

#	Document	Section	Inquiry	OGS response
1	Solicitation Main Document	1.1 Overview	<p>My question was about this solicitation and if it applies to us. We presently hold an NYS contract under award 20191: Is the solicitation number: 23150 for similar products?</p> <p>If so, what happens to our current contract, if not what is the difference in these solicitations.</p>	<p>The contracts currently in place under Award 20191 are set to expire on August 26th, 2019.</p> <p>Any vendor, including those currently holding a contract under Award 20191, who wish to have a Bid Proposal reviewed and evaluated for potential Contract award under Solicitation 23150 Must submit a Bid Proposal in response to Solicitation 23150.</p>
2	Solicitation Main Document	1.1 Overview	We are trying to find out if our contract will be replaced under the new Solicitation 23150	See response #1.
3	Solicitation Main Document	1.1 Overview	Is the solicitation published in today's Contract Reporter with Group 77201, Solicitation 23150 titled "Intelligent Facility and Security Systems and Solutions" meant as the replacement for contracts under Award 20191 including ours PT66773?	See response #1.
4	Solicitation Main Document	1.1 Overview	Is our company still under the contract Award 20191 or was our contract cancelled due to the Solicitation 23150, Intelligent Facility and Security Systems and Solutions?	See response #1.
5	Solicitation Main Document	1.1 Overview	We currently hold a contract for Lot 1 Product only under Award 20191. Will Bid Solicitation 23150 replace the existing bid?	See response #1
6	Solicitation Main Document	1.1 Overview	Is this bid replacing the current NY State HIRE (22872) Contract or is this something completely new?	No, Solicitation 23150 does not replace the NYS HIRE (Award 22872) contracts.
7	Solicitation Main Document	1.1 Overview	Are we OK to participate in the bidding process?	Any vendor who wishes to have a Bid Proposal reviewed and evaluated for a potential Contract award under Solicitation 23150 Must submit a Bid Proposal in response to Solicitation 23150. See Solicitation §2, <i>Bidder Qualifications</i> .
8	Solicitation Main Document	1.1 Overview	This security contract will be awarded while the current one is still active. Will there be overlap or will this immediately replace the old one once awarded?	Pursuant to Solicitation §4.13(x) OGS reserves the right to award the contracts under this Solicitation on a rolling basis. Procurement Services anticipates all Contracts under award 20191 will expire on August 26 th , 2019.
9	Solicitation Main Document	1.2 Scope	If a Manufacturer is awarded under Lot 2 can customers purchase replacement or upgrade parts or extra services (like training) on contract, or must all purchases be for systems only?	Replacement and upgrade of parts and Services May be obtained provided that the Equipment (parts) and Services are listed on the Contractor's NYS Net Pricing Pages published on the OGS website. See Solicitation §7, <i>Maintenance</i> .

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10	Solicitation Main Document	1.2 Scope	Is there a high-level list of what products are going be requested?	The scope of the Solicitation is limited to the 28 systems and related equipment listed in Solicitation §1.2 <i>Scope</i> , and Attachment 15- <i>Glossary of Terms</i> for accompanying definitions. Actual purchases will be determined by the needs of Authorized Users.
11	Solicitation Main Document	1.2 Scope	Our company acquired a security division several years ago, and if our D/B/A is still applicable shall we reference in our solicitation?	Bidders Must provide the requested information, including d/b/a if applicable, as requested in the Solicitation (e.g. cover page).
12	Solicitation Main Document	1.2 Scope	Are there any excluded vendors from this contract?	No, any vendor may submit a bid.
13	Solicitation Main Document	1.2 Scope	A) I don't see anywhere where it specifies brands you are looking for For example, Pelco or Bosch B) So would we just submit both those brands? C) With full price sheets in your format as requested with all documentation as requested?	A) This solicitation does not specify brands. See Solicitation §1.2 <i>Scope</i> and Attachment 15 – <i>Glossary of Terms</i> for guidance as to what Equipment and Services are within the scope of the Solicitation. B) & C) Vendors can submit any products or services within the Scope of the Solicitation, which may include multiple brands, in the format provided in Attachment 1 - <i>NYS Net Pricing Pages</i> .
14	Solicitation Main Document	1.2 Scope	Are we defining the services sold on this contract & are there any exclusions of types of service?	The scope of Equipment and Services is set forth in Solicitation §1.2 – <i>Scope</i> . See also Attachment 15 – <i>Glossary of Terms</i> .
15	Solicitation Main Document	1.2 Scope	How would we approach this bid as a service provider, listing our labor rates, and costs for parts using multiple manufacturer's equipment?	Bids must be submitted in accordance with Attachment 1 – <i>NYS Net Pricing Pages</i> .
16	Solicitation Main Document	1.2 Scope	We have reviewed the solicitation referenced and none of the categories contained within seem to fit our product offering and products included on the current contract (Award 20191 – Security Systems and Solutions). The current contract has a category for RADIO/TWO-WAY COMMUNICATIONS EQUIPMENT/SYSTEMS (RADIOS, REPEATERS, ANTENNAS, INFRASTRUCTURE, ETC.) Please advise where radio system and radio user equipment fit in this new contract, or if NY intends to handle these products under a different solicitation?	Radio Communications Equipment is not within the Scope of Solicitation 23150. Please see Solicitation 23141, <i>Public Safety Communications Equipment and Services</i> , at the following link: https://ogs.ny.gov/procurement/bid-document-files-public-safety-communications-equipment-and-services

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17	Solicitation Main Document	1.2 Scope	I am submitting a question to OGS (as required below) to determine if our current contract fits the scope of Award 23150. If our current contract is not in scope for solicitation 23150, will a separate RFP be released to address NY's two-way radio needs? FYI: Vendor X manufactures and supplies two-way radios/systems for public safety entities (20191, 7 and I do not see a fit with 23150 (perhaps I am overlooking it). (The actual company name and Product has been redacted from this question)	See response # 16.
18	Solicitation Main Document	1.2 Scope	Based on the List of items listed, I do not see any reference for Radio Communications Equipment. Is this category being put on a different contract or included in this one since it was part of RFP 20191 that expires in August 2019	See response # 16.
19	Solicitation Main Document	1.2 Scope	What category does two-way radio equipment and systems belong in?	See response # 16.
20	Solicitation Main Document	1.2 Scope	are emergency responders' land mobile radios included within this contract?	See response # 16.
21	Solicitation Main Document	1.2 Scope	Our company manufactures and sells Public Safety communications systems (e.g., two-way radios, repeaters, infrastructure, etc.). Our contract information is: AWARD #: 20191 GROUP #: 77201 AWARD DESCRIPTION: Security and Facility Systems & Solutions Systems CONTRACT PERIOD: August 7, 2007 – August 26, 2017/2020. Can you tell us if our offering is in scope for Solicitation 23150?	See response # 16.
22	Solicitation Main Document	1.2 Scope	If the answer to question # 21 above is "no," will there be a separate solicitation to address the State's Public Safety two-way radio needs?	See response # 16.
23	Solicitation Main Document	1.2 Scope	Is it OGS's plan to issue a solicitation for a new contract radio communications systems later this year since it expires in August?	See response # 16
24	Solicitation Main Document	1.2 Scope	Is there a need for LMR or Public Safety 2-way radios in this Bid?	See response # 16

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25	Solicitation Main Document	1.2 Scope	Is Public Safety Radio Communications Equipment going to be included in this scope? (e.g. two-way radios, repeaters, etc.).	See response # 16.
26	Solicitation Main Document	1.2 Scope	With regards to the current offer, I would like a clarification of Scope under 1.2 in the solicitation. You have inmate radios listed in the Scope, are there plans to include two-way radio, mission critical communications products as part of this bid solicitation? Several dealers in NY are asking about this as well.	See response # 16.
27	Solicitation Main Document	1.2 Scope	It is stated that Solicitation 23150 will replace Contract 20191. In review of the new solicitation, it appears that there is no longer specific scope/items for Geographic Positioning Systems, Aerial Imaging Systems, etc. or Geographic Information Systems (GIS). Do these items fall into a listed system as a sub-system? If so, which systems do they now fall into? If the scope/items of Geographic Positioning Systems, Aerial Imaging Systems, etc. and Geographic Information Systems (GIS) do not fall into any systems related to this Solicitation, have they been moved to another Solicitation? Any information on what system digital levels, total stations, robotic total stations, GNSS, survey field controllers/ field software and survey office software would fall into?	No, these items are not within the scope of the Solicitation. The scope of the Solicitation is limited to the 28 systems and related equipment listed in Solicitation §1.2 <i>Scope</i> , and Attachment 15- Glossary of Terms for accompanying definitions. Vendors offering Equipment/Services that do not fit the Scope of Solicitation 23150 should continue to monitor the NYSCR (https://www.nyscr.ny.gov/) for future opportunities.
28	Solicitation Main Document	1.2 Scope	Are Survey and Mapping Equipment and Supplies included anywhere in the scope of this solicitation?	See response # 27.
29	Solicitation Main Document	1.2 Scope	Do Vehicle Tracking Systems, Telematics, and Fleet Management Systems fit the Scope of the Solicitation?	See response # 27.
30	Solicitation Main Document	1.2 Scope	Do electronic ticketing systems consisting of mobile computers, barcode scanners, in-car printers, public safety communication devices, etc. which are used by law enforcement to issue citations fit the scope of this Solicitation?	See response # 27.
31	Solicitation Main Document	1.2 Scope	Do Drones fit the scope of this Solicitation?	See response # 27.

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32	Solicitation Main Document	1.2 Scope	Do in-car video cameras, mobile bus surveillance cameras, and night-vision portable surveillance equipment fit the scope of Solicitation 23150	See response # 27.
33	Solicitation Main Document	1.2 Scope	Is the CCTV equipment limited to Fixed site application or would Mobile application be considered	Assuming you are asking about mobile bus surveillance cameras, Body Cameras, in car-video cameras, and night-vision portable surveillance cameras, these are not within scope of Solicitation 23150. Vendors offering Equipment/Services that do not fit the Scope of Solicitation 23150 should continue to monitor the NYSCR (https://www.nyscr.ny.gov/) for future opportunities.
34	Solicitation Main Document	1.2 Scope	The scope of this Solicitation includes Personnel Alarm Systems. Part of the Personnel Alarm System includes the portable devices worn by the Officers & employees within the particular Facility. Do these devices which are only acquired as part of the Personnel Alarm System fit the scope of this Solicitation?	Portable devices which are worn by the officers and employees as part of a Personnel Alarm System fit the scope of Solicitation 23150.
35	Solicitation Main Document	1.2 Scope	Do Mobile Data Terminals, fit the Scope of this Solicitation	Mobile Data Terminals are not within the Scope of Solicitation 23150.
36	Solicitation Main Document	1.2 Scope	Can I offer a mobile Livescan solution whereby Certain Livescan Store and Forwarding and are not hardwired or affixed to a Facility?	Mobile Livescan Solutions are not within the scope of Solicitation 23150.
37	Solicitation Main Document	1.2 Scope	For Electronic Identification Systems and Livescan Store and Forwarding Systems, not all of the Equipment (e.g. badge printers, scanners, etc.) is hardwired/affixed to the Facility. However, this equipment is integrated with the System in the Facility and is not used outside of the Facility. Do these fit the scope of this Solicitation?	Yes, these items fit the Scope of Solicitation 23150 because they are part of and only used with the Electronic Identification Systems or Livescan Store and Forwarding System at a particular facility.
38	Solicitation Main Document	1.2 Scope	I am a prospective Bidder who is interested in bidding Lot 1 is for Equipment Only. Equipment is defined as including software. Some of the Manufacturer's I would like to offer include line items for software Maintenance plans. Can I include software Maintenance plans with my bid for Lot 1 Equipment Only?	No. Software Maintenance plans Must not be offered on Lot 1 Equipment Only Bids/Contracts. Software Maintenance/Software Maintenance plans are Preventative Maintenance which May only be offered on Lot 2.

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39	Solicitation Main Document	1.2 Scope	Are the following Products and Services included in the Scope of this Contract as listed on page 8 of the solicitation document (if so under what heading/name) <u>or if not</u> -- can these products/services be added: 1) Mechanical Systems and Upgrades, 2) Recommissioning or retro commissioning or continuous commissioning of building systems such as - mechanical systems, electrical systems and building management systems 3) Fault Detection and Diagnostic Systems 4) Electrical Services, 5) Generator (Permanent Affixed, not Portable, 6) Generator Services 7) Engine Maintenance	As currently written, OGS is unable to answer your question. It is incumbent upon the Bidder to provide additional information on each of the systems referenced to make a case that the system or service meets the scope of the Solicitation. OGS strongly recommends that Bidders use the second question and answer period to resubmit questions with greater detail. Vendors offering Equipment/Services that do not fit the Scope of Solicitation 23150 should continue to monitor the NYSCR (https://www.nyscr.ny.gov/) for future opportunities.
40	Solicitation Main Document	1.2 Scope	Are Metal Detectors an included product category on this Bid?	No. Metal Detectors are not within the Scope of Solicitation 23150.
41	Solicitation Main Document	1.2 Scope	I have review Section 1.2 Scope for Group 77201 Bid 23150 and cannot determine if any of the listed categories would contain our types of products. Some of our competitors have contracts listed under Group 38232, Hazardous Incident Response Equipment, which includes detection systems similar to ours. Can you please point me to the proper area to inquire about establishing our own contract ASAP?	The scope of the Solicitation is limited to the 28 systems and related equipment listed in Solicitation §1.2 <i>Scope</i> , and Attachment 15- Glossary of Terms for accompanying definitions.
42	Solicitation Main Document	1.2 Scope	I am a manufacturer of chillers. I'm trying to determine if they fit the scope. My chillers: A. Have built-in computer controls we install at our factory, B. Must be Integrated, Programmed, Started-up, and Commissioned by our trained technicians C. Automatically and electronically collects, receives, transmits, displays, stores, records, analyzes, and communicate, data such as temperature, speed, power, etc., and D. Communicates electronically and automatically with the Building Automation System. Do my chillers fit the scope of this Solicitation?	The scope of the Solicitation is limited to the 28 systems and related equipment listed in Solicitation §1.2 <i>Scope</i> , and Attachment 15- Glossary of Terms for accompanying definitions. Based on the information provided, it appears this Chiller meet the definition of a Microprocessor-Controlled HVAC Equipment System in Attachment 15 – Glossary of Terms.

