

PHASED SOLICITATION 23273 – MISCELLANEOUS OFFICE SUPPLIES (STATEWIDE)

INQUIRY NUMBER	SOLICITATION DOCUMENT	SECTION NUMBER	INQUIRY	RESPONSE
PHASED SOLICITATION 23273				
1	Phased Solicitation 23273	1.4 Key Events/Dates	<p>The phased solicitation document lists the date and time for the Phase 2 Online Bidding Event as "TBD". As it currently stands, we do have a staffing issue that would make sufficiently staffing the event the week from the day following Thanksgiving through the following week (11/24/23 through 12/1/23) extremely difficult and would require some contingency planning. As OGS certainly has experience with typical timelines regarding submission of Phase 1 leading up to actual Phase 2 Online Bidding Events, is there any sort of estimate that can be provided as to when, approximately or definitively, the Phase 2 event may take place, even as something as open ended as, for example, "at least 30 days following close of Phase 1"? And, respectfully, of course, if the week following Thanksgiving as a Phase 2 event could possibly be avoided, that would be tremendously appreciated.</p>	<p>OGS will provide as much advance notice as practicable of the Phase 2 Online Bidding Event to the Bidders that qualify under Phase 1.</p>
2	Phased Solicitation 23273	2.1 Minimum Bidder Qualifications	<p>We can document that we have been in business for a minimum of five (5) years. As for definitive proof or evidence regarding our capacity to provide a minimum of 5,000 Products meeting the scope of the Phased Solicitation, is OGS looking for anything specific? For example, we have submitted catalog materials to OGS in the past that would serve in any reasonable judgement as proof or evidence regarding our capacity to provide a minimum of 5,000 Products meeting the scope of the Phased Solicitation. Would reference to that previous submission be sufficient for Phase One and our related "Minimum Bidder Qualifications" pdf submission, or is there something more tangible that OGS requires during Phase 1?</p>	<p>No, OGS cannot accept a reference to Bidder's previous submission to OGS on a separate solicitation as evidence that Bidder meets the Minimum Bidder Qualifications requirements under this new Phased Solicitation 23272 (Revised 11/21/23).</p> <p>While OGS does not identify specific examples of documents a Bidder must submit in order to meet every Minimum Bidder Qualification specified in Phased Solicitation 23272 (Revised 11/21/23) Sections 2.1 - <i>Minimum Bidder Qualifications</i> and 3.4.u - <i>Content of Phase 1 Bid Package</i>, pursuant to Phased Solicitation 23272 (Revised 11/21/23) Section 2.1, "Bidder shall have the burden of demonstrating to the satisfaction of Procurement Services that it can perform the work required. Procurement Services retains the right to request any additional information pertaining to the Bidder's ability, qualifications, financial capacity, financial stability, and procedures used to accomplish all work under the resulting Contract as it deems necessary to ensure safe and satisfactory work."</p>

PHASED SOLICITATION 23273 – MISCELLANEOUS OFFICE SUPPLIES (STATEWIDE)

