

Bidder Questions and Answers
Administrative Services
Solicitation #23246

Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
1	Attachment 10 - Job Description & Qualifications	Attachment 10 Job Description & Qualifications	The title of the IFB states administrative services but under job description for physicians and Nurse Practitioners, the scope seems clinical. Can you clarify if the scope of work will be administrative Vs clinical with possible work venues. Thank you.	The title of the Solicitation includes 'Temporary Personnel'. Section 1.1 - Overview, also notes Temporary Personnel. The scope includes administrative, as well as clinical and other titles for Temporary Personnel, refer to each title description for the minimum title requirement in Attachment 10- Job Titles and Descriptions.
2	N/A-General Question	N/A	Who is current incumbent on this contract and how long they have been serving?	There are 51 awardees on the current award #23057; the contract period is October 25, 2017 – October 24, 2022, refer to the contract award page for more information: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM
3	Solicitation Document	1.3 Estimated Quantities	What is the current budget on the contract?	See Section 1.3 Estimated Quantities; Based upon past sales under the current Award #23057, OGS anticipates Authorized User sales under the new award to be \$100m. Each Authorized User creates their own budget for these types of services, which OGS is not involved in.
4	N/A-General Question	N/A	How many temps are currently working on the existing contract and will they all be transitioned to the new vendors?	OGS has no way of knowing how many temporary employees are currently employed statewide. Each vendor employs their own pool of temporary personnel based on responses to Authorized Users RFQ's. Temps working under a Purchase Order issued prior to the expiration of Award #23057 will continue to perform their duties until the Purchase Order expires; up to 24 months.
5	Attachment 21 - Lot 10 Light Industrial Occupations RFQ	Attachment 10 Job Description & Qualifications	Will tilers be added to the "light industrial occupations"?	The job title for Masons has been revised to include tile work. See revised Attachment 10 - Job Descriptions and Qualifications: Masons Smooth and finish surfaces of poured concrete, such as floors, walks, sidewalks, roads, or curbs using a variety of hand and power tools. Align forms for sidewalks, curbs, or gutters; patch voids; use saws to cut expansion joints. <i>May also install, set, and/or repair brick, block, tile, stone, etc. and apply grout, cement, mortar, or other bonding agents.</i>
6	Solicitation Document	6.6 Bid Pricing Information	We have no control over state legislative changes like minimum wage, new sick leave laws, or other government requirements. If those changes occur, we should have the ability to adjust our pricing by that mandated change. We have no way to forecast these changes and incorporate that into our pricing. Please advise if we should make our pricing hire to offset for potential future changes. While it says we should take into consideration future changes, we have no insight into minimum wage schedules in 5-8 years.	Per Section 6.6-Bid Pricing Information - Bidders are strongly encouraged to bid rates that are much higher than what the current market anticipates at time of Bid. Section 6.8, Price Adjustments allows OGS to increase NTE rates during the contract term.
7	Solicitation Document	6.6 Bid Pricing Information	Can you please share spend by incumbent vendors?	All requests for non-public information such as sales reports must be made by FOIL request via https://ogs.ny.gov/freedom-of-information-law
8	Solicitation Document	3.11 Prevailing Wage Rates	Should we price this based on the current wage rate schedule, or increase as Prevailing Wages increase year over year (amounts we have no control over)	While the current rate schedules may be used as a starting point for bidder to determine their NTE rates, per Section 6.6-Bid Pricing Information - Bidders are strongly encouraged to bid rates that are much higher than what the current market anticipates at time of Bid. Section 6.8, Price Adjustments allows OGS to increase NTE rates during the contract term.

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9	Solicitation Document	5.1 Method of Award	If we are an incumbent on the contract and are re-awarded the business, do we need to re-bid for the contractors currently engaged at a facility?	Temporary personnel working under a purchase order issued for Award #23057 are allowed to continue their duties until the expiration of that purchase order. Purchase Orders may not extend past 24 month after the Award expires. When Award #23057 expires, the Authorized User is required to issue a new RFQ, and subsequent purchase order under Award #23246 in order to acquire new services.
10	Solicitation Document	4.8 Format and Content of Bid Submittal	Should we provide an original hard copy of the Completed SDVOB 100-SDVOC Utilization Plan?	No. Per Section 4.8 - Format and Content of Bid Submittal, an original copy is not required; the completed SDVOB 100 – SDVOB Utilization Plan must be submitted in electronic format only.
11	Solicitation Document	1.12 Appendices and Attachments	Please provide Appendix A – Standard Clauses for New York State Contracts	Appendix A was posted to the OGS website on 10/15/2021. Please refer to the bid documents at: https://ogs.ny.gov/procurement/biddocument/23246bid . Per Section 1.6, Bidders must sign up for the NYS Contract Reporter to receive updates. Bidders must sign and submit the Bid Solicitation Update notification dated 10/15/2021 with their bid.
12	Solicitation Document	1.12 Appendices and Attachments	Please provide Appendix B -- General Specifications	Appendix B was posted to the OGS website on 10/15/2021. Please refer to the bid documents at: https://ogs.ny.gov/procurement/biddocument/23246bid . Per Section 1.6, Bidders must sign up for the NYS Contract Reporter to receive updates. Bidders must sign and submit Bid Solicitation Update notification dated 10/15/2021 with their bid.
13	Solicitation Document	1.12 Appendices and Attachments	Please provided Appendix C -- Contract Modification Procedure	Appendix C was posted to the OGS website on 10/15/2021. Please refer to the bid documents at: https://ogs.ny.gov/procurement/biddocument/23246bid . Per Section 1.6, Bidders must sign up for the NYS Contract Reporter to receive updates. Bidders must sign and submit the Bid Solicitation Update notification dated 10/15/2021 with their bid.
14	Solicitation Document	1.12 Appendices and Attachments	Please provide Appendix D – Federal Funding Agency Mandatory Terms and Conditions	Appendix D was posted to the OGS website on 10/15/2021. Please refer to the bid documents at: https://ogs.ny.gov/procurement/biddocument/23246bid . Per Section 1.6, Bidders must sign up for the NYS Contract Reporter to receive updates. Bidders must sign and submit the Bid Solicitation Update notification dated 10/15/2021 with their bid.
15	Solicitation Document	Section 6 - Terms & Conditions	Will OGS consider changes to the contract?	See Section 6.9 - Centralized Contract Modifications.
16	Solicitation Document	Section 1 - Introduction	What is the overall total annual spend for your program? Breakdown of spend by labor category?	Refer to Section 1.3- Estimated Quantities. All requests for non-public information such as sales reports for previous spend must be made by FOIL request via https://ogs.ny.gov/freedom-of-information-law
17	Solicitation Document	Section 5 - Method of Award	How many agencies do you plan on selecting?	Contract awards will be made to all responsive and responsible bidders who meet all qualifications as detailed in Section 2 - Bidder Qualification and Service Requirements and whose pricing is determined to be reasonable by OGS. Please also refer to Section 5.1 - Method of Award.

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18	Solicitation Document	Section 5 - Method of Award	How do you communicate the OGS administrative services agreement to all city and state agencies, so they are aware of the contract and approved agencies?	Award information will be posted to the OGS website.
19	Attachment 1 - Pricing	Instructions	Understanding the market changes over the last few years in regards to candidate pay rates going up, as we re-evaluate our pricing, are we going to be held to any percentage increase caps on our updated rate card?	Refer to Section 6.6 - Bid pricing. OGS does not have a maximum ceiling for Maximum-Not-To-Exceed Rates as competitive rates will be bid at the RFQ level. Please refer to Section 6.8 - Price adjustments with regard to Not-To-Exceed rate increases during the term of the award.
20	Attachment 1 - Pricing	Instructions	How will you be evaluating our new pricing proposal? Will the State accept as is or potential for negotiation?	Pricing submitted shall be maximum Not-To-Exceed rates. The State will not negotiate the maximum Not-To-Exceed rates. Contract awards will be made to all responsive and responsible bidders who meet all qualifications as detailed in Section 2 - Bidder Qualification and Service Requirements and whose pricing is determined to be reasonable by OGS. Please also refer to Section 5.1 - Method of Award. Competitive rates will be bid at the RFQ level.
21	Solicitation Document	2.1 Bidder Qualifications	Do proof of sales need to come from a government entity or can it come from a private sector organization?	Section 2.1 - Bidder Qualifications has been revised to allow past sales from either government and/or private sector entities. Refer to the Solicitation for this update.
22	Solicitation Document	2.1 Bidder Qualifications	If we can show proof of sales for specific titles, does that open up additional titles under the same Lot for us to bid on?	Yes. Pursuant to Section 2.1 - Bidder Qualifications, such sales must have been made for comparable services and/or titles to the Lot(s) being bid. Therefore, Bidders able to show acceptable proof of past sales for at least one title in a particular Lot may bid on all titles within that Lot.
23	Solicitation Document	1.2 Scope	Can we bid on a title in all Regions or only Regions where proof of sales can be provided?	Per Section 2.1- Bidder Qualifications, proof of past sales must be shown for comparable services and/or titles to the Lots, not the Regions, which are being bid. A bidder may bid on a title in any Regions regardless of where the proof of sales is from.
24	Solicitation Document	3.5 Background checks	If background checks are not required in a Lot we are bidding on do we just leave the Background check fees page blank on the pricing sheet?	OGS recommends that bidders provide background check fees for all Lots. Per Section 3.5-Background Checks, Authorized Users may request in the RFQ that background checks be performed. Failure to provide a background check fee may result in a contractor having to provide background checks at no cost.
25	Solicitation Document	Attachment 1 requirements	If we are not bidding on certain Regions do we just leave those as is, "No Bid"?	Yes, per Attachment 1- Pricing Instructions, if you are not bidding on certain Regions it is to be left as the default "No bid".
26	Solicitation Document	Attachment 8 User report template	Is any part of Attachment 8 to be returned with the bid?	No.
27	Solicitation Document	Required Bid Documents	Where do we find the SDVOB utilization plan?	Refer to section 6.28. All SDVOB forms are available at https://ogs.ny.gov/Veterans/ .