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43	Solicitation Main Document	1.2 scope	Does alarm and signal systems include emergency alert systems i.e. "lock down" or does that fall under section 6.7 emerging tech?	Yes, provided that it is Integrated with and part of a Physical Access Control System. The scope of the Solicitation is limited to the 28 systems and related equipment listed in Solicitation §1.2 <i>Scope</i> , and Attachment 15- <i>Glossary of Terms</i> for accompanying definitions.
44	Solicitation Main Document	1.2 Scope	Under this bid is kitchen hood exhaust cleaning included?	Kitchen Exhaust Hood cleaning only fits the scope as "Maintenance" if: 1) The Kitchen Hood is a Fire Sprinkler System or Fire Suppression System as defined in Attachment 15 – <i>Glossary of Terms</i> , and 2) The "cleaning" meets all of the following as required by Attachment 15 – <i>Glossary of Terms</i> a) Only for Equipment which fit the Scope of This Award, and b) Specified by the Manufacturer's recommended maintenance guidelines/required by code, and c) Specifically done to ensure the proper functioning of the Intelligent Facility and Security Systems and Solutions on This Award
45	Solicitation Main Document	1.2 scope	Does Electronic Identification systems include visitor management systems?	If a Visitor Management System is the same as an Electronic Identification System (the definition would be the same as the definition of Electronic Identification System in Attachment 15 – <i>Glossary of Terms</i>) then Electronic Identification System includes Electronic Identification Equipment. You May submit an updated question containing more information during the second Q&A period.
46	Solicitation Main Document	1.2 Scope	If bidder opts to expand the scope to other IFSSS systems, (for example: Lighting Control,) can scope be amended at other intervals beyond submission date of May 14th, 2019?	No, Bids cannot be amended after the bid submission date. After award, Equipment and Services may be added as provided in Appendix C – <i>Contract Modification Form and Procedure</i> .
47	Solicitation Main Document	1.2 Scope	This section lists "Emergency Management Systems" as an IFSSS system and instructs to see Attachment 15 - <i>Glossary of Terms</i> for the definition, but there is no definition included in the attachment. Can a definition for the scope listed above be provided?	Procurement Services apologizes for this oversight. This was incorrectly listed in the Scope. We have removed this from Solicitation §1.2 <i>Scope</i> .

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48	Solicitation Main Document	1.2 Scope	<p>Our question regarding 23150 is how it relates to the current contract that we have in place. When the solicitation comes out to replace our current contract, will we still be able to perform building controls projects as well as mechanical projects under the new contract?</p> <p>In other words, is it your intention to divide controls and mechanical work into 2 separate contracts?</p>	<p>The scope of the Solicitation is limited to the 28 systems and related equipment listed in Solicitation §1.2 <i>Scope</i>, and Attachment 15- Glossary of Terms for accompanying definitions.</p> <p>Procurement Services is unable to answer your question at this time as you have not provided enough information.</p> <p>You May submit an updated question containing more information during the second Q&A period.</p>
49	Solicitation Main Document	1.2 Scope	<p>What 'scope' includes data voice and video through wireless transmission.</p>	<p>The scope of the Solicitation is limited to the 28 systems and related equipment listed in Solicitation §1.2 <i>Scope</i>, and Attachment 15- Glossary of Terms for accompanying definitions.</p> <p>Procurement Services is unable to answer your question at this time as you have not provided enough information.</p> <p>You May submit an updated question containing more information during the second Q&A period.</p>
50	Solicitation Main Document	1.2 Scope	<p>Does the bid scope include security and watchman services/?</p>	<p>No. Security Guard and Watchmen services do are not within the Scope of Solicitation 23150.</p>
51	Solicitation Main Document	1.2 Scope	<p>Do the following items and services fit under this bid solicitations and if not, can you direct us to who deals with those items and service in the OGS? Fencing, windows, exterior lighting, bollards, anti-terror training sessions, security plan and procedures.</p>	<p>The scope of the Solicitation is limited to the 28 systems and related equipment listed in Solicitation §1.2 <i>Scope</i>, and Attachment 15- Glossary of Terms for accompanying definitions.</p> <p>Anti-Terror Training Sessions, Security Planning, and Security Procedures are not within the scope of Solicitation 23150.</p> <p>Vendors offering Equipment/Services that do not fit the Scope of Solicitation 23150 should continue to monitor the NYSCR (https://www.nyscr.ny.gov/) for future opportunities.</p>
52	Solicitation Main Document	1.2 Scope	<p>Could you please help clarify, would I be able to bid air filters for Lot 1 of this bid https://ogs.ny.gov/purchase/biddocument/23150BID.ASP?</p> <p>If not, is there a statewide contract out for air filters?</p>	<p>No. Assuming this is not a Microprocessor-Controlled HVAC Equipment System, then air filters are not part of the scope.</p> <p>The scope of the Solicitation is limited to the 28 systems and related equipment listed in Solicitation §1.2 – Scope, and Attachment 15- Glossary of Terms for accompanying definitions.</p>

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53	Solicitation Main Document	1.2 Scope	How should we address commodity products such as piping from a pricing standpoint?	Please see Solicitation 1.2 <i>Scope</i> , Attachment 15 – <i>Glossary of Terms</i> , and Attachment 16 – <i>How to Use</i> . Piping is not within the Solicitation 23150, except where Procurement Services has either: A. Included piping as part of the definition of a System in Attachment 15 – <i>Glossary of Terms</i> or B. Stated certain piping is allowable in Attachment 16 – <i>How to Use</i> .
54	Solicitation Main Document	1.2 Scope	Will End Point Protection be permissible for this contract?	Yes, but this Must be used for and as part of a System/Solution that fits the Scope of Solicitation 23150 and meets the requirements of Solicitation §6.46 <i>Systems and Solutions That Includes Cloud/Hosted/Remote Offerings</i> .
55	Solicitation Main Document	1.2 Scope	1-Are Uninterruptible power supplies used to back up security equipment considered within the Scope of this contract? 2-Would Switches used to connect the IP based Security systems be considered within the scope of this contract?	Yes, per Attachment 15 – <i>Glossary of Terms</i> , definition of “System,” Uninterruptible power supplies (UPS) and Switches which are only Obtained and used as part a System which is within the scope of 1.2 Scope and Attachment 15 - <i>Glossary of Terms</i> , and may be obtained on Contracts awarded as a result of Solicitation 23150.
56	Solicitation Main Document	1.2 Scope	If a manufacturer has their own OGS Manufacturer Based Umbrella Contract, can we offer their product line if it fits the scope of this RFP?	Yes, provided this Product Line fits the scope of Solicitation 23150.
57	Solicitation Main Document	1.2 Scope	A) If a Manufacturer has its own OGS Contract under Group 77201, or any other Group, may their products also be listed under other Bidders' Contracts? B) For example, APC has Contract PT56924 under Group 79504, but Uninterruptable Power Supplies are a common component of modern Intelligent Facility and Security System Solution designs. When APC was contacted for an MSRP Price List, they advised that APC was not allowed to appear under any other bidders' list of Manufacturers as APC already has their own OGS Contract. Is this correct? Please advise.	A) It is potentially possible that a Manufacturer and other Business Entity could offer the same product line. B) See response # 56.
58	Solicitation Main Document	1.2 Scope	Bidders are permitted to bid on only a single Lot. Are Bidders permitted to have two contracts to bid on each Lot?	No, Procurement Services has revised §5.1 <i>Method of Award</i> by adding the following language: <i>Procurement Services Shall only award one (1) Contract to each Bidder. Procurement Services Shall only award a Contract(s) for one (1) Lot per Bidder.</i>

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59	Solicitation Main Document	1.2 Scope	Lot 2 indicates Systems & Solutions (Equipment, Installation, Integration, and Maintenance). Are bidders permitted to sell Equipment only on Lot 2?	Yes.																				
60	Solicitation Main Document	1.2 Scope	Do we have to provide service to all the regions we select?	Yes, Procurement Services has revised §6.3 <i>Procurement Instructions for Authorized Users</i> by adding the following language: “Contractor Must offer Equipment and (for Contractors awarded Lot 2) Services in each Region awarded.”																				
61	Solicitation Main Document	1.2 Scope	Does OGS have an electronic copy of a map of the State of New York organized by OGS Regions 1-9 that corresponds to the below chart? <div style="text-align: center;"> <p>GROUP 77201 – Intelligent Facility and Security Systems and Solutions (Statewide)</p> <table border="1"> <thead> <tr> <th>Regions</th> <th>Counties</th> </tr> </thead> <tbody> <tr> <td>Region 1</td> <td>Nassau Suffolk</td> </tr> <tr> <td>Region 2</td> <td>Bronx Queens Richmond</td> </tr> <tr> <td>Region 3</td> <td>Dutchess Putnam Westchester</td> </tr> <tr> <td>Region 4</td> <td>Orange Sullivan Rockland Ulster</td> </tr> <tr> <td>Region 5</td> <td>Albany Montgomery Columbia Otsego Delaware Rensselaer Fulton Schoenectady Greene Schoharie</td> </tr> <tr> <td>Region 6</td> <td>Clinton Saratoga Essex Warren Franklin Washington Hamilton</td> </tr> <tr> <td>Region 7</td> <td>Cayuga Oneida Hamilton Otsego Jefferson Oswego Lewis St. Lawrence Madison</td> </tr> <tr> <td>Region 8</td> <td>Schoharie Schuyler Broome Seneca Chamung Steuben Cortland Tioga Livingston Tompkins Monroe Wayne Ontario Yates</td> </tr> <tr> <td>Region 9</td> <td>Albany Erie Cattaraugus Niagara Chautauque Orleans Genesee Wyoming</td> </tr> </tbody> </table> </div>	Regions	Counties	Region 1	Nassau Suffolk	Region 2	Bronx Queens Richmond	Region 3	Dutchess Putnam Westchester	Region 4	Orange Sullivan Rockland Ulster	Region 5	Albany Montgomery Columbia Otsego Delaware Rensselaer Fulton Schoenectady Greene Schoharie	Region 6	Clinton Saratoga Essex Warren Franklin Washington Hamilton	Region 7	Cayuga Oneida Hamilton Otsego Jefferson Oswego Lewis St. Lawrence Madison	Region 8	Schoharie Schuyler Broome Seneca Chamung Steuben Cortland Tioga Livingston Tompkins Monroe Wayne Ontario Yates	Region 9	Albany Erie Cattaraugus Niagara Chautauque Orleans Genesee Wyoming	No, there is not a separate map of the regions.
Regions	Counties																							
Region 1	Nassau Suffolk																							
Region 2	Bronx Queens Richmond																							
Region 3	Dutchess Putnam Westchester																							
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Region 9	Albany Erie Cattaraugus Niagara Chautauque Orleans Genesee Wyoming																							
62	Solicitation Main Document	1.2 Scope	Can you please clarify the requirements for domestic sourcing for product to be included on this contract (i.e. Buy American Act, Trade Agreement Act (examples for Federal contracts)	Procurement Services will respond to this inquiry with a future Addendum.																				
63	Solicitation Main Document	1.2 Scope	Can you please clarify if there are any domestic sourcing requirements (i.e. Buy American Act or Trade Agreement Act) required for products supplied via this contract?	See response # 62.																				
64	Solicitation Main Document	1.2 Scope	The Federal Government has banned the use of Hikvision, Dahua and all derivative OEM's from federal buildings. Reference: National Defense Authorization Act (NDAA) signed into law (Public Law: 115-232) on 8/13/18. Does this apply to products specified in this Bid?	See response # 62.																				
65	Solicitation Main Document	1.3 Estimated Quantities	On the website [https://www.ogs.ny.gov/purchase/biddocument/23150bid.asp], I see general info	This Solicitation is not an agency specific or project specific solicitation but is to establish multiple indefinite delivery/indefinite quantity																				

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			about the bid for Intelligent Facility and Security Systems and Solutions (Statewide). Wondering where I may be able to locate more specific information/details about all available projects for this bid?	centralized Contracts. Please see Solicitation 1.3 Estimated Quantities for additional information.
66	Solicitation Main Document	1.4 Key Events/Dates	May Bidder introduce new questions during the Second Round Question Period which were not included in the First Round Question Period?	Yes, Bidders may introduce new questions during the Second Round Question Period.
67	Solicitation Main Document	1.4 Key Events/Dates	The opening date of the solicitation is May 14, does it mean that we can submitted our bid starting from this date and is there a submission end time?	No, Per Solicitation §4.7 <i>Bid Delivery: Bids Must be delivered to the following address on or before 11:00 a.m. ET, on or before the Bid opening date as stated in §1.4 - Key Events/Dates. Late Bids Shall be rejected, except as provided in Appendix B, Late Bids.</i>
68	Solicitation Main Document	1.4 Key Events/Dates	It is recommended that questions be provided as early as possible before the cut off dates. Will answers be provided prior to the advertised answer dates? The answers impact how we may proceed in different areas and there is not a lot of time until bid submission, based on the work involved to put it together. Please advise.	Per Solicitation §1.6 <i>Bidder Questions: Answers to all questions of a substantive nature received by Procurement Services will be answered by Procurement Services and disseminated to all Bidders via a document posted to the Bid Document Files page on OGS' website for Solicitation 23150 on or around the tentative dates listed in §1.4 Key Events/Dates.</i>
69	Solicitation Main Document	1.5 Pre-Bid Conference	Will the Webinar be posted on the website, if so will you provide a link or location?	The webinar PowerPoint is posted to the Bid Documents section of the Solicitation. A link to the video recorded webinar can be found at the following: https://meetny.webex.com/meetny/ldr.php?RCID=f524ac8f5921c491c77e8af840e094a2
70	Solicitation Main Document	1.9 Definitions	The Solicitation includes definitions of Manufacturer, Distributor, Dealer, and Integrator. I am not a manufacturer, but am authorized by various manufacturers to both sell their product lines and to perform Installation, Integration, and Maintenance on them, but I call myself a "Dealer." Am I an Integrator or a Dealer for purposes of this Solicitation?	Based on the information you provided, you are an Integrator for purposes of this Solicitation and any resulting Contract. If you Bid Lot 2, you will need to obtain either an Attachment 13 - Lot 2 Manufacturer's Guarantee or Attachment 14 - Lot 2 Distributor's Guarantee for each Product Line you intend to offer. Please see the definition of "Dealer" in Attachment 15 – <i>Glossary of Terms.</i>
71	Solicitation Main Document	2. Bidder Qualifications	Do you have to be a manufacturer to become a member of the NYS Contractors through this bid solicitation (23150)?	No, Bidders do not need to be a Manufacturer to be awarded a Contract as a result of Solicitation 23150 provided they meet the Minimum Qualifications of Solicitation §2, <i>Bidder Qualifications.</i>
72	Solicitation Main Document	2.1 General Qualifications	If a Contractor bids Lot 2, can that Contractor be listed as a Dealer/Reseller under a Distributor bidding Lot 1?	Per Solicitation §6.33.1(3) <i>Lot 1 Equipment Only Dealers:</i>

