# ATTACHMENT 12
## GLOSSARY OF TERMS

Capitalized terms used in this Solicitation shall be defined in accordance with Appendix B §2 *Definitions*, or as below.

| Term | Definition |
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| After Business Hours | Monday through Friday, 5:00 PM to 7:00 AM ET, excluding NYS Holidays. |
| After Business Hours Hourly Pay Rate | The Hourly Pay Rate for work performed After Business Hours, for which NYS DOL requires the payment of time and one half of the hourly Prevailing Wage Rate. |
| After Business Hours Total Hourly Rate | The Total Hourly Rate for work performed on After Business Hours, calculated by adding the Saturday Hourly Pay Rate and the Supplemental Benefit and multiplying this sum by the contractually approved Percent (%) Markup over the Prevailing Wage Rate and Supplemental Benefit. |
| Authority Having Jurisdiction (AHJ) | An organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving Products, an Installation, an Integration, a procedure, or issuing a Permit. |
| Authorized Technician | An employee of the Contractor or a Subcontractor who:<br><br>A. Has been trained to Integrate and maintain for a Manufacturer, etc. a particular Product Line/Product,<br>B. Has been qualified and integrating/maintaining the Manufacturer's particular Product Line/Product for a minimum of two (2) years,<br>C. Regularly performs such Integration/Maintenance as part of his or her normal job duties, and<br>D. Has all necessary diagnostic/testing Equipment/tools in a state wherein the employee can immediately commence any Integration/Maintenance. |
| Authorized User | As defined in Appendix B. |
| Authorized User Agreement | The Purchase Order and/or such other documents memorializing the Contractor's obligations with respect to a given Transaction resulting from an RFQ or other method of solicitation issued by an Authorized User. |
| Authorized User NYS Net Price | The pricing the Authorized User agrees to pay in consideration for the Products the Contractor is providing as part of an Authorized User Agreement, which **must** be equal to or lower than the NYS Net Pricing on the Contractor's Centralized Contract awarded as a result of this Solicitation. The Authorized User NYS Net Price is calculated by multiplying the NYS Net Pricing by the Authorized User Percent (%) Discount. |
| Authorized User Percent (%) Discount | The Percent (%) Discount which is either:<br><br>A. An allowance, reduction, or deduction from the NYS Net Pricing on the Contractor's Centralized Contract for a particular Authorized User(s) when establishing an Authorized User Agreement; or<br>B. An allowance, reduction, or deduction from the Total Hourly Rate for Job Titles not included in an NYS DOL Prevailing Wage Rate Schedule. |

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| Authorized User Percent (%) Discount (cont'd) | The Authorized User Percent (%) Discount is a Contractually-Approved Percent (%) Discount From List Price/MSRP (even for Authorized user Total Hourly Rates for Job Titles Included in an NYS DOL Prevailing Wage Rate) which cannot be reduced for the Term of the Authorized User Agreement. |
| Authorized User Percent (%) Markup | The Percent (%) Markup used to calculate an Authorized User Total Hourly Rate for a Job Title Included in a NYS DOL Prevailing Wage Rate Schedule. The Authorized User Percent (%) Markup **must** be equal to or lower than the Contractually-Approved Percent (%) Markup Structure Over the Prevailing Wage Rate and Supplemental Benefits used to calculate the Total Hourly Rate for Job Title on the Contractor's Centralized Contract.<br><br>The Authorized User Percent (%) Markup is a Contractually-Approved Percent (%) Discount Structure Over the Prevailing Wage Rate and Supplemental Benefit which cannot be increased for the Term of the Authorized User Agreement. |
| Authorized User Total Hourly Rate | The pricing the Authorized User agrees to pay for a particular Job Title in consideration for the Installation, Integration, and Maintenance the Contractor is performing under an Authorized User Agreement, which **must** be equal to or lower than the Total Hourly Rates on the Contractor's Centralized Contract awarded as a result of this Solicitation. |
| Authorized User Total Hourly Rates for Job Titles Included in an NYS DOL Prevailing Wage Rate Schedule | The Authorized User Total Hourly Rate for Job Titles Included in an NYSDOL Prevailing Wage Rate Schedule. This is calculated by multiplying the sum of the Prevailing Wage Rates and Supplemental Benefits by the Authorized User Percent (%) Markup. |
| Authorized User Total Hourly Rates for Job Titles Not Included in an NYS DOL Prevailing Wage Rate Schedule | The Authorized User Total Hourly Rates for Job Titles Not Included in an NYS DOL Prevailing Wage Rate Schedule which MUST be equal to or lower than the Total Hourly Rates on the Contractor's Centralized Contract awarded as a result of this Solicitation. This is calculated by multiplying the Total Hourly Rate for Job Titles Not Included in an NYS DOL Prevailing Wage Rate Schedule by the Authorized User Percent (%) Discount. |
