

New York State Office Of General Services  
Procurement Services Group  
Corning Tower Building  
Empire State Plaza  
Albany, New York 12242  
<http://www.ogs.state.ny.us>

## PURCHASING MEMORANDUM

### CONTRACT AWARD NOTIFICATION UPDATE

**AWARD NUMBER:** [00997-E\\*](#)

**DATE:** October 28, 2005

**GROUP:** 25200 - DOMESTIC KITCHEN APPLIANCES -  
Refrigerators and Freezers; Energy Star  
Refrigerators

**PLEASE ADDRESS INQUIRIES TO:**

**STATE AGENCIES & CONTRACTORS**

James R. Essman  
Purchasing Officer I  
(518) 402-5069

[james.essman@ogs.state.ny.us](mailto:james.essman@ogs.state.ny.us)

**NEW, EXTENDED**

**CONTRACT PERIOD:** November 1, 2001 to  
December 31, 2005

**OTHER AUTHORIZED USERS**

Customer Services

(518) 474-6717

[customer.services@ogs.state.ny.us](mailto:customer.services@ogs.state.ny.us)

**CONTRACTORS/**

**CONTRACT NOS.:** PC58377 - Almo Distributing, NY  
PC58378 - General Electric Company

**SUBJECT: SHORT TERM CONTRACT EXTENSION**

**TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:**

Almo Distributing and the General Electric Company have agreed to extend the current contract through December 31, 2005.

The contract for Sears Contract Sales and the Whirlpool Corporation will expire on October 31, 2005.

All other terms and conditions remain the same.

Please adjust your records accordingly.

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## PURCHASING MEMORANDUM

### CONTRACT AWARD NOTIFICATION UPDATE

**AWARD NUMBER:** [00997-E\\*](#)

**DATE:** October 29, 2004

**GROUP:** 25200 - DOMESTIC KITCHEN APPLIANCES -  
Refrigerators and Freezers; Energy Star  
Refrigerators

**PLEASE ADDRESS INQUIRIES TO:**

**STATE AGENCIES & CONTRACTORS**

Thomas A. Comanzo  
Purchasing Officer I  
(518) 474-2042

[tom.comanzo@ogs.state.ny.us](mailto:tom.comanzo@ogs.state.ny.us)

**NEW, EXTENDED**

**CONTRACT PERIOD:** November 1, 2001 to  
October 31, 2005

**OTHER AUTHORIZED USERS**

Customer Services  
(518) 474-6717

[customer.services@ogs.state.ny.us](mailto:customer.services@ogs.state.ny.us)

**CONTRACTORS/**

**CONTRACT NOS.:** PC58377 - Almo Distributing, NY  
PC58378 - General Electric Company  
PC58379 - Sears Contract Sales  
PC58380 - Whirlpool Corporation

**SUBJECT: EXTENSION OF AWARD/PRODUCT REPLACEMENT**

**TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:**

All of the above contractors have agreed to extend the contract through October 31, 2005. In addition, Sears Contract Sales (PC 58379) is replacing three discontinued models as indicated below:

<u>Contract Item Number</u>	<u>Model Type/ Capacity</u>	<u>Old Model Number</u>	<u>New Model Number</u>
4	Refrigerator/Freezer combination	46-31422	46-60532/4
5	Refrigerator/Freezer combination Energy Star	46-31622	46-60732
10	Freezer, Upright 16.7 cu. ft.	46-21711	46-24722

All other terms and conditions remain the same.

Please adjust your records accordingly.

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## PURCHASING MEMORANDUM

### CONTRACT AWARD NOTIFICATION UPDATE

**AWARD NUMBER:** [00997-E\\*](#)

**DATE:** June 26, 2003

**GROUP:** 25200 - DOMESTIC KITCHEN APPLIANCES -  
Refrigerators and Freezers; Energy Star  
Refrigerators

**PLEASE ADDRESS INQUIRIES TO:**

**STATE AGENCIES & CONTRACTORS**

James. R. Essman  
Purchasing Officer I  
(518) 402-5069

[james.essman@ogs.state.ny.us](mailto:james.essman@ogs.state.ny.us)