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				<i>No Contractor awarded a Contract as a result of this Solicitation May be a Dealer on any other Contract awarded as a result of this Solicitation.</i>
73	Solicitation Main Document	2.1 General Qualifications	If a company is awarded a LOT 2 contract, can they also be named as a reseller under another manufacturers LOT 1 contract?	See response # 72.
74	Solicitation Main Document	2.1 General Qualifications	If an Integrator receives an award for their own contract under Lot 2, can they be listed as a reseller for a distributor on Lot 1?	See response # 72.
75	Solicitation Main Document	2.2 Minimum Qualifications	Are recurring charges such as monitoring services and service agreements considered a sale in this context?	In accordance with Solicitation §2.2.1 <i>Proof of Past Sales</i> , Recurring charges such as monitoring services and Maintenance service agreements for Systems which fit the Scope of Solicitation 23150 are considered a sale that can be included to meet the Minimum Qualifications for Proof of Past Sales, provided that it was made within the three years immediately preceding the bid opening date.
76	Solicitation Main Document	2.2 Minimum Qualifications	If a Company X is purchasing Company Y (Or Company Y's assets and contracts), Can company X submit work performed by Company Y prior to the acquisition. The staff of Company Y have been retained by Company X.	Yes, Procurement Services has revised Solicitation §2.2.1 <i>Proof of Sales</i> by adding the following: <i>Where a Bidder has purchased another Business Entity or another Business Entity's assets, Bidder May submit work performed by the other Business Entity prior to the acquisition to demonstrate Proof of Sales.</i>
77	Solicitation Main Document	2.2.1 Proof of Past Sales	Bid opening is May 14th, 2019, is three years preceding considered 1/1/16 - 12/31/2016, 2017, 2018 respectively? Sales reported a cumulative total, correct?	The three-year period is 5/14/16-5/13/19. Sales reported are for the cumulative three-year time period (not annually).
78	Solicitation Main Document	2.2.1 Proof of Past Sales	What is the time frame we are reporting?	See response # 77.
79	Solicitation Main Document	2.2.1 Proof of Past Sales	If annual sales exceed \$600k, for 3 or more Regions, is it necessary to document past sales exceeding this threshold?	No.
80	Solicitation Main Document	2.2.1 Proof of Past Sales	Is it sufficient to stop listing sales activity once \$600K of sales in 3 years has been demonstrated or is the entire three-year history required?	See response # 79.
81	Solicitation Main Document	2.2.1 Proof of Past Sales	Are there specific rules for the first time OGS contract bidders, such as how are requirements such as \$200k previous sales handled?	No.
82	Solicitation Main Document	2.2.1 Proof of Past Sales	For Lot 2 Bidders bidding 3 or more regions, is the three-year \$600,000.00 requirement an aggregate or must Bidder show that level	The Proof of Past Sales Qualification is for sales to government entities and authorized users made during the three years (entire time period, not annually) immediately preceding the bid

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			of sales in each of the regions sought over the last 3 years?	opening date (5/14/19), and which sales are for IFSSS listed in §1.2. Bidders do not need to demonstrate sales in specific regions regardless of Lot bid.
83	Solicitation Main Document	2.2.1 Proof of Past Sales	We have not had service, install or maintenance on a previous NYSC. A) How do we provide proof of sale under this circumstance? B) Can we provide proof of sale for other state contract work? C) What agencies qualify?	A) Per Solicitation §2.2.1 <i>Proof of Past Sales: Bidders...Must demonstrate...prior sales to either Government Entities and/or Authorized Users as defined herein made during the three years (entire time period, not annually) immediately preceding the bid opening date, and which sales are for IFSSS listed in §1.2.</i> B) Yes, provided that these sales meet the requirements of §2.2.1 <i>PROOF OF PAST SALES.</i> C) Please see Attachment 15 – Glossary of Terms for the definitions of Government Entity and Authorized User.
84	Solicitation Main Document	2.2.1 Proof of Past Sales	What document is needed to provide proof of sale for equipment for Lot 2?	Per Solicitation §3.10 <i>Proof of Sales All Bidders Must complete and provide to Procurement Services an Attachment 9 – Proof of Past Sales form, using this to demonstrate they meet the mandatory Minimum Qualifications listed in §2.2.1, Proof of Past Sales.</i>
85	Solicitation Main Document	2.2.2 Continuous Operations Requirement	The Solicitation requires that a Bidder Must have been in continuous operation for the three (3) years immediately prior to the Bid Opening Date. The two (2) principals of my firm have a combined 20 years of experience in the industry, but the Bidder (Business Entity) has only been in continuous operation for one year. Does my firm meet this Minimum Qualification?	Attachment 15 – <i>Glossary of Terms</i> , defines “Bidder” as the “Business Entity which submits a proposal in response to this Solicitation.” Solicitation §2.2.2 <i>Continuous Operations Requirement</i> states: <i>Bidders Must have been in continuous operation for the three (3) years immediately prior to the Bid Opening Date. Solicitation 23150 contains provisions for Periodic Recruitment (See Solicitation §1.4).</i> Based on the information you provided, it appears you do not meet the requirements of Section 2.2.2 <i>Continuous Operations Requirement.</i>
86	Solicitation Main Document	2.3 Lot 1 Specific Qualifications	If we are only one of the Lot's, do customers see a difference and if so, what is that difference?	The contract awards will be posted to the OGS website and identify the Contractors and the Lots awarded.
87	Solicitation Main Document	2.3 Lot 1 Specific Qualifications 2.4 Lot 2 Specific Qualifications	Are we considered both the Distributor and the Bidder?	A) Procurement Services has revised Solicitation 23150 §2.3 <i>Lot 1 Specific Qualifications to state: Bidders Bidding Lot 1 Must either...</i>

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				<p>2. <i>Be a Distributor authorized by the Manufacturer to sell the Product Line(s) they are offering by providing Attachment 11 – Lot 1 Manufacturer’s Certificate, or</i></p> <p>3. <i>Be a Dealer authorized by the Manufacturer or Distributor to sell the Product Line(s) they are offering by providing either an Attachment 11 – Lot 1 Manufacturer’s Certificate or Attachment 12 – Lot 1 Distributor’s Certificate.</i></p> <p>As such a Bidder Bidding Lot 1 May also be a Distributor, but a Distributor Bidding Lot 1 Must not execute a Distributor’s Certificate for itself.</p> <p>B) Solicitation §2.4 Lot 2 Specific Qualifications states that only Manufacturers or Integrators May be awarded Contracts for Lot 2. Therefore, a Bidder Biding Lot 2 Must not be a Distributor.</p>
88	Solicitation Main Document	2.3 Lot 1 Specific Qualifications/ 2.4 Lot 2 Specific Qualifications	If a Distributor certifies/guarantees a Manufacturer, is the Manufacturer required to complete the certificate/guarantee as well?	No, pursuant to §2.3 Lot 1 Specific Qualifications (for item a), and to §2.4 Lot 2 Specific Qualifications (for item b), Bidder either: a) Bidding Lot 1 who obtains an executed Lot 1 Distributor’s Certification, or b) Bidding Lot 2 who obtains a Distributor’s Guarantee that lists a Manufacturer’s Product Line(s), does not need to obtain either (for Lot 1) a Manufacturer’s Certificate or (for Lot 2) a Manufacturer’s Guarantee for this Product Line(s).
89	Solicitation Main Document	2.4 Lot 2 Specific Qualifications	A) For Lot 2 Bidders, is it acceptable to obtain only a Distributor's Guarantee for multiple manufacturers' products that the referenced Distributor sells to integrators <u>or</u> is it necessary to obtain manufacturers' guarantees for each product as well? B) If only a Distributor's Guarantee is needed, may a Distributor list multiple manufacturers' product lines on a single guarantee or must a separate Distributor's Guarantee be submitted for each individual manufacturer's product line?	A) See response # 88. B) Yes, pursuant to §2.4 Lot 2 Specific Qualifications a Distributor May list multiple Manufacturer’s Product Lines on a single Distributor’s Guarantee.
90	Solicitation Main Document	2.4 Lot 2 Specific Qualifications	A lot of time was spent getting the Manufacturer's Guarantee and pricing for Award 20191 which states on the website	No, Procurement Services respectfully declines to make the requested revision.

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			should be valid until 2020. It appears the state is asking us to accomplish this task again for what will be many of the same manufacturers. Can the state use the existing guarantees from 20191 so we are not duplicating this same time-consuming process again?	
91	Solicitation Main Document	2.4 Lot 2 Specific Qualifications	A) If manufacturer on current NYS contract, do they have to re-sign new Attachment 13 Guarantee? B) How far back can the date of signage be from the manufacturer?	A) Yes. B) Since Attachments 13 and 14 were issued on January 28 th , 2019, these forms Must be executed and dated on or after January 28 th , 2019.
92	Solicitation Main Document	2.4 Lot 2 Specific Qualifications	How recent does the Manufacturer's or Distributor's Guarantee have to be?	See response # 91(b).
93	Solicitation Main Document	2.4 Lot 2 Specific Qualifications	A) The Manufacturer's Guarantee is found in Attachment 13 (not 19) B) Please confirm this document is needed per Manufacturer provided on the bid solicitation	A) OGS apologizes for this oversight in Attachment 8 and has corrected this. B) See response # 91(a).
94	Solicitation Main Document	2.4 Lot 2 Specific Qualifications	A) The Distributor's Guarantee is found in Attachment 14 (not 20). B) Is this needed for the service and installation portion of Lot 2 or does the Manufacturer's Guarantee include services & install.	A) OGS apologizes for this oversight in Attachment 8 and has corrected this. B) See response # 88 and 91(a).
95	Solicitation Main Document	2.4 Lot 2 Specific Qualifications	If the Distributors' Guarantee is signed by a Distributor for certain products, is the Contract holder limited to sourcing that product from only that Distributor?	Yes, Procurement Services has revised Solicitation §6.10 Product Lines by adding the following: For each Product Line offered on Contract where the Contractor is Not the Manufacturer of the Product Line, the Contractor Must source all Equipment contained in this Product Line from either: A. The Manufacturer of the Product Line who executed either (for Lot 1) Attachment 11 – Lot 1 Manufacturer’s Certificate, or (for Lot 2) Attachment 13 – Lot 2 Manufacturer’s Guarantee, and/or B. The Distributor(s) listing who Executed either (for Lot 1) Attachment 12 – Lot 1 Distributor’s Certificate, or (for Lot 2) Attachment 14 - Lot 2 Distributor’s Guarantee which lists the Product Line.
96	Solicitation Main Document	2.4 Lot 2 Specific Qualifications	If during the waiting period, through August 24th, a distributors contract expires and unable to renew must we notify OGS to	Please see Solicitation §6.10(3) <i>Product Lines</i> .

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			amend or initial submission? Or ensure all agreements are in place through the waiting period and for the initial 5-year term.?	
97	Solicitation Main Document	3. Administrative Proposal Requirements	General: There are no instructions in Section 3 covering submission of the Proof of Sales (Attach 9), Manufacturer's Guarantee, Distributor's Guarantee and Signed ST-220-CA. If there is nothing indicated in Section 3, we assume that you follow Attachment 7 for hard copy an electronic submission. Correct?	Yes, please follow the format in Attachment 7 – Bidder Submission Checklist.
98	Solicitation Main Document	3. Administrative Proposal Requirements	Documents requiring a wet ink signature are required to be submitted as original ink hardcopy. May we also submit electronic copies thereof as well?	<p>Yes. Procurement Services has updated Solicitation §4.5 <i>Content</i> by adding the following:</p> <p><i>Bidders Must submit two (2) USB flash drives containing all documents required to be submitted in electronic format. Additionally, Bidders Must submit two (2) original paper versions of all documents required to be submitted in hardcopy format.</i></p> <p><i>Also, please note that in the case of discrepancies between paper copies and USB flash drive submissions of the documents required in both formats, the electronic USB flash drive copy Shall take precedence over the paper copy.</i></p>
99	Solicitation Main Document	3. Administrative Proposal Requirements	The documents, other than original ink hardcopy required documents, only need to be submitted electronically. May we also submit them in hardcopy?	See above response # 98.
100	Solicitation Main Document	3.4 NYS Fire Alarm Security System Installer License Where Required by Law	P2 - Bidders Bidding Lot 2 - must have proof of active license prior to award. How should this proof be made -- include copy of the license in the submission?	<p>Per Solicitation §3.4, <i>NYS Fire Alarm Security System Installer License Where Required by Law:</i></p> <p>Bidders Bidding Lot 2 and offering the aforementioned Systems and corresponding Job Titles Must provide proof of an active license prior to Award.</p> <p><i>Additional information regarding these requirements May be obtained from the New York State Department of State at:</i> HTTPS://WWW.DOS.NY.GOV/LICENSING/PDFS/S ECURITY.PDF</p>
101	Solicitation Main Document	3.7 EEO Staffing Plan	If we plan on increasing staff during the 5-year term, does the FORM 100 need to reflect this?	No.