INQUIRY NUMBER	SOLICITATION DOCUMENT	SECTION NUMBER	INQUIRY	RESPONSE
3	Phased Solicitation 23273	3.9 Distributor's Certificate	Are Distributors not required to submit Attachment 11 "Distributor's Certificate" as part of its Phase 1 submission, or is submission required simply noting that the Distributor is in fact a Distributor and not an Authorized Dealer?	<p>Distributors are not required to submit Attachment 11 – <i>Distributor's Certificate</i> with their Phase 1 Bid submissions. Submission of Attachment 11 - <i>Distributor's Certificate</i> under Phase 1 is only required if the Bidder is an Authorized Dealer. Please see Phased Solicitation (Revised 11/21/23) Section 2.1 - <i>Minimum Bidder Qualifications</i>, subsection 1(b) which states:</p> <p>“An Authorized Dealer intending to participate in this Phased Solicitation must guarantee during Phase 1 that it has a source of supply from a Distributor who has the ability to provide the Authorized Dealer with a minimum of 5,000 Products meeting the scope of the Solicitation, and that the Distributor has agreed to supply the Authorized Dealer with all quantities of Products required by the Authorized Dealer in fulfillment of its obligations under the resultant Contract. Authorized Dealers must provide a completed Attachment 11 – <i>Distributor's Certificate</i> with their Bid attesting to this support.”</p>
4	Phased Solicitation 23273	5.1 Method of Award	Besides lowest responsive and responsible bidder, are there other aspects the state will look at for award? For example, technical acceptable and past performance	All Bids will be reviewed in accordance with the requirements specified in the Phased Solicitation (Revised 11/21/23), including all appendices and attachments.
5	Phased Solicitation 23273	5.1 Method of Award	<p>For purposes of the workbook submittal, please confirm</p> <p>(1) that Bidders may only propose a substitute product if the listed product is no longer commercially available in the marketplace, and</p> <p>(2) that Bidders are not permitted to propose a substitute product if that substitute product is not generally commercially available to others in the marketplace.</p>	<p>1. Yes. Substitute Products will be reviewed in accordance with Phased Solicitation (Revised 11/21/23) Section 5.1 – <i>Method of Award</i> and Attachment 1 - <i>Office Supplies Workbook (Revised 11/21/23)</i>, which provides in part that:</p> <p>“[i]n limited circumstances, such as when a referenced Product is no longer commercially available, Bidder cannot obtain the referenced Product in the specified unit of measure (UOM), or Bidder is restricted from providing the referenced Product, Bidder may propose a Substitute Product that is equal to or better than the specified Product; however, any proposed substitute Product must be generally commercially available to the office supplies industry and shall not be a Product (private label or otherwise) available only to the Bidder.</p> <p>OGS reserves the right to reject or accept proposed Substitute Products, and to reconcile pack size disparities to ensure a level playing field for all Bidders.”</p> <p>2. Yes. Please refer to response to question # 5 (1) above.</p>

PHASED SOLICITATION 23273 – MISCELLANEOUS OFFICE SUPPLIES (STATEWIDE)

INQUIRY NUMBER	SOLICITATION DOCUMENT	SECTION NUMBER	INQUIRY	RESPONSE
6	Phased Solicitation 23273	5.1 Method of Award	If bidder can provide to the State an alternate for any item on Attachment 1 that is of equal or greater quality that that item specifically specified at a lower price either by virtue of a lower manufacturer's list price or a lower bidder item cost, can the bidder propose that alternate item, or can alternates be proposed ONLY when a referenced Product is no longer commercially available, Bidder cannot obtain the referenced Product in the specified unit of measure (UOM), or Bidder is restricted from providing the referenced Product; those specific circumstances only?	Please refer to response to question # 5 (1) above.
7	Phased Solicitation 23273	5.1 Method of Award	Per Article 3 of the New York State Veterans' Services Law in public procurement, will OGS provide additional consideration for Resellers who recognize the need to promote the employment of service-disabled veterans?	No. Phased Solicitation (Revised 11/21/23) does not provide any additional consideration for a Bidder's utilization of SDVOB beyond that which is provided for in Phased Solicitation (Revised 11/21/23) Section 6.25 - <i>Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses.</i>
8	Phased Solicitation 23273	6.3 Price 6.16 Product Delivery	It is noted that inside storeroom and inside desk delivery is required. Can you provide the list of locations that require this service?	This information is not available.
9	Phased Solicitation 23273	6.26 Resellers	Of the required documents due by the 11/9 Phase One submission due date, which of those documents is required of any MBE/WBE/SDVOB partner(s)? For example, do any such partners have to provide an EEO100 staffing plan as part of the Phase One submission? Would sufficient satisfaction on the part of any such entities with regards to State Attachment 4 Proof of Insurance requirements be required at that time? Put another way, which of the Bidder's Checklist items are due also from M/WBE and/or SDVOB partners in addition to the bidding Distributor?	No documentation is required from MWBE or SDVOB Resellers as part of the Phase 1 Submission. The documents required to be submitted for Phase 1 of the Phased Solicitation (Revised 11/21/23) are only required from the Bidder. Please refer to Phased Solicitation (Revised 11/21/23) Section 3.4 – <i>Content of Phase 1 Bid Package</i> for the documents Bidder must submit as part of a complete Phase 1 Bid.
10	Phased Solicitation 23273	6.26 Resellers	Being an MWBE or SDVOB, Reseller(s) must be allowed to "Take Orders AND Receive Payment", can OGS provide clarifications on how P-Cards are appropriately processed via. MWBE or SDVOB merchant processing activities? Requesting Clarification that the Contractor is prohibited from all P-Card merchant processing through Contractor's merchant processing payment gateway must be owned and operated by Reseller, NOT Contractor.	Pursuant to Phased Solicitation (Revised 11/21/23) Section 6.10 - <i>Ordering</i> , both "Contractor (and any approved Resellers) shall be capable of accepting, and shall accept, orders verbally via toll-free number; manually, via facsimile; and electronically via the Internet through both e-mail and a web-based ordering system on a dedicated NYS website." Resellers should communicate with the Contractor to determine credit card processing arrangements and how to fulfill the ordering requirements of Phased Solicitation (Revised 11/21/23), especially as provided in Sections 6.10 - <i>Ordering</i> , 6.11 – <i>Dedicated NYS Website/Web-Based Ordering</i> , 6.13 - <i>Purchasing Card Orders</i> and 6.26 - <i>Resellers</i> .