**NEW, EXTENDED**

**CONTRACT PERIOD:** November 1, 2001 to  
October 31, 2004

**OTHER AUTHORIZED USERS**

Customer Services  
(518) 474-6717

[customer.services@ogs.state.ny.us](mailto:customer.services@ogs.state.ny.us)

**CONTRACTORS/**

**CONTRACT NOS.:** PC58377 - Almo Distributing, NY  
PC58378 - General Electric Company  
PC58379 - Sears Contract Sales  
PC58380 - Whirlpool Corporation

**SUBJECT: EXTENSION OF AWARD/PRICE REDUCTION**

**TO ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:**

All of the above contractors have agreed to extend the contract through October 31, 2004. In addition, General Electric has offered a price reduction for the following items:

<u>Item No.</u>	<u>Model</u>	<u>Price Reduction</u>	<u>New Price</u>
7	GSS20DB	\$5.00	\$564.00
8	GSH22KGM	\$6.00	\$749.00
9	GSH25KG	\$4.00	\$831.00

Please adjust your records accordingly.

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Albany, New York 12242  
<http://www.ogs.state.ny.us>

## PURCHASING MEMORANDUM

### CONTRACT AWARD NOTIFICATION UPDATE

**AWARD NUMBER:** 00997-E\*

**DATE:** April 11, 2002

**GROUP:** 25200 Domestic Kitchen Appliances -  
Refrigerators and Freezer;  
Energy Star Refrigerators

**PLEASE ADDRESS INQUIRIES TO:**  
**STATE AGENCIES & CONTRACTORS**

James R. Essman  
Purchasing Officer I  
(518) 402-5069  
[james.essman@ogs.state.ny.us](mailto:james.essman@ogs.state.ny.us)

**CONTRACT PERIOD:** November 1, 2001 to  
October 31, 2003

**OTHER AUTHORIZED USERS**

Judy Gibbons  
(518) 474-6717  
[customer.services@ogs.state.ny.us](mailto:customer.services@ogs.state.ny.us)

**BID OPENING:** August 14, 2001

**SUBJECT: PRODUCT SUBSTITUTION/VENDOR SUBSTITUTION**

The following updated information will apply to Item #6. Almo Distributing will be removed as the contractor for Item # 6 only. All other terms and conditions of the Award will remain the same. The new model and contractor is as follows:

Contractor:	Whirlpool Corporation
Contract No.:	PC58380
New Item No. 6:	"Energy Star", top-mounted refrigerator-freezer combination
Capacity:	18.8 cu. ft.
Brand:	Whirlpool
New Model #:	GR9SHKXKQ
Color:	White on White
Price:	\$495.00

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Albany, New York 12242  
<http://www.ogs.state.ny.us>

## PURCHASING MEMORANDUM

**NUMBER:** 00997-E\*

**DATE:** November 28, 2001

**SUBJECT:** Group 25200  
Domestic Kitchen Appliances -  
Refrigerators and Freezer; Energy  
Star Refrigerators

**PLEASE ADDRESS INQUIRIES TO:**

**STATE AGENCIES & CONTRACTORS**

James R. Essman  
Purchasing Officer I  
Phone No. 518/402-5069  
Fax No. 518/473-7974  
[james.essman@ogs.state.ny.us](mailto:james.essman@ogs.state.ny.us)

**BID OPENING:** August 14, 2001

**NON-STATE AGENCIES**

**CONTRACT PERIOD:** November 1, 2001 to  
October 31, 2003

Judy Gibbons  
518/474-6717  
[customer.services@ogs.state.ny.us](mailto:customer.services@ogs.state.ny.us)

### PRODUCT SUBSTITUTION

An updated model will be substituted for Item 1 with the same features and pricing as the old model.