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28	Solicitation Document	Appendix A, B, C,D	Where are these Appendices found?	Appendices A thru D have been posted to the OGS website on 10/15/2021. Please refer to the bid documents at: https://ogs.ny.gov/procurement/biddocument/23246bid Bidders must sign and attach the Bid Solicitation Update notification dated 10/15/2021 and submit it with their bid.
29	Solicitation Document	Section 6.28, 1, contract goals	Lot 2 is not required to submit completed SDVOB 100, correct, even though it is listed on required bid documents, page 24:	Correct. Refer to Section 6.28, OGS establishes an overall goal of 4% with the exception of Lot 2, Hearing Reporter Services, for SDVOB participation, based on the current availability of qualified SDVOBs.
30	Attachment 1 - Pricing	Attachment 1 - Pricing: Lot 2	Seven business days delivery is considered expedited in the Court Reporting industry, while the "normal/regular" turnaround time is 10 business days. In our experience as an incumbent, there are certain agencies that will accept a 10 day turnaround time. Would it be possible to add 10 business day pricing as a selectable option for clients so that we can offer pricing for that rate?	OGS declines to make the requested change. Authorized Users may note within their RFQ acceptable turn around times. Contractors will submit pricing according to the Authorized Users needs. Acceptable turn around times may be negotiated at the RFQ level. Contractors should take advantage of the RFQ question period if requirements are not clear.
31	Solicitation Document	SDVOB Utilization Plan	Is this a required document and if it is where can we find a list of these businesses as the link in the document does not work	Bidders are required to submit a completed SDVOB Utilization Plan on Form SDVOB 100 with their bid for all Lots bid, with the exception of Lot 2-Hearing Reporter Services. All SDVOB forms are available at https://ogs.ny.gov/Veterans/ , OGS has verified that the SDVOB link is active.
32	Attachment 12 - Lot 1 Office Worker Occupations RFQ	Lot 1 Office Worker Occupations RFQ	Are we correct in understanding that we do not need to fill out the individual Lot attachments? You just need to fill in Attachment 1 – Pricing with your rates for each Lot you intend to bid on?	Yes, Attachment #'s 12-21 are to be completed post award by Authorized Users when requesting services.
33	Solicitation Document	6.15 Contractor Requirements and Procedures for Participation by New York State Certified Minority and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women	Where is Form EEO100? This is required in our bid and it is not attached on the Bid with 22 attachments.	Per Section 6.15, all forms are available at https://ogs.ny.gov/MWBE/Forms
34	Solicitation Document	1.12 Page 13	Where is form Appendix C – Contract Modification Procedure (January 2017)	Appendices A thru D have been posted to the OGS website on 10/15/2021. Please refer to the bid documents at: https://ogs.ny.gov/procurement/biddocument/23246bid Bidders must sign and attach the Bid Solicitation Update notification dated 10/15/2021 and submit it with their bid.
35	Solicitation Document	1.12 Page 14	Where is form Appendix D – Federal Funding Agency Mandatory Terms and Conditions (May 2021)	Appendices A thru D have been posted to the OGS website on 10/15/2021. Please refer to the bid documents at: https://ogs.ny.gov/procurement/biddocument/23246bid Bidders must sign and attach the Bid Solicitation Update notification dated 10/15/2021 and submit it with their bid.

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36	Attachment 1 - Pricing	Attachment 1 - Pricing	For pricing, are we required to give remote pricing as well?	No, remote pricing rates are not an option within Attachment 1- Pricing. Should an Authorized User request work be performed remotely, the contractor should provide appropriate rates in response to the RFQ.
37	Attachment 3 - Encouraging Use of NYS Businesses	6.28 Participation Opportunities for New York State Certified Service-Disabled Veteran-Owned Businesses	For SDVOB Utilization plan, is there a targeted percent or range that you are expecting responders to submit with? Is there a requirement for both SDVOB and MWBE utilization plans?	Per Section 6.28, OGS establishes an overall goal of 4% with the exception of Lot 2, Hearing Reporter Services, for SDVOB participation, based on the current availability of qualified SDVOBs. The utilization plan is required. For MWBE refer to Section 6.15, the contract does not offer sufficient opportunities to set goals for participation by MWBEs. However the contractor is encouraged to make every good faith effort to promote and assist the participation of MWBEs on this contract.
38	Attachment 11 - Background Check Requirements	Attachment 1-Pricing	For the background check fees, are we able to incorporate that into our pricing structure on each bill rate for each skillset?	No, all background check fees are to be listed separately in Attachment 1-Pricing on the Background Check Fees tab.
39	Solicitation Document	General	Confirmation that the award date 10/21/2022.	It is OGS's intention that Award #23246 will be in place by 10/21/2022.
40	Solicitation Document	General	How many vendors are on this current agreement?	There are 51 awardees on the current award. Current Award information can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM
41	Solicitation Document	5.1 Method of Award	How many vendors are you planning to award this contract to?	Contract awards will be made to all responsive and responsible bidders who meet all qualifications as detailed in Section 2 - Bidder Qualification and Service Requirements and whose pricing is determined to be reasonable by OGS. Please also refer to Section 5.1 - Method of Award.
42	Solicitation Document	Page 24	Where can we access the Vendor Responsibility Questionnaire mentioned in the Intent to Bid document and Submission Requirements	A vendor must register in the NYS OSC VendRep System, this allows the vendor to enter, certify (or recertify) and maintain its Vendor Responsibility Questionnaire: https://onlineservices.osc.state.ny.us/Enrollment/login?0
43	Solicitation Document	2.1 Bidder Qualifications	"Can we include multiple titles under Lot 1 as proof of average sales of \$200,000 for the past 3 years Example: titles - Bookkeeping, Accounting, and Auditing Clerks Example: titles - Data Entry and Word Processing"	Yes, per Section 2.1- Bidder Qualifications, the proof of past sales may be shown through one or more comparable services and/or titles to the Lots, for which they are being bid.
44	Solicitation Document	2.1 Bidder Qualifications	"Can we provide proof of our master PO copy from our current government contract? The master PO is used to invoice multiple temp employees with same PO number"	No, proof of past sales must be entered on Attachment 22 as per Section 2.1- Bidder Qualifications. Copies of invoices and/or purchase orders will not be accepted.
45	Solicitation Document	3.10 Rates	"What do you mean by Not-to-Exceed-NYS-Holiday Rate? Does the state have this rate for different labor categories? if yes where can we find these rates?"	The Not-to-Exceed NYS Holiday Rate is a rate bid by each bidder and is not set by New York State. See Section 1.1 Definitions - Maximum Not-To-Exceed Bill Rate. NYS Holiday rate shall mean the hourly rate paid for work performed on NYS Holidays by Temporary Personnel. See Section 3.10 - Rates, NYS Holiday Rates may only be paid if Authorized User requests a separate Holiday Rate in the RFQ and the Temp works on a NYS Holiday.

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46	Solicitation Document	6.18 New York State Tax Law §5-a	"Please explain how do we submit the ST-220-TD form? Do we need to submit a notarized ST-220-TD form along with the RFP response?"	The ST-220-TD must be certified and filed with the Department of Taxation and Finance. The ST-220-TD form can be found at: https://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf . The mailing address can be found on the ST-220-TD form. Vendors may call DTF at (518) 485-2889 with questions or visit the DTF web site at: https://www.tax.ny.gov/ for additional information. The ST-220-TD form is not required to be submitted with the bid with OGS.
47	Solicitation Document	6.18 New York State Tax Law §5-a	"Please explain how do we submit the ST-220-CA form? Do we need to submit a notarized ST-220-CA form along with the RFP response?"	A bidder is required to complete the ST-220-CA form and submit it with their bid to OGS; this form can be found at: https://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf .
48	Solicitation Document	6.15 Equal Employment Opportunity (EEO)	Where can we find Form EEO-100 and how do we fill and submit the Form EEO-100 along with the RFP response?	See Section 6.15, all forms are available at https://ogs.ny.gov/MWBE/Forms . The form is fillable electronically, or may be printed and completed manually.
49	Attachment 22 - Proof of Past Sales	From Proof of Sales Sheet: Column g3:Order Date	Should we provide the Contract number or PO or Both	Attachment 22 - Proof of Past Sales has been revised to add a column to capture purchase order number. The bidder should provide the contract number and purchase order number, if applicable.
50	Attachment 22 - Proof of Past Sales	From Instruction Sheet B3 Row	"1. Do we need to share invoices or extract of our Quickbooks. 2. As we would have invoiced several employees in the same invoice 3. Proof of an average of at least \$200,000.00 in prior sales over the past three (3) years or \$200,000 every year"	All proof of past sales information must be entered into Attachment 22 - Proof of Past Sales. Copies of invoices and/or software extracted data in another format to show proof of past sales will not be accepted. Bidder must show proof of an average of at least \$200,000.00 in sales over the past three (3) years immediately preceding the Bid Opening / Due Date for Bids. See revised Solicitation Section 2.1.
51	Attachment 1 - Pricing	Pricing	Do we need to bid / provide pricing for all the Lots 1 to 10 or can we bid only for specific Lots where we have proof of sales	Refer to Section 1.2- Scope, bidders are not required to bid on all Lots. Bidders are also not required to bid on all job titles within a Lot as described in Attachment 10 – Job Descriptions and Qualifications.
52	Attachment 1 - Pricing	Lot Pricing	If we are bidding for Lot 1, do we need to bid / provide pricing for all the titles under Lot 1 to be eligible?	No, Bidders may bid on any or all titles within a Lot. Refer to Section 1.2- Scope.
53	Attachment 1 - Pricing	Not-to-Exceed Bill Rate	Please explain what we need to provide for "Not-to-Exceed Bill Rate"	Per the Section 1.11 - Definitions, Maximum Not-To-Exceed Bill Rate is the most (in dollars) a Contractor may ever quote in response to an Authorized User RFQ for an hour worked by a Candidate on this contract for a particular job title, county, Region, time period (e.g. overtime), etc. Bidders are strongly encouraged to bid rates that are much higher than what the current market anticipates at time of Bid.
54	Attachment 1 - Pricing	Not-to-Exceed Overtime Rate	Please explain what we need to provide for "Not-to-Exceed Overtime Rate"	Per the section 1.11- Definitions, Not-to-Exceed Overtime Rate shall mean the hourly rate paid for time worked above 40 hours in a single week. Time and a half shall be paid above the pay rate for time worked above 40 hours in a single week for Authorized User regardless of time of day or day of the week, unless the Authorized User has requested a Holiday Rate within their RFQ and work was performed on a NYS Holiday. This requirement applies to Lots 1, 4, 5, 7, 8, 9, 10. There shall be no overtime for Lots 2 and 3 as these services are billed by the page. Overtime Rate for Lot 10 – Light Industrial Occupations is determined by the relevant prevailing wage which the engagement is subjected. Any overtime allowed shall be at the sole discretion of the Authorized User.

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55	Attachment 4 - Insurance Requirements	Insurance Requirements	Do we need to submit proof of Certificate of Insurance copy along with the RFP response?	Yes, all proof of insurance should be provided with your Bid submission as per Section 4.8 - Format and Content of Bid Submittal.
56	Solicitation Document	4.8 Format and Content of Bid Submittal	How many copies of Original, hard copy paper versions of the below documents has to be submitted along with the Electronic Format? a) Pages 1 and 2 of the Solicitation with original ink signatures, b) Completed Attachment 2 – NYS Required Certifications to Covered Agency, with original ink signatures, and c) Completed ST-220CA, NYS Department of Taxation and Finance Contractor Certification, notarized with original ink signatures.	One copy of each, as per Section 4.8 - Format and Content of Bid Submittal.
57	Attachment 6 - Bidder Submission Checklist	16. Did Bidder submit all required documents on flash drive? (min. 2 copies)	Do we need to submit 2 Flash drives with copies of all the required documents?	Yes, bidders must submit 2 USB flash drives containing all required bid documents as per Section 4.8 - Format and Content of Bid Submittal.
58	N/A-General Question	General	Is this a new contract or do you have any existing temporary staffing contracts?	This is a new contract opportunity. The current Administrative Services Award #23057 expires October 24, 2022. Information can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM
59	N/A-General Question	General	If this is an existing contract, can you please provide the incumbent's details along with their pricing?	Current contractor's information and pricing can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM
60	N/A-General Question	General	If this is an existing contract, can you please provide what is your historic spend for Temporary staffing services for the previous 5 years?	Refer to Section 1.3- Estimated Quantities. All requests for non-public information such as sales data must be made by FOIL request via https://ogs.ny.gov/freedom-of-information-law .
61	N/A-General Question	General	Under Lot 1, Lot 4 and Lot 5, how many temp employees were engaged in the past 5 years?	OGS has no way of knowing how many temporary employees are employed statewide at any given time. Each vendor employs their own pool of temporary personnel. The following are sales from a single sample Quarter (pre-COVID-19) broken down by Lot, and is as detailed as OGS is able to provide. Lot 1 \$5,534,968, Lot 4 \$430,554, Lot 5 \$969,841. These figures are informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.
62	N/A-General Question	General	What was the spend for Lot 1, Lot 4 and Lot 5 temp employees in the past 5 years?	The following are sales from a single sample Quarter (pre-COVID-19) broken down by Lot, and is as detailed as OGS is able to provide. Lot 1 \$5,534,968, Lot 4 \$430,554, Lot 5 \$969,841. These figures are informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.
63	Solicitation Document	6.6 Pricing	Regarding Parking Fees - Is it the intent of the contract that the agency will pay parking fees for employees working at State offices? If it is the intent for agencies to pay the fees for certain employees, how is that indicated during the RFQ process? IE utilization of the check boxes on the RFQ labeled "Parking included" ?	It is not OGS's intent to pay parking fees for temporary personnel. Per Section 6.6, This is a full-service Contract. For purposes of this Contract "full service" shall mean the Contractor's Bid rates include all costs of providing Temporary Personnel, including, but not necessarily limited to, all administrative requirements; all other additional costs such as necessary financial reports; all reporting or other requirements, all overhead costs and profit. It shall also include all parking fees, and any other ancillary fees and costs including permits, licenses, insurance, etc., and services not explicitly stated in this Solicitation, but necessarily attendant thereto or as requested by Authorized Users in their RFQs. The RFQ documents have been revised for Authorized Users to more clearly reflect parking availability.