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102	Solicitation Main Document	3.8 MWBE Utilization/3.9 SDVOB Utilization	Are MWBE and SDVOB Forms 100 required as part of the initial solicitation submission?	Yes, unless you are submitting a Waiver request.
103	Solicitation Main Document	3.8 MWBE Utilization	Do you complete MWBE 100 if you are a MWBE business?	Yes.
104	Solicitation Main Document	3.8 MWBE Utilization	Do Lot 2 Bidders need to list all potential MWBE Subcontractors on the initial MWBE 100 form?	Yes.
105	Solicitation Main Document	3.8.1 MWBE 100 (Utilization Plan) or Waiver	If we are bidding on Lot 1 for equipment only is it still a requirement to have MBE or WMBE	All Bidders, regardless of Lot Bid, Must submit an MWBE Utilization Plan, or a Request for Waiver of MWBE Goals.
106	Solicitation Main Document	3.8.1 MWBE 100 (Utilization Plan) or Waiver	If we have one now, do we need to complete a new one from scratch?	All Bidders Must submit a new MWBE 100 Utilization Plan, or Waiver Request.
107	Solicitation Main Document	3.8 MWBE 100 (Utilization Plan) or Waiver	Can we utilize certified MBE/WBE vendors that are not listed on the NYS Certified List currently, for example certified in another state or agency?	All MWBE Business Entities Must be certified by New York State Empire State Development Corporation (https://ny.newnycontracts.com/).
108	Solicitation Main Document	3.8 MWBE 100 (Utilization Plan) or Waiver	Can you confirm that the Lot 2 Distributor's Guarantee is the correct form for a potential MWBE vendor to complete for inclusion in our bid?	Yes, but only for MWBE (or SDVOB) Suppliers, not Subcontractors. Per Solicitation §3.8.1, <i>MWBE 100 (Utilization Plan) and Waiver: Where the Bidder is proposing to use an MWBE [or SDVOB] Supplier to meet the aforementioned Goals, the Bidder Must obtain either (depending upon the Lot Bid) an Attachment 12 – Lot 1 Distributor's Certificate or Attachment 14 – Lot 2 Distributor's Guarantee from the MWBE [or SDVOB] Supplier and provide this to Procurement Services.</i>
109	Solicitation Main Document	3.8.1 MWBE 100 (MWBE Utilization Plan) or Waiver	In reading the documentation it seems that the MBE dealer is required to fill out the Distributor's Guarantee form. Is that correct? The dealer is questioning this form as am I. Is this the correct paperwork?	Per Solicitation §3.8.1 <i>MWBE 100 (MWBE Utilization Plan) or Waiver: Where the Bidder is proposing to use an MWBE Supplier [or SDVOB Supplier] to meet the aforementioned Goals, the Bidder Must obtain either (depending upon the Lot Bid) an Attachment 12 – Lot 1 Distributor's Certificate or Attachment 14 – Lot 2 Distributor's Guarantee from the MWBE Supplier [or SDVOB Supplier] and provide this to Procurement Services.</i>
110	Solicitation Main Document	3.8.1 MWBE 100 (Utilization Plan) or Waiver 3.9.1 SDVOB 100 (Utilization Plan) or Waiver	Do MWBE (or SDVOB) Subcontractors (e.g. an Electrical Installer) need to sign an Attachment 14 – Lot 2 Distributor's Guarantee?	No, Subcontractors are not required to obtain an Attachment 14 – Distributor's Guarantee.

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111	Solicitation Main Document	3.9 SDVOB Utilization	What if we cannot find an SDVOB?	See Solicitation §3.9 <i>SDVOB Utilization</i> and §6.20, <i>Participation Opportunities for New York State Certified Service-Disabled Veteran Owned Businesses</i>
112	Solicitation Main Document	3.9 SDVOB Utilization Plan	All of the SDVOB vendors listed on the website which we have contacted to date are not qualified for the type of work our company provides; should we complete a waiver?	See response # 111.
113	Solicitation Main Document	3.9 SDVOB Utilization Plan	We are also having difficulty finding a dealer on the SDBOV that is qualified to do work for us. Most of them are either out of state, Guard Services or IT Companies. Please advise	See response # 111.
114	Solicitation Main Document	3.9 SDVOB Utilization Plan	Do Lot 2 Bidders need to list all potential SDVOB Subcontractors on the initial SDVOB 100 form?	Please see Solicitation §6.20.2(B), SDVOB Utilization Plan.
115	Attachment 9 - Proof of Past Sales	3.10 Proof of Sales	If Bid Submission is for LOT 2 only, May this attachment be omitted or must it be submitted with " NOT APPLICABLE"	No, Per Solicitation §3.10 Proof of Sales: All Bidders Must complete and provide to Procurement Services an Attachment 9 – <i>Proof of Past Sales</i> form, using this to demonstrate they meet the mandatory Minimum Qualifications listed in §2.2.1 <i>Proof of Past Sales</i> .
116	Solicitation Main Document	3.11 Dealer Proposal Form	"Bidders Bidding / Contractors Awarded Lot 2 cannot propose or use Dealers." Does this mean Lot 2 Awardees can't use Dealers as suppliers?	Correct. Procurement Services has revised Attachment 15 – Glossary of Terms by adding the following to the definition of “Dealer”: <i>Dealers Must not provide Equipment to other Contractors and Must not execute either Attachment 12 – Lot 1 Distributor’s Certificate or Attachment 14 – Lot 2 Distributor’s Guarantee.</i>
117	Solicitation Main Document	3.12 Pricing	If we are proposing to utilize MWBE or SDVOB Suppliers (Distributors), do we need to provide pricing for the Product Lines they will be providing to us?	Yes, Procurement Services has revised Solicitation §3.12 <i>Pricing</i> by adding the following: <i>Bidders Must provide pricing for all Product Lines any MWBE and SDVOB suppliers (Distributors) will be providing as part of their Utilization Plans</i>
118	Solicitation Main Document	3.12 Pricing	In addition to Attachment submission, must we file a complete Manufacturers/Distributors list electronically?	Yes, Per Solicitation §3.12 <i>Pricing</i> : <i>Bidder Must provide a current copy of the Manufacturer’s/Distributor’s Price List with List Price/MSRP (“List Price/MSRP File”) in effect at time of Bid Submission,</i>
119	Solicitation Main Document	3.12 Pricing	What if the manufacturer does not have a published MSRP?	Assuming that the Manufacturer’s Equipment: A) Falls within the scope of Solicitation 23150 as defined in Solicitation §1.2 <i>Scope</i> and Attachment 15 – <i>Glossary of Terms</i> , and B) The Manufacture’s Equipment meets the definition of “Custom-Built Equipment” in

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				Attachment 15 – Glossary of Terms as well as the requirements for Custom-Built Equipment in Attachment 1 – NYS Net Pricing Pages, <i>Custom Pricing Instructions</i> tab, then the Bidder May propose this Equipment as Custom-Built Equipment in Attachment 1 – NYS Net Pricing Pages, <i>Custom-Built Pricing</i> tab.
120	Solicitation Main Document	3.12 Pricing	How do we list parts from a manufacturer, where the list price might vary? E.g. on-site training	See response # 119.
121	Solicitation Main Document	3.12 Pricing	We are a reseller and have our own list price separate from the manufacturer's MSRP, can we use that as the basis for our pricing as the "List Price"?	No. you Must use the Manufacturer's List Price/MSRP. Per Attachment 15 – <i>Glossary of Terms</i> , List Price/MSRP means: <i>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.</i>
122	Solicitation Main Document	3.12.1 Reasonableness of Pricing	Is there a minimum discount off list price?	There is no minimum Percent (%) Discount. Bidders Must demonstrate Reasonableness of Price as per Solicitation §3.12.1 <i>Reasonableness of Price</i> . Solicitation §3.12.1 <i>Reasonableness of Price</i> has been revised by adding the following: "Procurement Services will not accept any proposed Percent (%) Markup over List Price/MSRP."
123	Solicitation Main Document	3.12.1 Reasonableness of Pricing	Can we use comparison pricing from our own current NYS contract?	Yes, Bidders May demonstrate reasonableness of price using current NYS contract(s). Solicitation §3.12.1 <i>Reasonableness of Price</i> has been revised as follows: <i>Bidders Must demonstrate Reasonableness of Price for the Equipment and/or Services they are Bidding. Bidders May demonstrate Reasonableness of Price by offering NYS equal to or better pricing (Percent (%) Discounts, Percent (%) Markups, etc.) than ...</i> 2. <i>Pricing on Previously Awarded NYS Centralized Contacts....</i>
124	Solicitation Main Document	3.12.1 Reasonableness of Pricing	May we use OGS Contract 20191 as a comparable contract for percent discount?	Yes, see response # 123.
125	Solicitation Main Document	3.12.1 Reasonableness of Pricing	May we use OGS Contract 20191 as a comparable contract for total hourly rate?	Yes, see response # 123.

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126	Solicitation Main Document	3.12.1 Reasonableness of Pricing	May we use OGS Contract 20191 as a comparable contract for percent markup?	Yes, see response # 123.
127	Solicitation Main Document	3.12.1 Reasonableness of Pricing	Can you use the existing NYS Contract as a comparable contract?	Yes, see response # 123.
128	Solicitation Main Document	3.12.1 Reasonableness of Pricing	Can we use a current NYS OGS contract for reasonableness of price?	Yes, see response # 123.
129	Solicitation Main Document	3.12.1 Reasonableness of Pricing	Where do we find comparable contract % markups? We have no other special government or state contracts.	Yes, see response # 123.
130	Solicitation Main Document	3.12.1 Reasonableness of Pricing	Are existing discounts through Group: 77201 Award: 20191 acceptable proof of discount?	Yes, see response # 123.
131	Solicitation Main Document	3.12.1 Reasonableness of Pricing	Can we utilize the current OGS contract as a reference contract for this submission?	Yes, see response # 123.
132	Solicitation Main Document	3.12.1 Reasonableness of Pricing	<p>A) How would a bidder demonstrate reasonableness of price for an equipment item if it has not previously been sold by the Bidder to any of its existing private sector customers or to any of its Authorized Users on a government contract?</p> <p>B) Should the Bidder reference pricing [offered] by its competitors on such contracts?</p> <p>C) If so, how much research into 3rd party pricing will be required to demonstrate reasonableness? Such a requirement may prove to be unduly burdensome.</p> <p>D) For equipment items, wouldn't the discount off MSRP tend to demonstrate reasonableness, especially considering that any Authorized User could negotiate that pricing downward?</p>	<p>A), B), & C) Bidders Must satisfy the requirements of Solicitation §3.12.1 <i>Reasonableness of Price</i> and Attachment 1 – <i>NYS Net Pricing Pages</i>.</p> <p>D) No, this is not acceptable. A proposed Percent (%) Discount from List Price/MSRP for Product Lines (or Product Line Subcategories) does not, on its own, demonstrate Reasonableness of Price as it does not show either: A) What Bidder has offered this Product Line or Product Line Subcategory at to other entities, or B) What Bidder's competitors have offered the Product Lines or Product Line Subcategories other entities for the Product Line(s) or Product Line Subcategory(s). OGS respectfully declines to make the requested revision.</p>
133	Solicitation Main Document	3.12.1 Reasonableness of Pricing	How do we account for items that have not been previously sold by us	See response # 132.
134	Solicitation Main Document	3.12.1 Reasonableness of Pricing	If bidder does not hold a GSA, state or federal contract for a comparable product can they reference someone else's GSA, State or Federal contract?	See response # 132(B).
135	Solicitation Main Document	3.12.1 Reasonableness of Pricing	Where can we locate comparable contracts?	Compiling the information required to show Reasonableness of Price under Solicitation §3.12.1 <i>Reasonableness of Price</i> is the Bidder's responsibility.

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136	Solicitation Main Document	3.12.1 Reasonableness of Pricing	Is there a particular site you can refer us to that can provide comparable contracts? if so what is it?	See Response # 134.
137	Solicitation Main Document	3.12.1 Reasonableness of Pricing	A) Where are we supposed to find a comparable contract or customer to demonstrate reasonableness of price? B) Can we use comparisons from the current Award 20191? C) We do not have a GSA contract, other NYS contracts, or contracts with another state or Agency, or Public Authority. The schools we do business with purchase off the NYS contract. What do we write in the column?	A) See response # 134. B) Yes, see response # 123. C) Solicitation §3.12.1 <i>Reasonableness of Price</i> states: <i>Bidders May demonstrate Reasonableness of Price by offering NYS equal to or better pricing (Percent (%) Discounts, Percent (%) Markups, etc.) than the following:</i> <ol style="list-style-type: none"> 1. Pricing on any contracts awarded by GSA, Veteran's Administration (VA), Department of Defense (DOD), and other government entities, 2. Pricing on Previously Awarded NYS Centralized Contacts 3. Pricing on other state('s) government contract, 4. Pricing offered by Bidders to their Best Commercial Customer(s), and/or 5. Reviewing other information deemed necessary by the Office of General Services <p>"Best Commercial Customer" is defined in Attachment 15 – <i>Glossary of Terms</i> as: <i>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.</i></p> <p>If Bidder does not have any of the above-referenced comparable Government Entity Contracts, Bidder May demonstrate Reasonableness of Price by offering NYS pricing equal to or better than that offered by the Bidder to their private sector Best Commercial Customers.</p>
138	Solicitation Main Document	3.12.1 Reasonableness of Pricing	Since "not to exceed pricing" is required but is there a ceiling mark-up %?	No. However, in accordance with §3.12.1 <i>Reasonableness of Price</i> , Bidders Must demonstrate the Total Hourly Rates and Percent (%) Markups proposed are reasonable.
139	Solicitation Main Document	3.12.1 Reasonableness of Pricing	Any specific criteria to determine comps other than simply reasonableness?	Please see Solicitation §3.12.1 <i>Reasonableness of Price</i> .
140	Solicitation Main Document	3.12.1 Reasonableness of Pricing	For some manufacturers, utilizing MSRP as a basis conflicts with our GSA contract pricing. Is there a work around that takes into	OGS respectfully declines to make the requested revision.

