

**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 25 BEAVER STREET 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 RFB SPECIFICATIONS

---



---



---

<b>Bid Number:</b> OCA/RM-151 <b>Issue Date:</b> 05/18/2009	<b>Commodity Group:</b>
<b>Opening Date:</b> JUNE 8, 2009 <b>Time:</b> 3:00 P.M.	<b>Commodity Name:</b> MICROGRAPHICS SERVICES - APPELLATE RECORDS & BRIEFS

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

Agency's Specification of item(s) Required (include quantities)	Bidder's Quotation and Specific Description of Item Offered
<b>UCS ATTACHMENT I, III and IV ATTACHED &amp; INCORPORATED HEREIN.</b>	<b>ALL BID RESPONSES MUST BE ENTERED ON THE ENCLOSED BID RESPONSE FORM UNLESS SPECIFIED OTHERWISE HEREIN.</b>

**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:

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 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 <b>Email:</b>	

**DOCUMENTS ENCLOSURE CHECKLIST**

\_\_\_\_\_ Bid Schedule/Exhibit A (2 pages) must be included in bidder's proposal. Failure to do so will immediately disqualify bidder's response.

The following documents must be fully executed and included in bidder's proposal. Failure to do so may disqualify bidder's response:

- \_\_\_\_\_ UCS Request for Bid Form with original signature
- \_\_\_\_\_ Attachment I, p.3 - Non-Collusive Bidding Certificate
- \_\_\_\_\_ Attachment I, 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)
- \_\_\_\_\_ Proof of workers compensation and disability benefit insurance coverage under NYS law (please check Workers Compensation Board's website at [www.wcb.state.ny.us](http://www.wcb.state.ny.us))
- \_\_\_\_\_ List of at least three (3) references (names, contacts, addresses, phone numbers, emails)
- \_\_\_\_\_ Original bid response + five (5) complete copies
- \_\_\_\_\_ Signed Documents Enclosure Checklist

NB: There is no Attachment II

**To be complete, a bidder's bid response must include ALL the above documents. 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. 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 and its Attachment A; 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.

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/Office of Records Management (hereafter “OCA/ORM”) 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

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

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/RM-151 due June 8, 2009 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 June 8, 2009 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/RM-151.

**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.**

**Compliance with Laws**

Awarded contractor(s) must be compliant with all applicable federal, state and local laws, rules and regulations prior to and during the provision of all services under the contract resulting from this RFB/RFP. Awarded contractor(s) must provide proof of workers compensation and disability benefits insurance coverage under NYS law with its proposal or, if it is exempt from such coverage, proof of exemption.

**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

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

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.

**Rejected and Unacceptable Bids/Proposals**

The OCA/ORM reserves the right to reject any and all proposals or bids submitted in response to this solicitation. In addition, OCA/ORM 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, who have any proceeding pending against them relating to the responsibility or qualification of the bidders to receive public contracts or who are found to be non-responsible based on any of the criteria specified in the section headed 'Responsible Bidder'.

**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.

**Responsible Bidder**

A bidder shall be defined as "responsible" in accordance with, but not limited to, references, past performance history, financial stability, compliance with this RFB's general and detailed specifications, 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.

**Liability Insurance**

Bidder must include with its response a certificate documenting that it has commercial general liability insurance coverage for at minimum, the coverage limits listed below or greater if required by applicable law, from an insurance company licensed to do business in New York State. The awarded contractor will be required to maintain such insurance in force throughout the term of the contract. Contractor's commercial general liability

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

insurance policy must name UCS as an additional insured and be primary insurance with respect to UCS.

**Required Coverage:**

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 pe occurrence	\$1,000,000

**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/ORM. 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/ORM and may subject the bidder to further penalties.

**Subcontracting**

The awarded contractor(s) shall not subcontract any portion of their work without the knowledge and prior written approval of the OCA/ORM.

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 the OCA/ORM considers reasonable and necessary.
2. All proposed subcontractors must be identified in bidder's proposal and any additions and/or changes shall be subject to the approval of OCA/ORM prior to engagement by contractor and any such approved subcontractor shall be held to the same performance standards as awarded contractor.

