

**STATE OF NEW YORK**

**JUDICIARY**

**—REQUEST FOR BID—**

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

NYS OFFICE OF COURT ADMINISTRATION  
 CONTRACT & PROCUREMENT ADMINISTRATION  
 42 KARNER ROAD  
 ALBANY, NY 12205

Direct Inquiries to: Jeffrey Casper, Sr. Mgnt. Analyst  
 Telephone No.: (212) 428-2867  
 E-mail: [jcasper@courts.state.ny.us](mailto:jcasper@courts.state.ny.us)

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

PER ATTACHED SPECIFICATIONS

<b>Bid Number:</b> OCA/CP-180	<b>Commodity Group:</b>
<b>Opening Date:</b> October 15, 2010 <b>Time:</b> 3:00 P.M.	<b>Commodity Name:</b> COURTROOM RESTORATION

OFFICE OF GENERAL SERVICES "GENERAL SPECIFICATIONS" (DECEMBER 1998) ARE FULLY INCORPORATED HEREIN.

<p>Agency's Specification of item(s) Required                  (include quantities)</p> <p><u>UCS ATTACHMENTS I, III, AND IV ARE MADE A PART AND INCORPORATED HEREIN</u></p> <p>ESTIMATED QUANTITY TERM CONTRACT(S)                  FOR PRODUCTION OF CASE FILE &amp; MOTION JACKETS USED BY COURTS STATEWIDE.</p>	<p>Bidder's Quotation and Specific Description                  of Item Offered</p> <p>BIDDERS 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 bids for furnishing the item(s) in this Request for Bid will be received at the above address. When submitting a bid, you must:

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

3. Sign the bid. The bid must be completed in the name of the bidder (corporate or other) and must be fully and properly executed by an authorized person.

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

5. Mail the bid to the above agency address in sufficient time for it to be received before the specified bid opening. **LATE BIDS 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.

**BIDS 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 E-mail Address	

**DOCUMENT ENCLOSURE CHECKLIST**

\_\_\_ Fully executed Pricing Sheet: **The Bid Response Form must be included in bidder's response or it will be disqualified.**

The following documents must be fully executed and included in bidder's response. Failure to do so (including failure to provide the requested number of copies) may disqualify bidder's response:

- \_\_\_ UCS Request for Bid Form with original signature
- \_\_\_ Attachment I - Standard Request for Bid Clauses & Forms
  - p.3 - Non-Collusive Bidding Certificate
  - p.4 - Corporate Acknowledgment
- \_\_\_ Attachment III - Vendor Responsibility Questionnaire
  - paper questionnaire
  - questionnaire file online via OSC VendRep System
- \_\_\_ Attachment IV - Procurement Lobbying Forms
  - Disclosure of Prior Non-Responsibility Determination (UCS 420)
  - Affirmation of Understanding and Agreement (UCS 421)
  - Termination Clause (UCS 423)
- \_\_\_ Certificate of NYS Workers' Compensation Form (C-105.2) and Certificate of NYS Disability Benefits Insurance Form (DB-120), or the appropriate form showing proof of exemption. See the Workers' Compensation website for further information in obtaining these documents from your insurance carrier: [www.wcb.state.ny.us](http://www.wcb.state.ny.us) .
- \_\_\_ ACORD Certificate of Commercial General Liability Insurance.
- \_\_\_ Proof of at least three (3) years of experience providing similar service as required by the bid specifications (see - Qualification of Bidders).
- \_\_\_ List of at least three (3) references (names, contacts, addresses, phone numbers, emails)
- \_\_\_ Original bid response + three (3) complete copies
- \_\_\_ Signed Document Enclosure Checklist

NB: There is no Attachment II

**To be complete, a bidder's bid response must include ALL the above documents. This RFB/RFP Form must be submitted, executed where indicated below. All documents requiring an original signature must bear the BLUE INK signature of the same authorized individual. Signatory notarization must be that of the person whose signature is affixed to all required documents.**

Company Name: \_\_\_\_\_

Authorized Officer's Name and Title: \_\_\_\_\_

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

## GENERAL SPECIFICATIONS

### I. The RFB/RFP Process

#### Note to Bidders

#### 1. Attachment I - Standard Request for Bid Clauses & Forms and Attachment IV- Procurement Lobbying Law required forms

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, and Attachment IV - Disclosure of Prior Non-Responsibility Determination (UCS 420) as well as Affirmation of Understanding and Agreement (UCS 421) and Termination Clause (UCS 423) pursuant to the Procurement Lobbying Act, which must be downloaded or printed from the UCS Contract & Procurement website under "Addenda" for the appropriate solicitation, are incorporated and made a part of this solicitation.