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64	Solicitation Document	6.8 Rate Adjustment(CPI)	Will vendors be notified when pricing adjustments have been made as described?	Yes, As per Section 6.8 - Price Adjustments, all price adjustments will be posted to the OGS website.
65	Solicitation Document	6.8 Rate Adjustment(CPI)	Will the CPI increases be allowed to rates that are in place for employees currently assigned and billed below the NTE rate? IE: Billing \$35/hr CPI = 2% New bill rate would be \$35.70 for current placements when the NTE rate is \$50/hr.	No. Per Section 6.8 - Price Adjustments, The effective date for any NTE rate increase will be the date OGS posts the revised NTE rates to the OGS website. All rates submitted in response to an RFQ before the effective date will be based upon the current posted rates on the OGS website. Such an adjustment will be based on percent changes in the U.S. Bureau of Labor Statistics Employment Cost Index (Index) for total compensation, by occupational group and industry - Service Providing Industries. (see table on page 4 of the following link: https://www.bls.gov/news.release/pdf/eci.pdf).
66	Attachment 12 - Lot 1 Office Worker Occupations RFQ	Parking Included	Please clarify what the yes and no boxes mean. IE: if yes is checked does that mean the agency is expected to pay the parking fees for our employee? Refer to 6.6 Pricing question.	The RFQ documents have been revised for Authorized Users to more clearly reflect parking availability. Three check boxes labeled "Free Parking Provided", "Paid Parking Provided", and "No Parking Provided" have been added for the Authorized User to check off accordingly on the RFQ. For example, if free parking is available for temporary personnel, the Authorized User should check off "Free Parking Provided" on the RFQ.
67	Attachment 11 - Background Check Requirements	Fixed Rate	We anticipate the cost of standard required background checks to significantly increase over the length of this contract. If these increases are incorporated into our initial bid, is it acceptable to enter an amount on the RFQ that is lower than the fixed rate noted in the bid document?	Background check fees have been changed to Maximum Not-To-Exceed Bill Rates. Contractors may quote lower than their submitted rates for background checks.
68	Attachment 22 - Proof of Past Sales	General Question	Will competing companies be able to FOIL or access in any way the customer list you are requesting?	At the time they submit the bid, bidders may mark records to request that certain information is excepted from disclosure under FOIL pursuant to Section 87(d) of the Public Officers Law (trade secrets or disclosure would cause substantial injury to the competitive position of an enterprise) or contains critical infrastructure information. This, however, will not automatically exclude the records from being produced pursuant to a FOIL request. If a FOIL request is received for the marked records, a statutory procedure under Section 89(5) of the Public Officers Law will be commenced to determine whether the records can be disclosed. We will solicit the bidder's input prior to formulation of our determination. Bidders are required to provide specific justifications for each specific claim of confidentiality, that are supported by identifiable statutory or case law authority. Once the justifications are received, OGS will review them to determine whether the information qualifies for exception from disclosure under FOIL. If a determination is made that it does, the information will be excluded from disclosure. If it is determined that it does not, the information will be released.
69	N/A-General Question	NA	Is there a standard existing VMS Technology? If so, which one?	There is no standard Vendor Management System technology required for this Solicitation. Answers to questions pertaining to payments made to bidders and/or authorized resellers can be found in Section 6.16 - NYS Vendor File Registration.

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70	N/A-General Question	NA	Is there an existing payroll provider? If not, how are payrollees currently managed?	There is no standard existing payroll provider. Payrollees are managed by the Contractor. The Contractor's billing system shall be flexible enough to meet the needs of varying ordering systems in use by different Authorized Users. Visit the following link for further guidance for vendors on invoicing: https://bsc.ogs.ny.gov/nys-vendors
71	N/A-General Question	NA	Why is this program going out to bid? Are there any pain points?	The current Administrative Services Award #23057 expires October 24, 2022. This is a new contract for the future needs for Temporary Personnel. Each Authorized User may have varying needs and/or reasons for using the resulting Centralized Contracts.
72	N/A-General Question	NA	Can you please provide a breakdown of spend by Region/location and category?	Overall spend by Region is not available. The following are sales from a single sample Quarter (pre-COVID-19) broken down by Lot, this is as detailed as OGS is able to provide: Lot 1 \$5,534,968, Lot 2 \$290,778, Lot 3 \$275,181, Lot 4 \$430,554, Lot 5 \$969,841, Lot 6 \$1,447,125, Lot 7 \$4,266,375.59, Lot 8 \$113,052, Lot 9 \$24,030, Lot 10 \$6,348,787. These figures are informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.
73	N/A-General Question	NA	Is diversity spend important for this bid?	Per Section 6.28, OGS establishes an overall goal of 4% with the exception of Lot 2, Hearing Reporter Services, for SDVOB participation, based on the current availability of qualified SDVOBs. The utilization plan is required. For MWBE refer to Section 6.15, the contract does not offer sufficient opportunities to set goals for participation by MWBEs. However the contractor is encouraged to make every good faith effort to promote and assist the participation of MWBEs on this contract.
74	N/A-General Question	NA	How are requisitions managed? How is priority determined?	Authorized Users review contractor responses to RFQs and determine award based on best value or lowest price.
75	N/A-General Question	NA	How many suppliers are bidding on this program?	OGS has no way of knowing how many bid submissions will be received at this time. Refer to Section 4.12- Bid Opening Results, OGS Procurement Services posts Bid information on the OGS Procurement Services website. The Bid Opening Results webpage makes available the list of bidders that responded to the Solicitation. Such information is anticipated to be available online within two Business Days after the Bid opening.
76	Solicitation Document	Section 6.6 Bid Pricing	If New York increases the minimum wage again prior to the end of this contract, will we have an opportunity to adjust rates or will this be locked in?	While the current rate schedules may be used as a starting point for bidder to determine their NTE rates, per Section 6.6-Bid Pricing Information - Bidders are strongly encouraged to bid rates that are much higher than what the current market anticipates at time of Bid. Section 6.8, Price Adjustments allows OGS to increase NTE rates during the contract term.
77	Solicitation Document	Section 1.2 Scope	Will the positions listed be remote?	OGS has no way of knowing what the Authorized User's requirements will be; however, per the Authorized Users need, work may be performed remotely. This would be indicated by the Authorized User in the RFQ.

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78	Solicitation Document	Section 4.3 Bid Deviations	Will the respondent be disqualified or adversely impacted during the evaluation process if they were to submit exceptions to OGS?	Per Section 4.3, material deviations submitted with the Bid may render the Bid non-responsive and may result in rejection of the Bid.
79	Solicitation Document	Section 3.5 Background Checks	Will respondents be allowed to pass through the cost for background checks and drug screens (at no additional mark-up) to OGS?	Per Section 6.6, this is a full-service Contract. For purposes of this Contract “full service” shall mean the Contractor's Bid rates include all costs of providing Temporary Personnel, including, but not necessarily limited to, all administrative requirements; all other additional costs such as necessary financial reports; all reporting or other requirements, all overhead costs and profit. It shall also include all parking fees, and any other ancillary fees and costs including permits, licenses, insurance, etc., and services not explicitly stated in this Solicitation, but necessarily attendant thereto or as requested by Authorized Users in their RFQs. For background check requirements refer to Section 3.5 - Background Checks, Attachment 1 - Pricing (Background Check Fees Tab) and Attachment 11 - Background Check Requirements. Regarding drug screens, per 6.6 Bid Pricing Information all other administrative requirements should be covered in the bill rate at time of RFQ response.
80	Solicitation Document	Section 3.5 Background Checks	To ensure FCRA compliance, it is our company's policy to provide clients with an attestation of completion of background check pursuant to client's requirements, but not the actual results. Will OGS accept letters of attestation in lieu of actual background check result?	No, refer to Attachment 11 – Background Check Requirements, after the completion of the background check, the Contractor shall provide the results to the Authorized User.
81	Attachment 11 - Background Check Requirements	Section 3.5 Background Checks	What specific background checks and/or drug screens are required of the temporary staff?	Minimum background check requirements are detailed in Attachment 11 – Background Check Requirements. Additional background check requirements requested by an Authorized User shall be specifically detailed in the RFQ. Contractors may bid an additional fee for background check requests beyond the minimum requirements.
82	N/A-General Question	N/A	Do we need to have a physical New York address?	No, bidders are not required to maintain an NYS office or address.
83	N/A-General Question	N/A	Any significant changes or restrictions, from this contract from the prior one, which this replaces?	Language Services, Interpretation and Translation titles that were included in Award #23057 are not included in this solicitation. Potential bidders should review the Solicitation and all Appendices and Attachments in their entirety for other changes that may impact other Lots.
84	N/A-General Question	N/A	Any other changes we should be aware of since COVID?	Each OGS solicitation is unique, Bidders are strongly encouraged to read all bid documents, including all Appendices and Attachments, in their entirety. The current Award #23057 is posted on the OGS website at https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM
85	Solicitation Document	Section 2.1 Bidder Qualifications	How do we explain lower sales due to the shut down from COVID? Will there be an exception to the sales amount of \$100k for Lot 3 for 2020 and 2021, if total sales fall short of this amount? And if this is the case, can we still bid and be awarded the contract?	To be considered for an award under this solicitation, all Bidders must meet all requirements for the proof of past sales in their bid.