#	Document	Section	Inquiry	OGS response
			account GSA Most Favored Customer clause given that it is a national contract and the NY State contract potential impacts our national GSA pricing?	
141	Solicitation Main Document	3.12.1 Reasonableness of Pricing	If you deem the provided comparable contract not eligible, will you allow us to locate another?	Per Solicitation §5.1 <i>Method of Award: Bidders May be requested by Procurement Services to clarify the contents of their proposals.</i>
142	Solicitation Main Document	3.12.1 Reasonableness of Price	If Bidder has a GSA Contract for specific Equipment and/ or Service do they have to use that GSA Contract Pricing or can they use another State, Local Government or Best Commercial Customer /National Account Customer to establish Reasonableness of Price (NYS OGS Discount). In other words, is the Bidder obligated to use their GSA Contract Pricing or can they use one of the other criteria listed in the solicitation document to establish their NYS OGS Discount.	<p>Solicitation §3.12.1 <i>Reasonableness of Price</i> states: <i>Bidders Must demonstrate Reasonableness of Price for the Equipment and/or Services they are Bidding. Bidders May demonstrate Reasonableness of Price by offering NYS equal to or better pricing (Percent (%) Discounts, Percent (%) Markups, etc.) than the following:</i></p> <ol style="list-style-type: none"> 1. <i>Pricing on any contracts awarded by GSA, Veteran's Administration (VA), Department of Defense (DOD), and other government entities,</i> 2. <i>Pricing on Previously Awarded NYS Centralized Contracts,</i> 3. <i>Pricing on other state('s) government contract,</i> 4. <i>Pricing offered by Bidders to their Best Commercial Customer(s), and/or</i> 5. <i>Reviewing other information deemed necessary by the Office of General Services</i> <p>Where the Bidder has a GSA contract which includes Equipment and Services which Bidder is offering to NYS in response to Solicitation 23150, the Bidder Must offer NYS pricing which is equal to or Better than the pricing Bidder offered to GSA less the Industrial Funding Fee. Procurement Services reserves the right to any of the above-referenced entities and require the Bidder to offer NYS equal to or better pricing than that offered by the Bidder to above-referenced entities.</p> <p>Additionally, Per Solicitation §6.12 <i>Best Pricing Offer:</i> <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</i></p>

#	Document	Section	Inquiry	OGS response
				<i>or local governmental entity, the price under this Contract, at the discretion of the Commissioner, shall be immediately reduced to the lower price.</i>
143	Solicitation Main Document	3.12.1 Reasonableness of Pricing	For bidders with no current GSA or other governmental agency contracts, who are proposing new line of products, what could be considered an acceptable way of proving reasonableness of price?	See Response #131(A).
144	Solicitation Main Document	4 Bid Submission	Is there a naming convention that should be used for the electronic files (e.g. append the Company name, etc. to the solicitation file name)?	There is no defined naming convention for electronic copies.
145	Solicitation Main Document	4.2 Performance and Bid Bonds	Where such bonds are requested by Authorized entities, would the cost of obtaining this requirement be included in the proposal?	Pursuant to Solicitation §4.2 <i>Performance and Bid Bond</i> : <i>An Authorized User May require in a Second Tier Solicitation or Direct Engagement a performance, payment, or Bid Bond or negotiable irrevocable Letter of Credit or other form of security for the faithful performance for the resultant Authorized user Agreement. The cost of any such requirement would be included in the response to the Second Tier Solicitation or Direct Engagement.</i>
146	Solicitation Main Document	4.4 Format of Bid Submissions	"E-mail or facsimile Bid submissions are not acceptable and will result in a Bid Proposal being disqualified." Does this mean all soft copy submittals are to be physically delivered to NYS on electronic media storage devices such as CD or flash drive?	Procurement Services has revised Solicitation §4.5 Content to state the following: <i>Bidders Must submit two (2) USB flash drives containing all documents required to be submitted in electronic format. Additionally, Bidders Must submit two (2) original paper versions of all documents required to be submitted in hardcopy format.</i> <i>Also, please note that in the case of discrepancies between paper copies and USB flash drive submissions of the documents required in both formats, the electronic USB flash drive copy Shall take precedence over the paper copy.</i>
147	Solicitation Main Document	4.6 Bid Envelopes and Packages and 4.7 Bid Delivery	How many hard copies and CD/USBs are needed?	See response # 145.
148	Solicitation Main Document	4.7 Bid Delivery	Can the bid be delivered via FED EX or similar category?	Bidders May use courier delivery services (e.g. FedEx) to deliver Bids. Pursuant to Solicitation

#	Document	Section	Inquiry	OGS response
				§4.7 <i>Bid Delivery</i> , Bidder assumes all risks for timely, properly submitted deliveries.
149	Solicitation Main Document	4.7 Bid Delivery	Can the submission be delivered by mail or courier as long as it arrives on time?	See response # 148.
150	Solicitation Main Document	4.9 Bid Deviations	Can deviations from the terms and conditions be submitted before the 2 nd round of questions?	Yes, pursuant to Solicitation §1.6 <i>Bidder Questions</i> , Bid Deviations should be submitted at any time during the Q&A period.
151	Solicitation Main Document	4.9 Bid Deviations	Bidder offers Central Station Monitoring for Fire/Building Alarm. Can Bidder introduce specific terms for OGS to review/accept?	See response # 150. Pursuant to Solicitation §4.9 <i>Bid Deviations: Extraneous terms submitted on standard, pre-printed forms (including but not limited to: product literature, order forms, license agreements, contracts or other documents) that are attached or referenced with submissions shall not be considered part of the Bid or resulting Contract but shall be deemed included for informational or promotional purposes only.</i>
152	Solicitation Main Document and Appendix B	Section 4.9 Bid Deviations, Section 6.46 Systems and Solutions That Including Cloud/Hosted/Remote Offerings, and Appendix B, Software License Grant and Solicitation	A) Is “CLOUD/HOSTED/REMOTE OFFERINGS” considered a Product under Appendix B and subject to licensing under Section 60? B) Can Bidder introduce specific terms for such “CLOUD/HOSTED/REMOTE OFFERINGS”?	A) To the extent applicable, Products acquired on a licensed basis are governed by Appendix B, <i>Software License Grant</i> . B) See response # 150.
153	Solicitation Main Document	4.9 Bid Deviations	If we have deviations from the standard terms and conditions will be notified of the outcome prior to bid submission?	Yes, responses to Bid deviations submitted during the question and answer period will be published prior to the bid opening date.
154	Solicitation Main Document	4.12 NYS Reserved Rights/ 4.13 Authorized User Reserved Rights	I noticed the Solicitation includes NYS Reserved Rights and Authorized User Reserved Rights. In particular, that NYS (#) can change all Attachments and Appendix C without a formal Amendment. Does this mean an Authorized User can waive a requirement in an Attachment or Appendix C?	No, the reserved right allowing the State to modify Attachments or Appendices does not mean that the Authorized User can waive requirements contained therein. Procurement Services has revised §4.14 by adding the following language: <i>Authorized Users Must Not make revisions, changes, and/or updates to any templates, Appendices, and/or Attachments to the proposed/Awarded Contract.</i>

#	Document	Section	Inquiry	OGS response
155	Solicitation Main Document	5.1 Method of Award	Does the state have any set number of awards it intends to make, or will all compliant and competitive bids get an award?	There is no set number of awards.
156	Solicitation Main Document	5.1 Method of Award	Same as first question, but for Small Business qualifying firms. Does the state have a set target for small business awards?	No, there is no set target for small business awards.
157	Solicitation Main Document	5.1 Method of Award	Will there still be multiple vendors awarded the same manufacturer?	The Solicitation does not place a limit on the number of bidders who may offer the same Manufacturers or Product Lines.
158	Solicitation Main Document	5.1 Method of Award	Are there interim opportunities, after the Bid submission of May 14 th to revise or amend, or must any revisions be handled during an announced required period?	Per Solicitation §5.1 <i>Method of Award</i> : <i>Other than to provide such information as May be requested by Procurement Services, no Bidder will be allowed to alter its proposal or add information after the deadline for submission of proposals.</i> During the term of any contract resulting from this Solicitation, revisions to a Contractor’s product offerings may be requested in accordance with Appendix C – Contract Modification Form and Procedures. See Solicitation §6.8 <i>Contract Update Procedures</i> .
159	Solicitation Main Document	6.1 Contract Term and Extensions	Can you add regions if your coverage expands once on contract?	Yes, but only as Per Solicitation §6.1 <i>Contract Term and Extensions</i> , which states: <i>Once awarded a Contract, a Contractor May submit a Contract Amendment at time of Periodic Recruitment for future consideration to:</i> <i>1. Add additional regions, and</i> <i>2. Update (change) the Lot they are awarded.</i>
160	Solicitation Main Document	6.3 Procurement Instructions for Authorized Users	Where can we locate attachments 17 and 18?	OGS apologizes for this oversight. We have removed the incorrect reference to these forms.
161	Solicitation Main document	6.7 Emerging Technologies	What is the process and timeline for “Emerging Technologies” to be included in the solicitation when such technologies have been proven successful in other jurisdictions?	See Solicitation §6.6 <i>Periodic Recruitment</i> .
162	Solicitation Main Document	6.11 Pricing Structure and Adjustments	How often can you change pricing for materials?	See Section Solicitation §6.11 <i>Pricing Structure and Adjustments</i> and Appendix C – <i>Contract Modification Form and Procedures</i> .
163	Solicitation Main Document	6.11.2 Authorized User Agreement Pricing	Are non-Trade Labor (e.g. I/T resources) entitled to prevailing wages if working on-site at Authorized Users’ facilities?	Yes. Per Attachment 16 – <i>How to Use</i> : <i>NYS DOL has made a determination that onsite Installation, Integration, and Maintenance of Equipment/Systems which are hardwired/affixed to Facilities has been classified as “Public Work”.</i> <i>This work requires the payment of Prevailing Wage Rates and Supplemental Benefits.</i>

#	Document	Section	Inquiry	OGS response
164	Solicitation Main Document	6.11.1.5 General Provisions	Please confirm: If we don't have a GSA contract, we can submit an update request for non-PW labor rates annually. For example, Project Manager hourly rate can be increase by CPI or 2%, whichever is less.	Yes, Per Solicitation §6.11 <i>Pricing Structure and Adjustments</i> : <i>All Job Titles Not Included in an NYS DOL Prevailing Wage Rate Schedule and not listed on a Contractor's GSA contract May only be increased annually on the anniversary of the date of initial Award by Core CPI or 2%, whichever is less</i> Please Note: "Core CPI" used in §6.11, Pricing Structure and Adjustments is a defined Term in Attachment 15 – <i>Glossary of Terms</i> . "CPI" (non-defined term) is not applicable.
165	Solicitation Main Document	6.12 Best Pricing Offer	A) Does this policy strictly apply to new sales? B) Are recurring charges excluded from this rule? C) And do agreements with Authorized Users made prior to an OGS contract award also apply?	A) No, the policy is not limited to new sales. B) No, recurring charges are not excluded. C) In accordance with Solicitation §3.12.1 <i>Reasonableness of Price</i> , Bidders are required to demonstrate "equal to or better pricing" than other governmental entities.
166	Solicitation Main Document	6.12 Best Pricing Offer	This clause is in direct conflict with our national GSA Most Favored Pricing clauses. Is there a GSA exception that allow our national wide contract to supersede New York state?	Procurement Services respectfully declines to make the requested revision.
167	Solicitation Main Document	6.19.3.C Equal Employment Opportunity (EEO)	Is a Form EEO 101 Due from the Contractor and Each Subcontractor as part of the bid package submission or is this only required post-award on a Quarterly basis?	This is required post-Award on a quarterly basis. See Solicitation §6.19.3.C.
168	Solicitation Main Document	6.19.4 Contract Goals	Do these requirements apply to transactions with Authorized Users? Do they apply strictly to contract awards?	Per Solicitation §6.19.4 <i>Contract Goals</i> : <i>OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total Contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under the Contract.</i>
169	Solicitation Main Document	6.19.5 MWBE Utilization Plan/ 6.20.2 SDVOB Utilization Plan	Can you elaborate on the requirements for the MWBE and the SDVOB Utilization Plans?	As currently written, it is difficult to respond to your question. Please be more specific and resubmit the questions in the next question and answer period.
170	Solicitation Main Document	6.29 NYS Tax Law Section 5.A	If we previously filed, do we need to file again because there will be a new contract number if awarded? Do we file before bid or after award if accepted?	Per Solicitation §6.29 <i>NYS Tax Law Section 5.A</i> , "A Contractor is required to file the completed and notarized Form ST-220-CA with the Bid."

