

**STATE OF NEW YORK**

**JUDICIARY**

**—REQUEST FOR BID/PROPOSAL—**

**(This is not an order)  
 BID MUST BE MADE ON THIS SHEET  
 OR AS OTHERWISE SPECIFIED**

Marie-Claude Ceppi  
 NYS Office of Court Administration  
 25 Beaver Street, R-840  
 New York, NY 10004  
 (Agency Name and Address)

Direct Inquiries to: Marie-Claude Ceppi  
 Telephone No.: 212-428-2727  
 Email: Mceppi@courts.state.ny.us

Price to include delivery to (describe exact location and method of delivery)

Per attached RFB/RFP Specifications

<b>Bid Number:</b> OCA/DOT-117	<b>Commodity Group:</b>
<b>Issue Date:</b> 10/9/2006	
<b>Opening Date:</b> NOVEMBER 6, 2006	<b>Commodity Name:</b> DARK FIBER LEASING
<b>Time:</b> 3:00 PM	

OFFICE OF GENERAL SERVICES "GENERAL SPECIFICATIONS" ARE FULLY INCORPORATED HEREIN.

Agency's Specification of item(s) Required (include quantities)	Bidder's Quotation and Specific Description of Item Offered
<p><b>UCS ATTACHMENTS I, II, III AND IV ATTACHED &amp; INCORPORATED HEREIN.</b></p> <p>Rental of an indoor pistol range to provide firearms training for court peace officers.</p>	<p>Respondents are to submit all required documentation and pricing in the format prescribed by the attached RFB/RFP Specifications.</p>

**NOTICE TO BIDDERS**

Pursuant to the Rules and Regulations of the Chief Administrator for the Courts, sealed responses for furnishing the item(s) in this Solicitation will be received at the above address. When submitting a response, you must:

1. Complete this form in its entirety using ink or typewriter and return with all other documents.
2. Explain any deviations or qualifications if your response deviates from the specifications. If necessary, attach a separate sheet setting forth such explanations.

3. Sign the Solicitation Forms. The Bid/Proposal response must be completed in the name of the respondent (corporate or other) and must be fully and properly executed by an authorized person.

4. INDICATE THE SOLICITATION NUMBER, THE OPENING DATE AND TIME ON THE ENVELOPE CONTAINING THE SEALED RESPONSE.

5. Mail the bid/proposal response to the above agency address in sufficient time for it to be received before the specified bid opening. **LATE RESPONSES WILL BE REJECTED.**

BIDDER HEREBY CERTIFIES THAT THE ABOVE QUOTED (OR OTHERWISE NOTED) PRICES ARE APPLICABLE TO ALL CUSTOMERS FOR COMPARABLE QUANTITIES, QUALITY, STYLES OR SERVICES.

**RESPONSES MUST BE SIGNED**

Bidder's Firm Name		Employer's Federal Identification Number	
Address Street	City	State	Zip
Bidder's Signature		Official Title	
Printed or Typed Copy of Signature		Area Code/ Telephone Number Email Address	

**DOCUMENT ENCLOSURE CHECKLIST**

**All of the following documents and information must be fully executed and returned as specified. Failure to include any of the required documents or information may result in rejection of the bidder's proposal:**

1. UCS Request for Bid Form with original signature
2. Non-Collusive Bidding Certificate with original ink signature - Attachment I, p.3
3. Corporate Acknowledgment with original ink signature - Attachment I, p.4
4. Vendor Tax Compliance & Certification - Attachment II, Form ST-220, 4 pages
5. Vendor Responsibility Questionnaire - Attachment III
6. Disclosure of Prior Non-Responsibility Determination (UCS 420) and Affirmation of Understanding and Agreement (UCS 421), pursuant to the Procurement Lobbying Act - Attachment IV, 6 pages
7. List of at least three (3) references (names, contacts, addresses, phone numbers)
8. Bid Response Form (Bid Sheet) (4 pages)
9. Organizational Chart
10. Documentation showing bidder's ability to deliver the dark fiber within three (3) months from the date the contract is signed
11. Documentation showing bidder's ability to monitor fiber optic network
12. Documentation showing potential secondary diverse routes
13. Four (4) maps
14. Certificates of Insurance
15. Bidder's full and complete original bid response with signature
16. Five (5) complete copies of the original bid response, including all the above

**Note: All documents requiring original signature must bear the signature of the same authorized individual. Signatory notarization must be that of the person whose signature is affixed to required documents.**

