

Q#	Solicitation Document	Document Section	Vendor Question	OGS Response
55	Attach 2: Bid Documents (Electronic)	Section E: Contract Pricelist	In the description, can we put range of years of equipment (for example 2013 and newer)? We have numerous years of one specific thing, and it would be a problem to list every piece of equipment.	Yes, a Bidder may list a range of Model Years that are available (e.g., 2013-2015), or choose to not list any Model Years in the "Equipment Description" field of the Contract Pricelist. The descriptors "Model Year," "Make," "Model," and "Model Code" are only examples of the information that may be listed under "Equipment Description," not mandatory information.
56	Attach 2: Bid Documents (Electronic)	Section E: Contract Pricelist	Some other state contracts put limitations on how old equipment that is rented can be. The newer equipment is better quality. We recommend that this contract be limited to 2013 and newer equipment.	OGS declines to amend Solicitation 22935 to put a limitation on the Model Years that may be included on the Contract Pricelist and be offered for Rental under the Contract. The Authorized Users shall include required specifications, including Model Year if required, in the Rental Quote Requests.
57	Attach 2: Bid Documents (Electronic)	Section E: Contract Pricelist	Can you define what you want in the loading and unloading pricing box since you are also asking for an hourly and flat rate quote?	<p>Pursuant to Contract Template Section III.1.1 <i>Delivery Charge</i>, Paragraph A, <i>Loading/Unloading</i>. "Loading/Unloading" is "any fee for loading the Heavy Equipment onto the vehicle that shall be used to transport the Heavy Equipment, and/or for unloading the Heavy Equipment once it has reached the intended destination."</p> <p>The "Per Mile," "Per Hour" and "Flat Rate" sections of the Contract Pricelist relate to transportation charges (see Contract Template Section III.1.1 <i>Delivery Charge</i>, Paragraph B, <i>Transportation Charge</i>).</p>
58	Attach 2: Bid Documents (Electronic)	Section E: Contract Pricelist	How would we price double and triple shift rates in the contract price list? Would I have to enter three separate ceiling prices for 1st shift, 2nd shift and 3rd shift for the same piece of equipment (For example, a 100kW generator)?	<p>Double and triple shift rates are specified in Contract Template Section III.1 <i>Heavy Equipment Rental Prices</i>, Paragraph A <i>Daily Rental</i>, (see below). Because double and triple shift rates are a simple mathematical computation of the Daily Rental Price, they are not set forth separately on the Contract Pricelist.</p> <p>Contract Template Section III.1 <i>Heavy Equipment Rental Prices</i>, Paragraph A <i>Daily Rental</i>: "A "double shift," if offered, shall mean sixteen (16) hours of use per day, and the Rental Price shall be one (1) and a half times the Daily Rental Price. A "triple shift," if offered, shall mean twenty-four (24) hours of use per day, and the Rental Price shall be two (2) times the Daily Rental price."</p>