Contractor:	Sears Contract Sales
Contract No.:	PC58379
New Item No. 1:	Refrigerator/Freezer Under-Counter
Capacity:	6.0 cu. ft.
Brand:	Kenmore
New Model No.:	46-91601
Color:	White on White
Price:	\$210.00

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## PURCHASING MEMORANDUM

**NUMBER:** 00997-E\*

**DATE:** November 13, 2001

**SUBJECT:** Group 25200  
Domestic Kitchen Appliances -  
Refrigerators and Freezer; Energy  
Star Refrigerators

**PLEASE ADDRESS INQUIRIES TO:**

**STATE AGENCIES & CONTRACTORS**

James R. Essman  
Purchasing Officer I  
Phone No. 518/402-5069  
Fax No. 518/473-7974  
[james.essman@ogs.state.ny.us](mailto:james.essman@ogs.state.ny.us)

**BID OPENING:** August 14, 2001

**CONTRACT PERIOD:** November 1, 2001 to  
October 31, 2003

**NON-STATE AGENCIES**

Judy Gibbons  
518/474-6717  
[customer.services@ogs.state.ny.us](mailto:customer.services@ogs.state.ny.us)

### SEARS CONTRACT SALES ORDERING PROCEDURES

Telephone or facsimile purchase orders:

- All purchase orders must be called in or faxed into the Augusta, Georgia processing center only.  
For telephone orders, order inquiries or follow up to faxed orders please contact:  
Brenda Young 800-366-3970.  
For all direct fax orders use the following number: 800-669-3719.
- Do not mail time sensitive purchase orders to any location.

Request for verification of receipt of order:

- Purchase order verification may be obtained by indicating this request on any purchase order along with proper telephone and facsimile response numbers.

Should there be any inquiry that cannot be answered by Brenda Young on the corporate accounts team please contact Al Cardinale at 800-359-2000 ext. 2201.

**State of New York Executive Department**  
**Office Of General Services**  
**Procurement Services Group**  
**Corning Tower Building - 38th Floor**  
**Empire State Plaza**  
**Albany, New York 12242**  
**<http://www.ogs.state.ny.us>**

**CONTRACT AWARD NOTIFICATION**

<b>Title</b>	<b>:</b>	<b>Group 25200 - DOMESTIC KITCHEN APPLIANCES - Refrigerators and Freezers; Energy Star Refrigerators</b>
<b>Award Number</b>	<b>:</b>	<b>00997-E*</b> (Replaces 3457)
<b>Contract Period</b>	<b>:</b>	<b>November 1, 2001 to October 31, 2003</b>
<b>Bid Opening Date</b>	<b>:</b>	<b>August 14, 2001</b>
<b>Date of Issue</b>	<b>:</b>	<b>September 28, 2001</b>
<b>Specification Reference:</b>		<b>As Incorporated Herein</b>

**Address Inquiries To:**

<b>All State Agencies</b>	<b>Non-State Agencies</b>
<b>Name :</b> James R. Essman <b>Title :</b> Purchasing Officer I <b>Phone :</b> 518-402-5069 <b>Fax :</b> 518-473-7974 <b>E-mail :</b> james.essman@ogs.state.ny.us	<b>Name :</b> Judy Gibbons <b>Title :</b> Purchase Coordinator <b>Phone :</b> 518-474-6717 <b>Fax :</b> 518-474-2437 <b>E-mail :</b> customer.services@ogs.state.ny.us

**Description**

A complete line of refrigerator/freezers including "Energy Star", top and side mounted freezers and upright freezers.
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PR # 00997-T

(continued)

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<u>CONTRACT #</u>	<u>CONTRACTOR &amp; ADDRESS</u>	<u>TELEPHONE #</u>	<u>FED.IDENT.#</u>
PC58377	ALMO DISTRIBUTING, N.Y. PO Box 18 N.E. Industrial Park Guilderland Center, NY 12085	800-836-2522 x103 518-861-5811 x103 John Murphy Fax No. 518-861-5799 800-998-5666	141793833
PC58378	GENERAL ELECTRIC COMPANY 307 N. Hurstbourne Pkwy. Louisville, KY 40222	800-654-4988 502-339-3254 Rusha Miles Fax No. 502-339-3068 800-618-7485 E-mail: rusha.miles@appl.ge.com Web: www.geappliances.com	140689340
PC58379	SEARS CONTRACT SALES 504 W. River Rd. Waterloo, NY 13165	800-359-2000 x2201 Alan A. Cardinale Fax No. 315-781-2433 800-669-3719 E-mail: alc@lynnet.com Web: contractsales.sears.com	361750680
PC58380	WHIRLPOOL CORPORATION 412 N. Peters Rd. Knoxville, TN 37922	800-634-9621 x5 Barbara Smith Fax No. 800-670-9854 Web: www.whirlpool.com	381490038

Contractor will accept the New York State Procurement Purchasing Card for orders up to \$2,500.00.  
Parts orders of \$175.00 + quality for a 10% discount with free freight.

