

STATE OF NEW YORK

JUDICIARY

—REQUEST FOR BID/PROPOSAL—

NYS Office of Court Administration Contracts & Procurement Unit 25 Beaver Street, R-850 New York, NY 10004 (Agency Name and Address)
Direct Inquiries to: Marie-Claude Ceppi E-Mail: mceppi@nycourts.gov

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

PER ATTACHED RFP/RFB SPECIFICATIONS

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

Number: OCA/AS-206 Issue Date: June 3, 2015	Commodity Group:
Opening Date: June 24, 2015 Time: 3:00 p.m.	Commodity Name: Xerox Replacement Cartridges for HP and Xerox Devices

OFFICE OF GENERAL SERVICES "GENERAL SPECIFICATIONS" (JANUARY 2004) ARE FULLY INCORPORATED HEREIN.

Agency's Specification of item(s) Required (include quantities) UCS ATTACHMENTS I, III AND IV ARE ATTACHED & INCORPORATED HEREIN.	Bidder's Quotation and Specific Description of Item Offered BIDDERS ARE TO SUBMIT ALL REQUIRED DOCUMENTATION AND PRICING IN THE FORMAT PRESCRIBED BY THE ATTACHED RFP/RFB SPECIFICATIONS.
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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/Proposal 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/proposal. The bid/proposal 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/PROPOSAL NUMBER, THE OPENING DATE AND TIME ON THE ENVELOPE CONTAINING THE SEALED RESPONSE.

5. Mail the bid 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		
		NYS Vendor ID #		
Address Street	City	State	Zip	
Bidder's Signature		Official Title		
Printed or Typed Copy of Signature		Area Code/ Telephone Number	Email	

TABLE OF CONTENTS

DOCUMENT ENCLOSURE CHECKLIST

I. DETAILED SPECIFICATIONS

Purpose and Scope
Term of Award
Method of Award
Questions
Packaging, Identifying and Delivering of Bids/Proposals
No-Bids
Bidders Qualifications
Pricing/Compensation
Order Communication
Purchase Orders and Shipping of Cartridges
Subcontracting

II. TECHNICAL SPECIFICATIONS

Cartridges: Description, Part Numbers and Estimated Quantities

III. THE RFB/RFP PROCESS: GENERAL SPECIFICATIONS

Note to Bidders

1. Attachment I - Standard Request for Bid Clauses & Forms, and Attachment IV- Procurement Lobbying Law Required Forms (Attachment II is not applicable.)
2. Attachment III - Vendor Responsibility Questionnaire
3. New York State Vendor File Registration

Online RFB/RFP Package: Disclaimer

Bid Response/Proposal: Original and Copies

Binding Nature of Bid/Proposal on Bidders

Estimated Quantities

Compliance with Laws

Independent Contractor Status

Rejected and Unacceptable Bids/Proposals

Responsible Bidder

TABLE OF CONTENTS (Cont.)

Clarification/Correction of Bids/Proposals
References
Indemnity
Insurance Requirements
 1. Workers' Compensation and Disability Benefits Insurance
 2. Commercial General Liability Insurance
Confidentiality
Confidential/Proprietary Information
Financial Stability
Termination
Implied Requirements
Silence of the Specifications

BID RESPONSE FORM (4 pages)

DOCUMENT ENCLOSURE CHECKLIST

____ Bid Response Form **must be fully executed and 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/Proposal Form with original signature
- ____ Attachment I - Standard Request for Bid Clauses & Forms
 - p.3 - Non-Collusive Bidding Certificate
 - p.4 - Corporate Acknowledgment
- ____ Attachment II - Not Applicable
- ____ Attachment III - Vendor Responsibility Questionnaire
 - Paper questionnaire attached, or
 - Questionnaire filed online via OSC VendRep System and certified within 6 months of the bid opening date
- ____ Attachment IV - Procurement Lobbying forms
 - Disclosure of Prior Non-Responsibility Determination (UCS 420)
 - Affirmation of Understanding and Agreement (UCS 421)
 - Termination Clause (UCS 423)
- ____ Certificates of NYS Workers' Compensation and NYS Disability Benefits Insurance, or Certificate of Attestation of Exemption. Please see paragraph "Insurance Requirements" for a list of accepted forms.
- ____ Copies of bidder's certificate(s) of insurance or other adequate proof evidencing the insurance coverage required by the bid specifications
- ____ List of at least three (3) references (names, contacts, addresses, phone numbers, emails)
- ____ Original bid response + three (3) complete copies
- ____ Signed Documents Enclosure Checklist

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.