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86	Solicitation Document	1.1 Overview	<ul style="list-style-type: none"> • Is this a new contract or renewal of an existing contract? • If there is an existing contract, could you please share the name of the Current Suppliers (who are currently providing services to the Agency)? • Could you please share the current Suppliers' pricing and Proposals? 	<p>This is a new contract opportunity to replace the current Administrative Services Award 23057, which expires October 24, 2022.</p> <p>Current Contractor information and pricing can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM</p> <p>All requests for non-public information must go through a FOIL request via https://ogs.ny.gov/freedom-of-information-law</p>
87	Solicitation Document	1.3 Estimated Quantities	<ul style="list-style-type: none"> • When was the existing contract started, and what is the annual monetary spent value of the current contract since inception? • What is annual monetary spent value of each Lot? • What is annual monetary spent value of each Region? • Can you please share the no. of positions served in previous years under this contract per Region in each Lot? • Can you please share the amount of business each vendor did under this contract in previous years? • Can you please confirm the most commonly filled positions per Region in each Lot in the past? • Which Regions have high demand of resources to be filled under this contract? • Can you please share the email id/details where we can raise the public record request for old RFQs? • Can you please tell us where we can get old RFQs details? 	<p>The contract period for Award 23057 is October 25, 2017 – October 24, 2022. All requests for detailed sales information must go through a FOIL request via https://ogs.ny.gov/freedom-of-information-law.</p> <p>OGS has no way of knowing how many temporary employees are employed statewide at any given time. Each vendor employs their own pool of temporary personnel.</p> <p>Overall spend by Region is not available. The following are sales from a single sample Quarter (pre-COVID-19) broken down by Lot, this is as detailed as OGS is able to provide: Lot 1 \$5,534,968, Lot 2 \$290,778, Lot 3 \$275,181, Lot 4 \$430,554, Lot 5 \$969,841, Lot 6 \$1,447,125, Lot 7 \$4,266,375.59, Lot 8 \$113,052, Lot 9 \$24,030, Lot 10 \$6,348,787. These figures are informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.</p> <p>All requests for non-public information such as sales reports, previous Solicitation, awards and bid information must be made by FOIL request via https://ogs.ny.gov/freedom-of-information-law</p>
88	Solicitation Document	1.9 MWBE & SDVOB Interest in Partnering with Bidders	<ul style="list-style-type: none"> • Is there any mandatory MWBE subcontracting goal for this contract? 	<p>No. See Section 6.15, the contract does not offer sufficient opportunities to set goals for participation by MWBEs as Subcontractors, service providers, or suppliers to Contractor. However, Contractors are encouraged to make every good faith effort to promote and assist the participation of MWBEs on this contract and MWBEs are encouraged to bid as prime contractors. In addition, Authorized Users may establish MWBE goals in the RFQ.</p>

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89	Solicitation Document	4.8 Format and Content of Bid Submittal	<ul style="list-style-type: none"> • Is electronic ink signature acceptable? • It is mandatory to sign hard copies after printing with original ink signatures? 	<p>No, electronic signatures are not acceptable for this solicitation where original ink signatures are required.</p> <p>Yes, per Section 4.8- Format and Content of Bid Submittal, the hard copies required must have original ink signatures.</p>
90	Solicitation Document	2.1 Bidder Qualifications	<ul style="list-style-type: none"> • Do we need to provide Proof of an average of at least \$200,000.00 in prior sales for each Lot which we are supposed to bid? • Do we need to provide proof of an average of at least \$200,000.00 in prior sales combined for Lots 1, 4, 5, 6, 7, 8, 9, and 10? • Would you accept proof of an average of at least \$200,000.00 in prior sales with the commercial large clients? 	<p>Per Section 2.1- Bidder Qualifications, all bidders must provides an average of at least \$200,000 in sales in each separate Lot being bid. This Section has been revised in the Solicitation to show that proof of past sales may come from either government and/or private sector entities.</p>
91	Solicitation Document	2.1 Bidder Qualifications	<ul style="list-style-type: none"> • Do we need to provide 3 references for each Lot? • Would you accept references from our commercial clients? 	<p>No, only if requested, Bidder shall provide a minimum of three (3) references (in total) within five (5) Business Days of request. Refer to Section 2.1 - Bidder Qualifications, this Section has been revised in the Solicitation to show that proof of past sales may come from either government and/or private sector entities.</p>
92	Solicitation Document	3.13 OSHA Training	<ul style="list-style-type: none"> • OSHA training cost will be billed to Authorized Users according to hourly rates of a particular position? • Do we need to add training fee in price rate at the time of bid submission? • Would the Authorized User be providing the 10 Hour Construction course to temporary staff or vendor will arrange the course? 	<p>No. Refer to Section 6.6 - Bid Pricing Information. This is a full-service Contract. For purposes of this Contract “full service” shall mean the Contractor's Bid rates include all costs of providing Temporary Personnel, including, but not necessarily limited to, all administrative requirements; all other additional costs such as necessary financial reports; all reporting or other requirements, all overhead costs and profit. It shall also include all parking fees, and any other ancillary fees and costs including permits, licenses, insurance, etc., and services not explicitly stated in this Solicitation, but necessarily attendant thereto or as requested by Authorized Users in their RFQs.</p> <p>The bidder is responsible for insuring all training courses including cost for temporary personnel be covered. The Temp MUST present the Authorized User with proof of the completion of the above listed courses, including all updates and renewals prior to reporting to an Authorized User location.</p>

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93	Attachment 4 - Insurance Requirements	5. Workers' Compensation Insurance and Disability Benefits Requirements: Proof of workers' compensation and disability benefits coverage, or proof of	<ul style="list-style-type: none"> • Can we submit a certificate of insurance covering all requirements after the award of the contract? 	No, Proof of insurance shall be provided at the time of Bid submission. Per Section 5.1 - Method of Award, after the Bid opening each Bid will be screened for completeness and conformance with the stated Bidder Qualifications and Service Requirements, as set forth in Section 2 and the Bid Submission requirements as set forth in Section 4 of this Solicitation. Any Bid not meeting these requirements may be deemed nonresponsive and denied further consideration for award.
94	Solicitation Document	6.3 Procurement Instructions	<ul style="list-style-type: none"> • Please share RFQ call criteria, will Authorized Users call RFQ from the lowest awarded vendor in a Region for a particular position of a specific Lot? • Will Authorized Users call RFQ from all vendors awarded in a Region for a particular position of a specific Lot? • Please confirm how would you maintain a fair share of business among all awarded vendors? 	<p>Per Section 6.3 - Procurement Instructions, Authorized Users must send their detailed RFQ to each of the Contractors within the applicable Lot/Region for the position(s) being requested. Selection of the winning Contractor will be based on a best-value determination considering the Authorized User's needs and Contractors' lowest price.</p> <p>Refer to Section 1.3 - Estimated Quantities, a contract resulting from this Solicitation shall be an estimated quantity Contract. No specific quantities are represented or guaranteed, and the State provides no guarantee of individual Authorized User participation. The Contractor must furnish all quantities actually ordered at or below the Contract prices.</p>
95	Solicitation Document	6.28 Participation Opportunities for New York State Certified Service-Disabled Veteran-Owned Businesses	<ul style="list-style-type: none"> • Is 4% SDVOB subcontracting goal mandatory for this solicitation? Please confirm. • Do we need to submit "SDVOB 100 - Utilization Plan form" available at link https://ogs.ny.gov/veterans/division-service-disabled-veterans-business-development-compliance-and-reporting ? • If we request for waiver at the time of bid submission, will our bid response be considered unresponsive? 	<p>Yes, per Section 6.28, OGS has established an overall goal of 4% with the exception of Lot 2, Hearing Reporter Services, for SDVOB participation, based on the current availability of qualified SDVOBs.</p> <p>Yes. Bidders are required to submit a completed SDVOB Utilization Plan on Form SDVOB 100 with their bid.</p> <p>No. Requests for waivers will not render a bidder's bid non-responsive.</p>
96	Attachment 3 - Encouraging Use of NYS Businesses	ENCOURAGING USE OF NEW YORK STATE BUSINESSES IN CONTRACT PERFORMANCE	<ul style="list-style-type: none"> • Is it mandatory to use of New York state businesses in contract? 	No. Per Attachment 3 - Encouraging Use of NYS Businesses, bidders are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract.
97	Solicitation Document	1.2 Scope	<p>We have two companies one company is subsidiary of other. Our one company provides healthcare staffing services and the other provides IT/Non IT and Light industry staffing services.</p> <p>According to the experience and expertise of Companies can we submit two separate proposal responses from different companies for different suitable Lots?</p>	Yes, two separate proposals can be submitted as long as each proposer has their own FEIN number. Each bid submitted will be reviewed and evaluated separately, and may differ with regard to Lots, Regions and titles being bid. Each bid would need to independently meet the minimum qualifications and requirements set forth in Section 2.

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98	Attachment 1 - Pricing	General	What is the total amount of spend and contractor headcount for each of the last 3 years?	There are 51 awardees under the current award 23057; Overall spend by Region is not available. The following are sales from a single sample Quarter (pre-COVID-19) broken down by Lot, this is as detailed as OGS is able to provide: Lot 1 \$5,534,968, Lot 2 \$290,778, Lot 3 \$275,181, Lot 4 \$430,554, Lot 5 \$969,841, Lot 6 \$1,447,125, Lot 7 \$4,266,375.59, Lot 8 \$113,052, Lot 9 \$24,030, Lot 10 \$6,348,787. These figures are informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.
99	N/A-General Question	General	Is there an incumbent(s)?	Yes the current award 23057 has 51 awardees. Current award information can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM
100	N/A-General Question	6.3 Procurement Instructions	What is the average contractor duration on assignment?	This may vary by individual Authorized User and job title. OGS does not keep track of data related to length of temporary personnel assignment. As per Section 6.3 - Procurement Instructions Purchase Orders and PCard transactions may be issued for up to a two year period (24 months) so long as the Purchase Order or PCard transaction is issued within the term of the Backdrop Centralized Contract.
101	Attachment 3 - Encouraging Use of NYS Businesses	1.1 Overview	Are you awarding the contract to multiple vendors? If yes, will their be Tier 1 and Tier 2 Vendors?	Yes, awards will be made to multiple vendors. No, there will not be Tier 1 and Tier 2 vendors. Per Section 1.1 - Overview, this Solicitation is a non-competitive establishment of multiple-award Centralized Backdrop Contracts. Contract awards will be made to all responsive and responsible Bidders who meet qualifications as detailed in Section 2 – Bidder Qualifications and Service Requirements and whose pricing is determined to be reasonable by OGS. The prices proposed by Bidders in response to this Solicitation are Maximum-Not-To-Exceed Bill Rates. When an Authorized User needs temporary personnel, it will issue a competitive Request for Quote (RFQ) in accordance with the terms and conditions of the Centralized Backdrop Contract and include any additional requirements of the positions sought to be filled. The RFQ will be distributed by the Authorized User to all Contractors for the applicable Lot and Region where the work is to be performed and it is in response to the RFQ where the Contractors shall submit the actual proposed prices to be charged.
102	N/A-General Question	IFB Main Document	What areas of improvement are you looking to solve?	The current Administrative Services Award #23057 expires October 24, 2022. This is a new contract for the future needs for Temporary Personnel. Each Authorized User may have varying needs and/or reasons for using the resulting Centralized Contracts.
103	Attachment 11 - Background Check Requirements	A. Background Check	What type of employment screenings are required? (Background check, drug testing, fingerprint, etc.)	Refer to Section 3.5 and Attachment 11 - Background Check Requirements. Except for Lots 2, 3 and 10, the Contractor shall provide appropriate background checks for each Candidate prior to the start of their employment. Authorized Users may request additional background check requirements in the RFQ.
104	N/A-General Question	5.1 Method of Award	What metrics will you use to evaluate your vendors?	Refer to Section 5.1 - Method of Award, after the Bid opening each Bid will be screened for completeness and conformance with the stated <i>Bidder Qualifications and Service Requirements</i> , as set forth in Section 2 and the Bid Submission requirements as set forth in Section 4 of this Solicitation. Awards shall be made only to responsive and responsible Bidders who meet all Bidder Qualifications and Service Requirements and whose prices for services indicates that those services will be provided at a reasonable price (i.e., the Maximum-Not-To Exceed Bill Rate is reasonable as determined by the NYS OGS).
105	Attachment 2 - NYS Required Certifications	Attachment 2	Is there a master services agreement with New York State that we will utilize for this engagement? If yes, can we receive a copy for review?	Please see Solicitation Section 4.5. Portions of the successful Bidder's Bid and of this Solicitation shall be incorporated into a final Contract, with a separate document executed by the Contractor and OGS.