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

3. The OCA/ORM will communicate only with awarded contractor and the awarded contractor shall remain wholly liable for the performance of any such subcontractor, its employees, agents, consultants or representatives. The names must be submitted in ample time to permit acceptance or rejection of each proposed subcontractor by OCA/ORM without causing delay in the services required by this contract.

**Questions**

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

Marie-Claude Ceppi  
Email: [Mceppi@courts.state.ny.us](mailto:Mceppi@courts.state.ny.us)

Please indicate in "Subject" field: OCA/RM-151 Question(s)

The deadline to submit questions is **May 27, 2009 at 5:00 pm**. No questions will be entertained after this deadline. All questions will be answered in writing. A Questions & Answers (Q&A) listing all the questions received and their answers will be posted on the UCS website at [www.nycourts.gov/admin/bids](http://www.nycourts.gov/admin/bids).

**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 Office of Records Management 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.

**II. RFB# OCA/RM-151 Micrographics Services: Appellate Records and Briefs**

**Purpose and scope**

The NYS Office of Court Administration/Office of Records Management (hereafter, OCA/ORM), is seeking sealed bids from contractors for microfilming the records and briefs of the New York State Appellate Divisions as well as related services as described herein. OCA/ORM does not guarantee a minimum number of cases or images. However it is the intention of this bid process to identify a contractor capable of handling the volume of images generated, as specified in the paragraph headed 'Method of Award' below and producing archival quality film meeting the technical specifications presented herein.

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

**Contract period**

A single contract will be awarded for an initial term of two (2) years with three (3) one-year renewals. OCA/ORM shall also have the option to extend the contract for a maximum of one hundred and eighty (180) days after either the initial term or the last renewal term exercised by UCS/OCA. The renewal term and the extension period shall be optional at the sole discretion of OCA/ORM and shall be upon the same terms and conditions as the initial term including pricing.

**Method of award**

Award will be to the lowest responsible bidder who has a demonstrable record of producing quality microfilm or fiche at a level of approximately 2.5 million images per year that meet UCS microfilming requirements pursuant to Records Management Policy #3, revised March 2009 - Exhibit C - and Policy #9 - Exhibit G - whose facilities pass OCA/ORM inspection and who is capable of meeting the additional requirements presented herein.

**Records Management Policies #3 and #9**

The UCS Records Management Policy #3 and Policy # 9 are attached and incorporated herein and are available for download or printing at [www.nycourts.gov/admin/recordsmanagement](http://www.nycourts.gov/admin/recordsmanagement) under Policy # 3 - Micrographics Guidelines - and Policy # 9 - Guideline for Electronic Records. **Bidder is required to comply with Policies #3 and #9, as well as with any of the other UCS Records Management policies as they may be applicable.**

**Pricing**

All pricing submitted pursuant to the solicitation shall be net and include all costs for the performance of the services described herein. Additionally, pricing shall be submitted only on, and in the format prescribed by, the Bid Schedule/Exhibit "A". Unless specified otherwise herein, all prices shall remain firm throughout the contract period and any subsequent renewal or extension thereof.

Enter NC (no charge) for materials and services which the bidder will supply without additional separate charge.

**Bidder's/Contractor's Facility(ies):**

For purposes of bid evaluation, **bidder's** proposed facilities shall be available for inspection. Subsequent to award, **contractor's** facilities shall be made available for periodic inspection upon request.

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

**Court/Agency Records:**

All records and materials described herein are the official records of the NYS Unified Court System and shall be immediately produced upon demand.

**Contractor Contact:**

Contractor shall designate a staff member to act as primary contact for the OCA/ORM, or courts, with respect to contract performance.

**Preparation of records:**

Each court location will be responsible for preparing all records for microform generation. The records to be processed will be packed in standard size shipping cartons (see below). The carton and contents shall be identified by the respective court in a manner mutually determined between the awarded contractor and the OCA/ORM.

**Packing/shipping cartons:**

**Upon request**, awarded contractor will be required to provide each location with sufficient quantities of standard size cardboard cartons for the packing and shipping of the court's documents.

