



Office of General Services

KATHY HOCHUL
Governor

JEANETTE M. MOY
Commissioner

January 23, 2023

Sent via email to: denise.beychok@pb.com

Denise Beychok Stevens
Pitney Bowes Inc.
3001 Summer Street
Stamford, CT 06929

**Re: Group 22812, Award 22941, Contract PC67337
Mailing Machines, Scales, Folders, Inserters, Meter Rental and Other Items**

Dear Denise Beychok Stevens:

The Mailing Machines, Scales, Folders, Inserters, Meter Rental and Other Items contract expires on January 31, 2023. Pursuant to the Short Term Extension provision in the contract, the New York State Office of General Services, Procurement Services seeks your agreement to enter into a **Three-Month Extension** to the above-referenced Contract until **April 30, 2023** in accordance with the contract terms.

SHORT TERM EXTENSION

In the event a replacement Contract has not been issued, any Contract let and awarded hereunder by the State, may be extended unilaterally by the State for an additional period of up to one (1) month upon notice to the Contractor with the same terms and conditions as the original Contract and any approved modifications. With the concurrence of the Contractor, the extension may be for a period of up to three (3) months in lieu of one (1) month. However, this extension terminates should a replacement Contract be issued in the interim.

Any products and services sold under the Contract Extension will be subject to the same terms and conditions of the existing Contract. Failure of Contractor to execute and return the Contract Extension Agreement to Procurement Services no later than **January 25, 2023** may result in termination of Contractor's right to continue to offer Mailing Machines, Scales, Folders, Inserters, Meter Rental and Other Items products and services through the above-referenced Contract after January 31, 2023.

PROCUREMENT LOBBYING LAW:

- A. By signing this Contract Extension Letter, Contractor certifies that: a Government Entity has not made a finding of Non-Responsibility regarding the Contractor in the previous four years; a Government Entity has not terminated or withheld a Procurement Contract with the Contractor due to the intentional provision of false or incomplete information; and all information provided regarding State Finance Law §139-k is complete, true, and accurate.
- B. By signing this Contract Extension Letter, Contractor further affirms that it understands and agrees to comply with the procedures of OGS relative to permissible Contacts as required by State Finance Law § 139-j (3) and (6) (b).
- C. Summary of Policy and Prohibitions on Procurement Lobbying

Pursuant to State Finance Law §§139-j and 139-k, this Contract Extension includes and imposes certain restrictions on communications between OGS and an Offerer/Bidder during the procurement process. An Offerer/Bidder is restricted from making contacts from the earliest notice of intent to solicit offers/Bids through final award and approval of the Procurement Contract by OGS and, if applicable, the Office of the State Comptroller ("restricted period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j (3) (a). Designated staff, as of the date hereof, are identified below. OGS employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Offerer/Bidder pursuant to these two statutes.

Certain findings of Non-Responsibility can result in rejection for contract award and in the event of two findings within a four-year period; the Offerer/Bidder is debarred from obtaining governmental Procurement Contracts. Further information about these requirements can be found on the OGS website:

http://www.ogs.ny.gov/aboutOgs/regulations/defaultSFL_139j-k.asp

In accordance with Procurement Lobbying Law, the designated contacts for this procurement are:

DESIGNATED CONTACTS:	
Katherine Jezik, Contract Management Specialist 1 Telephone: (518) 473-1069 E-mail: Katherine.Jezik@ogs.ny.gov	Jamie Nusbaum, Assistant Director Telephone: (518) 474-5430 E-mail: Edward.Nusbaum@ogs.ny.gov
Lynn Baniak, Contract Management Specialist 3 Telephone: (518) 473-7145 E-mail: Lynn.Baniak@ogs.ny.gov	Leighann Brown, Robert Hall, Peggy Beattie Bureau of Risk Insurance and Fleet Management E-mail: ogs.sm.insrev@ogs.ny.gov

NYS Vendor Responsibility

The Bidder agrees that if it is awarded a Contract Extension the following shall apply:

The Contractor shall at all times during the Contract term remain responsible. The Contractor agrees, if requested by the Commissioner of OGS, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity.

The Commissioner of OGS, in her sole discretion, reserves the right to suspend any or all activities under this Contract, at any time, when she discovers information that calls into question the responsibility of the Contractor. In the event of such suspension, the Contractor will be given written notice outlining the particulars of such suspension. Upon issuance of such notice, the Contractor must comply with the terms of the suspension order. Contract activity may resume at such time as the Commissioner of OGS issues a written notice authorizing a resumption of performance under the Contract.

The Contractor agrees that if it is found by the State that Contractor's responses to the Questionnaire were intentionally false or intentionally incomplete, on such finding, the Commissioner may terminate the Contract.

Upon written notice to the Contractor, and a reasonable opportunity to be heard with appropriate OGS officials or staff, the Contract may be terminated by the Commissioner of OGS at the Contractor's expense where the Contractor is determined by the Commissioner of OGS to be non-responsible. In such event, the Commissioner of OGS may complete the contractual requirements in any manner she may deem advisable and pursue available legal or equitable remedies for breach.

In no case shall such termination of the Contract by the State be deemed a breach thereof, nor shall the State be liable for any damages for lost profits or otherwise, which may be sustained by the Contractor as a result of such termination.

The following sets forth a summarization of the required documents/submissions (all electronic) to proceed with the Contract Extension Agreement:

- A. Provide one scanned signed Contract Extension Letter (this document).
- B. If not already provided to NYS OGS (Bureau of Risk Insurance and Fleet Management), include, via e-mail, current proof of insurance in accordance with Attachment 4 – Contractor's Insurance Requirements, along with a completed Business Automobile Liability Insurance Attestation, if applicable; both of which were part of the original Solicitation and are attached electronically.

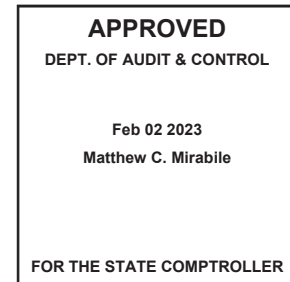
The Contract Extension Letter and additional required documentation must be received via e-mail by OGS no later than January 25, 2023.

If you have any questions, please feel free to contact me at (518) 473-1069 or Katherine.Jezik@ogs.ny.gov.

The signer affirms that he or she is duly authorized to legally bind the Contractor referenced above and that he or she signed as the legally binding act of the Contractor.

_____ We do not wish to extend our contract.

☒ We agree to extend our contract through 04/30/2023.



Signature:

Denise Beychok Stevens

Printed Name:

Denise Beychok Stevens

Title:

Government Director

Date:

1/24/2023

Please return one scanned Contract Extension Letter (this document) with the original wet signature (PDF) to Katherine Jezik at Katherine.Jezik@ogs.ny.gov by no later than January 25, 2023.

Sincerely,

Jamie Nuckbaum

Assistant Director