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106	Solicitation Document	1.3 Estimated Quantities	Can the State break down the volume of usage by dollars and headcount by skill category over the past 3 years?	The following are sales from a single sample Quarter (pre-COVID-19) broken down by Lot, this is as detailed as OGS is able to provide: Lot 1 \$5,534,968, Lot 2 \$290,778, Lot 3 \$275,181, Lot 4 \$430,554, Lot 5 \$969,841, Lot 6 \$1,447,125, Lot 7 \$4,266,375.59, Lot 8 \$113,052, Lot 9 \$24,030, Lot 10 \$6,348,787. These figures are informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.
107	Solicitation Document	1.3 Estimated Quantities	Can the State please provide the average or anticipated length of assignments by skill type?	This may vary by individual Authorized User and job title. Length of assignment will be determined based on individual Authorized User's needs and will be identified in the RFQ.
108	Attachment 10 - Job Description & Qualifications	Lot 1 - 10	Can the State provide the required experience levels for the requested job titles?	Attachment 10 provides minimum job requirements for each title. The Authorized User reserves the right to request candidates with additional qualifications such as previous experience and skill levels, within their RFQ. See Section 4.14 - Authorized User Reserved Rights.
109	Solicitation Document	1.12 Appendices and Attachments	Appendix A, B, C, and D are not provided along with the solicitation documents. Can the State please provide a copy of these Appendices?	Appendices A thru D have been posted to the OGS website on 10/15/2021. Please refer to the bid documents at: https://ogs.ny.gov/procurement/biddocument/23246bid Bidders must sign and attach the Bid Solicitation Update notification dated 10/15/2021 and submit it with their bid.
110	Solicitation Document	4.10 Bid Delivery	Can the State consider an electronic submission in lieu of the current pandemic?	No. See Section 4.8, E-mail or facsimile Bid submissions are not acceptable.
111	Solicitation Document	4.8 Format and Content of Bid Submittal	Will the State consider electronic signatures instead of the wet signatures?	No, all signatures must be original ink signatures. Please see Section 4.8 Format and Content of Bid Submittal.
112	Solicitation Document	1.1 Overview	Can the State provide the list of the incumbent suppliers?	All Award 23057 current contractor information can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM
113	Attachment 1 - Pricing	General	Can the State provide the incumbent supplier pricing?	All Award 23057 current contractor pricing information can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM
114	Solicitation Document	1.9 MWBE & SDVOB	Are there goals associated with this statewide solicitation?	Refer to Section 6.28, OGS establishes an overall goal of 4% with the exception of Lot 2, Hearing Reporter Services, for SDVOB participation, based on the current availability of qualified SDVOBs. For MWBE refer to Section 6.15, the Contract does not offer sufficient opportunities to set goals for participation by MWBEs. However the contractor is encouraged to make every good faith effort to promote and assist the participation of MWBEs on this Contract.
115	Solicitation Document	2.1 Bidder Qualifications	Is ACH an acceptable form of electronic payment?	Yes.
116	Solicitation Document	General	Will remote work be acceptable under task orders?	OGS has no way of knowing what the Authorized User's requirements will be; however, per the Authorized Users need, work may be performed remotely. This would be indicated by the Authorized User in the RFQ.

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117	Solicitation Document	5.1 Method of Award	How many vendors will be selected for each Lot?	All Bidders that meet all the requirements of the solicitation will receive an award. There is no maximum number and it is unknown how many will be awarded in each Lot. Refer to Section 5.1 - Method of Award.
118	Solicitation Document	1.3 Estimated Quantities	What is the historical spend per Lot under this contract?	See Section 1.3- Estimated Quantities. The following are sales from a single sample Quarter (pre-COVID-19) broken down by Lot, this is as detailed as OGS is able to provide: Lot 1 \$5,534,968, Lot 2 \$290,778, Lot 3 \$275,181, Lot 4 \$430,554, Lot 5 \$969,841, Lot 6 \$1,447,125, Lot 7 \$4,266,375.59, Lot 8 \$113,052, Lot 9 \$24,030, Lot 10 \$6,348,787. These figures are informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.
119	N/A-General Question	General	Please disclose the incumbents' names and if possible please provide the incumbent proposals?	Current contractor's information and pricing for award 23057 can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM Requests for all non-public information must be made through a FOIL request via https://ogs.ny.gov/freedom-of-information-law
120	N/A-General Question	General	To offer you competitive pricing, please share the incumbents' cost proposal.	Current contractor's pricing information can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM
121	N/A-General Question	General	We would like to request the OGS to provide the bid tabulation of previous contract?	Bid opening results for Award #23057 can be found at: https://ogs.ny.gov/system/files/documents/2019/06/23057br.pdf
122	N/A-General Question	General	How many awards do OGS plan to make?	All Bidders that meet all the requirements of the solicitation will receive an award. There is no maximum number and it is unknown how many will be awarded in each Lot. Refer to Section 5.1 - Method of Award.
123	N/A-General Question	General	How many temporaries are currently working under this contract?	OGS has no way of knowing how many temporary employees are employed statewide at any given time. Each vendor employs their own pool of temporary personnel.
124	N/A-General Question	General	Please describe the issues/problems that the OGS is facing under the current contract?	The current Administrative Services Award #23057 expires October 24, 2022. This is a new contract for the future needs for Temporary Personnel. Each Authorized User may have varying needs and/or reasons for using the resulting Centralized Contracts.
125	Solicitation Document	2.1 Bidder Qualifications	Can vendors repeat client's detail if vendors are providing the services for multiple Lots?	Proof of past sales must have been made for comparable services and/or titles to the Lots for which they are being bid for this Solicitation. Therefore, vendors may repeat client information to qualify for multiple Lots only if such sales are for comparable services and/or titles to each Lot being bid.
126	Solicitation Document	2.1 Bidder Qualifications	Can vendors provide 2 to 3 clients detail, per Lots as it would be difficult for the vendors to provide POC contact details for each project as such information is confidential?	Yes, a minimum number of entities to show proof of past sales is not required as long as an average of \$200,000 in past sales is met.
127	Solicitation Document	2.1 Bidder Qualifications	It is our understanding that the vendors need to provide 3 references after the due date and upon OGS request. Is it correct?	Yes, if requested, Bidder shall provide a minimum of three (3) references (in total) within five (5) Business Days of request. Refer to Section 2.1 - Bidder Qualification, this section has been revised in the solicitation to show that proof of past sales may come from either government and/or private sector entities.

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128	Solicitation Document	4.8 Format and Content of Bid Submittal	It is our understanding that the vendors need to submit two (2) USB flash drives and one (1) Printed document as per the checklist. Is it correct?	Yes, as per Section 4.8 - Format and Content of Bid Submittal, bidders must submit 2 USB flash drives containing all required bid documents, as well as one hard copy of the required documents as noted within the section.
129	Solicitation Document	6.28 Participation Opportunities for New York State Certified Service-Disabled Veteran-Owned Businesses	The OGS has set any subcontracting goal of 4% only for SDVOB participation. Is it correct?	Yes, per Section 6.28, OGS establishes an overall goal of 4% with the exception of Lot 2, Hearing Reporter Services, for SDVOB participation, based on the current availability of qualified SDVOBs.
130	Solicitation Document	6.15 Contractor Requirements and Procedures for Participation by New York State Certified Minority and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women	Does the OGS has set any subcontracting goal for New York State-certified Minority and Women-Owned Business Enterprises (MWBEs)?	Per Section 6.15, the Contract does not offer sufficient opportunities to set goals for participation by MWBEs. However the contractor is encouraged to make every good faith effort to promote and assist the participation of MWBEs on this Contract.
131	N/A-General Question	General	It is our understanding that ATTACHMENT 12 to ATTACHMENT 21 are used to issue the Request for Quote. Is it correct?	Yes.
132	N/A-General Question	General	Please specify how vendors will be evaluated? Can OGS provide the Evaluation Criteria?	Contract awards will be made to all responsive and responsible bidders who meet all qualifications as detailed in Section 2 - Bidder Qualification and Service Requirements and whose pricing is determined to be reasonable by OGS. Please also refer to Section 5.1 - Method of Award.

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133	Solicitation Document	1.7 Bidder Questions	(a) Is there anything in the RFP or the resulting contract that would prevent a company from utilizing a "consortium" of sub-contractors to satisfy the varying needs of this contract? Such a consortium could be made up of a large number of staffing firms who would all receive their orders from the prime contractor and then submit candidates to the prime contractor to submit to the Authorized User for each request. Please confirm that this approach is allowable. (b) If we were to use this model, please explain how the payments would work. Would the Authorized User pay the prime contractor and the prime would be responsible for paying their subs?	<p>(a) Per Section 2.1, A Bidder is required to demonstrate proof of an average of at least \$200,000.00 in sales over the past three (3) years immediately preceding the Bid Opening / Due Date for Bids as defined in Sub-Section 1.4 – Key Events/Dates, and where such sales were made for comparable services and/or titles to the Lots for which they are being bid for this Solicitation. Also, per Attachment 2, Required Certifications, Non-Collusive Bidding Certification, Bidders are required to certify as follows:</p> <ol style="list-style-type: none"> 1. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor. 2. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor. 3. 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 restricting competition. <p>(b) Payments would be made to the Prime Contractor, and the Prime Contractor would be responsible for paying any Subcontractors.</p> <p>Also, see Section 6.29 Subcontracting Requirements of the Solicitation, which details requirements pertaining to the use of Subcontractors.</p>
134	Solicitation Document	1.9 MWBE & SDVOB Interest in Partnering with Bidders	Please confirm there is no MWBE Goal.	Per Section 6.15, the Contract does not offer sufficient opportunities to set goals for participation by MWBEs. However the contractor is encouraged to make every good faith effort to promote and assist the participation of MWBEs on this Contract.
135	Solicitation Document	1.11 Definitions	At what rate will holidays worked be paid and allowed to be billed (1.5x or 2x rate?).	Holiday Rates shall be requested in the RFQ when the Authorized User anticipates the need for such rates. Bidders must bid Not to exceed bill rates for NYS Holidays within Attachment 1 - Pricing. Contractors responding to an RFQ will enter the actual holiday rate that will be bid.
136	Solicitation Document	2.1 Bidder Qualifications A	Is \$200k in past business per Lot for the last 3 years PER year or combined revenue over the past 3 years?	Bidder must show proof of an average of at least \$200,000.00 in sales over the past three (3) years immediately preceding the Bid Opening / Due Date for Bids. See revised Solicitation Section 2.1.
137	Solicitation Document	2.1 Bidder Qualifications A for Lots 2-3	Is the required \$100k in sales a per year average over the past 3 years?	The requirement is an average over a 3-year period. Proof of an average of at least \$100,000.00 in annual sales over the past three (3) years immediately preceding the Bid Opening/Due Date for Bids, and where such sales were made for comparable services and/or titles to the Lots for which they are being bid for this Solicitation. See revised Solicitation Section 2.1.