**GENERAL SPECIFICATIONS**

I. The RFB/RFP Process

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II. RFP# OCA/DOT-117

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Independent Contractor Status  
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**TECHNICAL/DETAILED SPECIFICATIONS**

Scope of Work  
Maintenance and Repairs  
Network Construction Requirements

\*\*\* GENERAL SPECIFICATIONS \*\*\*

I. The RFB/RFP Process

Note to Bidders:

In addition to such other specifications and criteria as are presented herein, the **NYS Unified Court System Attachment I - Standard Request for Bid Clauses & Forms, Attachment II - Contractor Certification Form ST-220, Attachment III - Vendor Responsibility Questionnaire, and Attachment IV - Disclosure of Prior Non-Responsibility Determination (UCS 420)** as well as **Affirmation of Understanding and Agreement (UCS 421)** pursuant to **the Procurement Lobbying Act**, which **must be downloaded** from the UCS Contract & Procurement website under “Addenda” for the appropriate solicitation, are incorporated and made a part hereof.

**Online RFB/RFP Package : Disclaimer:**

Bidders accessing any Unified Court System/Office of Court Administration (hereafter “UCS/OCA”) solicitations and related documents from the New York State UCS website [www.nycourts.gov/admin/bids](http://www.nycourts.gov/admin/bids) under “Current Solicitations” shall remain solely and wholly responsible for reviewing the respective solicitation & bid documents on the internet regularly, up to the scheduled date and time of the bid/proposal due date, to ensure their knowledge of any amendments, addenda, modifications or other information affecting the solicitation or bid documents in question.

**Questions:**

Questions may be addressed **in writing** only, by e-mail or by fax, to:

Christopher Grimaldi  
Principal Network Technologist  
NYS Office of Court Administration  
Division of Technology  
New York, NY 10004

Fax: 212-401-9021 Email: [cgrimald@courts.state.ny.us](mailto:cgrimald@courts.state.ny.us)

The **deadline** to submit questions is **October 18, 2006 at 5:00 pm**. No questions will be entertained after this deadline. All questions will be answered individually in writing and a Questions & Answers (Q&A) with all the questions received and their answers will be posted on the UCS website.

**OCA/DOT-117  
DARK FIBER LEASING**

**Bid Opening: November 6, 2006  
3:00 pm**

IMPORTANT: All questions regarding this solicitation must be directed solely to the attention of the above-designated person. Contact by any prospective bidder, or any representative thereof, with any other personnel of the UCS/OCA including the Division of Technology (hereafter "DOT") in connection with this RFB/RFP may violate the Procurement Lobbying Act of 2005 (see Attachment IV), will jeopardize the respective bidder's standing and may cause rejection of its proposal.

**Bid Response/Proposal: Original and Copies:**

Bidders shall submit all the following required **original RFB/RFP documents**: Bid/Proposal; Executed RFB/RFP Form; Attachment I - pages 3 and 4 of 10; Attachment II - Form ST-220; Attachment III - Vendor Responsibility Questionnaire; Attachment IV - Disclosure of Prior Non-Responsibility Determinations (UCS 420) as well as Affirmation of Understanding and Agreement (UCS 421); and any other required documentation, brochures, etc. listed on the Document Enclosure Checklist.

Failure to provide all original documents or the failure to provide the requested number of copies may result in disqualification of a bidder's response.

**Binding Nature of Bid/Proposal on Bidders:**

All bids/proposals shall remain binding on bidders until such time as the Office of Court Administration (hereafter "OCA") provides written notification of its intent to award the contract to a specific bidder or until the bidder withdraws its bid/proposal in writing, whichever occurs first.

**Packaging, Identifying and Delivering of Bids/Proposals:**

Bidders may **not** submit their bid/proposal responses online.  
Bids/Proposals must be **clearly addressed and submitted to**:

**Marie-Claude Ceppi  
Management Analyst  
NYS Office of Court Administration  
25 Beaver Street, R-840  
New York, NY 10004**

All envelopes/cartons must also be labeled with the following information on two sides:

"Deliver immediately to Marie-Claude Ceppi R-840"  
"Sealed bid - Do not open"  
"OCA/DOT-117 due November 6, 2006 at 3:00 p.m."