The REQUEST FOR PROPOSAL FORM AND ALL OTHER FORMS LISTED ABOVE MUST BEAR THE SAME COMPANY NAME AND TAX ID NUMBER. The NYS Office of the State Comptroller requires that the name of the bidder signatory to the contract match the bidder's name on ALL forms.

Company Name: _____
Authorized Officer's Name and Title: _____

Signature: _____ Date: _____

I. DETAILED SPECIFICATIONS

Purpose and Scope

The New York State Unified Court System, Office of Court Administration (hereafter "UCS/OCA") is soliciting sealed bids to purchase Xerox Replacement Cartridges for HP and Xerox devices.

Term of Award

The initial term of the contract shall be three (3) years. It is estimated that the contract will commence on or about September 1, 2015. UCS/OCA shall have the option to renew the awarded contract for two (2) additional one-year terms (Renewal Terms) upon the same terms and conditions, except pricing. The awarded contract and the Renewal Terms are subject to the approval of the Office of the New York State Comptroller.

Method of Award

A single contract will be awarded to the lowest dollar cost, responsible bidder determined to be in compliance with this RFB and specifications. Lowest dollar cost is defined as the "Grand Total Cost for the Initial 3-Year Term" of the contract, as indicated by bidders in the Bid Response Form.

Bidder must bid on ALL cartridges or it will be disqualified.

Questions

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

Marie-Claude Ceppi
mceppi@nycourts.gov

Please indicate in "Subject" field: OCA/AS-206 Question(s).

The deadline to submit questions is **June 10, 2015** before 5:00 pm. No questions will be entertained after this deadline. A written Questions & Answers (Q&A) listing all questions received and their answers will be posted on the UCS website at www.nycourts.gov/admin/bids in the Addenda column for the appropriate solicitation and mailed to the bidders list a couple of days after this deadline.

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

OCA/AS-206
XEROX REPLACEMENT CARTRIDGES
FOR HP DEVICES

BID OPENING: JUNE 24, 2015
3:00 PM

jeopardize the respective bidder's standing and may cause rejection of its proposal.

Packaging, Identifying and Delivering of Bids/Proposals

Bids/Proposals must be **clearly addressed and submitted** to:

Marie-Claude Ceppi
Management Analyst
NYS Office of Court Administration
25 Beaver Street, Room 850
New York, NY 10004

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

"Deliver immediately to Marie-Claude Ceppi"
"Sealed bid - Do not open"
"OCA/AS-206 due **June 24, 2015**, 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 24, 2015 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/AS-206. Bidders may send the no-bid letter by email to mceppi@nycourts.gov.

Bidders Qualifications

The awarded contractor must be able to accept and shall be required to produce any orders placed within the contract period.

Pricing/Compensation

All pricing submitted pursuant to this solicitation shall include the cost of shipping cartridges to the Criminal Court of the City of New York (see address under paragraph "Purchase Orders and Shipping of Cartridges.")

No additional charges will be allowed. Pricing shall be submitted only on, and in the format prescribed by, the Bid Response Form. Bidder must quote pricing on a cost per unit (a unit is defined as a cartridge) and compute all price extensions listed in the Bid Response Form. In the event of a bidder's miscalculation, the unit price will prevail the UCS reserves the right to make mathematical corrections based on unit price(s.) Bidder must bid on ALL cartridges or it will be disqualified.