Cash Discount, If Shown, Should be Given Special Attention.

**INVOICES MUST BE SENT DIRECTLY TO THE ORDERING AGENCY FOR PAYMENT.**

AGENCIES SHOULD NOTIFY THE PROCUREMENT SERVICES GROUP PROMPTLY IF THE CONTRACTOR FAILS TO MEET THE DELIVERY TERMS OF THIS CONTRACT. PRODUCT WHICH DOES NOT COMPLY WITH THE SPECIFICATIONS OR IS OTHERWISE UNSATISFACTORY TO THE AGENCY SHOULD ALSO BE REPORTED TO THE PROCUREMENT SERVICES GROUP.

**NOTE TO AGENCY:**

The letters SB listed under the Contract Number indicate the contractor is a small business. Additionally, the letters MBE and WBE indicate the contractor is a Minority-owned Business Enterprise and/or Woman-owned Business Enterprise, respectively.

**NOTE TO ALL CONTRACT USERS:**

The terms and conditions of the solicitation which apply to the award appear at the end of this document. We strongly advise all contract users to familiarize themselves with all terms and conditions before issuing a purchase order.

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**PRICE:**

Price is net, F.O.B. destination any point in New York State as designated by the ordering agency and includes:

- residential delivery to community residences and other locations
- inside delivery to ground floor

UNPACKING, SETTING IN-PLACE AND INSTALLATION ARE **NOT** INCLUDED.

Upon mutual agreement, delivery locations may be expanded per the "Extension of Use" clause.

<u>Item No.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Model Number</u>
1.	<u>Refrigerator/freezer</u> 6.0 cu. ft., under-counter type, manual defrost, single door.  Color: White	\$210.00	46-95601
<p>Manufacturer's standard warranty                      Refrigerator/freezer - Labor: 1 Year                        Parts: 1 Year                      "Sealed System" - Labor: 5 Years                        Parts: 5 Years                      Manufacturer: Frigidaire                      Guaranteed Delivery: 7-10 Days A/R/O                      CONTRACTOR, ITEM NO. 1: SEARS CONTRACT SALES</p>			
2.	<u>Refrigerator-Freezer Combination</u> 11.9 cu. ft., top mounted freezer, automatic defrost, two door.  Color: White	\$350.00	RT12VKXKQ

Additional colors (if any) available at no extra cost: Almond

Manufacturer's standard warranty  
 Refrigerator/freezer - Labor:1 Year  
   Parts: 1Year  
 "Sealed System" - Labor: 5 Years  
   Parts: 5 Years  
 Manufacturer: Whirlpool  
 Guaranteed Delivery: 20 Days A/R/O  
 CONTRACTOR, ITEM NO. 2: WHIRLPOOL CORPORATION

(continued)

<u>Item No.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Model Number</u>
3.	<u>Refrigerator-Freezer Combination</u> 14.4 cu. ft., top mounted freezer, automatic defrost, two door.  Color: White	\$323.00	RT14ZKXKQ

Additional colors (if any) available at no extra cost: Almond

Manufacturer's standard warranty  
Refrigerator/freezer - Labor: 1 Year  
Parts: 1 Year  
"Sealed System" - Labor: 5 Years  
Parts: 5 Years  
Manufacturer: Whirlpool  
Guaranteed Delivery: 20 Days A/R/O  
CONTRACTOR, ITEM NO. 3: WHIRLPOOL CORPORATION

4.	<u>Refrigerator-Freezer Combination</u> 14.8 cu. ft., top mounted freezer, automatic defrost, two door.  Color: White	\$329.00	46-31422
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Additional colors (if any) available at no extra cost: Bisque  
Model No.: 46-31424