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138	Solicitation Document	3.5 Background Checks	Please confirm that OGS agrees that a background check cannot be run prior to an Authorized User making an offer of employment and that it could delay start times.	Per Attachment 11, "the Contractor shall be obligated to undertake and complete the following background checks for each Candidate it proposes after such Candidate has been tentatively selected by the Authorized User, but prior to the start of the engagement".
139	Solicitation Document	3.5 Background Checks	Please explain how multiple state or county search costs are reimbursed. The pricing sheet asks for a fixed rate for a state/county search. If, because the candidate worked in multiple states/counties, multiple searches need to be conducted, is the fixed rate multiplied by the number of states/counties required what will be reimbursed (i.e. if the cost is \$10 per county and 3 counties are run, does the state reimburse \$30?	Please see revised Sections 4.8 and 6.6 of the Solicitation. Background check fees have been changed from a fixed rate to Not-to-Exceed Rates. In response to an RFQ, Contractors may bid background check fees for all required background check searches up to the NTE rate.
140	Solicitation Document	3.7 Replacement Candidates	May the contractor still be eligible to fill the job with a replacement candidate if submission of said candidate exceeds the 2 day requirement?	No. If a Contractor cannot provide a replacement Candidate within the 2-day requirement, then the Authorized User will consider the request unfulfilled. Thereafter, the Authorized User may make a request for a Candidate from the next best value quote received in response to their RFQ (if RFQ responses are still open and valid), or in the alternative, the Authorized User may issue a new RFQ for a replacement Candidate. In the event a new RFQ is issued, the Contractor would be eligible to bid again.
141	Solicitation Document	3.9 Travel	Is travel each way that is over 35 miles paid from mile 1 or only the miles over 35?	Per the Office of the State Comptroller Travel Manual, "Travel in Proximity of Official Station or Home": When an employee is assigned to work at an alternate work location which is less than 35 miles from either his or her home or his or her official station, the employee is not considered to be in travel status, but rather is considered to be traveling in the proximity of his or her official station." When travel is from an employee's home to an alternate work location, or from an alternate work location to home, at a minimum, transportation expenses must be reimbursed using the lesser of 1) mileage between the employee's home and the alternate work location or 2) mileage between the employee's official station and the alternate work location, multiplied by the IRS mileage reimbursement rate. This reimbursement method is called the "lesser of mileage rule." Agency management has the discretion to establish a reimbursement policy that provides for reasonable reimbursement of transportation expenses in excess of the amount calculated under the "lesser of mileage rule."
142	Solicitation Document	3.13 OSHA Training	Is the 10 hour OSHA training for Lot 10 billed to the state as if the individual had worked those hours?	No. Refer 6.6, This is a full-service Contract. For purposes of this Contract "full service" shall mean the Contractor's Bid rates include all costs of providing Temporary Personnel, including, but not necessarily limited to, all administrative requirements; all other additional costs such as necessary financial reports; all reporting or other requirements, all overhead costs and profit. It shall also include all parking fees, and any other ancillary fees and costs including permits, licenses, insurance, etc., and services not explicitly stated in this Solicitation, but necessarily attendant thereto or as requested by Authorized Users in their RFQs. The bidder is responsible for insuring all training courses including cost for temporary personnel. The Temp MUST present the Authorized User with proof of the completion of the above listed courses, including all updates and renewals prior to reporting to an Authorized User location.

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143	Solicitation Document	6.8 Price Adjustments	Will OGS allow for emergency pro-rata price increases during the contract term caused by the implementation of unforeseeable government mandated costs such as the addition of COVID paid sick leave or the recent increase in NYS paid sick leave from 40 to 56 hours?	No. Refer to Section 6.8- Price Adjustments. Pricing submitted with the Bid, will be automatically adjusted by the OGS contract administrator twenty-four (24) months after contract award, again at forty-eight (48) months after award, and a final time in the event of a contract extension. Such an adjustment will be based on percent changes in the U.S. Bureau of Labor Statistics Employment Cost Index (Index) for total compensation, by occupational group and industry - Service Providing Industries.
144	Solicitation Document	6.24 Employee Information Required to be Reported by Certain Consultant Contractors and Service Contractors	Please confirm that neither form A or B need to be completed and submitted with the RFQ response.	As per section 6.24, Form A and Form B do not need to be submitted with the bid.
145	Solicitation Document	6.28 Participation Opportunities for New York State Certified Service-Disabled Veteran-Owned Businesses	We respectfully ask that OGS waive the SDVOB utilization requirement on the basis that a) there are a small number of firms that qualify for such designation and b) we are unable to guarantee delivery of a fixed percentage of spend to meet the utilization goals since based on the way the process works, we submit resumes both from ourselves and our SDVOB partners for review by the state to ensure it has the best candidate pool to choose from. From these referrals, the state will chose candidates they wish to work on the project. We have no ability to influence the company from which the state selects the candidates which means the state will ultimately be controlling SDVOB participation through their selection process of presented candidates and we will not be able to control either who the state selects or what that participation level will be.	OGS declines to waive the SDVOB goal set at 4%. OGS recommends bidders work with the SDVOB office to satisfy this requirement.
146	Attachment 11 - Background Check Requirements	A.1	Please confirm background checks will be reimbursed at the rates shown on the pricing sheet and confirm the process if a candidate needs to be cleared through more than one state or county.	Background check fees shall be noted within the response to a RFQ for all required background check searches. Minimum background check requirements are detailed in Attachment 11 – Background Check Requirements. Additional background check requirements requested by an Authorized User shall be specifically detailed in the RFQ. Contractors may bid an additional fee for background check requests beyond the minimum requirements.
147	Attachment 11 - Background Check Requirements	A.3.vi	If an employee is asked to drive a State vehicle, will the state agree to sign a driver waiver holding the staffing firm harmless should any damage be caused by the operation of that vehicle by the staffing firm employee? Otherwise it would seem the risk would be too great to provide drivers for the small margin per hour earned.	Please see Attachment 4 - Insurance Requirements, Section B.2 - Business Automobile Liability Insurance.
148	Attachment 10 - Job Description & Qualifications	Whole Document	Most of the positions listed have rates that vary dramatically depending on the years of experience required. Can OGS provide the years of experience needed for these roles or alternatively, should bidders break their pricing by various experience tiers?	Authorized Users will detail qualifications, experience and skill levels needed within the RFQ. Contractors will respond with quotes taking into account all requirements noted in the RFQ. Contractor's NTE rates should be able to accommodate all possible levels of experience required.

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149	Solicitation Document	TOC	Where can appendices A-D be found. They are not listed on the OGS website with the other attachments.	Appendices A thru D have been posted to the OGS website on 10/15/2021. Please refer to the bid documents at: https://ogs.ny.gov/procurement/biddocument/23246bid Bidders must sign and attach the Bid Solicitation Update notification dated 10/15/2021 and submit it with their bid.
150	Attachment 5 - Bidder Information Questionnaire	Whole Document	To answer some questions fully, we would like to provide screenshots of our system or other useful information. How can we submit such information. Can we upload an Exhibits document and reference it in the questionnaire?	All answers to questions in Attachment 5 - Bidder Information Questionnaire must be provided within the Attachment. Provide only requested information with your bid submission. Additional pages or documents provided in response to these questions will not be accepted.
151	Solicitation Document	3.5 Background Checks	To comply with NYS and NYC rules, will the Authorized Users allow the background check to be performed only after the Authorized User has determined that the proposed Candidate meets the requirements and a conditional job offer is made?	Per Attachment 11, the Contractor shall be obligated to undertake and complete the following background checks for each Candidate it proposes after such Candidate has been tentatively selected by the Authorized User, but prior to the start of the engagement.
152	Solicitation Document	3.7 Replacement Candidates	It is recommended by the NYC Division of Human Rights that background check information NOT be shared with the client since they are not the employer. The RFP implies that this information will be shared. Does NYS DOL approve of this practice or, as per NYC DHR would OGS change this requirement to that of only providing an attestation that the candidate is cleared to perform work based on an individualized analysis of their background check be provided to the Authorized User?	OGS declines to change or waive this requirement.
153	Solicitation Document	3.10 Rates Note 1	Please provide the apparent discrepancy for asking us to have to tell Authorized Users when a Candidate is already working for another Authorized User on a P/T basis and whether the additional assignment will put that Candidate into Overtime. This implies that one of the Authorized Users will pay that overtime. However later it is stated "An Authorized User shall not pay Overtime Rates if a Temp has performed less than 40 hours of work for the Authorized User, but more than 40 hours among several Authorized Users. Who would be billed for the Overtime in this case? If no one can be billed, why would a Contractor be willing to have a Temp work OT hours?	The overtime work assumes the Temp has worked a 40-hour week for the Authorized User. Should the regular work shift of the Temp be other than normal hours, then the Overtime Rate is not paid until 40 hours is exceeded by an individual Temp for an Authorized User. If a Temp is performing work for more than one Authorized User, the Contractor shall inform each of the Authorized Users of the Temp's schedule and actual hours worked so that all parties are aware of when the Temp will reach 40 hours worked and at what point Overtime Rates would begin. An Authorized User is responsible for Overtime Rates when a Temp has performed 40 hours of work for said Authorized User and the Authorized User requests the Temp work additional hours. An Authorized User shall not pay Overtime Rates if a Temp has performed less than 40 hours of work for the Authorized User, but more than 40 hours among several Authorized Users.
154	Solicitation Document	3.10 Rates Note 2	Please indicate which position titles in OGS' view would fall under the NYC Service Contractor's Prevailing Wage and Living Wage Schedule found here: https://comptroller.nyc.gov/wp-content/uploads/documents/NYCSERVICEContractorsSchedule-2021-2022.pdf	Prevailing Wage only applies to Lot 10 – Light Industrial Occupations job titles. Please see Section 3.10, Note 2. Compliance with local laws such as the NYC Living Wage Law is a responsibility of the Contractor and the Authorized User and will not be determined by OGS.

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155	Solicitation Document	3.10 Rates Note 3	NYS has recently increased paid sick leave from 40 hours to 56 hours which is accrued at the rate of one hour for every 30 hours worked. How would the state propose to compensate Contractors for this legally mandated pay which is not work time since Note 3 states that the Contractor will only bill for hours worked? Does the state want bidders to increase their bill rate to the Authorized User to include the potential cost of PSL, even if it doesn't occur, or would OGS agree, so the state only pays for costs actually incurred, it would allow a Contractor to bill for the time a Temp is absent to work if they qualify for PSL at the same rate they would be billed for that day had they worked. In this way the Authorized User is not paying an inflated rate for PSL which may not be taken, but instead, only the actually cost for PSL taken?	Per Section 3.10 - Rates (Note 3), In the event a Temp does not work, regardless of whether the reason is due to sickness, vacation, or that NYS offices are closed for any reason, including, but not limited to NYS Holidays, and/or weather-related events, or other unforeseen events, the Contractor will not bill the Authorized User for those hours. An Authorized User is billed only for the hours when work is performed as described in the RFQ. Please also refer to Section 6.6, this is a full-service Contract. For purposes of this Contract "full service" shall mean the Contractor's Bid rates include all costs of providing Temporary Personnel, including, but not necessarily limited to, all administrative requirements; all other additional costs such as necessary financial reports; all reporting or other requirements, all overhead costs and profit. It shall also include all parking fees, and any other ancillary fees and costs including permits, licenses, insurance, etc., and services not explicitly stated in this Solicitation, but necessarily attendant thereto or as requested by Authorized Users in their RFQs. This would also include the potential costs of PSL.
156	Solicitation Document	3.12 Worker Notification	Since Contractors have no control over the worksite, will the Authorized User be responsible for posting a notice at the job site which includes the telephone number and address for the DOL along with the required information mentioned in this Section?	Labor Law § 220(3-a)(a)(ii) requires Contractors and Subcontractors to provide written notice to all laborers, workers, or mechanics of the prevailing wage rate for their particular job classification on each pay stub. It also requires Contractors and Subcontractors to post a notice at the beginning of the performance of every public work Contract on each job site that includes the telephone number and address for the Department of Labor and a statement informing laborers, workers or mechanics of their right to contact the Department of Labor if they are not receiving the proper prevailing rate of wages and/or supplements for his/her particular job classification.
157	Solicitation Document	3.14 On-site Work	We use an electronic sign in system which can even record IP address of a computer used to sign in or a GPS location if a mobile device is used. Weekly, clients are presented with an electronic timesheet to approve. May we mandate that Authorized Users implement this system in lieu of the referenced manual sign in and out sheets? Otherwise we are concerned it will be difficult to know the exact hours to bill for.	No. Per Section 3.14a - On Site Work, Temp Sign-In: Contractor's Temp shall sign in and out in accordance with the Authorized User's security procedures and guidelines. Failure to sign in or out, whether intentional or not, may be understood to mean that service was not performed. Contractors may request alternate means of sign-in; however the Authorized User is not required to agree to use means other than that required in the Solicitation.
158	Solicitation Document	6.3 Procurement Instructions	This entire process seems to put the client in the role as determining whether a Candidate's prior criminal background makes him/her unsuitable for the role. However, NYS and NYC laws provide that only the employer should make such a determination using an individualized process that is kept confidential. Would OGS agree to remove the Authorized User from being involved in this process to better comply with Law?	OGS declines to make the requested change.
159	Solicitation Document	6.4 Invoicing and Payment	Invoicing and Payment; Please confirm that regardless of an Authorized User's ordering systems, since Temps working will be paid weekly, invoicing may be provided weekly and paid on a rolling weekly basis by the Authorized Users, as well.	Invoicing and payment shall be made in accordance with the terms set forth in Appendix B – Clause 45 – Contract Invoicing. Refer to the following link for further guidance for vendors on invoicing: https://bsc.ogs.ny.gov/nys-vendors