| Award 23141 or "This Award" | Collectively refers to all Centralized Contracts awarded as a result of this Solicitation. The use of these Terms in conjunction with either the inclusion/exclusion or authorization/prohibition of any offering, term & condition, requirement, use/action, etc. Shall mean that the particular offering, term and condition, requirement, use/action, etc. is either included/excluded from or authorized/prohibited on all Contracts awarded as a result of this Solicitation. |
| Best Commercial Customer | An entity, either Public (Government) or Private Sector, to whom a Contractor has offered their best pricing, based on factors such as volume of business, duration of service, etc. |
| Bidder | A Business Entity which submits a Proposal in response to this Solicitation. At the time that the Bidder executes a Contract with the State for their services, a Bidder shall become a "Contractor." See also "Contractor." |
| Bid Deviation | Any variance submitted or proposed by a Bidder, which deviates from, adds extraneous terms to, conflicts with or offers an alternative to any term, condition, specification or requirement of the Solicitation. |
| Bid/Bidder Proposal, Bid/Bidder Submission, Proposal | The complete response to this Solicitation submitted by a Bidder to provide, as applicable, the Products and Services described in the Solicitation. |

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| Bid Shopping | Where a Contractor (Prime Contractor) originally selects and proposes pricing based on pricing quoted to them by one Subcontractor, but then either:<br><br>A. Requires the Subcontractor to reduce their quoted pricing to the Contractor or the Contractor will utilize another Subcontractor, or<br>B. Selects a different Subcontractor with a lower price<br><br>But in either case does not extend these additional pricing reductions to the Authorized User and pockets the difference. |
| Business Day | Monday through Friday from 8:00 AM – 5:00 PM ET, excluding NYS Holidays and federal holidays. |
| Business Entity | Any individual, business, partnership, joint venture, corporation, S-corporation, limited liability company, sole proprietorship, joint stock company, consortium, or other private legal entity recognized by statute. Note: The defining criteria is the unique FEIN # and NYS Vendor ID #. |
| Business Hour | Hours in a Business Day. |
| Centralized Contract | As defined in Appendix B. |
| Certified Technician | An employee of the Contractor or a Subcontractor who meets all of the following:<br><br>A. Has received the applicable training and certification from the Manufacturer of a Product Line to Install, Integrate, Maintain, etc. a particular Product Line(s);<br>B. Has received any other required training or certification required by Code, the Authorized User, etc.; and<br>C. Has all necessary tools, equipment, etc. in a state wherein the employee can immediately perform any Installation, Integration, or Maintenance. |
| Construction | As defined in Article 8, Section 220 of New York State Labor Law. |
| Contractor | A Bidder who submits a responsive and responsible proposal who is awarded a Contract by OGS in response to this Solicitation. May also be referred to as Prime Contractor. |
| Contract Term,<br>Term of the Contract | The initial term of the Contract and any renewals and/or extensions. |
| Contractually-Approved Percent (%) Discount Structure From List Price/MSRP | The minimum Percent (%) Discount extended for a particular Product Line List Price/MSRP or Product subcategory List Price/MSRP, which cannot be reduced for the life of contract. |
| Contractually-Approved Percent (%) Markup Structure Over the Prevailing Wage Rate and Supplemental Benefit | The maximum Percent (%) Markup offered over a particular Job Title Prevailing Wage Rate and Supplemental Benefit which cannot be increased for the life of contract. |
| Core CPI | The “Consumer Price Index for All Urban Consumers: All Items Less Food & Energy” published by the United States’ Department of Labor, Bureau of Labor Statistics. |
| Dealer,<br>Authorized Dealer | A Business Entity, which is not a Manufacturer or Distributor, which is authorized to sell equipment commercially.<br><br>Dealers may either:<br><br>A. Bid/be awarded a Lot 1 or Lot 3 Equipment Only Contract, or<br>B. Not hold a Contractor but be listed under a Lot 1 or Lot 3 Equipment Only Contract and be authorized to accept |

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| Dealer,<br>Authorized Dealer (cont'd) | purchase orders and receive remittances directly from Authorized Users for the Equipment on the Contract. |