Pricing will remain unchanged for the initial three (3)-year term of the contract. Prices may be increased for the first Renewal Term only. Any such Renewal Term price increase (i) shall not exceed the percentage increase in the Consumer Price Index for All Urban Consumer - New York-Northern NJ - Long Island - NY-NJ-CT-PA (Index 1982-1984 - 100) - NSA (Not Seasonally Adjusted) at the end of the first 30 months of the term over the CPI as of the commencement date of the initial term, and (ii) shall be subject to a maximum increase of five percent (5%). Prices shall thereafter remain unchanged.

Contractor shall deliver written notice containing proper documentation supporting any proposed price increase to UCS at least one hundred and eighty (180) days prior to the scheduled commencement date of the first Renewal Term, or UCS reserves the right to deny such request for a price increase.

Order Communication

Any and all corrections, changes, clarifications to a purchase order issued by OCA shall be in the form of a "Change of Purchase Order." All questions and clarification sought by the awarded vendor must be sent in writing by email to the Director of Central Services, Criminal Court and Civil Court of the City of New York. The Director's email address will be provided to the awarded vendor.

Purchase Orders and Shipping of Cartridges

Purchase orders will be placed as needed.

Orders placed shall be shipped as soon as possible but no later than five (5) business days from the date of vendor's receipt of a purchase order.

Shipping will be made to the following address:

Criminal Court of the City of New York
Civil Court of the City of New York
Central Services
3300 Northern Boulevard – 6th Floor
Long Island City, NY 11101
Attn: Director of Central Services

Additional locations may be added over the life of the contract. Deliveries to such additional locations

would be within New York City’s five boroughs.

Subcontracting

Subcontracting and any other transfer of any duties or obligation to be performed hereunder will be permitted only with the prior written consent of UCS to the proposed subcontractors. In the event that bidder proposes to use one or more subcontractors, the specific subcontractors and the services proposed to be performed by such subcontractors, must be listed in bidder’s proposal. If a bidder that proposes to use one or more subcontractors is awarded the contract, the award will constitute the prior written approval of UCS to the subcontractors named in the bidder’s proposal.

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.

II. TECHNICAL SPECIFICATIONS

Cartridges: Description, Part Numbers and Estimated Quantities

Cartridges	Annual quantity	3-year quantity
Xerox Compatible Black Toner Cartridge (CB436A) for HP LaserJet P1505 and M1522 Series - 6R1430 Part Number: 006R01430	31	93
Xerox Compatible Black Toner Cartridge (CC364X) for HP LaserJet P4015 Series, P4515 Series - 6R1444 Part Number: 006R01444	145	435
Xerox Compatible Black Toner Cartridge (CE278A) for HP LaserJet P1606, M1536, P1566 - 106R2157 Part Number: 106R02157	20	60
Xerox Compatible Black Toner Cartridge (CE505X) for HP LaserJet P2055 Series - 6R1490 Part Number: 006R01490	80	240
Xerox Compatible Black Toner Cartridge (Q2612A) for HP LaserJet 1012, 1018, 1020, 1022, 3015, 3020, 3030, 3050, 3052, 3055, M1319f - 6R1414 Part Number: 006R01414	32	96