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160	Solicitation Document	6.6 Bid Pricing Information	Background checks vary in price depending upon the number of localities an individual worked in over the reference period (normally 7 years). Individuals who worked in multiple states/counties incur more costs than individuals who lived in only one county. Therefore, will OGS adopt a similar not to exceed rate so that we can indicate a number which would cover for multiple states/counties, but then only charge the actual costs charged by the 3rd party background check company?	Yes, please see revised Sections 4.8 and 6.6 of the Solicitation. Background check fees have been changed from a fixed rate to Not-to-Exceed Rates. In response to an RFQ, Contractors may bid background check fees for all required background check searches up to the NTE rate.
161	Solicitation Document	6.8 Price Adjustments	In addition to increasing the not-to-exceed rates through use of the BLS index, would OGS agree to allow Contractors to utilize that same index to ongoing assignments that continue past the adjustment date so that workers in those role can take advantage of the index as well?	No. All rates submitted in response to an RFQ before the effective date (of the increase) will be based upon the current posted rates on the OGS website.
162	Solicitation Document	6.15 EEO B	Please confirm that the EEO-100 report required to be submitted is for our INTERNAL staff only, not temps, since there are no specified orders as part of this RFP so we would have no way of knowing who will ultimately be called upon to provide services.	Yes. The EEO form is not intended to capture temporary personnel. Questions pertaining to the completion of EEO forms should be directed to the Division of Minority and Women's Business Development at (855) 373-4692.
163	Solicitation Document	6.15 EEO C	Most staffing firms do NOT collect ethnic background and other EEO data on their applicants to ensure there is no information in their files that could allow discriminatory placements. Traditional employers do not have the same issue because they can conduct checks by performing visual inspection. Since staffing firms are not on site they cannot perform visual inspection. In light of this, the standard for the industry is to complete EEO-1 and other Utilization reports with information ONLY on Internal employees. Will NYS allow that to be the standard for completion of the reports required under this contract?	These forms are not intended to capture information on temporary personnel. Questions pertaining to the completion of EEO forms should be directed to the Division of Minority and Women's Business Development at (855) 373-4692.
164	Solicitation Document	6.24 Employee Information Required to be Reported by Certain Consultant Contractors and Service Contractors	It is unclear from the definition in this section which titles would trigger a need to provide Form A and B. Will it be a requirement for the Authorized Users to notify Contractors that the titles being provided fall under the requirements in this section? Alternatively, would OGC indicate which titles fall under this requirement regardless of what Agency the Temps work for?	OGS includes the requirement in this Solicitation as there is a wide variety of work to be performed under the contracts. However it may not be applicable in all instances. In order to determine whether or not it applies, the agency and the awarded contractor would review the type of work being performed and compare it to the definition in the law (below). Without knowing the particular work being performed, it would not be appropriate for OGS to advise whether the requirement applies or not. Under the State Finance Law, the requirement applies to the following types of contracts: d. For the purposes of the report required pursuant to subparagraph (iv) of paragraph a of this subdivision, a "contract for consulting services" shall mean any contract entered into by a state agency for analysis, evaluation, research, training, data processing, computer programming, engineering, environmental health and mental health services, accounting, auditing, paralegal, legal, or similar services.
165	Solicitation Document	6.28 Participation Opportunities for New York State Certified Service-Disabled Veteran-Owned Businesses 1	Since the Authorized User will be selecting the candidates to utilize, the Contractor has no ability to ensure that the Authorized User selects a candidate provided by a SDVOB (or an M/WBE for that matter). Therefore it is unfair to place a required goal on this contract because of the inability of Contractors to make the final decision as to which Temps will be assigned. Will OGS agree to remove this requirement rather than requiring every firm go through a waiver process?	OGS declines to remove this requirement. Bidders should work with the SDVOB office to help satisfy this requirement.

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166	Solicitation Document	6.6 Bid Pricing Information	Are the costs incurred by subcontractors billed by the subcontractor and paid by the state to them, or are the costs billed by the Contractor and then paid to the subcontractor by the Contractor .	Any cost incurred by a subcontractor in performance of the contract will be handled directly between the subcontractor and the contractor.
167	Solicitation Document	6.6 Bid Pricing Information	We have noticed that one of the current awardees has a not to exceed bill rate of \$14.40 for several positions in Lot 1. Since the minimum wage is now \$15.00 did OGS allow them to increase their rate or did they not have the ability to place further people in that category based on the increase in minimum wage since their bid was submitted?	OGS will not allow a rate increase under Award #23246 beyond those provided in the Solicitation. A Contractor whose Maximum Not-To-Exceed Bill Rate is no longer viable, in that it has been exceeded by the minimum wage or the sum of Prevailing Wages and Benefits for that Title in that Region, will not be eligible to respond to the RFQ.
168	Attachment 8 - Report of Contract Usage	Report of Contract Usage	Please confirm Attachment 8 is not required to be submitted with the proposal	Attachment 8 - Report of Contract Usage is not required to be returned with the bid submission.
169	Solicitation Document	Attachment 22 Proof of Past Sales	Please confirm what sales are to be included on this form. Is it every government contract held by the bidding organization in the last three years or only a sample of contracts to show the \$200,000 threshold has been met.	Per Section 2.1- Bidder Qualification, all bidders must provide an average of at least \$200,000 in annual sales in each Lot being bid. Proof of past sales must be shown for comparable services and/or titles to the Lots, for which they are being bid. Only proof of sales sufficient to meet the \$200k requirement must be listed - not every government contract held in the last three years.
170	Solicitation Document	Attachment 1 Pricing	Background checks vary in total cost depending upon the number of localities an individual worked in over the reference period (normally 7 years). Individuals who worked in multiple states/counties incur more costs than individuals who lived in only one county. When we put a fixed price in for row 6 "State and County Criminal History," please confirm that if someone worked in two different states, for example, our billing for that person's background check would include the fixed cost indicated in row 6 multiplied by 2. If that is not the case, please explain how we can adequately recoup our costs without having to assume everyone will have multiple states or counties and charge one high fixed price which could mean the state is paying more than it would have to.	The Authorized User is responsible for every background check performed. As multiple background checks are requested the Authorized User is required to pay for each background check fee accrued. If multiple background checks are required the Authorized User should approve them prior to being performed, if agreed to by the Authorized User, each background check performed will be paid by the Authorized User.
171	Attachment 18 - Lot 7 Physicians and Nurses RFQ	Nurse Practitioner	Under NYS law, an NP or a PA needs to be supervised by an MD. Will the Authorized User provide an MD to fulfill the collaborative agreement practicing requirement for the Nurse Practitioner(s)?	Should a Contractor have questions with regard to an Authorized User's RFQ, they should take advantage of the Question period for that RFQ to obtain clarification from the applicable Authorized User.
172	Attachment 16 - Lot 5 Miscellaneous Occupations RFQ	Freight, Stock, & Material Movers	(a) What type of freight, stock and materials? (b) What is the max weight that anyone is expected to lift manually? (c) Are employees expected to operate any equipment or machinery? If so, please list.	Should a Contractor have questions with regard to an Authorized User's RFQ, they should take advantage of the Question period for that RFQ to obtain clarification from the applicable Authorized User.
173	Attachment 16 - Lot 5 Miscellaneous Occupations RFQ	Stock Clerks, Stockroom, Warehouse, or Storage Yard	(a) What type of materials? (b) What is the max weight that anyone is expected to lift manually? (c) Are employees expected to operate any equipment or machinery? If so, please list (d) Is the receiving and issuing of materials handled manually or electronically? (e) Is there a specific supply chain system used to manage inventory?	Should a Contractor have questions with regard to an Authorized User's RFQ, they should take advantage of the Question period for that RFQ to obtain clarification from the applicable Authorized User.
174	N/A-General Question	General	Can we have a list of the vendors that are currently listed under each of the Lots?	Current contractor's information can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM

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175	N/A-General Question	General	What are the rates for each of the vendors listed under each Lot and Region?	Current contractor's pricing information can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM
176	N/A-General Question	General	What are the rates for each of the vendors listed under each Lot and Region? Can we receive copies of the tabulations for the last procurement which vendors were selected for the different Lots for Administrative Services – Temporary Personnel (Statewide)?	Current contractor's pricing information can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM . Bid opening results for Award #23057 can be found at: https://ogs.ny.gov/system/files/documents/2019/06/23057br.pdf
177	N/A-General Question	General	When was the last agreements signed for Administrative Services – Temporary Personnel (Statewide)?	The current Administrative Services Award (#23057) contract period is October 25, 2017 – October 24 2022.
178	N/A-General Question	3.11 Prevailing Wage Rates - Public Works and Building Services Contracts	Are there any prevailing wage requirements for these positions/contracts?	Yes, per Section 3.11, Lot 10 is subject to the prevailing wage rate provisions of the New York State Labor Law. See Clause 7 –Prevailing Wage Rates – Public Works and Building Services Contracts, in Appendix B – OGS General Specifications.
179	Solicitation Document	Scope of work	For Lot 2, we need an idea of the quantity of work and where subsequent RFPs come from. What type of jobs? Are these public hearings? Arbitrations, etc.? What agencies historically have used this?	OGS has no way of knowing what Authorized User's needs will be. The following are sales from a single sample Quarter (pre-COVID-19) broken down by Lot, this is as detailed as OGS is able to provide: Lot 1 \$5,534,968, Lot 2 \$290,778, Lot 3 \$275,181, Lot 4 \$430,554, Lot 5 \$969,841, Lot 6 \$1,447,125, Lot 7 \$4,266,375.59, Lot 8 \$113,052, Lot 9 \$24,030, Lot 10 \$6,348,787. These figures are informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.
180	Solicitation Document	Budget	What is the estimated budget for this requirement?	See Section 1.3 Estimated Quantities; Based upon past sales under the current Award #23057, OGS anticipates Authorized User sales under the new award to be \$100m. Each Authorized User creates their own budget for these types of services, which OGS is not involved in.
181	Solicitation Document	3.7 Replacement Candidates	Considering the current COVID-19 pandemic situation, if the proposed candidates are not available at the time of award, will the agency allow us to provide replacement personnel with similar or more skill sets?	Yes, upon agreement with the Authorized User per Section- 3.7 Replacement Candidates.
182	Solicitation Document	3.14 On-Site Work	Is it entirely onsite work or can it be done remotely to some extent / Does the services need to be delivered onsite or is there a possibility for remote operations and performance?	OGS has no way of knowing what the Authorized User's requirements will be; however, per the Authorized Users need, work may be performed remotely. This would be indicated by the Authorized User in the RFQ.
183	Solicitation Document	General	Are there any mandated Paid Time Off, Vacation, etc.?	No. In the event a Temp does not work, regardless of whether the reason is due to sickness, vacation, or that NYS offices are closed for any reason, including, but not limited to NYS Holidays, and/or weather-related events, or other unforeseen events, the Contractor will not bill the Authorized User for those hours. An Authorized User is billed only for the hours when work is performed as described in the RFQ.
184	N/A-General Question	Bid Solicitation Update form	Could you please clarify, do we need to fill “Doing Business As” section in Bid Solicitation Update form?	A DBA is any registered name that a business operates under that isn't its legal business name. Only complete the DBA section if it applies to your business.