| Description of Duties | A general description of the types of work to be performed by Contractor and Subcontractor employees on the Contract. |
| Direct Selection,<br>Work Directly With | The process whereby an Authorized User which has either:<br><br>A. Standardized on a Particular Contractor, or<br>B. Has an Existing System provided by a particular Contractor<br><br>is NOT required to conduct a Second Tier Solicitation, but instead works directly with a particular Contractor. |
| Distributor,<br>Authorized Distributor | A Business Entity which purchases Products either directly from a Manufacturer, or from another Business Entity and then re-sells these to another Business Entity as part of a supply chain. For the purposes of this Solicitation, any MWBE or SDVOB "supplier" of Products is a "Distributor," but this shall not deem the supplier a "broker" as "broker" is used in the Article 15-A of the Executive Law and any Regulations issued for the same. |
| Embedded Base | Where a System which fits the Scope of This Award which has been:<br><br>A. Purchased, Installed, and Integrated by a Contractor either under This Award or outside of this Award, and<br>B. Accepted by an Authorized User at a given Facility, Campus, or across an entire Authorized User. |
| Emergency Service | A situation involving a "critical" System Malfunction of the Two-Way Radio System or Equipment in the opinion of the Authorized User. |
| Equipment, | An all-inclusive term which refers to either individual machines or a complete System or Subsystem, including but not limited to its hardware, firmware, appliances, controllers, connecting materials (e.g. wire, cable, conduit, wireless devices, etc.), materials, components, parts, Machine to Machine (M2M), Operating Software (OS), etc. |
| Facility | Any building, and the grounds, parking spaces/garages, walkways/pathways, enclosed areas, access points/gates, and all other physical areas connected to such building which form a contiguously-owned fixed real estate asset.<br><br>For purposes of this Solicitation and any resulting contract, "Facility," shall also include:<br><br>A. Any highway, road, street, harbor, waterway, etc. owned or managed by an Authorized User, or<br>B. Any subway, rail, or other mass transit System which is owned by a Public Authority/Public Benefit Corporation. |
| Fixed Price/Lump Sum | A method of proposing pricing for an Authorized User Agreement, whereby the Contractor or Subcontractor proposes a flat dollar value for the work to be performed, in whole or in part, which is not tied to the actual number of hours worked/Products provided, and where the Authorized User ONLY pays the flat dollar value, regardless of the duration of the work to be performed/Products provided. |
| Fully Operational | Means that either:<br><br>A. The Equipment/Systems have been Fully Furnished and are now activated and operational so as to allow for a System Acceptance Test; or |

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| Fully Operational (cont'd) | B. After System Acceptance, the Equipment/Systems are operating Problem Free;<br><br>and that the Equipment/Systems are now Commissioned and operational so as to allow for a System Acceptance Test. |
| General Services Administration (GSA) | The department within the U.S. government that is responsible for procurement of goods and services. |
| Government Entity | A federal, state, local entity, or tribal government located in the United States |
| Hourly Pay Rate | The hourly dollar rate of pay the Contractor provides to an employee/Subcontractor's employee. Except as specifically defined in this Solicitation and any resulting contract, the Hourly Pay Rate Shall be the Prevailing Wage Rate published by NYS DOL. |
| Installation | Involves physically Installing various types of Products as part of a Two-Way Radio System and/or adding new Products to an already existing Two- Way Radio System. |
| Integration | An inclusive term covering all commissioning, programming, consulting, customization, network/field engineering, design, etc. performed as part of the provision of any Two-Way Radio System. |
| Job Title | The specific designation for a particular Description of Duties on this Award. See Attachment 1 – *NYS Pricing*. |
| List Price/Manufacturer's Suggested Retail Price (List Price/MSRP) | The published or displayed price at which a Manufacturer or Distributor recommends all Integrators, Dealers, etc. sell their products commercially. This applies even if the Manufacturer or Distributor names this recommended pricing differently. |
| Low Voltage Wiring | Wiring which is less than 110 volts and greater up to and including 240 volts. |
| Maintenance Agreement | An Authorized User Agreement for the performance of Maintenance by a Contractor. |