OCA/AS-206
 XEROX REPLACEMENT CARTRIDGES
 FOR HP DEVICES

BID OPENING: JUNE 24, 2015
 3:00 PM

Xerox Compatible Black Toner Cartridge (Q7551X) for HP LaserJet P3005/M3027mfp/M3035mfp - 6R1388 6R1388	185	555
Xerox Replacement Cartridge for HP LaserJet 1320/3390 Series Printers (Q5949X) - 6R1320 Part Number: 006R01320	70	210
Xerox Replacement Toner Cartridge - 32X Cartridge for Hewlett Packard Printers (C4096A) - 6R928 Part Number: 006R00928	36	108
Xerox Replacement Toner Cartridge - 52X Cartridge for Hewlett Packard Printers (HPC4127X) - 6R926 Part Number: 006R00926	5	15
Xerox Replacement Toner Cartridge for HP LaserJet 1160/1320/3390 - 6R960 Part Number: 006R00960	46	138
Xerox Replacement Toner Cartridge for HP LaserJet 1300 (Q2613X) - 6R957 Part Number: 006R00957	17	51
Xerox Replacement Toner Cartridge for HP LaserJet 2300 (Q2610A) - 6R936 Part Number: 006R00936	40	120
Xerox Replacement Toner Cartridge for HP LaserJet 2420 Series, 2430 Series - 6R961 Part Number: 006R00961	24	72
Xerox Replacement Toner Cartridge for HP LaserJet 4200 (Q1338A) - 6R934 Part Number: 006R00934	4	12
Xerox Replacement Toner Cartridge for HP LaserJet 4250 Series, 4350 Series (Q5942X) - 6R959 Part Number: 006R00959	102	306
Xerox Replacement Toner Cartridge for HP LaserJet Printers (C8061X) - 6R933 Part Number: 006R00933	19	57
Black Replacement Print Cartridge for HP LaserJet 4700 (Q5950A) - 6R1330 Part Number: 006R01330	3	9
Cyan Replacement Print Cartridge for HP LaserJet 4700 (Q5951A) - 6R1331 Part Number: 006R01331	4	12
Magenta Replacement Print Cartridge for HP LaserJet 4700 (Q5953A) - 6R1333 Part Number: 006R01333	4	12

OCA/AS-206
 XEROX REPLACEMENT CARTRIDGES
 FOR HP DEVICES

BID OPENING: JUNE 24, 2015
 3:00 PM

Xerox Compatible Black Toner Cartridge (CE250X) for HP Color LaserJet 3525/3530 - 106R2137 Part Number: 106R02137	8	24
Xerox Compatible Black Toner Cartridge (Q6000A) for HP LaserJet 1600, 2600 Series, CM1015, CM1017 - 6R1410 Part Number: 006R01410	2	6
Xerox Compatible Cyan Toner Cartridge (CE251A) for HP Color LaserJet 3525/3530 - 106R1584 Part Number: 106R01584	4	12
Xerox Compatible Cyan Toner Cartridge (Q6001A) for HP LaserJet 1600, 2600 Series, CM1015, CM1017 - 6R1411 Part Number: 006R01411	6	18
Xerox Compatible Magenta Toner Cartridge (CE253A) for HP Color LaserJet 3525/3530 - 106R1586 Part Number: 106R01586	1	3
Xerox Compatible Magenta Toner Cartridge (Q6003A) for HP LaserJet 1600, 2600 Series, CM1015, CM1017 - 6R1412 Part Number: 006R01412	9	27
Xerox Compatible Yellow Toner Cartridge (CE252A) for HP Color LaserJet 3525/3530 - 106R1585 Part Number: 106R01585	7	21
Xerox Compatible Yellow Toner Cartridge (Q6002A) for HP LaserJet 1600, 2600 Series, CM1015, CM1017 - 6R1413 Part Number: 006R01413	5	15
Xerox Replacement Toner Cartridge (C9720A) for HP LaserJet 4600 - 6R941 Part Number: 006R00941	3	9
Xerox Replacement Toner Cartridge (C9721A) for HP LaserJet 4600 - Cyan - 6R942 Part Number: 006R00942	3	9
Xerox Replacement Toner Cartridge (C9722A) for HP LaserJet 4600 - Yellow - 6R943 Part Number: 006R00943	3	9
Xerox Replacement Toner Cartridge (C9723A) for HP LaserJet 4600 - Magenta - 6R944 Part Number: 006R00944	3	9
Yellow Replacement Print Cartridge for HP LaserJet 4700 (Q5952A) - 6R1332 Part Number: 006R01332	3	9