Bidder to indicate **delivered cost of empty carton(s) (bundles of ten [10])** on Bid Schedule/Exhibit "A". **Note: At all times the respective court may secure such cartons from other sources.** Price of cartons supplied by contractor to remain firm for initial two (2)-year contract period. Applicable only to renewal/extension period(s), documented increases in contractor's cost of cartons may be allowed subject to review/acceptance of OCA/ORM and other review agencies.

**Delivery of original silver & diazo copy:**

Original microfiche (silver) are to be sent to:  
Customer Service  
Iron Mountain  
National Underground Storage  
1137 Branchton Road  
Boyers, PA 16020

And the diazo copies are to be delivered per the Records and Briefs Distribution List/Exhibit "D." Bid prices for each are to be net, delivered prices as noted on the Bid Schedule/Exhibit "A". After completion of the archival testing, the awarded vendor shall deliver the silver original either to the Court or to a third party storage location.

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

**Emergency retrieval**

It is occasionally necessary for a court to require immediate (within 24 hours) retrieval of a certain original record or records after release to the contractor, but prior to fiche generation. Should it become necessary to do so, contractor shall indicate in their response by what delivery method such requests will be handled and charge(s) therefor.

**Destruction of documents**

After the respective court accepts a film which has been tested by an independent laboratory and the Office of Records Management has approved that court's Request for Records Destruction including the successful testing results per UCS Policy # 3, then, at the sole discretion and direction of the respective court or OCA's Office of Records Management, the contractor shall be responsible for the destruction of the original documents by shredding or incineration. Contractor shall be required to execute an appropriate affidavit as to the destruction of said documents. Bidders are to indicate cost per pound, if any, for this service.

**Responsive bids**

**To be responsive, the bidder must satisfy all requirements of this RFB's general and detailed specifications and each and every one of the following:**

1. Bids shall be accompanied by two (2) sample negative-silver fiche which are to be prepared from the material included in Sample Record & Brief/ Exhibit "B", and two (2) diazo copy fiche of the silver sample. The samples shall meet or exceed all technical specifications described in the Records Management Policy #3.0 - Micrographics Guidelines, January 2, 1991, revised March 2009 (Exhibit "C")
2. The contractor shall have available a storage facility which is adequate in the opinion of the OCA/ORM. Please refer to the Office of Records Management' Essential Components of an Efficient Records Storage Facility/Exhibit "H" on its website at [www.nycourts.gov/admin/recordsmanagement/pubs\\_training/essential-comp-rec-storage.pdf](http://www.nycourts.gov/admin/recordsmanagement/pubs_training/essential-comp-rec-storage.pdf). The UCS/ORM reserves the right to inspect bidder's storage facility and to conduct another inspection(s) of the awarded contractor's storage facility to determine its suitability. The UCS/ORM also reserves the right to reject any bidder whose facilities and/or resources fail to meet the guidelines of the Essential Components of an Efficient Records Storage Facility/Exhibit "H".  
The facility will be used to store the paper during the conversion process and prior to release for disposition.

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

3. A sample of the database design together with a description of the fields and the software to be used to create the linking tool described in the technical specifications.
4. Proprietary information should be marked as such and it should be provided in a folder separate from the bid's response. Proprietary information is not subject to FOIL and will be kept confidential.
5. The contractor shall provide a written description of a satisfactory in-place disaster recovery program providing specifically for no cost microfilm restoration services in the event of water damage, or other recoverable damage to original microfiche while in transit, or in storage.

**TECHNICAL SPECIFICATIONS:**

**I GENERAL**

1. The Contractor shall maintain at all times appropriate operating and storage facilities to perform in accordance with the terms and conditions of this specification.
2. Microfiche is to be formatted in accordance with the Technical Specifications herein and include certification information.
3. All work with respect to micrographics document reproduction shall be completed and delivered to the distribution points listed in Exhibit "D" within sixty (60) business days from the date of the receipt by the contractor. In computing time periods under this clause, the day of receipt by the Contractor shall not be counted.
4. Upon receipt of a signed copy of the Office of Court Administration Records Disposition Request/ Exhibit "F", documents may be forwarded for imaging. If the records are not sent to be imaged, the Contractor may dispose of them. The Contractor will supply OCA's Micrographics Coordinator with a disposition record indicating date, method and list of records disposed within thirty (30) days of request by the Court. Upon contractor's receipt of a signed Records Disposition form, documents may be disposed in such manner as to insure the security and confidentiality of the information contained therein. The only two acceptable methods are witnessed destruction by shredding or incineration for all records (See paragraph "Destruction of Records".)