#### 2. Attachment III - Vendor Responsibility Questionnaire

The NYS Unified Court System (UCS) is required to conduct a review of a prospective contractor to provide reasonable assurances that the vendor is responsible. The required Vendor Responsibility Questionnaire is designed to provide information to assist UCS in assessing a vendor's responsibility prior to entering into a contract with the vendor. Vendor responsibility is determined by a review of each prospective contractor's legal authority to do business in New York State, business integrity, financial and organizational resources, and performance history (including references).

Bidders are invited to file the required Vendor Responsibility Questionnaire online via the New York State VendRep System or may choose to complete and submit a paper questionnaire. To enroll and use the New York State VendRep System, see the VendRep System Instructions available at [www.osc.state.ny.us/vendrep](http://www.osc.state.ny.us/vendrep) or go directly to the VendRep System online at <https://portal.osc.state.ny.us>. For direct VendRep System user assistance, the OSC Help Desk may be reached at (866) 370-4672 or (518) 408-4672 or by email at [helpdesk@osc.state.ny.us](mailto:helpdesk@osc.state.ny.us). Vendors opting to file a paper questionnaire can obtain the appropriate questionnaire from the VendRep website [www.osc.state.ny.us/vendrep](http://www.osc.state.ny.us/vendrep) or may contact the Unified Court System or the Office of the State Comptroller for a copy of the paper form.

Bidders who file the Vendor Responsibility Questionnaire online via the OSC VendRep System are requested to checkmark the appropriate box on the Document Enclosure Checklist. If bidder files the Vendor Responsibility Questionnaire online, a paper copy is not required to be submitted with the bid. Bidders' authorized signature of the RRB/RFP Form will serve as confirmation that bidders have knowingly filed their questionnaire online if the paper questionnaire is not included with the bidder's submission.

#### 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.

**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 III - Vendor Responsibility Questionnaire (questionnaire may be filed electronically with OSC); Attachment IV - Disclosure of Prior Non-Responsibility Determinations UCS 420, Affirmation of Understanding and Agreement UCS 421 as well as Termination Clause UCS 423; and any other required documentation, brochures, etc. listed on the Document Enclosure Checklist. Complete the paperwork on the forms provided with this solicitation unless otherwise requested. Do not retype or amend any portion of this solicitation. Failure to provide all original documents and the requested number of copies may result in disqualification of a bidder's response.

**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:

Jeffrey Casper  
Senior Management Analyst  
Office of Court Administration  
25 Beaver Street Rm. 823  
New York, NY 10004

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

"Deliver immediately to Jeffrey Casper"  
"Sealed bid - Do not open"  
"OCA/CP-180 due October 15, 2010 at 3:00 p.m."

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 October 15, 2010 at 3 p.m. 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: Jeffrey Casper, 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/CP-180.

**Pre-bid conference:**

There will be a **Mandatory** pre-bid conference at the Dutchess County Courthouse, 10 Market Street, Poughkeepsie, NY 12601 at 11:00 a.m. sharp on October 6, 2010. At this time bidders will be given sufficient time to examine the floor, walls and furniture and take all necessary measurements. Court personnel will be present who will be able to answer site specific questions. Bidders will be able to examine the recently completed restorations of similar courtrooms in the courthouse, as this courtroom. Please advise of planned attendance by

4:00 pm on October 4, 2010 to Jeffrey Casper at [jcasper@courts.state.ny.us](mailto:jcasper@courts.state.ny.us).