PHASED SOLICITATION 23273 – MISCELLANEOUS OFFICE SUPPLIES (STATEWIDE)

INQUIRY NUMBER	SOLICITATION DOCUMENT	SECTION NUMBER	INQUIRY	RESPONSE
11	Phased Solicitation 23273	6.26 Resellers	Does OGS require all Resellers be required to 100% own the domain required to maintain a web-based ordering system that mirrors that of the contractor? Clarification that the Contractor cannot own the Reseller domain.	<p>Phased Solicitation (Revised 11/21/23) does not stipulate whether the Contractor or its Reseller(s) should own the domain for the Reseller(s) Web-Based Ordering System. Reseller(s) should determine that with the Contractor.</p> <p>Please see Phased Solicitation (Revised 11/21/23) Section 26.D. - <i>Web-Based Ordering System and Contract Pricelist Requirements</i> for requirements for Resellers' Web-Based Ordering System; and Section 6.11 - <i>Dedicated NYS Website/Web Based Ordering</i> which provides in part that the "Contractor's (and any approved Resellers) website will be the responsibility of the Contractor (and any approved Resellers) to maintain and keep updated."</p>
12	Phased Solicitation 23273	<p>6.24.IV Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified, Minority- and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women</p> <p>6.25.I Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses</p>	What requirements are in place to utilize the diverse contractors/resellers in the previous bid and new award?	<p>Phased Solicitation (Revised 11/21/23) does not include any requirements to utilize diversity partners from the previous Contract (Award 22790 – Miscellaneous Office Supplies).</p> <p>Please refer to Phased Solicitation (Revised 11/21/23) Section 6.24 - <i>Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority- and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women</i>, especially subsection V. <i>MWBE Utilization Plan</i> for further details on MWBE utilization in the Phased Solicitation (Revised 11/21/23).</p> <p>Please refer to Phased Solicitation (Revised 11/21/23) Section 6.25 - <i>Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses</i>, especially subsection II. <i>SDVOB Utilization Plan</i> for further details on SDVOB utilization in the Phased Solicitation (Revised 11/21/23).</p> <p>In addition, Bidders should refer to the Phased Solicitation (Revised 11/21/23) Section 3.4 - <i>Content of Phase 1 Bid Package</i> for documents required to be submitted as part of the Phase 1 Bid with regards to utilization of MWBE and SDVOB on Phased Solicitation (Revised 11/21/23) pursuant to Sections 6.24 and 6.25 respectively.</p>

PHASED SOLICITATION 23273 – MISCELLANEOUS OFFICE SUPPLIES (STATEWIDE)

INQUIRY NUMBER	SOLICITATION DOCUMENT	SECTION NUMBER	INQUIRY	RESPONSE
13	Phased Solicitation 23273	<p>6.24.IV Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority- and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women</p> <p>6.25.I Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses</p>	What tracking is in place to ensure your diversity goals are reached through utilization of the M/WBE and SDVOB's?	The resultant Contractor will be required to submit monthly compliance reports for MWBE and SDVOB utilization in accordance with Phased Solicitation (Revised 11/21/23) Sections 6.24.VIII - <i>Monthly MWBE Contractor Compliance Report</i> and 6.25.V - <i>Monthly SDVOB Contractor Compliance Report</i> , respectively.
14	Phased Solicitation 23273	<p>6.24 Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority- and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women</p>	With regards specifically to Solicitation Section 6.24. IV. on page 34, can you define "15% for Minority-Owned Business Enterprises (MBE), 15% for Women Owned Business Enterprises". Our interpretation would be that, if total purchases under the contract in a year are \$1,000,000.00, the goal for both MBE and WBE participation would be \$150,000.00; is that the correct interpretation?	Yes – according to the example in question # 14 where total purchases under the contract in a year are \$1,000,000, the 15% participation goal for MBEs would be \$150,000 and the 15% participation goal for WBEs would be \$150,000.