Manufacturer's standard warranty  
Refrigerator/freezer - Labor: 1 Year  
Parts: 1 Year  
"Sealed System" - Labor: 5 Years  
Parts: 5 Years  
Manufacturer: Frigidaire  
Guaranteed Delivery: 10 Days A/R/O  
Automatic ice making kit agency installed, price additional: \$75.00, Model No. 8086  
CONTRACTOR, ITEM NO. 4: SEARS CONTRACT SALES

(continued)

<u>Item No.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Model Number</u>
5.	<u>Refrigerator-Freezer Combination</u> "ENERGY STAR" 16.5 cu. ft., top mounted freezer, automatic defrost, two door.  Color: White	\$338.00	46-31622

Additional colors (if any) available at no extra cost: Bisque, Model No. 46-31624

Manufacturer's standard warranty  
Refrigerator/freezer - Labor: 1 Year  
  Parts: 1 Year  
"Sealed System" - Labor: 5 Years  
  Parts: 5 Years  
Manufacturer: Frigidaire  
Guaranteed Delivery: 10 Days A/R/O  
Automatic ice making kit agency installed, Price additional: \$75.00 for Model No. 8086.  
CONTRACTOR, ITEM NO. 5 SEARS CONTRACT SALES

6.	<u>Refrigerator-Freezer Combination</u> "ENERGY STAR" 20.53 cu. ft., top mounted freezer, automatic defrost, two door.  Color: White	\$469.00	FRT21HS6AW
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Manufacturer's standard warranty  
Refrigerator/freezer - Labor: 1 Year  
  Parts: 1 Year  
"Sealed System" - Labor: 5 Years  
  Parts: 5 Years  
Manufacturer: Frigidaire  
Guaranteed Delivery: 5 Days A/R/O  
Automatic ice making kit agency installed Price additional: \$50.00 for Model No. IM115  
CONTRACTOR, ITEM NO. 6: ALMO DISTRIBUTING, N.Y.

(continued)

<u>Item No.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Model Number</u>
7.	<p><u>Refrigerator-Freezer Combination</u> 19.8 cu. ft., side mounted freezer, automatic defrost, two door.</p> <p>Color: White</p>	\$569.00	GSS20DB
<p>Additional colors (if any) available at no extra cost: Bisque                      Manufacturer's standard warranty                      Refrigerator/freezer - Labor: 1 Year                        Parts: 1 Year                      "Sealed System" - Labor: 5 Years                        Parts: 5 Years                      Manufacturer: General Electric                      Guaranteed Delivery: 20 Days A/R/O                      Through the door, automatic ice making kit agency installed price additional: \$59.00                      CONTRACTOR, ITEM NO. 7: GENERAL ELECTRIC COMPANY</p>			
8.	<p><u>Refrigerator-Freezer Combination</u> <u>"ENERGY STAR"</u> 21.8 cu. ft., side mounted freezer, automatic defrost, two door. Through the door ice and water feature.</p> <p>Color: White</p>	\$755.00	GSH22KGM
<p>Additional colors (if any) available at no extra cost: Almond, Black, Bisque                      Manufacturer's standard warranty                      Refrigerator/freezer - Labor: 1 Year                        Parts: 1 Year                      "Sealed System" - Labor: 5 Years                        Parts: 5 Years                      Manufacturer: General Electric                      Guaranteed Delivery: 20 Days A/R/O                      CONTRACTOR, ITEM NO. 8: GENERAL ELECTRIC COMPANY</p>			
9.	<p><u>Refrigerator-Freezer Combination</u> <u>"ENERGY STAR"</u> 24.9 cu. ft., side mounted freezer, automatic defrost, two door. Through the door ice and water feature.</p> <p>Color: White</p>	\$835.00	GSH25KG
<p>Additional colors (if any) available at no extra cost: Almond, Black, Bisque                      Manufacturer's standard warranty                      Refrigerator/freezer - Labor: 1 Year                        Parts: 1 Year                      "Sealed System" - Labor: 5 Years                        Parts: 5 Years                      Manufacturer: General Electric                      Guaranteed Delivery: 20 Days A/R/O                      CONTRACTOR, ITEM NO. 9: GENERAL ELECTRIC COMPANY</p>			

(continued)

