



2014

Purchasing Forum & Trade Show *Planting Seeds Today for Tomorrow's Success*



Andrew M. Cuomo
Governor
State of New York

RoAnn M. Destito
Commissioner
Office of General Services



2014 Purchasing Forum & Trade Show *May 14 & 15*

Contract Compliance

For Vendors



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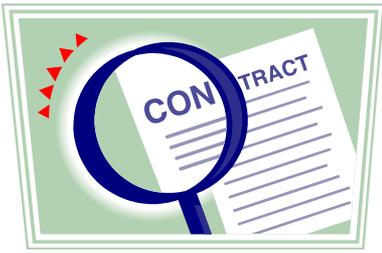
OGS Presenters:

Connie Gardner

Cindy Miner

Karen Rogers

Anne Phillips



This class is **NOT** intended
to be contract specific.
Each contract is unique!

It is **CRITICAL** to read
your contract in its
entirety!



Topics of Discussion

- Key Contract Components
- Why it's important to read your contract
- NYS Vendor Identification Number
- Requesting Contract Updates
- MWBE Certification
- Ongoing Requirements
- Contractor Performance
- Who is authorized to use your contract



Key Contract Components

- Procurement Document
- Appendix A, Standard Clauses required for all NYS Contracts <http://www.ogs.ny.gov/about/appendixa.asp>
- Appendix B, OGS General Specifications <http://www.ogs.ny.gov/purchase/BidTemplate/AppendixB.doc>
- Contract Award Notification (CAN)



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Sample Order of Precedence in Contracts

- Appendix A
- Contract Amendments
- Core Contract
- Appendix B
- Procurement Document
- Bidder's Response to Procurement Document

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Why It's Important to Read your Contract

- Contract Administrator Information
- Reporting Requirements
- Delivery Information
- Warranty Information
- Price Update Information



How to find your contract

OGS Centralized Procurement
Web Address:

<http://www.ogs.ny.gov/purchase/search/default.asp>



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NYS Vendor Identification Number

In order to accept orders and receive payments, vendors **MUST** have a valid NYS Vendor ID - this applies to Resellers/Authorized Dealers as well.



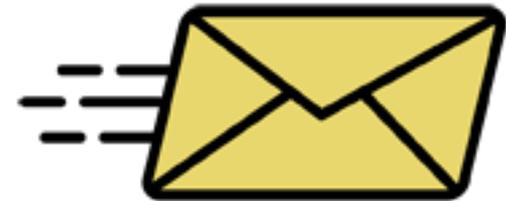
http://www.osc.state.ny.us/vendor_management/index.htm

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Any change to the
contract **MUST** be
IMMEDIATELY reported to
OGS.



Contract Updates are **REQUIRED** when any of the following changes occur:

- Vendor Name
- Address
- Federal Identification Number
- Contact Information Updates
- Price Adjustments as authorized by your contract (CPI, PPI, etc.)
- Product Additions/Deletions
- Reseller/Authorized Dealer Changes

OGS Approval is Required
PRIOR to making changes
in price and/or products.



Any products added to
the contract **MUST** be
within the scope!



The discount structure **MUST** be retained throughout the duration of the contact.

Discounts can always be increased.

Requests for Price Updates

- Increase in pricing
- Decrease in pricing
- Changes to NYS Department of Labor prevailing wage rates and/or hourly rates



Modification of Value Added Resellers (VAR) **requires** OGS approval in accordance with the terms of the contract.



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MWBE Goals

- Governor's Initiative
- Executive Law Article 15A

Vendors who are NYS Certified MWBEs are tracked on the Empire State Development website at the following address:

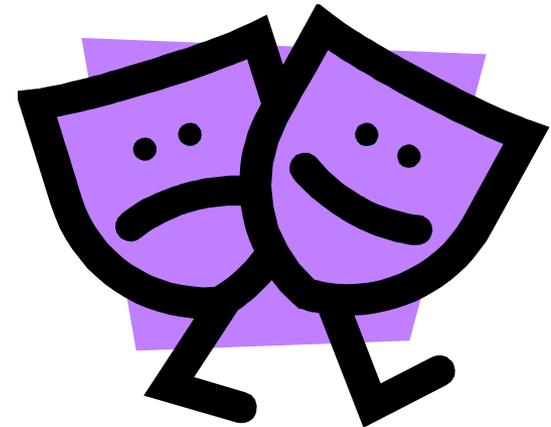
<http://www.esd.ny.gov/mwbe.html>

Ongoing Requirements

- MWBE Reporting
- Sales Reporting
- Vendor Responsibility Questionnaire
re-certify every 6 months
- Insurance
 - Workers' Compensation and Disability Benefits Coverage
 - General Liability/Automobile (ACORD 25[©] form)

Contractor Performance

- Meets Contractual Obligations
- Ongoing Monitoring
- Consequences
 - Communications
 - Reduce Status or Loss of Contract



**When in doubt, contact your
Contract Administrator for
clarifications.**



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Contractor Performance

Certain Non-State Agencies May Purchase from OGS Centralized Contracts

What Non-State Agencies Purchasers are Authorized To Buy from OGS Centralized Contracts

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Contractor Performance

- Local Governments
- Public & Private Schools
- Charitable Organizations
- Public Authorities & Public Benefit Corporations

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Contractor Performance

Restrictions on Purchases

Removal of Restrictions on Purchases on
March 31, 2012

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QUESTIONS? COMMENTS?