OCA/AS-206
XEROX REPLACEMENT CARTRIDGES
FOR HP DEVICES

BID OPENING: JUNE 24, 2015
3:00 PM

Xerox Compatible Cyan Toner Cartridge (CE261A) for HP Color LaserJet 4525/4025/4520 - 106R2217 Part Number: 106R02217	17	51
Xerox Compatible Magenta Toner Cartridge (CE263A) for HP Color LaserJet 4525/4025/4520 - 106R2218 Part Number: 106R02218	9	27
Xerox Compatible Yellow Toner Cartridge (CE262A) for HP Color LaserJet 4525/4025/4520 - 106R2219 Part Number: 106R02219	20	60
113R00657 Phaser 4500 High Cap Print Cartridge	3	9
113R00711 Phaser 4510 Standard Print Cartridge	2	6
113R00712 Phaser 4510 High Cap Print Cartridge	5	15

III. The RFB/RFP PROCESS: GENERAL SPECIFICATIONS

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).

The UCS recommends that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. However, vendors may choose to complete a paper questionnaire and submit it with their proposal.

Online Questionnaire: To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at http://www.osc.state.ny.us/vendrep/vendor_index.htm or go directly to the VendRep System online at <https://portal.osc.state.ny.us>. Vendors must provide their New York State Vendor Identification Number when enrolling (see paragraph headed 'New York State Vendor File Registration' for instructions on obtaining a Vendor Identification Number.) For VendRep System assistance, contact the Office of the State Comptroller's Help Desk at 866-370-4672 or 518-408-4672 or by email at ciohelpdesk@osc.state.ny.us.

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. Please note that online submissions must be certified and dated/updated not more than six (6) months prior to the bid opening date of this RFB/RFP. Bidders' authorized signature of the RFB/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.

Paper Questionnaire: Vendors opting to complete and submit a paper questionnaire can obtain the

appropriate questionnaire from the VendRep website www.osc.state.ny.us/vendrep or may contact the UCS or the Office of the State Comptroller's Help Desk for a copy of the paper form.

3. New York State Vendor File Registration

Prior to being awarded a contract pursuant to this solicitation, the bidder(s) must be registered in the New York State Vendor File (Vendor File) administered by the OSC. This is a central registry for all vendors who do business with New York State agencies and the registration must be initiated by a State agency. Following the initial registration, a unique New York State ten-digit vendor identification number (Vendor ID) will be assigned to vendors for usage on all future transactions with New York State. Additionally, the Vendor File enables vendors to use the Vendor Self-Service application to manage certain vendor information in one central location for all transactions related to the State of New York.

If the bidder is already registered in the Vendor File, the vendor must enter the vendor's ten-digit Vendor ID on the first page of this bid document.

If the bidder is not currently registered in the Vendor File, upon award of a contract the Bidder must complete the OSC Substitute W-9 Form (http://www.osc.state.ny.us/vendors/forms/ac3237_fe.pdf) and submit the form to UCS. **The UCS will initiate the vendor registration process** for the awarded contractor. Once the process is initiated, awarded contractor will receive an e-mail identifying their unique ten-digit Vendor ID and instructions on how to enroll in the online Vendor Self-Service application. For more information on the Vendor File please visit the following website: http://www.osc.state.ny.us/vendor_management/.

Online RFB/RFP Package : Disclaimer

Bidders accessing any UCS/OCA solicitations and related documents from the New York State UCS website 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 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 Prior Non-Responsibility Determinations UCS 420, Affirmation of Understanding and Agreement UCS UCS 421as well as Termination Clause UCS 423; proof of Workers' Compensation and Disability

Benefits insurance coverage (See "Insurance Requirements" on page 7); 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.

Binding Nature of Bid/Proposal on Bidders

All bids/proposals shall remain binding on bidders until such time as 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.

Estimated Quantities

Any quantities specified in this solicitation constitute 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 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.

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.

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 bids/proposals from any bidders who are in arrears to the State of New York upon any debt or performance of any contract; or who have previously defaulted on any contractual obligations, (as contracting party, 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, whose proposal is incomplete or otherwise non-responsive in any material respect, or who are found to be non-responsible based on any of the criteria specified in the section headed 'Responsible Bidder'.

UCS 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.