<u>Item No.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Model Number</u>
10.	<u>Freezer, Upright</u> manual defrost, single door, 17.1 cu. ft. capacity.  Color: White	\$303.00	46-21711
	Manufacturer's standard warranty Refrigerator/freezer - Labor: 1 Year Parts: 1 Year "Sealed System" - Labor: 5 Years Parts: 5 Years Manufacturer: Frigidaire Guaranteed Delivery: 10 Days A/R/O CONTRACTOR, ITEM NO. 10: SEARS CONTRACT SALES		
11.	<u>Freezer, Upright</u> automatic defrost, single door, 16.7 cu. ft. capacity.  Color: White	\$369.00	FFU17FC4AW
	Manufacturer's standard warranty Refrigerator/freezer - Labor: 1 Year Parts: 1 Year "Sealed System" - Labor: 5 Years Parts: 5 Years Manufacturer: Frigidaire Guaranteed Delivery: 5 Days A/R/O CONTRACTOR, ITEM NO. 11: ALMO DISTRIBUTING, N.Y.		
12.	<u>Freezer, Upright</u> automatic defrost, single door, 20.3 cu. ft. capacity.  Color: White	\$395.00	FFU20FC4AW
	Manufacturer's standard warranty Refrigerator/freezer - Labor: 1 Year Parts: 1 Year "Sealed System" - Labor: 5 Years Parts: 5 Years Manufacturer: Frigidaire Guaranteed Delivery: 5 Days A/R/O CONTRACTOR, ITEM NO. 12: ALMO DISTRIBUTING, N.Y.		

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**REQUEST FOR CHANGE:**

Any request by the agency or contractor regarding changes in any part of the contract must be made in writing to the Office of General Services, Procurement Services Group, prior to effectuation.

**CONTRACT PAYMENTS:**

Payments cannot be processed by State facilities until the contract products have been delivered in satisfactory condition. Payment will be based on any invoice used in the supplier's normal course of business. However, such invoice must contain sufficient data including but not limited to Contract No., description of product, quantity, unit and price per unit as well as Federal Identification Number.

State facilities are required to forward properly completed vouchers to the Office of the State Comptroller for audit and payment. All facilities are urged to process every completed voucher expeditiously giving particular attention to those involving cash discounts.

If the contract terms indicate political subdivisions and others authorized by law are allowed to participate, they are required to make payments directly to the contractor. Prior to processing such payment the contractor may be required to complete the ordering non-State agency's own voucher form.

**NON-STATE AGENCIES PARTICIPATION IN CENTRALIZED CONTRACTS:**

New York State political subdivisions and others authorized by New York State law may participate in contracts. These include, but are not limited to local governments, public authorities, public school and fire districts, public and nonprofit libraries, and certain other nonpublic/nonprofit organizations. See "Participation in Centralized Contracts" in Appendix B, OGS General Specifications. For purchase orders issued by the Port Authority of New York and New Jersey (or any other authorized entity that may have delivery locations adjacent to New York State), the terms of the "Price" clause shall be modified to include delivery to locations adjacent to New York State.

Upon request, all eligible non-State agencies must furnish contractors with the proper tax exemption certificates and documentation certifying eligibility to use State contracts. A list of categories of eligible entities is available on the OGS web site ([www.ogs.state.ny.us](http://www.ogs.state.ny.us)) under "Non-State Agency Legal References." Questions regarding an organization's eligibility to purchase from New York State Contracts may also be directed to OGS Procurement Services Group's Customer Services at 518-474-6717.

**EXTENSION OF USE:**

Any contract may be extended to additional States or governmental jurisdictions upon mutual written agreement between New York State (the lead contracting State) and the contractor. Political subdivisions and other authorized entities within each participating State or governmental jurisdiction may also participate in any resultant contract if such State normally allows participation by such entities. New York State reserves the right to negotiate additional discounts based on any increased volume generated by such extensions.

**MINIMUM ORDER:**

Minimum order shall be one appliance. (Note: also see "RESERVATION" clause.)

**DELIVERY:**

Delivery is expressed in number of calendar days required to make delivery after receipt of a purchase order.

**DELIVERY IS REQUIRED TO BE COMPLETED WITHIN 20 CALENDAR DAYS AFTER RECEIPT OF ORDER.**

Delivery shall be made in accordance with instructions on Purchase Order from each agency. If there is a discrepancy between the purchase order and what is listed on the contract, it is the contractor's obligation to seek clarification from the ordering agency and, if applicable, from the Office of General Services, Procurement Services Group and others.