#	Document	Section	Inquiry	OGS response
				<p>Please see the ST-220-CA form, at the following link: https://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf</p> <p>Please call the New York State Department of Tax and Finance (DTF) at 518-485-2889 with questions or visit the DTF web site at https://www.tax.ny.gov/ for additional information.</p>
171	Solicitation Main Document	6.32 Contractor Responsibility and Subcontractor	Does the contractor need to submit a form with information on potential subcontractors to OGS for approval of the subcontractor?	No, Bidders/Contractors do not need to submit a form with subcontractor information to OGS for approval. However, in accordance with Appendix B, Section 39, Employees, Subcontractors and Agents, the Commissioner and the Authorized User reserve the right to approve Subcontractors.
172	Solicitation Main Documents	6.32 Contractor Responsibility and Subcontractor	Where do I find the information and forms to sign up sub-contractors we would like to include on an approved subcontractor list should our bid be accepted? I cannot find anything except for a form to state what the upcharge would be for any sub-contractor we may use. Was this eliminated?	See response # 171.
173	Solicitation Main Document	6.32 Contractor Responsibility and Subcontractor	1. If a Manufacturer is bidding under Lot 2 do they need to identify all Subcontractors they will utilize in advance, and if so, which attachments will they need to provide for those Subcontractors?	See response # 171.
174	Solicitation Main Document	6.32 Contractor Responsibility and Subcontractor	In there a place in the NYS Net Pricing Pages or is there a required format to submit a LIST of the subcontractors the bidder wants to be included (and recognized) under their Contract as a Authorized NYS OGS Contract Subcontractors. We see where the Subcontractor Markup Percentage is to be listed. However, is there a requirement to provide a complete LIST of the Subcontractors we want to include under our Contract.	See response # 171.
175	Solicitation Main Document	6.32 Contractor Responsibility and Subcontractor	If we want to request and submit subcontractors are there any forms required?	See response # 171.
176	Solicitation Main Document	6.32 Contractor Responsibility and Subcontractor	If a company holds an OGS contract, can they also be listed as a subcontractor on someone else's contract?	No, Procurement Services has revised §6.32 Contractor Responsibility and <i>Subcontractor</i> by adding the following:

#	Document	Section	Inquiry	OGS response
				<i>Contractor Must not propose or use any other Contractor under award 20191 as a Subcontractor.</i>
177	Solicitation Main Document	6.32 Contractor Responsibility and Subcontractor	For organizations that represent the same manufacturer with specific assigned regions by County but that some Counties overlap with the assigned NYS Contract Regions, is it acceptable to be listed as a sub-contractor on each other's submissions in areas where regions overlap?	See response # 176.
178	Solicitation Main Document	6.46 Systems and Solutions that include Cloud/Hosted/Remote Offerings	In Para 6.46 provisions for cloud/hosted/remote offerings are provided. In Attachment 1 Equipment Pricing Instruction Tab line 26 there are instructions for Lot 1 in paragraph A. A) Are cloud/hosted/remote services allowed on Lot 2 if the provisions of 6.46 are met. B) If bidding Lot 2, do the answers to all questions on C.ii of Line 26 have to be "yes" for the cloud/hosted/remote product to be included on the contract?	A) Yes. B) No, the questions in C.ii of Line 26 of Attachment 1 only apply to Bidders Bidding Lot 1 Equipment Only.
179	Solicitation Main Document	6.46 Systems and Solutions that include Cloud/Hosted/Remote Offerings	Please explain the acronym CONUS. Continental United States?	Per Solicitation Attachment 15 – <i>Glossary of Terms</i> , CONUS means "The 48 contiguous States, and the District of Columbia."
180	Solicitation Main Document	6.46 Systems and Solutions that include Cloud/Hosted/Remote Offerings	Are there any exceptions where OGS would allow data stored outside of CONUS?	No. See Solicitation §6.46 (1).
181	Solicitation Main Document	6.49 Certified Technicians	Who must certify the technicians? This seems ambiguous.	Per Attachment 15 – <i>Glossary of Terms</i> , Certified Technician means: <i>An employee of the Contractor or a Subcontractor who meets all of the following:</i> <ul style="list-style-type: none"> a) <i>Has received the applicable training and certification from the Manufacturer of a Product Line to Install, Integrate, Maintain, etc. a particular Product Line(s);</i> b) <i>Has received any other required training or certification required by Code, the Authorized User, etc. and</i> c) <i>Has all necessary Tools, equipment, etc. in a state wherein the employee can</i>

#	Document	Section	Inquiry	OGS response
				immediately perform any Installation, Integration, or Maintenance.
182	Solicitation Main Document	6.50 Ongoing Compliance Regarding Pricing	Understanding it is infeasible to list every cable, fastener, connector, etc., that exists on the Contract as individual SKU's, is there any acceptable % ratio of NON-LISTED item value to LISTED item value allowed to provide a complete solution?	OGS respectfully declines to make the requested revision. Per Attachment 1 – <i>NYS Net Pricing Pages, Equipment Pricing Instruction Tab: Bidders Must offer either an entire Product Line, or all Product Subcategories of a Product Line which fit the Scope of this Solicitation and any resulting Contract by including all items from these into the applicable Equipment Pricing tab in Attachment 1 NYS Net Pricing.</i>
183	Solicitation Main Document	6.50 Ongoing Compliance Regarding Pricing	As we bid a given product line, do we need to list all the part numbers for all parts that the product line has to offer, or for the sake of controlling the number of lines in our Price Pages, can we only list off the items that we have a chance of using, Some lines carry thousands of parts, and we will only need about 100 of them. And I assume if this is allowed, we would still need to submit full MSRP Price List from the manufacturer, marking (highlighting those items on our Price Pages.	See response # 182.
184	Solicitation Main Document	6.50 Ongoing Compliance Regarding Pricing	We will be supplying numerous locking hardware products on our contract in support of the scope of work, especially relating to Physical Access Control Systems. Locks are a highly configurable product that requires many variations in the part numbers, such as handing, finish, function, keyways and cylinder-types that create thousands of variations of a single lock. This results in hundreds of thousands of sku's that are not available by manufacturers/suppliers. Assuming that these are not additional cost options, can we, similar to how GSA allows, list base function locks with a primary sku and associated contract price, and allow for these mandatory highly customizable options be provided by buying agency upon award of order?	See response # 182.
185	Solicitation Main Document	6.51 Report of Contract Usage	So reporting is to be done semi-annually only?	Yes, per Solicitation §6.51 <i>Report of Contract Usage:</i> <i>Contractor Must submit Attachment 17 – Report of Contract Usage including total hours billed to each Authorized Users of this Contract by Contractor...no later than 10 days after the close</i>

#	Document	Section	Inquiry	OGS response
				<i>of each semiannual period. (e.g. January 1st – June 30th).</i>
186	Solicitation Main Document	7.2 Preventative Maintenance	Is the contractor allowed to charge for such Preventative Maintenance?	<p>Yes, but Per Solicitation §6.50 <i>Ongoing Compliance Regarding Pricing: Contractors Must not provide Equipment/Systems or Perform Services unless all of the Equipment/Systems and Services are on their NYS Net Pricing Pages. Contractors Must not use the Job Titles on their Contract to perform Services on Equipment not offered on their Contract.</i></p> <p><i>Contractors Must use the Job Titles and corresponding Total Hourly Rates in their NYS Net Pricing Pages published on the OGS website for all Installation, Integration, and Maintenance performed on Contract.</i></p>
187	Solicitation Main Document	7.3 Remedial Maintenance	Is a contractor required to offer T&M services to Authorized Users after the initial 1-year warranty period has expired? If we have not offered a Maintenance Agreement as per Item 1 is the contractor still responsible to adhere to Items 2. A-C (I.E. minimum 2-hour response time)?	<p>Per Solicitation Attachment 16 – <i>How to Use: Following the Warranty Period, Authorized Users will have the option to continue Preventative and Remedial Maintenance under a Maintenance Agreement unless the Authorized User, upon notice to the Contractor, discontinues coverage. Maintenance Shall be provided for all Equipment acquired, including moves, additions, and changes that take place after System Acceptance.</i></p> <p>Solicitation §7.1 <i>General Provisions</i> and Attachment 16 – <i>How to Use</i> has been revised to include the following:</p> <p><i>If the Authorized User declines to continue Preventative and Remedial Maintenance following the Warranty Period, then the Contractor is no longer responsible for any Maintenance on this particular Authorized’ User’s Equipment/System.</i></p>
188	Solicitation Main Document	7.3 Remedial Maintenance	Does “Respond” in this context mean to actually show up to the site in person by a technician?	<p>Per Solicitation §7.4 <i>Remote Maintenance/Remote Support: To meet the Remedial Maintenance Response requirements, and perform certain Preventative Maintenance, Contractors May utilize Remote Administration and/or Remote Maintenance/Support Services arrangements.</i></p>
189	Appendix B	Modification of Contract Terms	In reviewing Appendix B, Modification of Contract Terms, as well as 4.9 Bid Deviations, it appears OGS will not accept any changes to the Terms and Conditions of	<p>Yes, Procurement Services has revised Solicitation §6.8 <i>Contact Update Procedures</i> by adding the following:</p>

#	Document	Section	Inquiry	OGS response
			Solicitation 23150 and any resulting Contract. In order to be compliant, after award, May we submit to Procurement Services for approval Software License Agreements which will comply with the Terms and Conditions of This Award?	Contractors May submit Software License Agreements which comply with the Terms and Conditions of This Award to Procurement Services for review, approval, and posting on the OGS Website, Contractors and Authorized Users Must not agree to any Software License Agreement until it has been approved by Procurement Services and posted on the OGS Website. Procurement Services will reject any proposed Software License Agreement which does not comply with the Terms and Conditions of This Award.
190	Appendix B	Modification of Contract Terms	If Bidder wishes to add future software Products, will OGS review/accept Bidder's product specific terms and conditions applicable to the offering? If yes, when can Bidder present such product specific terms for consideration?	Requests to add new Products must be done in accordance with Solicitation §6.10, Product Lines and Appendix C – Contract Modification Form and Procedures. See above response # 189.
191	Appendix B	Warranties	A) Please define "Warranty". B) Example: If a part is defective, do you expect the Integrator to dispatch a tech if it was a parts only sale?	A) See Appendix B, Warranties. B) Procurement Services will address this inquiry with a future Addendum.
192	Appendix B	Software License Grant, Audit of License Product usage, No Hardstop or Passive License Monitoring, and Ownership/Title to Project Deliverables	Will OGS accept changes to Appendix B, specifically Sections 60, 62, 63 and 64 as reflected in the attached Addendum (pdf) referenced herein as Bidder Questions _Addendum03052019 ?	Procurement Services respectfully declines to make the requested revisions.
193	Appendix C	General	Once a contract is awarded, how do we add new items?	Requests to add new Products must be done in accordance with Solicitation §6.10, Product Lines and Appendix C – Contract Modification Form and Procedures.
194	Appendix C	Appendix C – Contract Modification Request Form – Statement #2	Where is the Subcontractor Category List defined?	OGS apologizes for this oversight. We have removed this language. Please see the revised Appendix C – <i>Contract Modification Form and Procedures</i> .
195	Attachment 1 – NYS Net Pricing Pages	Discount Table Comparison	If bidder is offering multiple /numerous discounts within a Product Line is it required to indicate or breakdown these multiple/numerous discounts within SUBCATEGORIES?	Yes, per Attachment 1 – NYS Pricing Pages <i>If proposing Multiple Percent (%) Discounts for particular Product Line Subcategories within a specific Product Line, insert a letter (A, B, C, etc.) for each Product Line Subcategory</i>

#	Document	Section	Inquiry	OGS response
				<p><i>Under column F, “Product Line Subcategory,” where the Manufacturer’s/Distributor’s Price List with List Price/MSRP (“List Price/MSRP File”) has multiple different product line subcategories which will have different proposed Percent (%) Discounts, Bidder Shall insert the applicable Product Line Subcategory indicator (e.g. A, B, “cameras”, etc.) which will correspond to this particular Product Line Subcategory. This is not required where bidder is Bidding one (1) Percent (%) Discount for a Product Line (e.g. 40% for all Pelco equipment).</i></p>
196	Attachment 1 – NYS Net Pricing Pages	Discount Table Comparison Tab	Unable to populate spreadsheets. Followed instructions on previous pages. Company name is not auto-populating on cell 2c	<p>As part of Bid Solicitation Update #2, dated 2/8/19, OGS determined that the formulas in Attachment 1 – NYS Net Pricing Pages were inadvertently locked. OGS has removed the locks on the formulas in this attachment. No changes or revisions were made to this Attachment.</p> <p>All bid documents can be found at the following link: https://ogs.ny.gov/procurement/bid-document-files-intelligent-facility-and-security-systems-and-solutions-statewide</p>
197	Attachment 1 – NYS Net Pricing Pages	Equipment Pricing Instructions Tab, item #2, column B	To be clear, are you saying we can either continue the list of items all on one page with no breaks, or have an excel spreadsheet with tabs for each brand? How will the final publication be shown? As a continuous list?	<p>Procurement Services has revised Attachment 1 – NYS Net Pricing, Equipment Pricing Instructions tab by adding the following:</p> <p>“Bidders May use one tab or separate tabs, provided there is no change to the format of these separate tabs.”</p>
198	Attachment 1 – NYS Net Pricing Pages	Equipment Pricing Tab	Can we import a price list into the State provided excel spreadsheet?	<p>No, Procurement Services has revised Attachment 1 – NYS Net Pricing Pages, Cover Page tab by adding the following: “Bidders Must not import any Price List..”</p>
199	Attachment 1 – NYS Net Pricing Pages	Equipment Pricing Tab	Is it acceptable to modify spreadsheet for pricing calculation to end with exactly two decimals using round formula.? This will help to match our business system. The equation in Attachment01 Equipment Pricing tab, Column J, would be: =ROUND(H5*(1-I5),2) for row 5 and we would copy this the other cells in column J.	<p>No, OGS respectfully declines to make the requested revision.</p>
200	Attachment 1 – NYS Net Pricing Pages	Equipment Pricing Tab	If a manufacturers MSRP price file contains items that we will not be able to offer due to discount structure issues, can we eliminate those items from the excel pricing file that we submit?	<p>No, per Attachment 1 – NYS Net Pricing Pages, Cover Page Tab: Bidders Must offer either an entire Product Line, or all Product Subcategories of a Product Line which fit the Scope of this Solicitation and any resulting Contract by including all items from</p>