Q#	Solicitation Document	Document Section	Vendor Question	OGS Response
59	Attach 2: <i>Bid Documents (Electronic)</i>	Section E: <i>Contract Pricelist</i>	How are we treating attachments to equipment? It would be a problem to list all attachments on the contract pricelist.	<p>Pursuant to Contract Template Section III.1.2 <i>Ceiling Price</i>, "The Contractor shall provide Ceiling Prices for all Heavy Equipment available for Rental under the Contract, and applicable Delivery Charges, for inclusion on the Contract Pricelist (see Section III.1.3 <i>Contract Pricelist</i>)."</p> <p>The Contract definition of "Heavy Equipment, set forth in Contract Template Section 1.2 <i>Definitions</i>, includes "related attachments and equipment."</p>
60	Attach 2: <i>Bid Documents (Electronic)</i>	Section E: <i>Contract Pricelist</i>	Flat Rate: Does the "Flat Rate" refer to one-way or round-trip?	<p>The "Flat Rate" is applicable for a round-trip, pursuant to Contract Template Section III.1.1 <i>Delivery Charge</i>, which states "The Delivery Charge is the total dollar amount charged to the Authorized User for Delivery of the Heavy Equipment from the Delivery Origin to the location designated by the Authorized User on the Purchase Order (e.g., location where the Authorized User shall use the Heavy Equipment or the vehicle that the Authorized User shall use to transport the Heavy Equipment), and the return of the Heavy Equipment from the location designated by the Authorized User to the location designated by the Contractor."</p>
61	Attach 2: <i>Bid Documents (Electronic)</i>	Section E: <i>Contract Pricelist</i>	Transportation Charges: Can we only list a Flat Rate, and NOT list the rates for "Per Mile" or "Per Hour"?	<p>Yes, a Bidder may only list a Flat Rate, and NOT list the rates for "Per Mile" or "Per Hour" for Heavy Equipment included on the Contract Pricelist, pursuant to the directions at the top of this Section, which states, "If a field is not applicable to the Heavy Equipment offered, enter "N/A." If there shall be no additional fee for the service indicated, (e.g., if it is included in the Daily Rental Price), enter "\$0.00."</p>
62	Attach 2: <i>Bid Documents (Electronic)</i>	Section E: <i>Contract Pricelist</i>	Equipment Description: If we list the Year, Make, and Model, is this sufficient information? Or should we list more specs. for the equipment?	<p>Model Year, Make, and Model are listed as examples of the type of descriptors that a Bidder may enter in the "Equipment Description" column. The information entered in the "Equipment Description" column is at the Bidder's discretion</p> <p>Bidders are advised that the Contract Pricelist will be posted on the OGS website upon Contract award, and will be used by Authorized Users to identify the Heavy Equipment that a Contractor has available for Rental, and therefore the "Equipment Description" should include as much detail as necessary to enable Authorized Users to assess Heavy Equipment availability.</p>
63	Attach 2: <i>Bid Documents (Electronic)</i>	Section E: <i>Contract Pricelist</i>	If we have the lowest prices for this equipment in our location, will we win the bid? Or will there be other bids after that? How do you determine who wins the bid?	<p>No, if a Contractor has the lowest Ceiling prices amongst other Contractors for the same Heavy Equipment in a particular county, that Contractor will not "win the bid." The purpose of IFB 22935 is to establish Contracts with vendors for Heavy Equipment Rental. Each Authorized User that chooses to use the Contracts that result from IFB 22935 to acquire Heavy Equipment Rental must follow the Rental Quote Process described in Contract Template Section II.10 <i>Procurement Method</i>, Paragraph C <i>Rental Quote Process</i>." A Contactor may submit a lower price for a particular transaction than its ceiling price.</p>



Bid Solicitation Update 2

Subject: Responses to Inquiries

DATE: August 11, 2015

IFB/RFP: 22935 BID OPENING DATE | TIME: August 13, 2015 | 11:00AM ET

GROUP | TITLE: 72007 | Heavy Equipment Rental (Statewide)

OGS DESIGNATED CONTACTS:

Matthew Jones	CMS 1	518-474-4163	SSTIndustrial@ogs.ny.gov
Wendy Reitzel	CMS 3	518-473-5280	SSTIndustrial@ogs.ny.gov

OGS DESIGNATED CONTACTS (Office of MWBE and Community Relations):

Anuola Surgick	Minority Bus. Specialist 2	518 486 9284	Anuola.Surgick@ogs.ny.gov
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SOLICITATION AMENDMENTS:

The above referenced solicitation has been amended to include the changes outlined below in the “OGS Responses to Vendor Inquiries” beginning on page two of this document. These amendments have not been reflected in revised solicitation documents, but shall be considered to be final, terms and conditions when submitting a bid, as if fully set forth in the solicitation documents. These amendments shall be incorporated in the final Contract(s) resulting from solicitation 22935.

OGS RESPONSES TO BIDDER INQUIRIES:

Pursuant to Bid Solicitation Information memo Section 7, Inquiries/Designated Contacts, the Office of General Services (OGS) reserved the right to consider questions received after the official question and answer period has ended. OGS has elected to respond to additional inquiries and requests for clarifications that were received after the “OGS Responses to Vendor Inquiries” document was posted at <http://www.ogs.ny.gov/purchase/biddocument/22935Bid.asp> on August 6, 2015. OGS responses to these inquiries are included beginning on page two of this memo.

BIDDER ACKNOWLEDGEMENT OF SOLICITATION UPDATES

A Bidder must acknowledge receipt and agreement to all IFB amendments by answering “Yes” to question #19 on Attachment 2: *Bid Documents (Electronic)*, Section A: *Bid Submittal Checklist*.

All other terms and conditions of the IFB remain the same.