| Maintenance | Preventative and Remedial Maintenance. Maintenance Services can be performed when all of the following conditions are met:<br><br>A. Only being done for Equipment/Systems which fit the Scope of this Award,<br>B. Is specified by the Manufacturer's recommended Maintenance guidelines/required by code, and<br>C. Is specifically being done to ensure the proper functioning of the Two-Way Radio Systems on this Award.<br><br>This includes the cleaning of Equipment such as cameras, chillers, etc. which are:<br><br>A. Only for Products which fit the Scope of this Award,<br>B. Specified by the Manufacturer's recommended maintenance guidelines/required by code, and<br>C. Specifically done to ensure the proper functioning of the Public Safety Communications Equipment and Systems on this Award.<br><br>Services such as janitorial services, porter services, cleaning of general ductwork, plumbing, groundskeeping, industrial cleaning, etc. shall not be obtained on this Award. |

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| Major Malfunction | A Major Malfunction is a situation after Acceptance of a Product/System, where 10% or more of the Product or System is not operating Problem Free. |
| Malfunction | A situation after Acceptance of a Product/System, where the Product or System is not operating Problem Free. |
| Manufacturer's/Distributor's Price List with List Price/MSRP ("List Price/MSRP File") | Documents published in some form by the Manufacturer or Distributor, available to and recognized by the trade, and which contains the Product/Model #, Product Description, and List Price/MSRP for the Manufacturer or Distributor's entire Product Line. |
| Minority and/or Woman-Owned Business (MWBE) | A business certified with NYS Empire State Development ("ESD") as a Minority- and/or Women-owned Business Enterprise. |
| New System | A System either:<br><br>A. Being Installed and Integrated into a new Facility, or<br>B. Being Installed and Integrated into an existing Facility where the Authorized User is completely removing the entire previous system.<br><br>An existing System which undergoes a retrofit, replacement(s) in kind, or an upgrade which uses existing Equipment from the existing System as applicable is **not** a New System even if the retrofit, replacement(s) in kind, or upgrade is deemed "Installation/Integration" by the Authority Having Jurisdiction and requires the preparation, approval, and stamping of plans and specifications. |
| Non-Emergency Service | A situation involving a System Malfunction of Two-Way Radio Equipment or System, of a scope less than that described for an Emergency. |
| Non-State Agency Authorized User | Any Authorized User except for a State Agency. |
| NYS Department of Labor (DOL) | The New York State Department of Labor: https://www.labor.ny.gov/home/ |
| NYS Holidays | The legal holidays for State employees in the classified service of the executive branch, as more particularly specified on the website of the NYS Department of Civil Service. This includes the following: New Year's Day; Martin Luther King Day; Washington's Birthday (observed); Memorial Day; Independence Day; Labor Day; Columbus Day; Veteran's Day; Thanksgiving Day; and Christmas Day. |
| NYS Net Price | The Not-to-Exceed Price for either:<br><br>A. All Equipment on Contract except for Custom-Built Equipment which is calculated by multiplying the List Price/MSRP by the Contractually-Approved Percent (%) Discount Structure from List Price/MSRP, or<br>B. Custom Built Equipment on Contract. |
| NYS Net Pricing Pages | The spreadsheets developed by Procurement Services (e.g. Attachment 1 of the Solicitation) and completed by the Contractor which includes all pricing, including, but not limited to NYS Net Pricing, Total Hourly Rates and any other Quantifiable Maximum Not-To-Exceed Pricing. This file is published by Procurement Services on its website. |
| NYS Office of the State Comptroller (OSC) | The New York State (NYS) Office of the State Comptroller: http://www.osc.state.ny.us/ |

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| New York State Small Business Enterprise (NYS SBE) | A company that is a resident to New York State, independently owned and operated, with 100 or fewer employees, and not dominant in its field. See State Finance Law §160(8). |
| Not-to-Exceed Price | A definitive, published price on the OGS Website, for a specific Equipment, Service, Labor, action, etc., which is inclusive of all costs as required by this Solicitation and any resulting Contract, and is the most an Authorized User can pay for this particular Equipment, Services, labor, action, etc. |
| NYS Vendor ID | The ten-character identifier issued by New York State when a vendor is registered on the Vendor File. |
| Offsite | Any Contractor or Subcontractor employee who is performing work at a location other than an Authorized User Facility. |