### Questions:

Any and all questions bidders may have in connection with this solicitation are to be directed **by email only** to the attention of

Jeffrey Casper  
Email: [jcasper@courts.state.ny.us](mailto:jcasper@courts.state.ny.us)

Please indicate in "Subject" field: OCA/CP-180 Question(s)

The deadline to submit questions is October 4, 2010 before 4:00 pm. A written response to all submitted questions in the form of a Questions & Answers (Q&A) sheet will be provided at the pre-bid conference. A revised Q&A listing all the questions received and their answers, including new questions and answers handled at the pre-bid conference, will be posted on the UCS website at [www.nycourts.gov/admin/bids](http://www.nycourts.gov/admin/bids) in the addenda column for the appropriate solicitation, after the pre-bid conference. **No questions will be entertained after the pre-bid conference.**

**IMPORTANT:** All questions regarding this solicitation must be **in writing** and 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 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.

### 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.

### References

Bidders must submit with their bid response the names of at least three (3) client references (private, or governmental entities other than UCS) for whom bidder delivered similar services in the past **three** (3) years, including contact persons, telephone and fax numbers, and email addresses. At least one of the references must have been for work related to historical restoration or preservation.

### Rejected and Unacceptable Bids/Proposals

UCS reserves the right to reject any and all proposals or bids submitted in response to this solicitation. In addition, UCS may reject any bid/proposal from any bidder who is in arrears to the State of New York upon any debt or in the performance of any contract; or who has previously defaulted on any contractual obligation, (as vendor, surety or otherwise), or other obligation to the State of New York; or who has been declared not

responsible or disqualified by any agency of the State of New York; or who has any proceeding pending against them relating to the responsibility or qualification to receive or perform public contracts; or whose proposal is incomplete in any material respect .

OCA also reserves the right to reject any bidder: (i) whose facilities and/or resources are, in the opinion of OCA, inadequate, too remote from the UCS locations to render services in a timely manner in accordance with all requirements of this solicitation; (ii) who does not provide references in accordance with the bid specifications, or whose references report significant failure to comply with specifications; or (iii) who are otherwise, in the opinion of OCA, unable to meet specifications.

**Implied requirements:**

Products and services that are not specifically requested in this solicitation, but which are necessary to provide the functional capabilities proposed by the bidder, shall be included in the offer except as specified herein.

**Silence of specifications:**

The apparent silence of the specifications contained as a part of this package as to any detail or to the apparent omission of a detailed description concerning any point, shall be regarded as meaning that only the best commercial practices are to prevail. All interpretations of these specifications shall be made on the basis of this statement.

**Compliance with Laws**

Awarded contractor(s) must comply with all applicable federal, state and local laws, rules and regulations, including, but not limited to, fire, health and safety codes, prior to and during the provision of all services under the contract resulting from this RFB/RFP

**Responsible Bidder**

A bidder shall be defined as “responsible” in accordance with, but not limited to, references, past performance history, financial stability, the criteria set forth in paragraph 2 of the General Specifications (Attachment III- Vendor Responsibility Questionnaire), and the criteria set forth in the paragraph headed “Rejected and Unacceptable Bids/Proposals” as well as any other criteria necessary and reasonable to establish the bidder’s responsibility.

**Termination**

In the event of the termination of the contract, the UCS shall be obligated only for orders placed up to and including the effective date of termination. Early termination of the contract for cause may result in, among other consequences, including but not limited to all remedies available at law to UCS and New York State, the awarded contractor both being declared non- responsible by the UCS/OCA, pursuant to the UCS and Office of

the State Comptroller's guidelines on vendor responsibility and in the contractor's removal from the UCS/OCA's bidders list for future solicitations.

**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.

**Financial Stability**

Upon request by OCA, bidder shall provide its audited financial statements prepared in accordance with Generally Accepted Accounting Principles for the past three (3) consecutive years and a copy of its last three (3) annual reports.