Q#	Solicitation Document and Section	Vendor Question	OGS Response
1	Contract Template, Section III.1.1 <i>Delivery Charge</i>	<p>Clarification of total Time/Mileage to Include the Unloaded Portion of the Delivery and/or Pickup – Contract Template, III.1.1 Delivery Charge: Actual delivery of a piece of equipment involves:</p> <ul style="list-style-type: none"> • Load of equipment at vendor’s location • Delivery of equipment to user’s location • Unload of equipment at user’s location • Truck returns empty to vendor’s location (this does not appear to be part of the contract, but it is an industry standard charge and M/WBE delivery sub-contractors will charge for this component) <p>Then, at the conclusion of the rental contract:</p> <ul style="list-style-type: none"> • Truck drives empty to vendor’s location (this does not appear to be part of the contract, but it is an industry standard charge and M/WBE delivery sub-contractors will charge for this component) • Load of equipment at user’s location • Drive equipment back to vendor’s yard • Unload equipment at vendor’s yard 	<p>Pursuant to Contract Template Section III.1.1 <i>Delivery Charge</i>. “The Delivery Charge is the total dollar amount charged to the Authorized User for Delivery of the Heavy Equipment from the Delivery Origin to the location designated by the Authorized User on the Purchase Order (e.g., location where the Authorized User shall use the Heavy Equipment or the vehicle that the Authorized User shall use to transport the Heavy Equipment), and the return of the Heavy Equipment from the location designated by the Authorized User to the location designated by the Contractor.”</p> <p>If a Contractor includes in the Delivery Price the return of the empty vehicle from the Authorized User’s Delivery location after drop off of the Heavy Equipment, and the return of the empty vehicle back to the Authorized User’s Delivery location for pickup of the Heavy Equipment from the Authorized User, then such charges should be considered when listing the Ceiling Prices, and calculating Delivery Charges, for Transportation Charges. Upon Contract Award, OGS shall include a note on the Contract Pricelists that identify whether or not the applicable Contractor includes travel time and/or mileage of the empty vehicle when calculating the transportation Charge.</p> <p>The solicitation has been amended to include the changes outlined below (see red and underlined language). These amendments have not been reflected in revised solicitation documents, but shall be considered to be final, terms and conditions when submitting a bid, as if fully set forth in the solicitation documents. These amendments shall be incorporated in the final Contract(s) resulting from solicitation 22935.</p> <p>Contract Template, Section III.1.1 <i>Delivery Charge</i>, Paragraph B <i>Transportation Charge</i>, after first sentence add <u>“The Transportation Charge may include travel time and/or mileage, as applicable, for the return of the empty vehicle from the Authorized User’s Delivery location after drop off of the Heavy Equipment, and the return of the empty vehicle back to the Authorized User’s Delivery location for pickup of the Heavy Equipment from the Authorized User. Whether or not such charges are included in the Delivery Charge shall be identified on the Contract Pricelist.”</u></p> <p><u>Per Hour</u>. A per hour transportation charge for Delivery to the Authorized User shall be calculated by multiplying the per hour price by the number of hours accrued for Delivery of the Heavy Equipment. from the time that the loaded Heavy Equipment left Delivery Origin to the time that unloading of the Heavy Equipment commenced at the location designated by the Authorized User. A per hour transportation charge for Delivery for pickup from the Authorized User shall be calculated by multiplying the per hour price by the number of hours accrued from the time that the loaded Heavy Equipment left Authorized User location to the time that unloading of the Heavy Equipment commenced at the location designated by the Contractor.</p>

Q#	Solicitation Document and Section	Vendor Question	OGS Response
2	Contract Template, Section III.1.1 <i>Delivery Charge</i>	Is the Loading/Unloading charge on the Contract price List a ONE-TIME charge or a TWO-TIME charge? In practical terms, loading AND unloading occurs at both the beginning AND the end of the rental term. On the Rental Quote form it seems to indicate that this is a one-time charge. If that is the case, we will need to double our load/unload charge.	<p>The "Loading/Unloading" price is "Any fee for loading the Heavy Equipment onto the vehicle that shall be used to transport the Heavy Equipment, and/or for unloading the Heavy Equipment once it has reached the intended destination."</p> <p>Rental of Heavy Equipment includes two (2) occurrences of "Loading/Unloading," as described in the vendor question. Therefore, unless the Authorized User will be responsible for Loading/Unloading at the Delivery Location, the Loading/Unloading Price included on the Rental Quote and in the invoice for the Rental, shall be the "Loading/Unloading Price" listed on the Contract Pricelist multiplied by two (2).</p>
3	Contract Template, Section III. 5, <i>Authorized User Responsibilities / Rights</i>	<p>Paragraph J <i>Equipment Damage or Loss after Delivery:</i></p> <p>Rental charges should continue until equipment is repaired/or in case of loss, the rental is continued until the equipment is paid for in full. This is an industry standard because in the case of damage or theft, the Contractor is denied the opportunity to rent or sell the equipment to other potential customers.</p>	<p>OGS declines to amend the Contract Template to state that "Rental charges should continue until equipment is repaired/or in case of loss, the rental is continued until the equipment is paid for in full."</p> <p>Bidders are advised to consider the terms and conditions set forth in the Contract Template when submitting a bid.</p>