| Onsite | Any Contractor or Subcontractor employee who is physically at and performing any Installation, Integration, or Maintenance at an Authorized User Facility. |
| Original Equipment Manufacturer (OEM), Manufacturer | An organization or Business Entity that creates, makes, processes, or fabricates Equipment or something of value, which changes a raw material or commodity from one form to another or creates a new Product or commodity. |
| Original Rate Schedule | The Prevailing Wage Rate Schedule issued to a specific Authorized User by NYS DOL for a particular project/work when the Authorized User obtains a PRC # for the same project/work. |
| Percent (%) Discount | An allowance, reduction, or deduction from a selling price or List Price/MSRP extended by a seller to a buyer in order for the Net Price to become more competitive and expressed as a percentage rounded to two decimal points using standard rounding rules, and which is expressed as a percentage. |
| Percent (%) Markup | An increase or supplemental cost over either a Subcontractor proposal or the sum of the Prevailing Wage Rate and Supplemental Benefit for a given Job Title, expressed as a percentage rounded to two decimal points using standard rounding rules. |
| Permitting Agency | For State Agencies and state authorities, an agency which is an AHJ designed to issue Permits under New York State Codes, Rules, and Regulations Title 19 CR 1204.03(e) and Title 19 CR 1204.16. |
| Permit | A Written document issued by an Authority Having Jurisdiction authorizing Services to proceed on a particular project after a determination by the Authority Having Jurisdiction that the project as proposed will comply with applicable provisions of The New York State Uniform Fire Prevention and Building Code. Even with the issuance of a Permit, Authorized User's cannot proceed until they have completed all necessary steps outlined in this Solicitation and Attachment 14 - *How to Use This Contract*. |
| Preferred Source Products and Services | Refers to those Products and Services that have been approved in accordance with New York State Finance Law § 162. |
| Preferred Source Program | Refers to the special social and economic goals set by New York State in State Finance Law § 162 that require a governmental entity purchase select Products and Services from designated organizations when the Products or Services meet the "form, function and utility" requirements of the governmental entity. Under State Finance Law § 163, purchases of Products and Services from Preferred Sources are given the highest priority and are exempt from the competitive bidding requirements. The New York State Preferred Sources include: |

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| Preferred Source Program (cont'd) | A. The Correctional Industries Program of the Department of Corrections and Community Supervision ("Corcraft");<br>B. New York State Preferred Source Program for People Who Are Blind ("NYSPSP"); and<br>C. the New York State Industries for the Disabled ("NYSID").<br><br>These requirements apply to a State agencies, political subdivisions and public benefit corporations (including most public authorities). |
| Prevailing Rate Case # (PRC #) | The numeric designator assigned by the New York State Department of Labor for each project, Transaction, contract, etc. involving work which is covered under Article 8 or Article 9 of the NYS Labor Law. |
| Prevailing Wage Rate | That part of the requirements of Article 8 (Sections 220-224) of the New York State Labor Law, which requires public work Contractors and Subcontractors to pay laborers, workers or mechanics employed in the performance of a public work contract not less than the prevailing rate of wage and to provide supplements (fringe benefits) in accordance with prevailing practices in the locality where the work is performed. |
| Preventative Maintenance | Services intended to help avoid future Equipment/System failures and to help extend the useful life of the Equipment/Systems. Preventative Maintenance includes scheduled repairs/replacement. |
| Prime Contractor | See Contractor. |
| Priority Emergency Service | A situation involving a Major Malfunction of the Two-Way Radio Equipment or System, involving the inability of 10% of more of the Equipment or 10% of more of the System to operate Problem Free. |
| Problem Free | A fully furnished Equipment/System is:<br><br>A. Performing in accordance with all applicable Building Codes, Rules, and Regulations,<br>B. Performing in accordance with the Authorized User's specifications and terms and conditions of the Authorized User Agreement,<br>C. Performing in a manner which demonstrates the use of merchantable Products and good workmanship in the performance of the Installation/Integration of the Equipment/System,<br>D. Performing in a manner which meets or exceeds the Contractor or Manufacturer's specifications, performance standards, and Documentation,<br>E. Performing without the need of the Contractor to correct Malfunctions, defects, etc., and<br>F. Any other criteria the Authorized User or AHJ includes in the Authorized User Agreement which relates to the performance, operation, etc. of the Equipment/Systems Installed, Integrated, or Maintained. |