**OCA/DOT-117  
DARK FIBER LEASING**

**Bid Opening: November 6, 2006  
3:00 pm**

Failure to seal and mark the bid/proposal as prescribed may result in non-delivery and/or rejection of the bid/proposal. Please note that bids/proposals must be received by the above-named OCA-designated person by November 6, 2006 at 3:00 pm at the latest or bids will be declared a “late bid” and they will be disqualified. It is recommended that bidders allow several extra days for shipping in order to meet the deadline.

**No-Bids:**

Bidders are requested to send a no-bid letter to OCA, Attn: Marie-Claude Ceppi, at the above address, should they decide not to answer this solicitation. The envelope shall be clearly marked in the lower left corner as follows: OCA/DOT-117.

**Rejected and Unacceptable Bids/Proposals:**

The OCA reserves the right to reject any and all proposals or bids submitted in response to this solicitation. In addition, OCA may reject any bids/proposals from any bidders who are in arrears to the State of New York upon any debt or contract; or who have previously defaulted on any contractual obligations, (as surety or otherwise), or on any obligation to the State of New York; or who have been declared not responsible or disqualified by any agency of the State of New York; or who have any proceeding pending against them relating to the responsibility or qualification of the bidders to receive public contracts.

**References:**

Each bidder must provide at least three (3) references including the company/agency name, complete address, contact name, title, telephone number and email address, for whom the bidder has provided similar services at any time during the past three (3) years.

**II. RFP # OCA/DOT-117**

**Purpose and Scope:**

The UCS/OCA, on behalf of the DOT, is soliciting sealed bids/proposals to establish a ten-year lease of single-mode dark fiber connecting court facilities in each of the following five metropolitan areas:

1. Albany (A)
2. Buffalo (B)
3. Rochester (R)
4. Syracuse (S)
5. Utica (U)

**OCA/DOT-117  
DARK FIBER LEASING**

**Bid Opening: November 6, 2006  
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<u>Albany Metro Area</u>	
<b>Section</b>	<b>Section Locations &amp; End Point</b>
Section A.1 (2 strands)	38-40 State Street, Albany, NY 11207 Basement, Telecom Room TO 20 Eagle Street, Albany, NY 11207 2 <sup>nd</sup> Floor, Data Closet
Section A.2 (2 strands)	150 State Street, Albany, NY 11207 1 <sup>st</sup> Floor, Data Closet TO 20 Eagle Street, Albany, NY 11207 2 <sup>nd</sup> Floor, Data Closet

<u>Buffalo Metro Area</u>	
<b>Section</b>	<b>Section Locations &amp; End Point</b>
Section B.1 (2 strands)	714 Ridge Road, Lackawanna, NY 14218 2 <sup>nd</sup> floor, Chief Clerks Office TO 25 Delaware Ave, Buffalo, NY 14202 Basement, Server Room
Section B.2 (2 strands)	216 Payne Ave, North Tonawanda, NY 14120 1 <sup>st</sup> floor, Chief Clerks Office TO 200 Niagara Street, Tonawanda, NY 14150 1 <sup>st</sup> floor, (Behind Main Office area)
Section B.3 (2 strands)	200 Niagara Street, Tonawanda, NY 14150 1 <sup>st</sup> floor, (Behind Main Office area) TO 25 Delaware Ave, Buffalo, NY 14202 Basement, Server Room
Section B.4 (2 strands)	130 S. Elmwood Street, Buffalo, NY 14202 3 <sup>rd</sup> Floor, Data Closet TO 25 Delaware Ave, Buffalo, NY 14202 Basement, Server Room

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<u>Rochester Metro Area</u>	
<b>Section</b>	<b>Section Locations &amp; End Point</b>
Section R.1 (4 strands)	50 East Avenue, Rochester, NY 14604 4th Floor, Suite 401 TO 144 Exchange Blvd, Rochester, NY 14614 5th Floor, Network Cabinet
Section R.2 (4 strands)	144 Exchange Blvd, Rochester, NY 14614 5 <sup>th</sup> Floor, Network Cabinet TO 123 Plymouth Avenue, Rochester, NY 14614 1 <sup>st</sup> Floor, Data Location
Section R.3 (2 strands)	400 Andrews Street, Rochester, NY 14604 7 <sup>th</sup> Floor, Computer Room TO 50 East Ave, Rochester, NY 14604 4th Floor, Suite 401