**Insurance Requirements :**

Awarded contractor(s) shall be required to maintain during the term of the contract, at their own cost and expense, workers' compensation and disability benefits insurance coverage as required under NYS law. Each bidder must provide with its proposal proof of such workers' compensation and disability benefits insurance coverage or, if it is legally exempt from such coverage, proof of exemption. Bidder must obtain the appropriate Workers' Compensation Board forms from its insurance carrier or licensed agent, or must follow the procedures set forth by the Workers' Compensation Board for obtaining an exemption from coverage. A manual listing required forms and procedures may be obtained on the Workers' Compensation Board website at: <http://www.wcb.state.ny.us/content/main/Employers/IM.pdf>. Bidders without web access may contact the Workers' Compensation Advocate for Business office at (800) 628-3331 for additional information. Please note that an ACORD Certificate of Insurance is NOT acceptable proof of New York State workers' compensation or disability benefits insurance coverage. Only the proper forms as prescribed by the NYS Workers' Compensation Board shall be acceptable.

Commercial General Liability Insurance (bodily injury and property damage on an occurrence basis), contractual and products/completed operations liability coverage, and auto liability with minimum limits as follows:

Bodily Injury and Property Damage	\$1 million, per occurrence, \$2 million, aggregate
Personal Injury and Advertising:	\$1 million aggregate
Contractual and Products/ Completed Operations Liability	\$2 million aggregate
Auto Liability, Combined single limits	\$1 million

All insurance coverages shall be obtained from commercial insurance carriers licensed to do business in the State of New York and shall name UCS as an additional insured or loss payee as appropriate, and shall provide for at least thirty (30) days advance written notice to UCS of cancellation or non-renewal.

**Confidentiality**

Bidder acknowledges that any and all information, records, files, documents or reports contained in any media format provided to the bidder by the court, or which may be otherwise encountered by bidder shall be considered extremely confidential and shall be handled accordingly at all times. Neither the bidder nor any of its employees, servants, contractors, agents or volunteers shall at any time be permitted to utilize such confidential information for any purpose outside the scope of any resulting agreement without the express prior written authorization of the OCA. Any breach of this confidentiality by the bidder or by any of its employees, servants, subcontractors, agents, or volunteers may result in the immediate termination of any resulting agreement by the OCA and may subject the bidder to further penalties.

**Subcontracting**

If Bidder intends to subcontract any of the services or portion thereof required by the RFB/RFP, all subcontractors must be identified in bidder's proposal with a description of the services to be performed by the particular subcontractor.

Any changes in subcontractors by awarded contractor, will be subject to the prior written approval of OCA. The names must be submitted in ample time to permit acceptance or rejection of each proposed subcontractor by UCS/OCA without causing delay in the services required by this contract.

The awarded contractor will be the prime contractor and will be responsible for all services required by this RFB/RFP. The UCS will communicate only with awarded contractor and the awarded contractor shall remain wholly liable for the performance by and payment to any such subcontractors, their employees, agents, consultants or representatives.

## **Estimated Quantities**

Any requirements specified in this solicitation constitutes estimates only, and accordingly no commitment or guarantee to reach any specified volume of business is made or implied. The UCS does not guarantee that any specific number of components shall be serviced nor that any specific number of courts and administrative offices will participate.

**\* \* \* DETAILED SPECIFICATIONS \* \* \***

## **II. RFB # OCA/CP-180**

### **Purpose and Scope:**

The New York State Office of Court Administration (hereafter OCA), Contract and Procurement Unit (hereafter CP) is soliciting sealed bids for the purpose of the on-site refinishing of woodwork - the walls, floor and furniture of the second floor ceremonial courtroom (Courtroom 204A) of the Dutchess County Courthouse, 10 Market Street, Poughkeepsie, NY. This work must begin on or about November 15, 2010 and be completed by January 31, 2011.

### **Description of Project:**

Provide labor, materials and equipment required to undertake the on-site refinishing of all interior wood surfaces of the courtroom and vestibule area to include, walls, floors, trim, windows and other furniture items in the courtroom as specified below. The following breakdown identifies the nature of the work to be performed and the specific items to be restored to their original condition.