## **II DETAILS FOR FICHE**

**FILE NAME:** Records and Briefs.

**DOCUMENT SIZE:** 8½ X 11 inches. Any larger sizes may be photocopied to 8½ x 11 inches.

**CONDITION:** Adhesive bound booklets, bindings to be cut by vendor. Documents are white bound paper with some onion skin mixed in. Approximately 50% of the documents are double sided. All paper is in good to excellent condition. The annual volume is approximately 2.5 million.

**PREPARATION:** The vendor shall be responsible for file preparation for camera ready status. The pages shall be in order and correctly aligned.

**FINAL FORMAT:** Microfiche, 148mm x 105mm, 98 frames made up with 14 column x 7 rows (ANSI/AIIM MS5). Index frame is not required. Each case begins on a new fiche with appropriate headings and targets (see requirements sec.8).

**CONTRACTOR:** The prime contractor shall have complete in-house capability to perform all the operations (camera, processing, quality control, duplicating, etc.) as specified herein. Any operation or portion of an operation may be subcontracted only with the prior written permission of the Unified Court System (see paragraph "Subcontracting".)

### **REQUIREMENTS:**

1. **REDUCTION RATIO:** 24x
2. **BACKGROUND DENSITY RANGE, CAMERA FILM:** 0.90 to 1.20 (preferably 1.0) measured as visual diffuse transmission density. Readings are to be from top to bottom and corner to corner, with a variance of no more than 0.05 on any single document. Background density applies to all images. The density target paragraph 8e, is intended for control and guidance purposes only.
3. **BASE PLUS FOG (Dmin):** Base plus fog shall not exceed 0.06 measured as visual diffuse transmission density.
4. **RESOLUTION:** The 5.0 pattern, or better, shall be resolved in all charts in both directions.
- 4.1 Resolution on duplicate film should be no less than one step under the original camera film.

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

5. **CAMERA FILM:** 105mm, .5 mil thick, un-perforated polyester, high contrast (gamma 3.0 to 4.0), panchromatic, safety film (ANSI IT9.1 1989).
6. **IMAGE ORIENTATION:** Comic mode.
7. **FILM PROCESSING AND HANDLING:** All silver halide film processing shall be monitored for archival quality in accordance with ANSI IT9.1 or latest revision thereof. A sample of clear film shall be subjected to the methylene blue test method for residual thiosulfate as outlined in ANSI PH4.8 latest revision thereof. **The test must be performed by an independent test laboratory.** The awarded vendor shall notify the UCS/ORM in writing of the independent test laboratory's name and address and the UCS/ORM shall approve in writing the selection of such laboratory prior to any archival testing being conducted.

The processors used for this program shall be tested weekly. Copies of the archival certificate shall be forwarded to the Unified Court System. Film that fails to meet archival standards may be re-washed within seven calendar days after processing and shall be retested. Inasmuch as testing is being done on a sampling basis, a test failure will require the re-washing and testing of all rolls of film in the untested batch that preceded and followed the failed sample.

8. **SEQUENCE OF MATERIAL ON FICHE:**
  - a. Program Name/Content Target/Reduction Ratio;
  - b. Customer Name and Address;
  - c. Vendor Name and Address, Date Filmed, Film Manufacturer & type;
  - d. Certification Target signed by the camera operator, (a through d may be combined onto one target);
  - e. Density Target (the optimum density target is a full frame image, using blank paper that matches the data base in color and reflectance density. Every effort should be made to utilize a blank sheet from the actual data base. In the event this is not available, a clean blank matching color, twenty pound sheet, may be substituted);
  - f. Resolution Target;
  - g. Begin File Target;
  - h. Defect targets: All defects or irregularities are to be targeted. The targets are to be positioned as pages indicating the defect:  
Typical targets:
    - MISSING PAGE
    - TEXT OBLITERATED