<u>Syracuse Metro Area</u>	
<b>Section</b>	<b>Section Locations &amp; End Points</b>
Section S.1 (2 strands)	205 South Salina Street, Syracuse, NY 13202 2 <sup>nd</sup> Floor, Data Location TO 401 Montgomery Street, Syracuse, NY 13202 Basement, Room 006
Section S.2 (2 strands)	224 Harrison Street, Syracuse, NY 13202 4 <sup>th</sup> Floor, Suite 408 TO 401 Montgomery Street, Syracuse, NY 13202 Basement, Room 006

**OCA/DOT-117  
DARK FIBER LEASING**

**Bid Opening: November 6, 2006  
3:00 pm**

<u>Utica Metro Area</u>	
<b>Section</b>	<b>Section Locations &amp; End Points</b>
Section U.1 (4 strands)	207 Genesee Street, Utica, NY 13501 3 <sup>rd</sup> Floor Data Closet TO 411 Oriskany Street, Utica, NY 13502 Basement, Room 006
Section U.2 (4 strands)	207 Genesee Street, Utica, NY 13501 3 <sup>rd</sup> Floor, Data Closet TO 200 Elizabeth Street, Utica, NY 13501 Basement, Communications Room

Unified Court System intends to award only one contract [Vendor has to be able to do all metro areas–no separate contracts for different areas. ] Vendor will also be responsible to construct the point-of-entry (POE) between vendor’s network extension and each court facility if required to complete network.

**Term and Renewal:**

The term of the leased fiber agreement will be a period of one hundred and twenty (120) months from the date of the fiber span acceptance. UCS/DOT reserves the right to renew the lease upon the same terms and conditions for a duration and at a cost to be negotiated between the parties.

**Pricing:**

Pricing must include all services described in this RFB’s Specifications. Pricing shall remain firm during the initial term of the contract. Sections/spans are listed below by metropolitan area. Pricing must be quoted per section/span and include the monthly recurring cost for each section/span, as well as the one-time POE (point of entry) construction costs for each section/span, if any.

**Bid Sheet:**

Please use the following bid sheet (4 pages):

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<u>Albany Metro Area</u>		BID SHEET	
<b>Section</b>	<b>Section Locations &amp; End Point</b>	<b>MRC</b>	<b>POE</b>
Section A.1 (2 strands)	38-40 State Street, Albany, NY 11207 Basement, Telecom Room TO 20 Eagle Street, Albany, NY 11207 2 <sup>nd</sup> Floor, Data Closet	\$	\$
Section A.2 (2 strands)	150 State Street, Albany, NY 11207 1 <sup>st</sup> Floor, Data Closet TO 20 Eagle Street, Albany, NY 11207 2 <sup>nd</sup> Floor, Data Closet	\$	\$
<b>ALBANY SUB-TOTAL</b>		\$	\$

<u>Buffalo Metro Area</u>		BID SHEET	
<b>Section</b>	<b>Section Locations &amp; End Point</b>	<b>MRC</b>	<b>POE</b>
Section B.1 (2 strands)	714 Ridge Road, Lackawanna, NY 14218 2 <sup>nd</sup> floor, Chief Clerks Office TO 25 Delaware Ave, Buffalo, NY 14202 Basement, Server Room	\$	\$
Section B.2 (2 strands)	216 Payne Ave, North Tonawanda, NY 14120 1 <sup>st</sup> floor, Chief Clerks Office TO 200 Niagara Street, Tonawanda, NY 14150 1 <sup>st</sup> floor, (Behind Main Office area)	\$	\$
Section B.3 (2 strands)	200 Niagara Street, Tonawanda, NY 14150 1 <sup>st</sup> floor, (Behind Main Office area) TO 25 Delaware Ave, Buffalo, NY 14202 Basement, Server Room	\$	\$
Section B.4 (2 strands)	130 S. Elmwood Street, Buffalo, NY 14202 3 <sup>rd</sup> Floor, Data Closet TO 25 Delaware Ave, Buffalo, NY 14202 Basement, Server Room	\$	\$
<b>BUFFALO SUB-TOTAL</b>		\$	\$

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<u>Rochester Metro Area</u>		BID SHEET	
<b>Section</b>	<b>Section Locations &amp; End Point</b>	<b>MRC</b>	<b>POE</b>
Section R.1 (4 strands)	50 East Avenue, Rochester, NY 14604 4 <sup>th</sup> Floor, Suite 401 TO 144 Exchange Blvd, Rochester, NY 14614 5 <sup>th</sup> Floor, Network Cabinet	\$	\$
Section R.2 (4 strands)	144 Exchange Blvd, Rochester, NY 14614 5 <sup>th</sup> Floor, Network Cabinet TO 123 Plymouth Avenue, Rochester, NY 14614 1 <sup>st</sup> Floor, Data Location	\$	\$
Section R.3 (2 strands)	400 Andrews Street, Rochester, NY 14604 7 <sup>th</sup> Floor, Computer Room TO 50 East Ave, Rochester, NY 14604 4 <sup>th</sup> Floor, Suite 401	\$	\$
<b>ROCHESTER SUB-TOTAL</b>		\$	\$