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.

Clarification/Correction of Bids/Proposals

In addition to any rights articulated elsewhere in this solicitation, UCS reserves the right to require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of a bidder's proposal and/or to determine a bidder's compliance with the requirements of this solicitation. This clarifying information, if required in writing by UCS, must be submitted by the bidder, in accordance with formats as prescribed by UCS at the time said information is requested and, if received by the due date set forth in UCS's request for clarification, shall be included as a formal part of the bidder's proposal. Clarifying information, if any, whether provided orally, visually or in writing will be considered in the evaluation process. Failure to provide required information by its associated due date may result in rejection of the bidder's proposal. Nothing in the foregoing shall mean or imply that it is obligatory upon UCS to seek or allow clarifications or corrections as provided for herein.

References

Each bidder must provide at least three (3) references, other than UCS, 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.

Indemnity

Awarded contractor shall indemnify, defend and hold harmless UCS, its officers and employees from and against any and all claims, causes of action, damages, costs, liabilities and expenses of any kind (including reasonable attorney's fees and the cost of legal defense) which UCS may incur by reason of: (i) awarded contractor's breach of any term, provision, covenant, representation or warranty contained in the contract awarded as a result of this bid; (ii) any act, omission, negligence or intentional misconduct of awarded contractor or its employees, subcontractors, agents, volunteers or of other persons under its direction and control; (iii) awarded contractor's performance or failure to perform under the contract; and (iv) enforcement by UCS of the awarded contract or any provisions thereof.

Insurance Requirements

Awarded contractor shall be required to maintain during the term of the contract, including any renewal terms, at their own cost and expense:

1. Workers' compensation and disability benefit insurance coverage as required under NYS law. **Each vendor 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.** Vendor 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. See Workers' Compensation Board website at <http://www.wcb.ny.gov> under "Forms" for a manual listing required forms and procedures. Any questions regarding workers' compensation coverage requirements or debarments should be directed to:

Workers' Compensation Board
Bureau of Compliance
(518) 462-8882
(866) 298-7830

Only the following forms will be accepted:

Proof of Workers' Compensation Coverage

- **Form C-105.2** - Certificate of Workers' Compensation Insurance issued by private insurance carriers; or
- **Form U-26.3** issued by the State Insurance Fund; or
- **Form SI-12** - Certificate of Workers' Compensation Self-Insurance; or
- **Form GSI-105.2** - Certificate of Participation in Workers' Compensation Group Self-Insurance; or
- **Form CE-200** - Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage.

Proof of Disability Benefits Coverage

- **Form DB-120.1** - Certificate of Disability Benefits Insurance, or

OCA/AS-206
XEROX REPLACEMENT CARTRIDGES
FOR HP DEVICES

BID OPENING: JUNE 24, 2015
3:00 PM

- **Form DB-155** - Certificate of Disability Benefits Self-Insurance; or
- **Form CE-200** - Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage.

On forms that have a space for a certificate holder to be listed, the carrier must enter:

NYS Unified Court System
Office of Court Administration
25 Beaver Street, Room 840
New York, NY 10004

The insurance carrier will notify the certificate holder if a policy is canceled.
Please note: An ACORD Certificate of Insurance is not acceptable proof of NYS workers' compensation or disability benefits insurance coverage.

For additional information regarding worker's compensation and disability benefits requirements, please refer to the New York State Workers' Compensation Board website at: <http://www.wcb.ny.gov> under "Employers/Businesses."

2. 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, \$2million, aggregate
Personal Injury and Advertising:	\$1 million aggregate
Contractual and Products/ Completed Operations	\$2 million aggregate
Auto Liability, Combined single limits	\$1 million

Commercial General Liability insurance coverage 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 UCS. 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 UCS and may subject the bidder to further penalties.

Awarded contractor shall use, and require its employees and authorized agents to use, at least the degree of care a reasonably prudent person would use to protect and prevent improper access to the records.

