



General Information Bulletin

Subject: Dell Refunds for Affected Contracts

DATE: February 22, 2024 **CL:** 897 **GROUP #:** see contracts in Table 1

DESCRIPTION: Dell Marketing, L.P.

OGS CONTACTS: OGS Customer Services | customer.services@ogs.ny.gov

To All Authorized Users:

Dell Marketing, L.P. (Dell) notified OGS of pricing and reporting discrepancies in connection with various Dell contracts with OGS. In response to this discovery, an audit was launched to ascertain the scope and dollar impact of any issues and Dell is now taking corrective action based on that audit.

Affected Authorized Users with total overcharges of \$100 or more for transactions made January 30, 2016 through August 19, 2019 from the contracts listed in Table 1 will receive refunds from Dell as follows:

Dell will issue refunds directly to Authorized Users and shall provide the Authorized User with the option of receiving the refund as either (a) a check, or (b) a credit against an open invoice with Dell of the Authorized User's choosing.

- a) Refund Checks: **This is the default refund method. Affected Authorized Users do not need to take any action to receive an initial refund check.** All refund checks not processed by the Authorized User within 180 days of initial distribution by Dell will be voided. Once all uncashed checks are voided, Dell will re-issue a single check for the total uncashed amount to OGS Procurement Services (for deposit into the Procurement Revenue Fund).
- b) Credits: **Authorized Users that prefer a credit must reach out to Dell to initiate this refund method.** If a credit is requested in lieu of a refund check, the Authorized User is required to identify to Dell the open invoice against which the credit will be applied. Dell will make up to 3 attempts to reach the Authorized User for the Authorized User to identify the open invoice. If after 3 attempts have been made and the Authorized User still has not identified the open invoice for Dell to apply the credit, Dell will apply the credit to the open invoice(s) of its choosing. If no open invoices are available, Dell will issue a new refund check. If the new refund check is not cashed within 180 days, then Dell will issue a check for the refund amount to OGS Procurement Services (for deposit into the Procurement Revenue Fund).

For all Authorized User overcharges under \$100, Dell will issue a single check to OGS Procurement Services for deposit into the Procurement Revenue Fund.

The expected timeframe for refunds to be issued:

Check reimbursements will be issued within 30-60 days from the date of this Bulletin.

How to contact Dell with questions about refunds:

Authorized Users may reach out with questions about their refund or to request a credit in lieu of the check at the following mailbox: SLEDTrueUp@dell.com

How to opt for a credit instead of a check:

Refund checks will be the default method for returning funds to the Authorized Users. If an Authorized User receives a check and would prefer a credit instead, they will need to reach out to Dell via the SLEDTrueUp@dell.com to have the check voided and to request a credit.

Table 1

Contract # (all OGS except)	Dell Contract #	Contract Name	Contract Status	Contract End
PD67644	10AHI, 69AHK	Distributor Umbrella, Lot 1	<i>Active</i>	12/6/2026
PD67644	21AHI, 51AHK	Distributor Umbrella, Lot 2	<i>Active</i>	12/6/2026
PM20820	56AHC, C000000005000	Manufacturer Umbrella	<i>Active</i>	11/29/2025
PS68202	51AHM	Microsoft Reseller	<i>Active</i>	7/31/2024
PM20820	06AHP	2018 Agg Buy Agreement	<i>Expired</i>	5/6/2021
PM20820	83AHG	2016 Agg Buy Agreement	<i>Expired</i>	4/11/2019
PS67650	20AHI	Microsoft Reseller	<i>Expired</i>	7/31/2018
C000907*	50AGZ	OSC - Computer Equipment Leasing	<i>Expired</i>	10/31/2022
PT66602	52AGW	Printing and Imaging	<i>Expired</i>	8/31/2017
PS65191	38ACV	Miscellaneous Software Catalog (ASAP)	<i>Expired</i>	9/14/2016
PS66134	R86AGD	Microsoft Reseller	<i>Expired</i>	12/31/2016

OGS reminds Authorized Users to review invoices for all contracts and to promptly bring any invoicing questions to the attention of the contractor's contract manager if overcharges or other discrepancies are found.