| Procurement Services (OGS) | The division within OGS that establishes centralized, statewide contracts for use by NYS agencies, political subdivisions, schools, libraries and others authorized by law to participate in such contracts: http://nyspro.ogs.ny.gov<br><br>**Note:** Any use of "OGS," unless specifically stated otherwise in a particular section or clause, Shall mean "Procurement Services." |
| Product | Any Equipment or Software Bid/offered on Contract. |

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| Product Line | A group of similar or related Equipment, marketed commercially under the same name or brand (e.g. Pelco), and recognized by the trade as such.<br><br>**Note:** Some Manufacturer's manufacturer multiple Product Lines (e.g. Honeywell, Notifier, Firelite, etc.). In this case, the "Product Line" is only the specific brand (e.g. Notifier), not all Products manufactured by ultimate parent entity (e.g. Honeywell). |
| Product Line Subcategory | A portion of a Product Line, usually of similar types/version of Products, which have a particular Contractually-Approved Percent (%) Discount From List Price/MSRP associated with them. |
| Product/Model # | An identification number assigned to describe a style or class of item, such as a particular design, composition, or function, by the Manufacturer of that item. |
| Professional Design Services | The practice/performance of Professional Architectural, Engineering, Land Surveying, Landscape Architectural, and Geological Services as defined by NYS Education Law and licensed/regulated by the New York State Department of Education. |
| Proprietary Equipment, Proprietary System | Equipment or System where only one (1) Contractor is able to Integrate (program, start-up, commission, configure, etc.) and Maintain (both Preventative and Remedial) the purchased Equipment or System. |
| Quantifiable Maximum Not-To-Exceed Price | A definitive, published price, for a specific Product, Service, labor, action, etc., which is inclusive of all costs as required by this Solicitation and any resulting contract, and is the most an Authorized User can pay for this particular Product, Services, labor, action, etc. |
| Reclassification of Job Titles | A situation where DOL issues an opinion, determination, judgment, classification, order, etc. which results in a Job Title being classified as public work or an adjustment to the required pay classification which was not part of the published Prevailing Wage Rate schedule (and hence the awarded pricing) at the time of the Solicitation. |
| Remedial Maintenance | The repair or replacement or previously Installed, Integrated, and Accepted Malfunctioning Equipment/Systems. |
| Remote Administration, Remote Maintenance, Remote Support Services | Performance of Remedial and/or Preventative Maintenance by way of connections to an Authorized User's networks/Systems from the Contractor's network/System (offsite). |
| Reseller, Authorized Reseller | A company or individual (merchant) which is authorized to accept purchase orders and receive remittances directly from Authorized Users for the Products and Services on the Contract. Authorized Resellers are sometimes also referred to as "Reseller," "Value Added Reseller," or "VAR." |
| Respond/Response | When a Certified or Qualified Technician commences actually working on, examining, or in some way Servicing Equipment/System(s) with a Malfunction/problem to attempt to correct the Malfunction/problem. **Scheduling, simply returning a phone call, having an untrained representative/unprepared technician arrive on site, phone support, etc. do not constitute Commence Performing.** |
| Restricted Period | The period during the procurement process in which certain restrictions on communications between OGS and a Bidder are imposed (pursuant to State Finance Law § 139-j and § 139-k). For additional information, see Section 1.13 – *Summary of Policy and Prohibitions On Procurement Lobbying.* |
| Retail Price (List Price/MSRP) | The price at which a Manufacturer or Distributor recommends their Products be sold commercially, either nationally or regionally. This |

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| Retail Price (List Price/MSRP) (Cont'd) | applies even if the Manufacturer or Distributor names this recommended pricing differently. |
| Saturday Hourly Pay Rate | The Hourly Pay Rate for work performed on Saturdays, excluding NYS Holidays, for which NYS DOL requires the payment of time and one half of the hourly Prevailing Wage Rate. |