<u>Syracuse Metro Area</u>		BID SHEET	
<b>Section</b>	<b>Section Locations &amp; End Points</b>	<b>MRC</b>	<b>POE</b>
Section S.1 (2 strands)	205 South Salina Street, Syracuse, NY 13202 2 <sup>nd</sup> Floor, Data Location TO 401 Montgomery Street, Syracuse, NY 13202 Basement, Room 006	\$	\$
Section S.2 (2 strands)	224 Harrison Street, Syracuse, NY 13202 4 <sup>th</sup> Floor, Suite 408 TO 401 Montgomery Street, Syracuse, NY 13202 Basement, Room 006	\$	\$
<b>SYRACUSE SUB-TOTAL</b>		\$	\$

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<u>Utica Metro Area</u>		BID SHEET	
<b>Section</b>	<b>Section Locations &amp; End Points</b>	<b>MRC</b>	<b>POE</b>
Section U.1 (4 strands)	207 Genesee Street, Utica, NY 13501 3 <sup>rd</sup> Floor Data Closet TO 411 Oriskany Street, Utica, NY 13502 Basement, Room 006	\$	\$
Section U.2 (4 strands)	207 Genesee Street, Utica, NY 13501 3 <sup>rd</sup> Floor, Data Closet TO 200 Elizabeth Street, Utica, NY 13501 Basement, Communications Room	\$	\$
<b>UTICA SUB-TOTAL</b>		\$	\$

<u>SUB-TOTALS</u>		BID SHEET	
<b>Metropolitan Areas</b>	<b>MRC Sub-totals</b>	<b>POE Sub-totals</b>	
ALBANY	\$	\$	
BUFFALO	\$	\$	
ROCHESTER	\$	\$	
SYRACUSE	\$	\$	
UTICA	\$	\$	
<b><u>TOTAL COSTS</u></b>	\$	\$	

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<u>TOTALS</u>	
TOTAL MRC COSTS X 120 MONTHS	\$
TOTAL POE COSTS	\$
<b><u>TOTAL COST</u></b> FOR 10-YEAR LEASE	\$

Company Name and Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Authorized Officer's Name  
and Title:

\_\_\_\_\_

\_\_\_\_\_

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

**Method of Award:**

A single contract shall be awarded to the bidder scoring the **highest point total** (maximum 150 points) based on the criteria set forth below. The DOT shall establish an evaluation committee to review all bid responses received in a timely manner pursuant to the following criteria and assigned maximum points:

**1. Cost Evaluation 50 Points**

The total cost of the contract is evaluated based on “present value”. (Present value is the current equivalent of payments or a stream of payments to be received at various times in the future. The present value will vary with the discount interest factor applied to future payments) In this case, a series of 120 equal monthly payments will be made, however the value of the monthly payment at the end of the tenth year term obviously is valued less than the monthly payments at the beginning of the tenth year due to inflationary and other financial pressure). For comparison purpose, we discount the future monthly payments at approximately 6% annually. In other word, assuming:

Monthly Recurring Cost	MRC=X
Non-Recurring Cost	NRC=POE cost=Y
Present Value	P.V. =X*90+Y

The total cost in present value is calculated using the following formula:

$$\text{Total cost} = \text{One-Time POE Construction Cost} + \text{MRC} \times 90$$

Lowest dollar cost shall receive 50 points ( the maximum for Cost Evaluation). The points awarded to bidders other than the lowest dollar bidder will be a fraction of the maximum points to be calculated according to the following formula:

Lowest dollar cost divided by second/third/etc. cost multiplied by max. points of 50 equal the number of points for the second, third, etc. bidders.

Example: Lowest dollar cost = \$4,000 = 50 points (maximum)  
Second lowest dollar cost = \$5,000  
\$4,000 divided by \$5,000 x 50 = 40 points  
And so on.

Note: All line items on the bid sheet must have an entry. Any bidder who does not submit a complete bid sheet shall be disqualified.