PHASED SOLICITATION 23273 – MISCELLANEOUS OFFICE SUPPLIES (STATEWIDE)

INQUIRY NUMBER	SOLICITATION DOCUMENT	SECTION NUMBER	INQUIRY	RESPONSE
15	Phased Solicitation 23273	<p>6.24 Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority- and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women</p> <p>6.25 Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses</p>	<p>Can you talk about how this provision will factor into contract award? For example, say Vendor A has submitted during Phase 1 a Good Faith Waiver and has no M/WBE partner and/or SDVOB while Vendor B has an MBE partner, a separate WBE partner, and a third partner who is an SDVOB? Will Vendor A and Vendor B be on a level playing field during the Phase Two live pricing event where low bidder wins? does Vendor B, in the above scenario, receive any sort of advantage based on its robust inclusion of partners designed to meet/exceed the State's goals? How will each proposer's MBE/WBE/SDVOB solution be quantified, exactly and in real bid award terms?</p>	<p>During Phase 2, the ultimate award of the Contract shall be by Grand Total Bid, which is based on price and does not factor in a Bidder's MWBE or SDVOB utilization.</p> <p>Pursuant to Phased Solicitation (Revised 11/21/23) Section 5.1 - <i>Method of Award</i>, during Phase 2 Contract award "shall be made by Grand Total Bid to the lowest responsive and responsible Bidder resulting from the Reverse Auction event," and pursuant to Phased Solicitation (Revised 11/21/23) Section 1.9 - <i>Definitions</i>, Grand Total Bid is defined as "the total sum of the Bid prices of the Core List and the Non-Core List Products offered by an individual Bidder during the Reverse Auction."</p> <p>However, only Bidders deemed responsive and responsible at the conclusion of Phase 1 will be eligible to participate in the Phase 2 Reverse Auction/Online Bidding Event. In order for a Bidder to be found responsive and responsible in Phase 1, the Bidder must satisfy and address all requirements of Phase 1 which include compliance with MWBE and SDVOB requirements, found in Sections 6.24 and 6.25 respectively, and submission of corresponding documents pursuant to Section 3.4 - <i>Content of Phase 1 Bid Package</i>.</p>
16	Phased Solicitation 23273	<p>6.24 Contractor Requirements and Procedures for Business Participation Opportunities for NYS Certified Minority- and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women</p>	<p>With regards specifically to Solicitation Section 6.24. IV. on page 34, if a bidder were to partner with a single entity that is both an MBE and a WBE, would that satisfy the full 30% of the State's contract MWBE goal, or must separate entities be utilized for each?</p>	<p>A dual-certified MWBE's participation in a State Contract may be counted towards either an MBE goal or a WBE goal, but may not be counted towards both and the chosen designation (either MBE or WBE) must remain for the life of the Contract.</p> <p>Please see Minority and Women-Owned Business Enterprises Frequently Asked Questions Office of General Services (ny.gov) for further information.</p>

PHASED SOLICITATION 23273 – MISCELLANEOUS OFFICE SUPPLIES (STATEWIDE)