Bidder Questions and Answers
Administrative Services
Solicitation #23246

Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
185	Attachment 5 - Bidder Information Questionnaire	Attachment 5	Could you please clarify, can we use an additional document to answer all the questions of Attachment 5- Bidder information Questionnaire specifically for "Solicitation Specific Questions" tab.?	All answers to questions in Attachment 5 - Bidder Information Questionnaire must be provided within the Attachment. Provide only requested information with your bid submission. Additional pages or documents provided in response to these questions will not be accepted.
186	N/A-General Question	General	Could you please clarify, would be dry ink signature be accepted on the document or wet?	The hard copies required must have original ink signatures.
187	Solicitation Document	1.9 MWBE & SDVOB Interest in Partnering with Bidders	Please confirm, is it mandatory to submit the intend for MWBE & SDVOB Interest in Partnering with Bidders?	No. Submission of the email with regard to interest in partnering with MWBE or SDVOB entities is not required.
188	Solicitation Document	1.9 MWBE & SDVOB Interest in Partnering with Bidders	If our firm is NYS MBE certified, will you give preference to our firm?	Contract awards will be made to all responsive and responsible Bidders who meet the qualifications.
189	Solicitation Document	6.28 Participation Opportunities for New York State Certified Service-Disabled Veteran-Owned Businesses, 6.15 Contractor Requirements and	Is it mandatory to fulfil subcontracting goals?	Per Section 6.28, OGS establishes an overall goal of 4% with the exception of Lot 2, Hearing Reporter Services, for SDVOB participation, based on the current availability of qualified SDVOBs. For MWBE refer to Section 6.15, the Contract does not offer sufficient opportunities to set goals for participation by MWBEs. However the contractor is encouraged to make every good faith effort to promote and assist the participation of MWBEs on this Contract.
190	Solicitation Document	Resumes	Do we need to submit the actual resumes for proposed candidates or can we submit the sample resumes?	Bidders are not required to submit resumes with their bid for this Solicitation. Resumes may be requested by the Authorized User at the time the RFQ is issued, Contractors would then submit resumes with their response to the RFQ for the specific Titles requested in the RFQ.
191	Attachment 7 - Bidders Questions Form	1.1 Overview	If my business was the only successful bidder in a specific area for Hearing Reporter Services, would I be required to fulfill each RFP that was offered?	No, awarded Contractors should only respond to RFQs where they can provide the appropriate temporary personnel. They are not required to respond to all RFQs.
192	Attachment 7 - Bidders Questions Form	1.3 Estimated Quantities	In Area 2, what is the historical volume of work for any given week?	Overall spend by Region is not available. The following are sales from a single sample Quarter (pre-COVID-19) broken down by Lot, and is as much detail as OGS is able provide: Lot 1 \$5,534,968, Lot 2 \$290,778, Lot 3 \$275,181, Lot 4 \$430,554, Lot 5 \$969,841, Lot 6 \$1,447,125, Lot 7 \$4,266,375.59, Lot 8 \$113,052, Lot 9 \$24,030, Lot 10 \$6,348,787. These figures are informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.
193	Attachment 7 - Bidders Questions Form	1.3 Estimated Quantities	How many days a week are typically required for fulfillment of RFPs that come in for Hearing Reporter Services in Area 2?	OGS has no way of knowing what Authorized User's needs will be.

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Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
194	Attachment 7 - Bidders Questions Form	1.3 Estimated Quantities	In Area 6, what is the historical volume of work for any given week?	Overall spend by Region is not available. The following are sales from a single sample Quarter (pre-COVID-19) broken down by Lot, and is as much detail as OGS is able to provide: Lot 1 \$5,534,968, Lot 2 \$290,778, Lot 3 \$275,181, Lot 4 \$430,554, Lot 5 \$969,841, Lot 6 \$1,447,125, Lot 7 \$4,266,375.59, Lot 8 \$113,052, Lot 9 \$24,030, Lot 10 \$6,348,787. These figures are informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.
195	Attachment 7 - Bidders Questions Form	1.3 Estimated Quantities	How many days a week are typically required for fulfillment of RFPs that come in for Hearing Reporter Services in Area 6?	OGS has no way of knowing what Authorized User's needs will be. Overall spend by Region is not available. The following are sales from a single sample Quarter (pre-COVID-19) for Lot 2 Hearing Reporter Services, and is as much detail as OGS is able to provide: Lot 2 \$290,778. This figure is informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.
196	Attachment 7 - Bidders Questions Form	1.2 Scope	For Hearing Reporter Services, what agencies typically submit RFPs in Area 2?	OGS has no way of knowing what Authorized User's needs will be. Overall spend by Region is not available. The following are sales from a single sample Quarter (pre-COVID-19) for Lot 2 Hearing Reporter Services, and is as much detail as OGS is able to provide: Lot 2 \$290,778. This figure is informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.
197	Attachment 7 - Bidders Questions Form	1.2 Scope	For Hearing Reporter Services, what agencies typically submit RFPs in Area 6?	OGS has no way of knowing what Authorized User's needs will be. Overall spend by Region is not available. The following are sales from a single sample Quarter (pre-COVID-19) for Lot 2 Hearing Reporter Services, and is as much detail as OGS is able to provide: Lot 2 \$290,778. This figure is informational only and are not a predictor of future sales. Be sure to read Section 1.3, Estimated Quantities, in the Solicitation.
198	Solicitation Document	1.2 Scope	Are bidders able to bid on specific Lots only?	Yes, bidders are not required to bid on all Lots.
199	Solicitation Document	1.2 Scope	Are bidders required to bid on all positions within a Lot?	No, Bidders may bid on any or all titles within a Lot.
200	Solicitation Document	1.2 Scope	Are bidders required to bid on all Regions?	No, bidders may bid on any or all applicable Regions.
201	Attachment 4 - Insurance Requirements	Crime insurance	Does Lot 2, Hearing Reporters, need this coverage? My broker says this amount is excessive and expensive for my business size.	Per Attachment 4 - Insurance Requirements, only, if providing services on-site, the Contractor shall maintain, during the term of the Contract.
202	Attachment 4 - Insurance Requirements	Professional Liability/Errors and omissions	Does Lot 2, Hearing Reporters, need this coverage? My broker says this amount is excessive and expensive for my business size.	Per Attachment 4 - Insurance Requirements, only, if providing professional occupation job titles.
203	Solicitation Document	Section 5 - Method of Award	How many agencies are allowed to Bid?	There is no limit as to how many bidders are allowed to bid. Contract awards will be made to all responsive and responsible bidders who meet all qualifications as detailed in Section 2 - Bidder Qualification and Service Requirements and whose pricing is determined to be reasonable by OGS. Please also refer to Section 5.1 - Method of Award.
204	Solicitation Document	Section 5 - Method of Award	How many agencies will be awarded?	There is no limit to how many agencies are allowed to bid. Contract awards will be made to all responsive and responsible bidders who meet all qualifications as detailed in Section 2 - Bidder Qualification and Service Requirements and whose pricing is determined to be reasonable by OGS. Please also refer to Section 5.1 - Method of Award.
205	N/A-General Question	General	Are you looking for locum firms only or ones with nursing too?	OGS is looking for bidders that can meet the requirements for the scope items requested. You can bid on however many Regions and Lots as you choose.
206	Solicitation Document	Section 5 - Method of Award	What is the selection process?	Contract awards will be made to all responsive and responsible bidders who meet all qualifications as detailed in Section 2 - Bidder Qualification and Service Requirements and whose pricing is determined to be reasonable by OGS. Please also refer to Section 5.1 - Method of Award.

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Question #	Solicitation Document Name	Document Section (Number & Name)	Question	OGS Response to Bidder Questions
207	Solicitation Document	Section 5 - Method of Award	How are y'all grading the responses?	Refer to Section 5.1 - Method of Award, after the Bid opening each Bid will be screened for completeness and conformance with the stated Bidder Qualifications and Service Requirements, as set forth in Section 2 and the Bid Submission requirements as set forth in Section 4 of this Solicitation. Awards shall be made only to responsive and responsible Bidders who meet all Bidder Qualifications and Service Requirements and whose prices for services indicates that those services will be provided at a reasonable price (i.e., the Maximum-Not-To Exceed Bill Rate is reasonable as determined by the NYS OGS).
208	Solicitation Document	Section 1.3 - Estimated Quantities	For the blanket purchase order, will each agency awarded get a specific amount awarded to them?	Refer to Section 1.3 Estimated Quantities, no specific quantities are represented or guaranteed, and the State provides no guarantee of individual Authorized User participation. Refer to Section 6.3 Procurement Instructions-Blanket Purchase Order's may be used for either an exact, or estimated number of hours at a set rate for a certain time period, specific to a Lot, Region and Title.
209	Solicitation Document	1.2 Scope	Barton Associates provides specifically Locum Physicians, Nurse Practitioners, Physician Assistants and Psychologists but we also have a sister company, Barton Healthcare Staffing, that covers allied health and nursing. Would you like us to respond as a single bid encompassing both as The Barton Companies or would you rather us do two separate bids?	Two separate proposals should be submitted as long as each proposer has their own FEIN number. Each bid submitted will be reviewed and evaluated separately, and may differ with regard to Lots, Regions and titles being bid. Each bid would need to independently meet the minimum qualifications and requirements set forth in Section 2.
210	N/A-General Question	General	Who are the incumbents? Are you planning to replace current incumbents or just adding more agencies to choose from?	There are 51 awardees on the current award. The current Administrative Services Award #23057 expires October 24, 2022. Information can be found at: https://online.ogs.ny.gov/purchase/snt/awardnotes/7300323057can.HTM . Contract awards will be made to all responsive and responsible bidders who meet all qualifications as detailed in Section 2 - Bidder Qualification and Service Requirements; this includes current awardees as well as new bidders .This is a new contract opportunity.
211	Solicitation Document	Attachment 1 requirements	If we are not bidding on certain areas, do we need to submit those areas? If so, should we just include the blank forms as Non Applicable?	Per Attachment 1- Pricing Instructions, if you are not bidding on certain Lots, Regions or titles it is to be left as the default "No bid".
212	Attachment 10 - Job Description & Qualifications	Lot 3 Transcription	The description says multilingual transcription is included. Will you require transcription from foreign language to English and vice versa or just from a foreign language to that same language?	No, translation is not part of this service it only encompasses transcription.
213	Solicitation Document	2.1 Bidder Qualifications	Are private sector client references unacceptable?	Refer to Section 2.1 - Bidder Qualification, this Section has been revised in the Solicitation to show that proof of past sales may come from either government and/or private sector entities.