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2. **Prior Experience** **50 points**  
A maximum of ten (10) points will be awarded for each of the following categories, for a maximum total of 50 points:
- A. Experience with working with local governments in New York State.
  - B. Experience with working within the New York State Court System.
  - C. Licensed with and have performed extensive work for Communications utilities serving the locations indicated in this RFB.
  - D. Experience with conduit & POE construction and other OSP works reflected through extensive references and clientele list.
  - E. Proven records on project management and customer services.
3. **Network Assets** **50 points**  
A maximum of ten (10) points will be awarded for each of the following categories, for a maximum total of 50 points:
- A. Extensiveness bidder's existing fiber infrastructure in relevant geographic areas.
  - B. Abilities to monitor and repair fiber optic networks, reducing or eliminating downtime.
  - C. Demonstrate the potential to diversify the locations indicated in this RFB's specifications for future expansion through bidder's network.
  - D. Amount of fiber fully owned by bidder, which will be utilized in this network build, versus fiber leased from third parties.
  - E. Shortest distance in feet to be built between the bidder's existing network and each court location.

**The award shall be made to the bidder totaling the highest point total and determined by the evaluation committee to be responsible as defined below.** In case the DOT determines that the lowest bidder is not responsible, it reserves the right to award to the next lowest and responsible bidder.

In addition to the evaluation criteria set forth above, bidder shall be defined as "responsible" in accordance with, but not limited to, compliance with this RFP's specifications, references, past performance history, financial stability and any other criteria necessary and reasonable to establish the bidder's responsibility.

**Supporting Presentation:**

The OCA/DOT reserves the right to request any additional information it deems necessary to analyze bidder's response and it may request bidder to make an oral and visual presentation(s), on an individual basis, in support of its proposal.

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**Site Visits:**

The OCA/DOT reserves the right to conduct physical inspections of bidder's claimed assets, as it deems necessary to analyze bidder's response.

**Survey:**

UCS will not provide a formal survey. However, bidders may conduct their own survey. Upon bidders' written request, UCS will provide contact information for each section location. The request must be sent in writing to:

Christopher Grimaldi  
Principal Network Technologist  
NYS Office of Court Administration  
Division of Technology  
New York, NY 10004

Fax: 212-401-9021 Email: [cgrimald@courts.state.ny.us](mailto:cgrimald@courts.state.ny.us)

The deadline to submit such requests is October 18, 2006.

Bidders are solely and fully responsible for making all arrangements to conduct a survey.

Because the facilities are owned by different agencies and under different jurisdiction, UCS cannot guarantee the availability and/or access to any of them.

**Site Conditions:**

Bidders are responsible for familiarizing themselves with the POE site conditions at each location and no price adjustments will be made for unexpected conditions, except to the extent that a condition changes after submission of the bid.

**Changes:**

Under no circumstances should the awarded contractor act on any verbal communications of judicial and non-judicial personnel. Any and all communications must be in writing. The awarded contractor assumes all risks in acting otherwise.

**Qualifications:**

Bidder shall provide an **organizational chart** identifying the names and titles of the Account Manager and team members responsible for the Unified Court System's account. The Account Manager's business address, phone and fax numbers as well as e-mail address should be provided. Bidder shall provide a description of its company history and resources.

Bidder must have existing fiber optic infrastructure in all metropolitan areas covered by this RFP and in reasonable proximity to all courthouse facilities listed. Bidder must have excellent track record in the design and engineering, installation and maintenance of large-scale fiber optics network.

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Bidder must show evidence that it has the ability to deliver the dark fiber within three (3) months from the date the contract is approved by the NYS Attorney General and Comptroller. Bidder shall provide documentation on its abilities to monitor fiber optic networks on a twenty-four (24) hour seven days a week basis, to deal with network outages, downtime statistics and disaster recovery contingencies.

Bidder shall provide documentation showing potential secondary diverse routes as backup to this network build.

**Bidder's response must document its ongoing current experience in providing the full range of services contained in this RFP's specifications or bidder's response may be rejected** (See Document Check-List)

**Maps:**

Bidder must submit with its bid response the following maps:

1. A map clearly indicating the company's existing fiber infrastructure in the areas specified.
2. A map clearly indicating all sections of fiber owned by the company and any sections that are owned or leased by any third party.
3. A map clearly indicating the proposed fiber route connecting the aforementioned locations and/or court facilities, including the zero manhole information.
4. A map clearly indicating the distance to meet vendor network from each court location measured in feet.