INQUIRY NUMBER	SOLICITATION DOCUMENT	SECTION NUMBER	INQUIRY	RESPONSE
17	Phased Solicitation 23273	6.25 Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses	Can the state provide previous statewide contract gross sales and/or percentage date spend reported on SDVOB spend?	<p>OGS can provide this information, but cannot do so through this Phased Solicitation Response to Bidder Questions forum. Bidder must request the required information thru The Freedom of Information Law (“FOIL”), Article 6 (Sections 84-90) of the NYS Public Officers Law.</p> <p>Request NYS Office of General Services Records Through the New York State Freedom of Information Law Office of General Services</p>
18	Phased Solicitation 23273	6.25.I.A Participation Opportunities for New York State Certified Service-Disabled Veteran Owned Businesses, Subsection	Does OGS give preference and or additional consideration for committed contract new hire employment of service-disabled veterans?	No. Phased Solicitation (Revised 11/21/23) does not provide any additional consideration for a Bidder’s utilization of SDVOB beyond that which is provided for in Phased Solicitation (Revised 11/21/23) Section 6.25 - <i>Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses</i> .
19	Phased Solicitation 23273	6.25.III.B Participation Opportunities for New York State Certified Service-Disabled Veteran Owned Businesses	If a request for partial or total waiver of SDVOB contract goals is submitted with the SDVOB Utilization Plan, will OGS provide written notice of acceptance or denial when two or more NYS SDVOBs are certified registered with proof of past performance government contracting?	Pursuant to Phased Solicitation (Revised 11/21/23) Section 6.25.VI.B <i>Request for Waiver</i> “If the documentation included with the Bidder’s/Contractor’s waiver request is complete, OGS shall evaluate the request and issue a written notice of acceptance or denial within 20 days of receipt.”
20	Phased Solicitation 23273	6.25 Participation Opportunities for New York State Certified Service-Disabled Veteran Owned Businesses, V. Monthly SDVOB Contractor Compliance Report	In preparation for technical proposal writing, can you please provide clarifications regarding past contract award SDVOB contract volume activity, contract goals?	<ol style="list-style-type: none"> 1. Please refer to response to question # 17 (1) above. 2. The 3% SDVOB participation goal for Phased Solicitation (Revised 11/21/23) is consistent with that for the last contract (Award 22790 – Miscellaneous Office Supplies).
21	Phased Solicitation 23273	6.28 NYS Tax Law Section 5 - a	If we have a separate contract with the State of New York that is still active and current as of the time of Phase 1 submission, do we still have to file Form ST-220-TD with DTF?	<p>Yes, the submission of a newly completed ST-220 is required.</p> <p>Please refer to Department of Taxation and Finance Publication 223, https://www.tax.ny.gov/pdf/publications/sales/pub223.pdf for further guidance on NYS Tax Law Section 5-a.</p>

PHASED SOLICITATION 23273 – MISCELLANEOUS OFFICE SUPPLIES (STATEWIDE)

INQUIRY NUMBER	SOLICITATION DOCUMENT	SECTION NUMBER	INQUIRY	RESPONSE
22	Phased Solicitation 23273	General	What % of your total orders are under \$25.00?	This information is not available.
23	Phased Solicitation 23273	General	What % of your total orders are under \$50.00?	This information is not available.
24	Phased Solicitation 23273	General	What % of the total spend is required for desktop delivery?	This information is not available.
25	Phased Solicitation 23273	General	What is the overall average order size?	This information is not available.
26	Phased Solicitation 23273	General	What % of the overall spend is required to have a Tier 1 component?	There are no “Tier 1 component” requirements in the Phased Solicitation (Revised 11/21/23). Please refer to Phased Solicitation (Revised 11/21/23) Section 1.2 - <i>Scope</i> and Attachment 1 - <i>Office Supplies Workbook (Revised 11/21/23)</i> for Products sought.
27	Phased Solicitation 23273	General	What % of orders are sent via email and fax?	This information is not available.
28	Phased Solicitation 23273	General	What % of overall spend is completed using P-Card?	This information is not available.

PHASED SOLICITATION 23273 – MISCELLANEOUS OFFICE SUPPLIES (STATEWIDE)

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ATTACHMENT 1 – OFFICE SUPPLIES WORKBOOK				
29	Attachment 1	General	Does the state have a weighted preference for the exact OEM product listed on the Core and Non-Core list?	Award shall be made by Grand Total Bid to the lowest responsive and responsible Bidder resulting from the Reverse Auction event, in accordance with Phased Solicitation (Revised 11/21/23) Section 5.1 - <i>Method of Award</i> .
30	Attachment 1	General	Favoring specific OEM manufacturers while discouraging the use of alternative OEM's that are the same or superior puts other bidders in a less competitive position. It seems that many of the mentioned OEM manufacturers have closer ties to the previous contract holder than to other suppliers. Is the State attempting to hinder participation of minority owned businesses that are aligned with the other OEM's?	The Products specified in Attachment 1 - <i>Office Supplies Workbook (Revised 11/21/23)</i> are based on past sales history and projected future needs of the Authorized Users. New York state is not attempting to hinder participation of minority owned businesses that are aligned with the other OEMs.
31	Attachment 1	General	TrueClear water is a private label product only available through Staples & Staples subsidiaries. Will it be acceptable to propose a private label product as a substitute? It may appear that TrueClear is an OEM, it is available on many websites, but when you research each product, the company selling it is either Staples or a customer of Essendant, a fully owned subsidiary of Staples. Link: https://thehustle.co/Staples-Essendant-acquisition/	Phased Solicitation (Revised 11/21/23) no longer lists True Clear products. Please see Phased Solicitation Update #3 (23273p02) dated 11/21/23, and revised Attachment 1 – <i>Office Supplies Workbook (Revised 11/21/23)</i> in which True Clear products have been replaced with Nestle products.