#	Document	Section	Inquiry	OGS response
				<i>these into the applicable Equipment Pricing tab in Attachment 1 NYS Net Pricing.</i>
201	Attachment 1 – NYS Net Pricing Pages	Equipment Pricing Tab	<p>While working on Attachment 1, and it is a requirement NOT to amend your file, but might we add, for example</p> <p>A) Rows to separate our manufacturer's?</p> <p>B) May we insert tabs to reference the equipment price lists for each manufacturer?</p> <p>C) Are we permitted to include "Call" pricing?</p>	<p>OGS respectfully declines to make the requested revision.</p> <p>A) No.</p> <p>B) No, insert the comparable contract/customer and comparable pricing information where required in Attachment 1 – NYS Net Pricing Pages.</p> <p>C) No, Per Attachment 1 – NYS Net Pricing Pages, Cover Page tab: <i>ALL NYS Net Prices must be quantifiable (i.e. indicate a numeric value). The following terms are unacceptable and any line item containing them as NYS Net price Must be removed or indicated with an acceptable quantifiable value: Individual Case Basis (ICB), Call for Quote, To Be Determined (TBD), Consult Factory, Consult Call for Quote, Custom Call, N/A, Value, Call, Custom, etc. are not acceptable NYS Net Pricing.</i></p>
202	Attachment 1 – NYS Net Pricing Pages	Equipment Pricing Tab	Is there a way to create quantity breakdowns by SKU?	OGS is unable to answer your question at this time since you have not provided enough information. You may submit an updated question containing more information during the second Q&A period.
203	Attachment 1 – NYS Net Pricing Pages	Equipment Pricing Tab	What should I do if I don't have information for a certain column?	Per Attachment 1 – NYS Net Pricing Pages, Equipment Pricing Instruction Tabs: <i>Bidders Must complete all columns within this Attachment, except for the Product Line Subcategory column on the Equipment Pricing tab if it is not applicable for a Product Line.</i>
204	Attachment 1 – NYS Net Pricing Pages	Custom-Built Pricing Tab	Is there a way to create quantity breakdowns by SKU?	OGS is unable to answer your question at this time since you have not provided enough information. You may submit an updated question containing more information during the second Q&A period.
205	Attachment 1 – NYS Net Pricing Pages	Custom-Built Pricing Tab	May we create Custom-Built Equipment covering specific work such as Installing Equipment (e.g. cctv camera and 1000 ft of cabling).	<p>No. Per Solicitation §6.50 Ongoing Compliance Regarding Pricing: <i>Contractors Must use the Job Titles and corresponding Total Hourly Rates in their NYS Net Pricing Pages published on the OGS website for all Installation, Integration, and Maintenance performed on Contract.</i></p>

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				<i>Per Attachment 1 – NYS Net Pricing Pages – Glossary of Terms: Custom-Built Equipment Must not include either Bundled Line Items or any Work/Service which is Classified as Public Work requiring the Payment of Prevailing Wage Rates and Supplemental Benefits.</i>
206	Attachment 1 NYS Net Pricing Pages	Labor Rate Tabs	Can the following type of work and services be priced individually per item/service and not through the hourly rate of the prevailing wage? <ul style="list-style-type: none"> • Removing/disposing of the system • Core-drilling if directly connected to the provision of the system • Installing conduit for wire • Running wire (Line Voltage Wiring and Low Voltage Wiring) • Connecting Equipment to the wiring • Start-up/Commissioning/programing 	See response # 205.
207	Attachment 1 – NYS Net Pricing Pages	Labor Rate Tabs	What if you don't have as many positions with your company. Do you just not include a rate?	No, Procurement Services has revised Attachment 1 – NYS Net Pricing, Labor Rate Sheet Instructions tab by adding: <i>Bidders Must Bid each Job Title for the particular Product Lines and Systems they are offering. Bidders are not required to Bid Job Titles for Product Lines or Systems which they are not offering.</i>
208	Attachment 1 – NYS Net Pricing Pages	Labor Rate Tabs	Do we have to quote all titles listed?	See response # 207.
209	Attachment 1 – NYS Net Pricing Pages	Labor Rate Tabs	Can we add job titles that are not listed on the provided spreadsheet?	No. <i>Per Attachment 1 NYS Net Pricing Pages, Labor Rate Sheet Instructions tab: Bidders are not permitted to propose any other Job Titles, Descriptions of Duties, or Total Hourly Rates as part of their Bid Proposals.</i>
210	Attachment 2 – NYS Required Certifications Form	State Finance 139- L	Does the written policy addressing sexual harassment need to be submitted or simply certified that we are in compliance?	Bidders are not required to submit the written policy but only attest they comply with the statutory requirements in accordance with Solicitation §6.47 Requirements of N.Y. State Finance Law § 139-l.
211	Attachment 2 – NYS Required Certifications	Non-Collusion Bidding Certification	Can one bidder restrict which Manufacturers another bidder may Bid?	No, that would be inconsistent with Paragraph 3 of the Non-Collusive Bidding Certification which provides as follows: "No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of

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				restricting competition.” See, Attachment 2 – <i>NYS Required Certifications</i> .
212	Attachment 3 - Encouraging Use of NYS Businesses Form	NYS Businesses	Do all NYS businesses need to be listed or simply the major businesses that drive our sales?	Bidders are encouraged to list all New York State businesses used in the fulfillment of the requirements of the contract.
213	Attachment 4 - Contract Insurance Coverage Requirements Form	Proof of coverage	Please clarify when proof of insurance, as specified, has to be provided. There are at least two areas of coverage that the state requires that may not be required in our day to day business. Those are Technology/Professional Errors and Omissions Liability and Data Breach Privacy/Cyber Liability which are a substantial cost. This is an additional cost that should not have to be incurred until the company knows they will be awarded a contract. Having to provide proof at time of bid is premature and costly. Please clarify.	OGS respectfully declines to make the requested revision. Per Solicitation §3.3 <i>Insurance</i> : <i>Bidder Must produce at its sole cost and expense and provide electronically with its Bidder Submission all proof of required insurance as detailed in Attachment 4 – Contract Insurance Requirements.</i>
214	Attachment 4 - Contract Insurance Coverage Requirements Form	COI's	Do we have to produce contract specific certificates of insurance, with solicitation number 23150 mentioned, prior to a bid even being awarded?	See response # 213.
215	Attachment 4 - Contract Insurance Coverage Requirements Form	Section 1. General Conditions Applicable to Insurance subsections 3, 6	Will OGS accept alternate notification for deductibles, other than being disclosed on the Certificate of Insurance? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
216	Attachment 4 - Contract Insurance Coverage Requirements Form	Section 1. General Conditions Applicable to Insurance subsections 3 in the 2nd & 4th paragraphs.	If OGS specifically requests a Bidder's insurance policy copies, will OGS agree to review such policies at Bidder's corporate office in lieu of Bidder providing such policy copies? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
217	Attachment 4 - Contract Insurance Coverage Requirements Form	Section 2. Specific Insurance Requirements subsections 3.	Will OGS accept a Certificate of Insurance in substitution of Policy Documents/applicable Endorsements for proof of coverage? (See attached Addendum for specific modification request.)	Procurement Services respectfully declines to make the requested revision.

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218	Attachment 4 - Contract Insurance Coverage Requirements Form	Section 2. Specific Insurance Requirements subsection 4.C	Is there an alternate insurance coverage that the Bidder can provide in substitution of Construction Manager Professional Liability? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
219	Attachment 4 - Contract Insurance Coverage Requirements Form	Section 2. Specific Insurance Requirements subsection 4.D	Will OGS accept a Certificate of Insurance in substitution of Policy Documents/applicable Endorsements for proof of coverage? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
220	Attachment 4 - Contract Insurance Coverage Requirements Form	Section 2. Specific Insurance Requirements subsection 4.E	Will OGS accept a Certificate of Insurance in substitution of Policy Documents/applicable Endorsements for proof of coverage? (See attached Addendum for specific modification request.)	OOS respectfully declines to make the requested revision.
221	Attachment 4 - Contract Insurance Coverage Requirements Form	Section 2. Specific Insurance Requirements subsection 4.D	Will OGS accept a Certificate of Insurance in substitution of Policy Documents/applicable Endorsements for proof of coverage? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
222	Attachment 4 - Contract Insurance Coverage Requirements Form	Section 2. Specific Insurance Requirements subsection 4.E	Will OGS accept a Certificate of Insurance in substitution of Policy Documents/applicable Endorsements for proof of coverage? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
223	Attachment 4 - Contract Insurance Coverage Requirements Form	Page 5	Will you accept an umbrella policy for 2 million in lieu of a 2 million auto policy?	OGS is unable to answer your question at this time as you have not provided enough information. You May submit an updated question containing more information during the second Q&A period.
224	Attachment 4 - Contract Insurance Coverage Requirements Form	Page 7	A) Is the data risk assessment conducted by the purchasing organization or the bidder? B) Does the data risk assessment need to be submitted with our bid? C) Do we need to provide proof of data breach privacy/cyber liability insurance with our bid?	A) Per Attachment 4 - <i>Contract Insurance Requirements</i> : <i>Authorized Users</i> (purchasing organizations) <i>Must conduct a Data Categorization to determine the Data risk level for each System and Solution, Integration, or Maintenance project at the time of said project.</i> B) No, see response #224(A). C) Yes, per Attachment 4 - <i>Contract Insurance Requirements</i> :

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				<i>At the time of bid, Bidders/Contractors [Bidding Lot 2 only] are required to obtain and maintain during the term of this Contract and as otherwise required herein, Data Breach and Privacy/Cyber Liability Insurance with limits of not less than \$2,000,000.00 each occurrence and in the aggregate, including coverage...</i>
225	Attachment 5 - Project-Specific Insurance Attestation	1st Paragraph	Will OGS accept a letter and/or certificates of insurance from Bidder's Broker as evidence of coverage in substitution of Broker signing the Attestation Form? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
226	Attachment 5 - Project-Specific Insurance Attestation	Section 1 last paragraph	Will OGS accept a Certificate of Insurance in substitution of Policy Documents/applicable Endorsements for proof of coverage? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
227	Attachment 5 - Project-Specific Insurance Attestation	Section 2	Will OGS accept the insertion of "additional" between the words "as" and "insureds" in the last sentence of the first paragraph? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
228	Attachment 5 - Project-Specific Insurance Attestation	Section 5.	Is there an alternate insurance coverage that the Bidder can provide in substitution of Construction Manager Professional Liability? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
229	Attachment 5 - Project-Specific Insurance Attestation	1st Paragraph	Will OGS accept a letter and/or certificates of insurance from Bidder's Broker as evidence of coverage in substitution of Broker signing the Attestation Form? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
230	Attachment 5 - Project-Specific Insurance Attestation	Section 1 last paragraph	Will OGS accept a Certificate of Insurance in substitution of Policy Documents/applicable Endorsements for proof of coverage? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
231	Attachment 5 - Project-Specific Insurance Attestation	Section 2	Will OGS accept the insertion of "additional" between the words "as" and "insureds" in the last sentence of the first paragraph? (See attached Addendum for specific modification request.)	OGS respectfully declines to make the requested revision.
232	Attachment 5 - Project-Specific Insurance Attestation	2. Builder's Risk	A) Does this requirement basically apply to all Lot 2 bidders? B) Upon contacting the underwriter, I was advised that it may not apply to our line of work (installing Security Cameras and	A) & B) Per Attachment 5 – <i>Project Specific Insurance Attestation</i> : <i>For Bidders/Contractors performing (either directly or via a subcontractor(s) performing</i>

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			<p>access controls) stating: "this insurance coverage designed specifically to protect buildings and structures that are under development, renovation or construction". Would like to confirm whether we are included or excluded from this requirement? B) Since it is a job specific requirement, when applicable, are we allowed under the terms of the contract to add a separate charge to cover the cost of obtaining the required additional coverage?</p>	<p><i>Onsite Installation classified as Public Work by NYS DOL: Builder's Risk/Installation Floater:</i></p> <p>If you meet this requirement, you Must obtain and maintain either Builder's Risk or an installation Floater as required by Attachment 5 – <i>Project-Specific Insurance Attestation</i>. Contractors May meet this requirement by having a Subcontractor obtain and maintain Builder's Risk/Installation Floater if the Subcontractor and providing this as required in Attachment 5 – <i>Project Specific Insurance Attestation</i>.</p> <p>B) No, per Solicitation §6.50 <i>Ongoing Compliance with Pricing</i> and Attachment 16 – <i>How to Use: Contractors Must not charge more than the Not-To-Exceed Pricing listed on the OGS website.</i></p>
233	Attachment 5 - Project-Specific Insurance Attestation	5. Construction Management Professional Liability	As stated in my previous question, Underwriter also advised that this requirement may not apply to our line of work since it is "coverage for construction-related claims that are typical of general contracting operations". We are not a Construction Contractor per se and would like to confirm whether we are excluded from this requirement?	<p>Per Attachment 5 – <i>Project Specific Insurance Attestation:</i></p> <p><i>Where Contractor either:</i></p> <ul style="list-style-type: none"> <i>i. Proposes a Subcontractor Percent (%) Markup for Subcontractors who will perform Services which are covered under Article 8 of the NYS Labor Law, or</i> <i>ii. Submits MWBE or SDVOB Utilization Plans which include Subcontractors who will be performing work covered under Article 8 of the NYS Labor Law,</i> <p><i>The Contractor Must obtain and maintain Construction Managers Professional Liability Insurance</i></p>
234	Attachment 6 - Bidder Information Questionnaire	#39-42	For a system integrator who does not manufacture products, should questions 39-42 be completed as Not Applicable or answered on the basis of the manufactured products resold by the system integrator?	Questions should be answered based on where the Product(s) that the Integrator will be selling are manufactured.
235	Attachment 7 - Bidder Submission Checklist	6, 8	Column H: Where you have PDF/Word/Excel, do you want our response to be provided in the three formats listed or can we choose a format to submit electronically?	<p>Procurement Services wants you to pro choose which format you send.</p> <p>Procurement Services has revised <i>Attachment 7 – Bidder Submissions Checklist</i> by adding the language: <i>For any item with PDF/Word/Excel, Bidders May</i></p>