**Subcontracting:**

Subcontracting shall not be done without the prior written approval of the Office of Court Administration/Division of Technology.

Subcontracting of any services described herein shall be subject to the following:

1. Bidder must identify each proposed subcontractor, type of service(s) to be performed, length and nature of bidder's relationship with proposed subcontractor and must provide any and all additional information regarding the proposed subcontractor as UCS considers reasonable and necessary.
2. All proposed subcontractors shall be subject to the approval of OCA/DOT prior to engagement by contractor and any such approved subcontractor shall be held to the same performance standards as awarded contractor.
3. The UCS, OCA/DOT will communicate only with awarded contractor and the awarded

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contractor shall remain wholly liable for the performance of any such subcontractor, it's employees, agents, consultants or representatives.

The awarded contractor will be the prime contractor and is responsible for the completion and delivery of all aspects of this RFB's Specifications and for all payments due to any subcontractors.

**Independent Contractor Status:**

It is expressly understood and agreed that the awarded contractor's status shall be that of an independent provider of services and that no officer, employee, servant or subcontractor of the contractor is an employee of the UCS, OCA or State of New York. The awarded contractor shall be solely responsible for the work, assignment, compensation, benefits and personal conduct and standards of all such persons assigned to the provision of services. Nothing herein shall be construed to impose any liability or duty on the UCS, OCA or State of New York to persons, firms, consultants or corporations employed or engaged by the awarded contractor either directly or indirectly in any capacity whatsoever, nor shall the UCS, OCA or State of New York be liable for any acts, omissions, liabilities, obligations or taxes of any nature including, but not limited to, unemployment and Workers' Compensation insurance of the awarded contractor or any of its employees or subcontractors.

**Liability Insurance:**

The awarded contractor, at its sole cost and expense, shall obtain and maintain in force throughout the term of the Agreement, from an insurance company licensed to do business in New York State, insurance policies of the kinds and amounts not less than the greater of the amounts listed below or the amounts required by applicable law:

- Worker's Compensation insurance in accordance with the Worker's Compensation Laws of the State of New York;
- Commercial General Liability Insurance (bodily injury and property damage on an occurrence basis), including automobile insurance, contractual and products/completed operations liability coverage, with minimum limits as follows:

Bodily injury to any one person	\$1,000,000
Bodily injury aggregate per occurrence	\$1,000,000
Property damage in any one accident	\$ 500,000
Property damages aggregate per occurrence	\$1,000,000

Contractor's commercial general liability shall name UCS as an additional insured and shall be primary insurance with respect to UCS. Contractor shall furnish to UCS certificates of insurance evidencing all coverages required and shall furnish complete copies of policies promptly upon UCS request.

**Compliance with Laws:**

Awarded contractor must be compliant with all applicable federal, state and local laws, rules and

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regulations prior to and during the provision of all services under the contract resulting from this RFB/RFP.

**Financial Stability:**

Upon request by OCA, each bidder shall provide a copy of its financial filings as audited by a certified auditing firm for the past three consecutive years, as well as copies of the bidder's last three (3) annual reports.

**\*\*\* TECHNICAL/DETAILED SPECIFICATIONS \*\*\***

**Scope of Work**

**Leased Dark Fiber: Physical Connections will be Single Mode Fiber, SMF-28 linear point to point connections identified in the price sheet:**

The vendor will identify the exact locations of zero manholes, points of presence, or the last manholes / pole #'s before entering into the locations. The corresponding POE installation cost is a one-time charge that is payable together with the first MRC when a connection is tested and accepted. In all locations, the vendor will absorb all costs associated with end to end connection of the specified locations including the fiber installation, splicing and testing. The vendor will provide end termination in all locations consisting of a fiber optic panel containing SC connectors. UCS will provide access to locations from "zero manhole" or "zero pole" locations. UCS will be responsible solely for providing access to sites in order for the vendor to complete their end termination. At the completion of this build the vendor shall submit as-built drawings of the complete build, OTDR traces (1310 nm & 1550 nm) and power testing results in electronic and printed form.