PHASED SOLICITATION 23273 – MISCELLANEOUS OFFICE SUPPLIES (STATEWIDE)

INQUIRY NUMBER	SOLICITATION DOCUMENT	SECTION NUMBER	INQUIRY	RESPONSE
32	Attachment 1	General	<p>What is the process to get an alternate OEM brand to Hammermill paper manufacturer approved. All bidders will not have same competitive cost access to the Hammermill products. Boise is approved on your Bid list for the ASPEN 100. All of Boise's paper brands are available nationwide to all potential bidders. Boise understands that sustainability is important to the State of New York. All products are sustainably made in the United States, helping to support local jobs. Boise's mill is triple certified by FSC, SFI and PEFC to make sure that none of the wood used in their products comes from an area deemed at risk. In addition, Boise is engaged in the largest carbon capture project in North America, via parent company, PCA. They're developing an industry leading process that will convert energy source from being carbon neutral to carbon negative. This will allow Boise to reach a goal of emitting zero emissions by 2050. Boise would be happy to provide samples and any supporting documentation to the State of NY.</p>	<p>The Products specified in Attachment 1 - <i>Office Supplies Workbook (Revised 11/21/23)</i> are based on past sales history and projected future needs of the Authorized Users.</p> <p>Substitute Products will be reviewed in accordance with Phased Solicitation (Revised 11/21/23) Section 5.1 – <i>Method of Award</i> and Attachment 1 - <i>Office Supplies Workbook (Revised 11/21/23)</i>, which provides in part that:</p> <p>“[i]n limited circumstances, such as when a referenced Product is no longer commercially available, Bidder cannot obtain the referenced Product in the specified unit of measure (UOM), or Bidder is restricted from providing the referenced Product, Bidder may propose a Substitute Product that is equal to or better than the specified Product; however, any proposed substitute Product must be generally commercially available to the office supplies industry and shall not be a Product (private label or otherwise) available only to the Bidder.</p> <p>OGS reserves the right to reject or accept proposed Substitute Products, and to reconcile pack size disparities to ensure a level playing field for all Bidders.”</p>
33	Attachment 1	General	<p>There are many OEM brands that have equal specifications to the brands listed by the state. The solicitation excludes other manufacturers from competing. Will the state allow other OEM brands?</p>	<p>Please refer to the response to Question # 30 and # 32 above.</p>
34	Attachment 1	General	<p>Please see "Exhibit 1 - Questions within Non-Core Tabs" - provided with line-item questions illustrated by category.</p>	<p>Revisions have been made to Attachment 1 - <i>Office Supplies Workbook (Revised 11/21/23)</i> to reflect changes made to both the Core and Non-Core List.</p> <p>Bidders should refer to Phased Solicitation Update #3 (23273p03) and Attachment 1 - <i>Office Supplies Workbook (Revised 11/21/23)</i> for a summary of all revisions made.</p>
35	Attachment 1	General	<p>What is the time for the usage provided in the files?</p>	<p>As stated in Phased Solicitation 23273 (Revised 11/21/23) Section 1.3 - <i>Estimated Quantities</i>, “All quantities or dollar values listed within Attachment 1 - <i>Office Supplies Workbook (Revised 11/21/23)</i> are based on historical annual purchases of Core List and Non-Core List Products and are listed for evaluation purposes only and are not estimates of future purchasing patterns. Numerous factors could cause the actual volume of Products purchased under the Contract to vary substantially from the values identified in Attachment 1 and OGS makes no guarantee or warrantee that the purchases under the Contract will be similar in volume.</p>

PHASED SOLICITATION 23273 – MISCELLANEOUS OFFICE SUPPLIES (STATEWIDE)