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				<i>send these forms in electronically in either, but not all three, formats.</i>
236	Attachment 7 - Bidder Submission Checklist		Please clarify where the Bidder Submission Checklist should be placed in the order of the documents?	There is no order to place documents and forms, however, you may follow the order in Attachment 7 - Bidder Submission Checklist.
237	Attachment 8 - Bidder Questions Form	Data Validation Column-A	Some of the Attachment Numbers in the Column-A Data Validation List do not match the actual Attachment numbers. For example: Attachment-17 in the Data Validation List is the Manufacturer's Certificate but the Document.xls of Attachment-17 is the Report of Contract Usage. Please advise so as to eliminate confusion.	See Addendum #1 issued 2/7/19 by Procurement Services.
238	Attachment 8 - Bidder Questions Form	General	May questions be informally submitted by email outside of formal 1st/2nd round periods?	Per Solicitation §1.6, Bidder Questions, "Questions submitted after the deadline indicated may not be answered."
239	Attachment 9 - Proof of Past Sales	Attachment-9 Proof of Past Sales	Is Sale/Project Description any different than Product line and services offered and accepted?	Yes. Bidders Must indicate higher level Project Description under column C (e.g. North Campus Building #1 CCTV Camera Network). Bidders Must indicate the specific Product Lines and services under Column D (e.g. Axis cameras, Paige wiring, Installation and Integration Services).
240	Attachment 10 - Lot 1 Dealer Proposal Form	General	If submission is for LOT 2 only, may this attachment be omitted, or must it be submitted with " NOT APPLICABLE"	Per Solicitation §3.11 Lot 1 Dealer Proposal Form, Bidders bidding Lot 2 do not need to submit an Attachment 10 – Lot 1 Dealer Proposal Form.
241	Attachment 10 - Lot 1 Dealer Proposal Form	General	If we are bidding Lot #2, it appears we do not need to submit Attachment #10 with our company information. Should we return this blank or not at all?	See response # 240.
242	Attachment 11 - Lot 1 Manufacturer's Certificate	General	If we are bidding Lot # 2, it appears we do not need to submit Attachment #11 with our company information. Should we return this blank or not at all?	Bidders Bidding Lot 2 do not need to return Attachment 11.
243	Attachment 12 - Lot 1 Distributor's Certificate	General	If we are bidding Lot #2, it appears we do not need to submit Attachment #12 with our company information. Should we return this blank or not at all?	Bidders Bidding Lot 2 do not need to return Attachment 12.
244	Attachment 13 – Lot 2 Manufacturer's Guarantee	Paragraphs 3, 4, 5	Previous D-1 Manufacturers Guarantee had language listed below which applied to a Manufacturer like us who does NOT provide service/installation. I did not see anything like this in the new Attachment 13 Lot 2	Attachment 15 – Glossary of Terms has been revised to add the following definition of "Cause to be performed": "Cause to be performed" means that either:

#	Document	Section	Inquiry	OGS response
			<p>Manufacturer’s Guarantee except what is written in Paragraphs 3, 4 & 5. The below D-1 language provided what we felt was sufficient. Is it now included in the new attachments anywhere?</p>	<p>a) <i>A Manufacturer which executed Attachment 13 – Lot 2 Manufacturer’s Guarantee, or</i> b) <i>A Distributor which executed Attachment 14 – Lot 2 Distributor’s Guarantee</i> <i>provides an Identified Firm(s) to the State or an Authorized User after New York State or an Authorized User invokes the guarantee(s). Once the Manufacturer or Distributor provides an Identified Firm(s) to the State or an Authorized User which invoked the Guarantee, any agreement to perform Installation, Integration, or Maintenance will be between the Identified Firm and either New York State or the Authorized User, depending upon who invoked the Guarantee.</i></p>
245	Attachment 13 - Lot 2 Manufacturer's Guarantee	Paragraphs 3,4,5	<p>Previous NYS contract documents (D-1 Manufacturers Guarantee) had language for manufacturers who do NOT provide installation or field/service maintenance. It indicated that they "will be required to identify firms who can provide any required services in the event that the contractor is unable to complete an acceptable installation...." This language, or similar, does not appear in new Mfr cert attachments. This is a legal/liability concern for those that cannot provide these services. Can this language be included in the contract docs?</p>	See response # 244.
246	Attachment 13 - Lot 2 Manufacturer's Guarantee	General	<p>We have been receiving many requests from our Integrators to sign the attached documents in order for us to be listed on their contract. The question has come up from our Management team the we are a Manufacturer and we do not install. All we do is supply product to our Clients. We will help find a replacement but we do not do any of the work.</p>	See response # 244.
247	Attachment 13 – Lot 2 Manufacturer's Guarantee	General	<p>The majority of Manufacturer ABC’s integration partners accept the factory warranty posted on our website: Extended warranty and guaranteed service response is provided by integration partners. Please feel free to call or contact us for further assistance. Thank you for your understanding and continued support.</p>	<p>While this does not appear to be a question, Procurement Services respectfully declines to make the requested revision. You may submit Additional questions during the 2nd inquiry period.</p>

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			(The actual company name and Product has been redacted from this question)	
248	Attachment 14 – Lot 2 Distributor’s Guarantee	General	<p>We are being faced with the attached documents from many integrators but feel it is something that we cannot sign. In the past, distribution has signed these type documents but not Manufacturer DEF.</p> <p>The attestation isn’t a problem. It is the guarantee puts us at too much risk.</p> <p>Is this something that can be handled in a similar way that it has been in the past?</p> <p>A) Line item 1 – this is addressed in the Attestation which we are willing to sign and confirm if a Bidder/Contractor is an approved reseller of Manufacturer DEF products at the time of signing.</p> <p>B) Line item 2 – as our products are sourced by the Bidder/Contractor via our authorized Distributors, we cannot guarantee that supplying the Bidder/Contractor will continue for the duration of the contract term. This will be up to the Distributor(s) and their business relationship with the Contractor.</p> <p>C) Line item 3 – as Manufacturer DEF does not install products, as a result we cannot guarantee that all installation, integration and maintenance obligations will be met by the Bidder/Contractor. If they fail to meet the terms and condition of the contract – we can provide the Office of General Services with other approved installation/reseller companies of Manufacturer DEF products. We cannot guarantee that the new installation/reseller(s) bid for work needed to be performed and product needed, will be equal or less than what the original Bidder/Contractor has been contracted for.</p>	<p>Procurement Services respectfully declines to make the requested revision. Please see Attachment 15 – <i>Glossary of Terms</i> which has been revised to add the definition of "Cause to be performed."</p> <p>A) N/A</p> <p>B) See response # 89.</p> <p>C) Please see Attachment 15 – Glossary which has been revised to add the definition of "Cause to be performed."</p> <p>D) Part 4 of Attachment 13 – <i>Lot 2 Manufacturer’s Guarantee</i> requires the Manufacturer “<i>Guarantees Equipment supply of either:</i></p> <ul style="list-style-type: none"> A. <i>The same Equipment, or,</i> B. <i>if the Equipment is no longer available due to obsolescence, a new version of the Equipment which performs at the same or better level, at a price no greater than the Guarantor’s then prevailing pricing to similarly-situated customers.</i> <p>Therefore, a Manufacturer is not required to provide the same Equipment if the Equipment is no longer available due to obsolescence. The Manufacturer Must instead provide “a new version of the Equipment which performs at the same or better level.”</p> <p>E) Please see Attachment 15 – <i>Glossary of Terms</i> which has been revised to add the definition of "Cause to be performed."</p>

#	Document	Section	Inquiry	OGS response
			<p>D) Line item 4 – because technology quickly changes and Manufacturer DEF strives to be an industry leader in new products and technology, we cannot guarantee that the same product will be available for 7 years or that the new product that replaces an older model will perform at the same or better level, at a price no greater than the previous product cost. With that said, Manufacturer DEF has a history of creating new product and technology that replaces older models with better performance and the MSRP cost has generally been equal or lower in cost.</p> <p>E) Line item 5 – Manufacturer DEF cannot guarantee that a Bidder/Contractor will perform preventative and remedial maintenance that meets obligations of their contract with OGS. And since Axis is not a Contractor, we do not provide 8maintenance to installations and cannot guarantee cost of services provided by Contractors. With that said, we do provide technical support services to Contractors and End Customers and have Field Sales Engineers that work in conjunction with Contractors to ensure our products and technology are deployed as designed.</p>	
249	Attachment 14 – Lot 2 Distributor’s Guarantee	General	<p>A) If I need to sign the new guarantee form, can we still use the exception letter we prepared which is attached? The problem with the new guarantee form is as follows:</p> <p>B) I assume “Contractor” means our [Distributor’s] customer?</p> <p>C) So, if the “Contractor” or ours customer cannot complete an installation, the best we can do is direct the state to another customer (installer) of ours. We cannot cause the customer to perform the installation nor can we perform it. This is what was outlined on our exception letter attached.</p> <p>D) #4 As a distributor, we are not selling directly to the state. While we can provide the product for 7 years (or a functional equivalent if available), we do not set the</p>	<p>A) OGS respectfully declines to make the requested revision.</p> <p>B) “Contractor” means the Bidder responding to this Solicitation and any Bidder awarded a Contract in response to this Solicitation.</p> <p>C) Please see Attachment 15 – <i>Glossary of Terms</i> which has been revised to add the definition of "Cause to be performed."</p> <p>D) Part 6 of Attachment 14 – Lot 2 Distributor’s Guarantee states:</p> <p><i>For items 3, 4 and 5 the Guarantor or Identified Firms Shall not be liable for any additional costs resulting from the Contractor’s failure to perform. All such additional costs Shall be deemed by Procurement Services to be liquidated damages owed by the Contractor in</i></p>

#	Document	Section	Inquiry	OGS response
			<p>price for the state and that would be up to our customer to provide pricing that is at similarly situated rates.</p> <p>E) Also, I don't see us identifying 10 other distributors (our competitors) who sell the product. Our customer, however, may buy from other distributors and therefore would be the company that may provide this information.</p> <p>F) Section #5. As a distributor, we don't provide maintenance, so this is not something we can guarantee. We can provide you with the name of a customer who is responsible for maintenance.</p> <p>(The actual company name and Product has been redacted from this question)</p>	<p><i>accordance with Appendix B, Remedies for Breach.</i></p> <p>Procurement Services is not requiring the Distributor to honor the Contractor's Equipment Pricing. The Distributor (or Identified Firm) would offer NYS pricing which is equal to or better pricing than that offered to their respective similarly-situated customers.</p> <p>E) Please see Part 7 of the Distributor's Guarantee which describes the only circumstances when New York State or an Authorized User would invoke the Guarantee. Please also see both Solicitation §6.10 <i>Product Lines</i> and response # 248.D.</p> <p>F) Please see Attachment 15 – <i>Glossary of Terms</i> which has been revised to add the definition of "Cause to be performed."</p>
250	Attachment 14 - Lot 2 Distributor's Guarantee	Items 3,4,5,6, & 7	Our Distributors are refusing to sign the guarantee except for items 1 and 2. They say that guarantying the performance and pricing is too large of a risk. Is there any leeway to change the guarantee requirements?	OGS respectfully declines to make the requested revision.
251	Attachment 14 – Lot 2 Distributor's Guarantee	General	My company is an Authorized Distributor of multiple Security Manufacturers. We are being asked by Contractors intending on submitting an offer for Lot 2, to complete and sign the Distributors Guarantee, but my company cannot sign it as written. The relationship between a Distributor and a customer is simply material fulfillment/product sourcing. As a role as a Distributor, we do NOT have the capabilities or responsibility to certify Contractors to be an Authorized Installer, which means we cannot be liable for what happens to a product after it is sold. Nor is it the responsibility for a Distributor to be Liable/Responsible of the installation and usage of the product sold to a Contractor. Distributors simply do not have the	OGS respectfully declines to make the requested revision. See response # 249.

#	Document	Section	Inquiry	OGS response
			Resources to agree to this level of responsibility outlined in the Distributors Guarantee. If the Document was renamed as "Distributors Sourcing Agreement" with language similar to the Manufacturers Authorization for Lot 1, that would be in line as to a role of a Distributor to a Customer/Contractor. Since the relationship between a Manufacturer and a Distributor is very similar to the relationship between a Distributor and its customers.	
252	Attachment 16 - How-to-Use		Product offerings that have prerequisites (i.e. Electrical and/or other required civil work for equipment installation), how are they to be listed or discussed?	Procurement Services is unable to answer your question at this time since you have not provided enough information. You may submit an updated question containing more information during the second Q&A period.
253	Attachment 16 - How-to-Use	Labor Rates	What is the policy concerning use of labor rates when doing multiple jobs for an approved buyer across NYS and various scopes of work?	Per Solicitation §6.50 <i>Ongoing Compliance Regarding Pricing</i> and Attachment 16 – <i>How to Use</i> : <i>All pricing for Equipment and Services Must be on the Contractor’s Net Pricing Pages listed on the OGS website. Contractors Must not charge more than the Not-To-Exceed Pricing listed on the OGS website.</i>
254	Attachment 16 - How-to-Use	Page 13	A) If the contractor is quoting remedial maintenance to an authorized user for a year 2 agreement, it is our understanding that in order to enter into a prepaid annual agreement, the contractor must quote parts and labor hours based on their anticipation of man hours and parts that will be needed to properly maintain that system for one full year. B) If at the end of that year, there was an overage of man hours charged, is there a credit owed to the user? C) If there are more man hours required, are these additional hours billable? Same questions with regards to the anticipated parts needed? Please clarify	Based on this question, Procurement Services has revised Solicitation §7.1 <i>General Provisions</i> by adding additional language, including, but not limited to the following: A) Correct. However, “Contractor Must offer the Prepaid Maintenance Agreement as a Fixed/Price Lump Sum Agreement.” B) Yes, <i>Contractors May credit the Authorized User in the event the Prepaid Maintenance Agreement exceeds the actual costs of performing Maintenance (both Equipment and/or Services).</i> C) & D), No, “Contractors Must not charge Authorized Users more than the Prepaid Maintenance Agreement.”

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255	Attachment 17 - Report of Contract Usage	Worksheet Tab 1	As a new OGS vendor, with no prior OGS contracts, should the informational elements we complete be for NON-OGS contracts?	Bidders do not need to complete and return Attachment 17 – Report of Contract Usage at time of Bid. This Attachment will only be used to report sales made under Award 23150.
256	Attachment 17 Proof of Contract Usage	Instructions Tab	Does Attachment 17 with only the INSTRUCTIONS tab filled out need to be returned with the bid submission or is this only for future reporting use?	See response # 255.
257	Attachment 17 - Report of Contract Usage	Worksheet Tab2	Worksheet headings reference "Attachment 21", is there supposed to be 21 or simply 17 stated in bid?	OGS apologizes for this oversight. The heading of this Attachment should state Attachment 17 on all tabs. OGS has corrected this.
258	Attachment 17 Proof of Contract Usage	Detail Tab Columns K, L, M, N	What qualifies as a "Yes"? Any subset amount of the total billed? Only "Yes" if the Contractor met or exceeded the minimum target for that category? Other? Would either a dollar amount or a % Of Total be more meaningful?	Contractors will indicate if any of the reported line item contains spend with an MBE, WBE, SDVOB, or SBE.