All span locations will adhere to the following fiber characteristics:

Transmission Properties:

Attenuation 1310 nm:  $\text{?fiber length (km) X 0.33 dB/km}$  (does not include splices)

<0.75 dB per mated connector pair

<0.15 dB per fusion splice

Attenuation 1550 nm:  $\text{?fiber length (km) X 0.19 dB/km}$  (does not include splices)

< 0.75 dB per mated connector pair

<0.15 dB per fusion splice

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All work will adhere to the current New York State Unified Court System Communications Standards defined below:

1. SM Fiber must be Corning SMF-28 Fiber, a sample of which must be submitted to the Division of Technology for review and authorization prior to installation. The cost will include all parts and labor to make the fiber operational.
2. At least 48-strand single mode fiber is required for connection between courthouses in a campus environment. SM Fiber must be Corning SMF-28 Fiber. The OSP (outside plant) cables can be pulled into the building within 50 feet distance unless indoor/outdoor fiber cables are used.
3. All ISP (Inside Plant) fiber optic cabling must be fire, smoke, and halogen free rated. OSP cables must be weather resistant, gel flooded stabilized fiber.
4. All fiber runs must support Gigabit Ethernet standards. SC connectors shall be used, unless instructed otherwise in writing.
5. All wiring and cabling shall be installed in a neat professional manner and shall be in compliance with the National Electrical Code, State and local electrical building and fire codes. If cable trays are not used, supports should be anchored every 4-6 feet via threaded rods or beam clamps. Penetration through fire walls must include the appropriate site sleeve and be fire stopped. Low voltage cables shall not be tie-wrapped or secured to other electrical mediums or conduit pipes. When wraps are needed, Velcro will be permitted.
6. The vendor must provide cable certification, which will certify Category 6 copper and fiber optic cable installations according to current TIA/EIA specifications & standards. All newly installed single-mode fibers shall be tested bi-directional via OTDR and power meter. All newly installed multi-mode fiber shall be tested bi-directional via Power meter. All multi-mode fiber installations where the cable exceeds 500 feet will also be tested bi-directional via OTDR. Upon completion of all jobs, the vendor must provide the Unified Court System Dept of Technology with three sets of documentation on certification results and AutoCAD files indicating cable location, labels and all connections. All testing documentation and trace files shall be submitted in printed and electronic form. The vendor will provide raw test data and any associated programs required to view this data, without charge to the Unified Court System. ALL (FIBER & CABLING) Certification and documentation are to be included in the cost of cabling.

**Maintenance and Repairs:**

The awarded contractor shall perform all maintenance and repairs for the leased fiber, including preventative and demand maintenance in accordance with industry standards to ensure that the leased fiber remains in conformance with the standards and specifications set forth in this RFP.

**Network Construction Requirements > Quality Assurance**

**All work and equipment shall conform to the appropriate portions of the following specifications, codes and regulations:**

- A. UCS Telephone and Data Wiring Specifications
  
- B. **Building Industry Consulting Services International**
  - § **(BICSI) Telecommunications**
  - § **Distribution Methods Manual (TDMM)**
  
- C. **IEEE Standards**
  
- D. **ANSI/TIA/EIA Standards**
  - § **ANSI/TIA/EIA - 568-B.1-- Commercial Building Telecommunications Cabling Standard, Part 1: General Requirements.**
  
  - § **ANSI/TIA/EIA -568-B.2 -- Commercial Building Telecommunications Cabling Standard, Part 2: Balanced Twisted Pair Cabling Components**
  
  - § **ANSI/TIA/EIA - 568-B.3 -- Optical Fiber Cabling Components Standard**
  
  - § **ANSI/TIA/EIA - 569A—Commercial Building Standard for Telecommunications Pathways and Spaces**
  
  - § **ANSI/TIA/EIA - 606 (A) -- The Administration Standard for the Telecommunications Infrastructure of Commercial Buildings**
  
  - § **ANSI/TIA/EIA - 607 (A) -- Commercial Building Grounding and Bonding Requirements for Telecommunications**
  
  - § **ANSI/TIA/EIA - 526-7 -- Measurement of Optical Power Loss of Installed Single-Mode Fiber Cable Plant.**
  
  - § **ANSI/TIA/EIA - 526-14A—Measurement of Optical Power Loss of Installed Multimode Fiber Cable Plant.**

**§ ANSI/TIA/EIA - 758(A) -- Customer-Owned Outside Plant  
Telecommunications Cabling Standard.**

**E. National Electric Safety Code (NESC)**

**F. National Fire Protection Agency (NFPA)**

**G. National Electrical Code (NEC)**

**H. Any Applicable State and Local Codes**

**If conflict exists between applicable documents, then the more stringent requirement shall apply. All conflict resolution must be approved by the NYS - UCS prior to installation.**