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**ESTIMATED QUANTITIES:**

The quantities or dollar values listed are estimated only. See "Estimated/Specific Quantity Contracts" and "Participation in Centralized Contracts" in Appendix B, OGS General Specifications.

**CONTRACT PERIOD AND RENEWAL:**

Prices are firm for the entire period of the contract. Price escalation will not be allowed and is specifically excluded from the terms and conditions of the Invitation for Bids, its specifications and this contract award.

If mutually agreed between the Procurement Services Group and the contractor, the contract may be renewed under the same terms and conditions for an additional period (S) not to exceed an aggregate total of 48 additional months.

**ENERGY EFFICIENCY - The State may mandate agencies to purchase an ITEM and or discontinue purchasing an ITEM at any time in accordance with any Executive Order, legislation, etc., in relation to energy efficiency or other issue. Discontinuation of an ITEM would not necessarily result in contract cancellation if other ITEMS are covered by a contract.**

**CONTRACT MIGRATION:**

State Agencies or any other authorized user holding individual contracts with contractors under this centralized contract shall be able to migrate to this contract award, effective on the contract begin date (retroactively, if applicable). Migration by an agency or any other authorized user to the centralized contract shall not operate to diminish, alter or extinguish any right that the agency or other authorized user otherwise had under the terms and conditions of their original contract.

**WARRANTIES:**

See "Warranties" and "Year 2000 Warranty" in Appendix B, OGS General Specifications. Also see specific warranty requirements in "DETAILED SPECIFICATIONS."

Normal wear and tear items shall be warranted in accordance with manufacturer's standard warranty.

**RESERVATION:**

THE STATE RESERVES THE RIGHT TO NEGOTIATE LOWER PRICING, OR TO ADVERTISE FOR BIDS, ANY UNANTICIPATED EXCESSIVE PURCHASE. AN "UNANTICIPATED EXCESSIVE PURCHASE" IS DEFINED AS AN UNEXPECTED ORDER FOR A CONTRACT PRODUCT(S) TOTALING MORE THAN 30 INDIVIDUAL APPLIANCES.

**INSTRUCTION MANUALS:**

Simultaneous with delivery of the first component of the product specified, the contractor(s) shall furnish to the authorized user a complete instruction manual for the product and for each component supplied. The manual shall include complete instructions for unpacking, inspecting, installing, adjusting, aligning, and operating the product, together with layout and interconnection diagrams, schematic and wiring diagrams, preventive and corrective maintenance procedures, and complete parts lists, manufacturer's catalog numbers, and ordering information.

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**REPORT OF CONTRACT PURCHASES:**

Contractor shall furnish report of purchases made from contract the fifteenth of the month following the end of each six month period. The reports shall be in the following format:

<u>Item/ SubItem Number</u>	<u>Product Description</u> (Size, Stock No., etc.)	<u>Total Quantity Shipped</u> (To be in Units listed in the Invitation for Bids)	<u>Total \$ Value</u>
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The report is to be submitted to the Office of General Services, Procurement Services Group, Tower Bldg., Empire State Plaza, Albany, NY 12242, to the attention of the individual shown on the front page of the Contract Award Notification and shall reference the commodity group number, the Invitation for Bids number, contract number, sales period, and contractor's name.

Failure to submit the required report may be cause for disqualification of contractor for future contracts.

**"OGS OR LESS" GUIDELINES APPLY TO THIS CONTRACT:**

Purchases of the product(s) included in this Contract Award Notification are subject to the "OGS or Less" provisions of Section 163.3.a.v., Article XI, of the New York State Finance Law. This means that State agencies can purchase product(s) from sources other than the contractor provided that such product(s) are substantially similar in function, form or utility to the product(s) herein and are:

1. lower in price  
-and/or-
2. available under terms which are more economically efficient to the State agency (e.g. delivery terms, warranty terms, etc.).