INQUIRY NUMBER	SOLICITATION DOCUMENT	SECTION NUMBER	INQUIRY	RESPONSE
36	Attachment 1	General	Within some cells of the bid files there are formulas adding up multiple usage values. Is that the result of adding different suppliers' usage or did you attempt to roll up like items into one cell?	The Products specified in Attachment 1 - <i>Office Supplies Workbook (Revised 11/21/23)</i> are based on past sales history and projected future needs of the Authorized Users. In some cases, OGS did aggregate the values of comparable items in order to facilitate the bidding process, enhance competition, and ensure a level playing field.
37	Attachment 1	General	According to Hewlett Packard, the Big Deal discounting on ink and toner offered by HP to the State in conjunction with the previous OGS contract for Misc. Office Supplies has expired and no Big Deal of ink/toner discounting has yet been finalized pursuant to Phased Solicitation 23273. For those unfamiliar with the HP Big Deal program, HP offers additional discounting on a contract-by-contract basis for government entities such as states. This program is passed on to Distributors with the expressed written consent of such government agencies resulting in the Distributor being able to sell HP ink and toner and substantially reduced pricing to state and eligible entities. As of this time there is no HP Big Deal in place to support any contract resulting from phased solicitation 23273. The relevant contact from HP on this matter is David Catalano (david.t.catalano@hp.com); can OGS provide any update on the status of this situation and if it expects to be resolved during this solicitation process, including Phase 2	<p>Hewlett Packard (HP) will be offering the HP Supplies Big Deal under the contract resulting from Phased Solicitation 23273 (Revised 11/21/23). While OGS is authorizing HP to offer the HB Supplies Big Deal to Prospective Bidders on the Phased Solicitation, the Prospective Bidders that qualify to participate in the HP Supplies Big Deal will be determined by HP and not OGS.</p> <p>Prospective Bidders should contact David Catalano from HP regarding participation.</p> <p>David Catalano Account Manager Printing & Personal Systems Group State, Local, and Education Supplies Business</p> <p>Email: david.t.catalano@hp.com Phone: (571) 719-0266</p>
ATTACHMENT 4 – INSURANCE REQUIREMENTS				
38	Attachment 4 Insurance Requirements	B. Insurance Requirements	<p>We would like to make the following clarification: Medical Expense Limit = \$5,000 This limit is within our self-insured retention, therefore is not included in our COI.</p> <p>**Please note that this is a clarification/minor deviation being submitted per OGS' request for potential deviations per Section 3.10.</p>	This is acceptable with the understanding that it is expected that any medical expense claims will be resolved as expediently as if handled by insurance.

PHASED SOLICITATION 23273 – MISCELLANEOUS OFFICE SUPPLIES (STATEWIDE)

INQUIRY NUMBER	SOLICITATION DOCUMENT	SECTION NUMBER	INQUIRY	RESPONSE
39	Attachment 4 Insurance Requirements	B.1 Insurance Requirements	<p>We would like to make the following clarification. Our coverage does not include the phrase "[and explosion, collapse & underground coverage]" stated at the end of this term:</p> <p>Commercial General Liability Insurance: Such liability shall be written on the current edition of ISO occurrence form CG 00 01, or a substitute form providing equivalent coverage and shall cover liability arising from premises operations, independent contractors, products-completed operations, broad form property damage, personal & advertising injury, cross liability coverage, liability assumed in a contract (including the tort liability of another assumed in a contract) [and explosion, collapse & underground coverage].</p> <p>**Please note that this is a clarification/minor deviation being submitted per OGS' request for potential deviations per Section 3.10.</p>	OGS has removed the phrase "[and explosion, collapse & underground coverage]" from the end of the first paragraph of Section B.1.
40	Attachment 4 Insurance Requirements	B - Insurance Requirements	<p>With regards to providing proof of NYS Workers' Compensation Insurance Coverage and coverage in compliance with NYS Disability Benefits and Paid Family Leave Benefits Law, we provide relevant forms C-105.2 and DB-120.1 to the State Attorney General's Office as part of fulfilling our requirements under a contract we have with that office for bottled water. Would the C-105.2 and DB-120.1 forms that we submit to the Attorney General's Office be acceptable proof of that coverage as part of our Phase 1 submission, or do those forms for that Phase 1 submission have to reference OGS/Procurement Services specifically?</p>	No, this is not acceptable. Pursuant to Attachment 4 – <i>Insurance Requirements</i> Section A.3, Certificates of Insurance shall name The New York State Office of General Services, Bureau of Risk and Insurance Management (BRIM), 32nd Floor, Corning Tower, Empire State Plaza, Albany, New York 12242 as the certificate holder.