Confidential/Proprietary Information:

If applicable, bidders should specifically identify those portions of the proposal deemed to contain confidential or proprietary information or trade secrets, and must provide justification why such material, upon request, should not be disclosed to parties other than UCS. Bidders are advised that any material deemed confidential by bidder may still be subject to disclosure in connection with any governmental or judicial proceeding or inquiry or as may be required by applicable law, including but not limited to Article 6 of the New York Public Officers Law (Freedom of Information Law). Such confidential/proprietary information must be easily separable from the non-confidential sections of the proposal.

Financial Stability

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

Termination

Early termination of the contract for cause may result in, among other consequences, all remedies available 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.

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.

OCA/AS-206
XEROX REPLACEMENT CARTRIDGES
FOR HP DEVICES

BID OPENING: JUNE 24, 2015
3:00 PM

Silence of the Specifications

The apparent silence of the specifications contained as 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.

BID RESPONSE FORM

3 pages + signature page (p.4)

Do not retype or amend the Bid Response Form. Bidder must bid on ALL cartridges.

Cartridge	Cost per unit	3-year quantity	3-year Cost
Xerox Compatible Black Toner Cartridge (CB436A) for HP LaserJet P1505 and M1522 Series - 6R1430 Part Number: 006R01430	\$	93	\$
Xerox Compatible Black Toner Cartridge (CC364X) for HP LaserJet P4015 Series, P4515 Series - 6R1444 Part Number: 006R01444	\$	435	\$
Xerox Compatible Black Toner Cartridge (CE278A) for HP LaserJet P1606, M1536, P1566 - 106R2157 Part Number: 106R02157	\$	60	\$
Xerox Compatible Black Toner Cartridge (CE505X) for HP LaserJet P2055 Series - 6R1490 Part Number: 006R01490	\$	240	\$
Xerox Compatible Black Toner Cartridge (Q2612A) for HP LaserJet 1012, 1018, 1020, 1022, 3015, 3020, 3030, 3050, 3052, 3055, M1319f - 6R1414 Part Number: 006R01414	\$	96	\$
Xerox Compatible Black Toner Cartridge (Q7551X) for HP LaserJet P3005/M3027mfp/M3035mfp - 6R1388 6R1388	\$	555	\$
Xerox Replacement Cartridge for HP LaserJet 1320/3390 Series Printers (Q5949X) - 6R1320 Part Number: 006R01320	\$	210	\$
Xerox Replacement Toner Cartridge - 32X Cartridge for Hewlett Packard Printers (C4096A) - 6R928 Part Number: 006R00928	\$	108	\$
Xerox Replacement Toner Cartridge - 52X Cartridge for Hewlett Packard Printers (HPC4127X) - 6R926 Part Number: 006R00926	\$	15	\$
Xerox Replacement Toner Cartridge for HP LaserJet 1160/1320/3390 - 6R960 Part Number: 006R00960	\$	138	\$
Xerox Replacement Toner Cartridge for HP LaserJet 1300 (Q2613X) - 6R957 Part Number: 006R00957	\$	51	\$