#### Wall Panels

1. Refinish courtroom trim, panels and woodwork (raised panels) on all the walls in the courtroom.
2. Refinish courtroom trim, panels and woodwork (raised panels) on all entry doors leading into the courtroom, including the vestibule area, and all interior doors inside the courtroom itself and the double entry main doors.
3. Refinish courtroom ornate spindles (approximately 282) on all hand rails before the bench, in the jury box and before the public area.
4. Refinish all railings and upright posts (approximately 21) around the bench area, the jury box and those before the public area.
5. Refinish trim, panels and woodwork on the seven large window frames inside the courtroom.
6. Refinish trim, panels and woodwork on the four support posts inside the courtroom.

#### Bench Area

1. Refinish trim, panels and woodwork on the ornate court clerk's desk, the judge's bench and the back panel behind the bench.

#### Vestibule

1. Refinish trim, panels and woodwork on walls and doors in the main vestibule area leading directly into the courtroom (see number 2 above).

Flooring

1. On site refinishing of the courtroom floor (southern yellow pine) and flooring in the vestibule leading immediately into the courtroom. This work will require the removal of or temporary relocation within the courtroom of: courtroom benches, tables, chairs and all similar items, which, at the discretion of the vendor, must be repositioned to satisfactorily perform the work.

**Note:** Pricing for the flooring is to be stated in square feet.

Wood Furniture

1. Refinish trim, panels and woodwork on one attorney table with three drawers and one attorney table with five drawers.
2. Refinish solid wood oak armchairs (approximately 35) and stain to natural color.
3. Refinish solid wood oak public benches (approximately 10) in the public area inside the courtroom.

**Note:** Pricing of the solid wood oak public benches is to be stated per linear foot. Pricing of all trim, panels, raised panels and woodwork is to be stated per square foot. Pricing for the two attorney tables is to be stated per table, and pricing for the armchairs is to be stated per chair. This work is to be completed on site in an environment to be maintained by the vendor, which is to be at all times suitable to the ongoing continuation of court operations throughout the rest of the courthouse.

**Project Specifications:**

1. Entire floor in room to be covered with tarps and sealed with painters tape to protect floors during restoration process. All trim to be sealed with painters tape to protect walls.
2. All furniture and woodwork to be inspected for structural damage and split or cracked panels. All components to be repaired with matching wood species, re-glued and reinforced as needed.
3. All furniture and woodwork to be chemically hand stripped using environmentally friendly products to remove green paint. Then all components are to be hand washed with chemical diluting solution to remove any chemical stripping residue.
4. All furniture and woodwork to be power and hand sanded to remove imperfections such as pen marks, scratches, cigarette burns, chips, dents, etc. All sanding systems to be 100% dustless and will contain all airborne dust particles. Any deep gouges are to be filled with a color matching fill that dries to a durable hard surface.
5. All furniture and woodwork to be hand stained using a water based, environmentally friendly stain to achieve a golden oak color. A uniform (non blotchy) color must be achieved to match the woodwork in the rest of the courthouse.
6. All furniture and woodwork to be sealed with an environmentally friendly water borne sealer which is to be hand applied. Once the sealer has dried and cured, all furniture and woodwork to be hand sanded with a fine grit sandpaper to achieve a smooth sealed surface on all components.
7. All furniture and woodwork to be finished with two coats of an environmentally friendly water borne finish and to be hand applied. After the first coat is applied and cured, all components must be lightly sanded and wiped with a tack cloth to remove any dust particles prior to final finish being applied.
8. Once final finish coat has dried and cured, all furniture and woodwork to be inspected to assure the restoration process has provided a consistent color and sheen.
9. All tarps and protective painters tape is to be removed and the entire room is to be cleaned and ready for

public use.

**Bid Response Format**

Bidder must submit a line item price quote that lists the specific work described in the above “Description of Project” (e.g., trim, panels and woodwork for seven large window frames ) and indicate the number of hours for the specific work, the hourly rate for the work and the total price for the specific work. For furniture, bidder must submit a price quote for the item that reflects the hourly rate for the item, the number of hours and the number of items. Bidder must sum each line item total by multiplying the hourly cost times the number of hours and then sum all line item costs and provide a complete total price for this project.

**Term of Award:**

Awarded contract will be for this single project subject to the approval of the New York State Comptroller.

**Method of Award:**

A single vendor will be awarded the project based on having submitted the lowest responsible cost for all work described in these specifications.