| Service-Disabled Veteran-Owned Business (SDVOB) | Please refer to NYS Executive Law Article 17-B for the definition of Service-Disabled Veteran-Owned Business. |
| Service | The performance of a task or tasks and may include a material good or a quantity of material goods, and which is the subject of any purchase or other exchange. For the purposes of Article 11 of the State Finance Law, technology shall be deemed a service. All work and labor (including, but not limited to Installation, Integration, and Maintenance) referenced in this Solicitation Shall be deemed Services. Also referred to as "Labor" or "Work." |
| Site Access Time | The time period each day for the Contractor or Subcontractor or their employees to:<br><br>A. Entering into a Facility,<br>B. Gaining access to a particular area,<br>C. Undergoing an Authorized User security screening process,<br>D. Moving through a Facility to a particular area/location, and<br>E. Exiting the Facility. |
| Software | An all-inclusive term which refers to any computer programs, routines, or subroutines supplied by the Contractor, including operating Software, Programming aids, application programs, and program Products. |
| Standardization | When an Authorized User selects a particular Contractor based on factors, including, but not limited to, pricing, qualifications, past performance, technical ability, System requirements, etc. to be utilized for a Facility, campus, or the entire Authorized User. |
| State Agency | As defined in Appendix B. |
| Statewide Financial System (SFS) | The NYS Enterprise Resource Planning (ERP) System:<br><br>www.sfs.ny.gov |
| Subcontractor | See Appendix B.<br><br>**Note:** Sub-Subcontractors retained by a Subcontractor are "Subcontractors" for purposes of this Solicitation and any resulting contract. |
| Subcontractor Percent (%) Markup | The Percent (%) Markup a Contractor can charge an Authorized User over a Subcontractor's quote/invoice for an Authorized User Agreement. |
| Sunday and NYS Holiday Hourly Pay Rate | The Hourly Pay Rate for work performed on either:<br><br>A. NYS Holidays, or<br>B. Sundays<br><br>Which is equal to double the Prevailing Wage Rate. |
| Sunday and NYS Holiday Total Hourly Rates | The Total Hourly Rate for work performed on Sundays and NYS Holidays calculated by adding the Sunday and NYS Holiday Hourly Pay Rate and the Supplemental Benefits and multiplying this sum by the Contractually-Approved Percent (%) Markup Over the Prevailing Wage Rate and Supplemental Benefit. |
| Supplemental Benefit | See above definition of "Prevailing Wage Rates." |

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| System | The complete collection of Equipment and Services as Integrated, functioning together, and performing in accordance with Code Requirements or Authorized User Agreement. This includes, but is not limited to: Low Voltage Wiring, Line Voltage Wiring, cable, coaxial & fiber optics, conduit, wireless communication Products, servers, storage, recording Products, UPS, Software, etc. which are part of/necessary for the functioning of the System. |
| Time and Materials (T&M) | A method of proposing pricing whereby the Contractor (and potentially Subcontractor through the Contractor) proposes to invoice the Authorized User the Actual Time Worked and the actual material (Equipment) costs. The pricing invoiced by the Contractor (or Subcontractor) must be at or below the Not-to-Exceed Pricing, and the Authorized User may obtain more advantageous Total Hourly Rates, NYS Net Pricing, etc. Prior to the commencement of work.<br><br>**Note:** The word "Material" shall, for purposes of Time & Materials and any reference to "Materials" for Preventative and Remedial Maintenance shall mean "Equipment" as defined in this Attachment. |
| Total Hourly Rate | The Not-to-Exceed Price (in dollars) for Job Titles which is either:<br><br>A. Calculated by adding the Prevailing Wage Rate and Supplemental Benefits and multiplying this sum by the Contractually-approved Percent (%) Markup Over the Prevailing Wage Rates and Supplemental Benefits, **or**<br>B. (for those Job Titles not included in an NYS DOL Prevailing Wage Rate Schedule), provided by the Contractor. |
| Transaction | An agreement between an Authorized User and a Contractor to exchange a Product or Service for payment. |
| Travel Time | The time period for employees of the Contractor or Subcontractor to travel to and from an Authorized User's Facility from any other location. |
| Uninterruptable Power Supply (UPS) | An electrical Product, which is a continual power source, that provides load input power in a near-instantaneous timeframe to provide protection from an input power interruption. |
| Written, Written Communication, Writing | Any writing that makes use of words. Examples of Written communications include e-mail, Internet websites, letters, proposals, and Contracts. |