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

- TORN PAGE(S)
- ILLEGIBLE COPY

- i. **END OF CASE TARGET:** After last page of file is photographed, target should be inserted.
9. **RETRIEVAL ORDER:** Following the resolution target (see par.8 f), the file shall be filmed in case number order. One or more microfiche per case. Each new case begins on a new fiche.
10. **HEADING INFORMATION:** The following information shall be machine printed and photographically imposed on the heading area of each microfiche. Two lines of title information shall be printed as follows (Exhibit "E" Heading Information for Microfiche):

Fiche I/D Number      Case Title (70 Characters Maximum)  
Line 1                      Line 1

Case Number    R&B NYS Sup Ct    Dist #                      Arg Date    Number of Fiche  
Line 2                      Line 2                      Line 2                      Line 2                      Line 2

11. **FILM DUPLICATES:** The number of copies required varies by Appellate Division Department and is as follows:
- |               |           |
|---------------|-----------|
| Department 1, | 23 Copies |
| Department 2, | 24 Copies |
| Department 3, | 33 Copies |
| Department 4, | 26 Copies |

These are estimated numbers. During the course of the contract, requests may be made for fewer copies.

(It is the vendor's responsibility to distribute the copies to the Appellate Division and New York State libraries by mail. See Exhibit "D" for full distribution list)

Type: Diazo

Base: Polyester, 4 mil thick

Size: 105mm x 148mm

Bar-gamma range: 1.10 to 1.49

Dmax range: 1.50 to 1.80

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

Dmin range: Burn-out density plus 0.05 to 0.09

example: a typical burn-out density of 0.05 should result in a Dmin of 0.10 to 0.14.

Background density (visual diffuse transmission) :

negative appearing  $1.1 \pm 0.20$

TITLE BACKING: White

1 additional copy with clear title backing to be sent to:

Mr. Hayward Wilson  
OCA Micrographics Unit  
346 Broadway - Rm 204  
New York, NY 10013

12. **EMULSION ORIENTATION:** Emulsion shall be identified and/or oriented as specified in ANSI/AIIM MS14 for sheet film microfiche.

13. **PACKAGING:** Silver Original Film - Microfiche shall be delivered to the Office of Court Administrations film storage facility, 6 months following the delivery of the copies to the law libraries, in acid free fiche envelopes w/slip sheets in acid free micro boxes.

Diazo Copies - Microfiche shall be delivered to the law libraries in acid free fiche envelopes in cardboard boxes. All deliveries must be accompanied with a manifest list (see Exhibit "I") of all cases to include:

1. Fiche identification number
2. Case number
3. Title of case
4. County
5. Court
6. All briefs filmed
7. Number of fiche
8. Number of images
9. Argument date

13.1 **CONFIDENTIAL RECORDS:** Designated confidential records shall be separated from all other files, and microfilmed, producing original and one duplicate, in accordance with the specifications for each. The duplicate set shall be returned to the initiating Appellate Court **ONLY**, with a

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

packing list as described above. The other original microfiche shall be interfiled with all other original microfilm.

14. **DOCUMENT FLATNESS:** Folded and rolled documents shall be filmed absolutely flat and shadow-free. The bottom surface of each document shall be totally in contact with the camera copy board working surface.
15. **WORKMANSHIP OF CAMERA MICROFILM AND DUPLICATES:** Each frame of microfilm shall be exposed and processed so that every line and character on the document appears on the microfilm. Film shall be free of scratches, holes in the emulsion or base, tears, finger marks or any other defect that might adversely affect quality.
16. **INSPECTION:** Each roll of microfiche shall be inspected by the filming activity for compliance with the requirements herein. As a minimum, each roll of film shall be inspected for resolution, density, processing quality and general workmanship.
17. **VENDOR FACILITIES:** Microfilm production facilities shall be subject to inspection and approval by representatives of the UCS to insure that the facilities are properly equipped to meet the film and inspection requirements specified herein.
18. **FILE INTEGRITY:** Unless otherwise specified the documents shall be maintained in existing file order before, during and after the filming. File material shall be returned to the original storage containers in the same manner that existed before filming. Corrections to file order resulting from preparation for camera shall be maintained in the subsequent re-filing. Fasteners (staples, clips, tape, etc.) removed in preparation should not be restored. File integrity must be carefully checked before filming retakes to insure proper document order.
- 18.1 No documents shall be disposed of or destroyed prior to receiving written authorization as per Exhibit "F".
- 18.2 All documents shall be stored by contractor for the entire period, from receipt of Records & Briefs until final disposition, which disposition shall take place no earlier than six months after distribution of copies to the Appellate Division and various New York State libraries and shipment of the original microfiche to the designated film storage facility by the contractor.