Agencies are reminded that they must provide the State contractor an opportunity to match the non-contract savings at least two business days prior to purchase. In addition, purchases made under "OGS or Less" flexibility must meet all requirements of law including, but not limited to, advertising in the New York State Contract Reporter, prior approval of the Comptroller's Office and competitive bidding of requirements exceeding the discretionary bid limit. State agencies should refer to Procurement Council Bulletin "OGS or Less Purchases" for complete procedural and reporting requirements.

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**APPROVALS:**

All electrically operated equipment is U.L. (Underwriters Laboratories), or equal, listed and bear the seal. Refrigerators/freezers, and Upright Freezers shall be AHAM certified for total refrigerated volume and total shelf area and bears a dark blue AHAM seal stating such certification. Chest freezers are AHAM certified for total refrigerated volume and bear a light blue AHAM seal stating such certification.

Addresses for U.L. and AHAM are:

**Underwriters Laboratories**  
333 Pfingsten Rd.  
Northbrook, IL 60062-2096  
Phone: 847-272-8800  
Web: [www.ul.com](http://www.ul.com)

**Association of Home Appliance Manufacturers**  
Suite 402, 1111 19<sup>th</sup> St., NW  
Washington, DC 20036  
Phone: 202-872-5955  
Web: [www.aham.org](http://www.aham.org)

**DEFROST SYSTEM:**

The defrost system shall be manual, partial automatic or automatic as required at the Item level of the "Detailed Specifications". The following defines the types of defrost systems:

- **MANUAL DEFROST:**  
A defrost system in which the defrosting action for all refrigerated surfaces is initiated manually.
- **PARTIAL AUTOMATIC DEFROST:**  
A defrost system in which the defrosting action for the refrigerated surfaces in the refrigerated compartment is initiated and terminated automatically and the defrosting action for the refrigerated surfaces in the freezer is initiated manually.
- **AUTOMATIC DEFROST:**  
A defrost system in which the defrosting action for all refrigerated surface is initiated and terminated automatically.

**REFRIGERANT:**

All units use a non-CFC refrigerant in accordance with the Montreal protocol.

**ENERGY USE (NAECA & "ENERGY STAR"):**

All refrigerator/freezers comply with the National Appliance Energy Conservation Act (NAECA) maximum energy use (kWh/year) standard that went into effect July 1, 2001.

All "ENERGY STAR" refrigerator/freezers must use 10% less energy than the July 1, 2001 NAECA standards for a refrigerator/freezer of that size and configuration. All "ENERGY STAR" products comply with the January 1, 2001 "ENERGY STAR" requirements whenever "ENERGY STAR" is used in Item description.

Information on "ENERGY STAR" is available from:

United States Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
Phone: 202-260-2090  
Web: [www.energystar.gov](http://www.energystar.gov)

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**State of New York  
Office of General Services  
PROCUREMENT SERVICES GROUP  
Contract Performance Report**

Please take a moment to let us know how this contract award has measured up to your expectations. If reporting on more than one contractor or product, please make copies as needed. This office will use the information to improve our contract award, where appropriate. **Comments should include those of the product's end user.**

**Contract No.:** \_\_\_\_\_ **Contractor:** \_\_\_\_\_

**Describe Product\* Provided (Include Item No., if available):** \_\_\_\_\_

**\*Note:** "Product" is defined as a deliverable under any Bid or Contract, which may include commodities (including printing), services and/or technology. The term "Product" includes Licensed Software.

	Excellent	Good	Acceptable	Unacceptable
• Product meets your needs				
• Product meets contract specifications				
• Pricing				

**CONTRACTOR**

	Excellent	Good	Acceptable	Unacceptable
• Timeliness of delivery				
• Completeness of order (fill rate)				
• Responsiveness to inquiries				
• Employee courtesy				
• Problem resolution				

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (over)

Agency: \_\_\_\_\_ Prepared by: \_\_\_\_\_

Address: \_\_\_\_\_ Title: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Phone: \_\_\_\_\_

\_\_\_\_\_ E-mail: \_\_\_\_\_

**Please detach or photocopy this form & return by FAX to 518/474-2437 or mail to:**

OGS PROCUREMENT SERVICES GROUP  
Customer Services, Room 3711  
Corning 2<sup>nd</sup> Tower - Empire State Plaza  
Albany, New York 12242  
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