OCA/AS-206
 XEROX REPLACEMENT CARTRIDGES
 FOR HP DEVICES

BID OPENING: JUNE 24, 2015
 3:00 PM

Xerox Replacement Toner Cartridge for HP LaserJet 2300 (Q2610A) - 6R936 Part Number: 006R00936	\$	120	\$
Xerox Replacement Toner Cartridge for HP LaserJet 2420 Series, 2430 Series - 6R961 Part Number: 006R00961	\$	72	\$
Xerox Replacement Toner Cartridge for HP LaserJet 4200 (Q1338A) - 6R934 Part Number: 006R00934	\$	12	\$
Xerox Replacement Toner Cartridge for HP LaserJet 4250 Series, 4350 Series (Q5942X) - 6R959 Part Number: 006R00959	\$	306	\$
Xerox Replacement Toner Cartridge for HP LaserJet Printers (C8061X) - 6R933 Part Number: 006R00933	\$	57	\$
Black Replacement Print Cartridge for HP LaserJet 4700 (Q5950A) - 6R1330 Part Number: 006R01330	\$	9	\$
Cyan Replacement Print Cartridge for HP LaserJet 4700 (Q5951A) - 6R1331 Part Number: 006R01331	\$	12	\$
Magenta Replacement Print Cartridge for HP LaserJet 4700 (Q5953A) - 6R1333 Part Number: 006R01333	\$	12	\$
Xerox Compatible Black Toner Cartridge (CE250X) for HP Color LaserJet 3525/3530 - 106R2137 Part Number: 106R02137	\$	24	\$
Xerox Compatible Black Toner Cartridge (Q6000A) for HP LaserJet 1600, 2600 Series, CM1015, CM1017 - 6R1410 Part Number: 006R01410	\$	6	\$
Xerox Compatible Cyan Toner Cartridge (CE251A) for HP Color LaserJet 3525/3530 - 106R1584 Part Number: 106R01584	\$	12	\$
Xerox Compatible Cyan Toner Cartridge (Q6001A) for HP LaserJet 1600, 2600 Series, CM1015, CM1017 - 6R1411 Part Number: 006R01411	\$	18	\$
Xerox Compatible Magenta Toner Cartridge (CE253A) for HP Color LaserJet 3525/3530 - 106R1586 Part Number: 106R01586	\$	3	\$

OCA/AS-206
XEROX REPLACEMENT CARTRIDGES
FOR HP DEVICES

BID OPENING: JUNE 24, 2015
3:00 PM

Xerox Compatible Magenta Toner Cartridge (Q6003A) for HP LaserJet 1600, 2600 Series, CM1015, CM1017 - 6R1412 Part Number: 006R01412	\$	27	\$
Xerox Compatible Yellow Toner Cartridge (CE252A) for HP Color LaserJet 3525/3530 - 106R1585 Part Number: 106R01585	\$	21	\$
Xerox Compatible Yellow Toner Cartridge (Q6002A) for HP LaserJet 1600, 2600 Series, CM1015, CM1017 - 6R1413 Part Number: 006R01413	\$	15	\$
Xerox Replacement Toner Cartridge (C9720A) for HP LaserJet 4600 - 6R941 Part Number: 006R00941	\$	9	\$
Xerox Replacement Toner Cartridge (C9721A) for HP LaserJet 4600 - Cyan - 6R942 Part Number: 006R00942	\$	9	\$
Xerox Replacement Toner Cartridge (C9722A) for HP LaserJet 4600 - Yellow - 6R943 Part Number: 006R00943	\$	9	\$
Xerox Replacement Toner Cartridge (C9723A) for HP LaserJet 4600 - Magenta - 6R944 Part Number: 006R00944	\$	9	\$
Yellow Replacement Print Cartridge for HP LaserJet 4700 (Q5952A) - 6R1332 Part Number: 006R01332	\$	9	\$
Xerox Compatible Cyan Toner Cartridge (CE261A) for HP Color LaserJet 4525/4025/4520 - 106R2217 Part Number: 106R02217	\$	51	\$
Xerox Compatible Magenta Toner Cartridge (CE263A) for HP Color LaserJet 4525/4025/4520 - 106R2218 Part Number: 106R02218	\$	27	\$
Xerox Compatible Yellow Toner Cartridge (CE262A) for HP Color LaserJet 4525/4025/4520 - 106R2219 Part Number: 106R02219	\$	60	\$
113R00657 Phaser 4500 High Cap Print Cartridge	\$	9	\$
113R00711 Phaser 4510 Standard Print Cartridge	\$	6	\$
113R00712 Phaser 4510 High Cap Print Cartridge	\$	15	\$
Grand Total Cost for Initial 3-year term			\$

OCA/AS-206
XEROX REPLACEMENT CARTRIDGES
FOR HP DEVICES

BID OPENING: JUNE 24, 2015
3:00 PM

BID RESPONSE FORM (p.4)

Company Name:

Authorized Officer's Name and Title:

Signature and

Date _____