### **III DESCRIPTION OF DATA BASE REQUIREMENTS**

1. Fiche identification numbers must be tied to the official case name and citation. Since the documents are sent for filming prior to assignment of an official case name and citation in many instances, the linking information will not be available immediately.
2. However, the vendor shall create a database consisting of the following fields: plaintiff, defendant, opinion date, department, fiche ID number, and official citation for each year. The bid response should contain a description of the software. Preliminary information will be obtained from the packing slips. The Office of Records Management will quality control the database and correct information pursuant to Official Reports.
3. The vendor will be required to provide one electronic and one paper version of the database sorted by plaintiff-defendant and official citation on a quarterly basis to each of the Appellate Division and various New York State libraries designated to receive fiche after the quality control process and shall be clearly identified as an interim tool.
4. A final index will be created in cooperation with the OCA Office of Records Management. The vendor will be responsible for the publication process of the final version including printing and mailing. The final index will be sent to the UCS Appellate Division and various New York State libraries who receive copies, with eight (8) copies to the Office of Records Management.

### **IV ELECTRONIC BRIEFS**

The awarded vendor will be required to create digital documents (Electronic Briefs) from the paper version of the briefs provided by the Appellate Divisions on an as-is basis.

#### **Electronic Briefs**

The awarded vendor shall provide OCA/ORM with one unredacted copy of every electronic brief. All electronic briefs provided to UCS shall be in a searchable PDF format the size and configuration of which shall be agreed to by the parties within the parameters of Policy # 9.

The estimated annual volume of electronic briefs is three (3) million with corresponding meta data.

#### **Electronic Briefs and Meta Data Files**

For electronic briefs the awarded vendor shall also provide OCA/ORM with an associated meta data file containing the name of the case for which the brief was submitted. Meta data files will be similar to other configuration files, and will be named in a manner that will facilitate correlation with the file containing the brief.

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

The electronic briefs provided to OCA/ORM shall comply with all ANSI/NISO and UCS standards for the applicable medium that are in effect at the time of processing, and shall not contain any markings that would prevent UCS from using the document as its record copy.

**List of Exhibits**

- Exhibit A Bid Schedule
- Exhibit B Sample Record & Brief
- Exhibit C Records Management Policy # 3 at [www.nycourts.gov/admin/recordsmanagement](http://www.nycourts.gov/admin/recordsmanagement)
- Exhibit D Records & Briefs Distribution List
- Exhibit E Heading Information for Microfiche
- Exhibit F Records Disposition Request
- Exhibit G Records Management Policy #9 at [www.nycourts.gov/admin/recordsmanagement](http://www.nycourts.gov/admin/recordsmanagement)
- Exhibit H Essential Components of an Efficient Records Storage Facility at [www.nycourts.gov/admin/recordsmanagement/pubs\\_training/essential-comp-rec-storage.pdf](http://www.nycourts.gov/admin/recordsmanagement/pubs_training/essential-comp-rec-storage.pdf)
- Exhibit I Manifest List

Hard copies of Exhibits will be mailed to bidders upon written request by email to Marie-Claude Ceppi.

**OCA/RM-151  
MICROGRAPHICS SERVICES  
APPELLATE RECORDS & BRIEFS**

**BID OPENING: JUNE 8, 2009  
3:00 PM**

THIS PAGE INTENTIONALLY LEFT BLANK