

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 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) All prices to be net and inclusive of all services specified herein unless otherwise specified.

Bid Number: OCA/NYCC/HPSP-210	Commodity Group:
Opening Date: 03/26/2015 Time: 3:00 pm Issue Date: 03/04/2015	Commodity Name: Housing Parts Services Program

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
UCS ATTACHMENT I, III, and IV ATTACHED & INCORPORATED HEREIN.	ALL BID RESPONSES MUST BE ENTERED ON THE ENCLOSED BID RESPONSE FORM UNLESS SPECIFIED OTHERWISE HEREIN.

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 E-mail:	

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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

- Questionnaire filed online via OSC VendRep System and certified within 6 months of the bid opening date, or
- Paper questionnaire attached

_____ Attachment IV - Procurement Lobbying forms

- Disclosure of Prior Non-Responsibility Determination (UCS 420)
- Affirmation of Understanding and Agreement (UCS 421)
- 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 coverages required by the bid specifications

_____ Organizational chart

_____ Resumes of all staff members to be assigned to perform Program services, including volunteers

_____ Description of bidder's relevant operational history and experience in providing the same or similar types of services required in this RFP/RFB's specifications

_____ Description of how bidder will comply with paragraph 2.e of the Method of Award

_____ List of three (3) references (names, contacts, addresses, phone numbers, emails)

_____ Original bid response + three (3) complete copies

_____ Signed Document Enclosure Checklist

OCA/NYCC/HPSP-210

Bid Opening Date: March 26, 2015 - 3:00 p.m.

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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: _____

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I. DETAILED SPECIFICATIONS

Purpose and Scope

The New York State Office of Court Administration (“OCA”), on behalf of the Civil Court of the City of New York (“Civil Court”), is soliciting sealed proposals for the provision of the Housing Part Services Program (“Program”), pursuant to which services, as described herein, will be provided for unrepresented tenants and landlords who appear as litigants in the Housing Part courts of the Civil Court of the City of New York (“Housing Part”).

Term of Award

A single estimated quantity term contract will be awarded for an initial term of three (3) years, effective on July 1, 2015. The UCS reserves the right to renew the contract for two (2) additional one-year (1) periods upon the same terms and conditions, except rates. Both the initial contract and any renewal(s) shall be subject to approval by the Office of the New York State Attorney General, and OSC.

Questions

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

Frank A. Tropea

Email: fatropea@nycourts.gov

Please indicate in the Subject field: OCA/NYCC/HPSP-210 Question(s)

The deadline to submit questions is March 12, 2015 at 5:00 pm. No questions will be entertained after this deadline. A written 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 under RFB# OCA/NYCC/HPSP-210 and sent to the bidders list.

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 Attorney Registration Unit 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.

OCA/NYCC/HPSP-210

Bid Opening Date: March 26, 2015 - 3:00 p.m.

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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:

By mail:

Frank A. Tropea
Civil Court of the City of New York
111 Centre Street, Room 836
New York, NY 10013

By hand delivery:

Frank A. Tropea
Civil Court of the City of New York
111 Centre Street, Room 836

**Enter through 109-113 White Street located in the center and south side of the street
between Centre Street and Lafayette Street**

New York, NY 10013

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

“Deliver immediately to Frank A. Tropea, Room 836”

“Sealed bid - Do not open”

“OCA/NYCC/HPSP-210 due March 26, 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 March 26, 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: Frank A. Tropea 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/NYCC/HPSP-210.

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Eligibility and Qualifications of Bidders

- Prospective bidders must be capable of providing all program services as outlined in the Detailed Specification section of this RFP.
- UCS will consider proposals submitted by entities, each of which must demonstrate 5 years' experience in the provision of similar services.
- Bidder shall submit with its bid an organizational chart identifying the names and titles of the Project Manager, Supervising Coordinators and staff members who will be responsible for performing services described herein.
- Bidder shall provide resumes for each staff member and volunteer proposed to be assigned to provide Program services hereunder.
- Bidder, in its proposal, shall describe bidders' relevant experience in providing the same or similar types of services required in this RFP/RFB's specifications as well as bidder's relevant operational history.

Method of Award

A single award will be made to the responsible bidder (See III. General Specifications, paragraph "Responsible Bidder.") receiving the highest point total based upon the criteria set forth below. Qualified bid proposals will be evaluated by a Civil Court evaluation committee.

Award Selection Criteria

1. **Cost:** Lowest dollar cost for the initial three-year term of the contract. See "Pricing" and the Bid Sheet. **30 points**

Points to be awarded per formula: $\text{Lowest dollar cost} = 30 \text{ points}$. $\text{Second lowest cost} = \text{lowest } \$ \text{ cost} \div \text{second lowest } \$ \text{ cost} \times \text{maximum points}$. Example: lowest cost = \$100, 2nd lowest cost = \$125
 $100:125 = 0.8$ $0.8 \times 30 = 24 \text{ points}$

2. **Experience and Background** **70 points**

a) 20 points: Experience providing services to unrepresented tenants including, but not limited to, training seminars, workshops, materials, website assistance and direct services.

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b) 20 points: Experience providing services to unrepresented landlords including but not limited to training seminars, workshops, materials, website assistance and direct services.

c) 10 points: Experience with courtroom procedure, working with Judges, Court Attorneys and support staff in relation to assisting unrepresented litigants, and with the resolution of Housing Part cases. Ability to speak a foreign language (Spanish, Mandarin, Cantonese, Russian, and/or French.)

d) 10 points: Experience with the nature of Housing Part proceedings, the City's Housing Maintenance Code, court forms, court procedures and court rules and familiarity with Housing Part resources and programs such as the Guardian Ad Litem Program, the Volunteer Lawyers Program, the Volunteer Lawyer for the Day Program, the Help Centers, and all relevant Do-It-Yourself (DIY) Computer Programs, etc.

e) 5 points: Ability to deliver services in a fair and impartial, content-neutral manner, and to mitigate any potential appearance of impropriety, bias or conflict of interest; ability to adhere to bid requirements regarding confidential information disclosed to Housing Assistants in the course of providing services. Bidder shall provide with its bid response a description of how it will meet this requirement.

f) 5 points: Familiarity and experience in dealing with governmental agencies and resources such as DHCR, HPD, HRA, FEMA, Bar Associations, etc.

Total = 100 points

Pricing/Compensation

Awarded contractor will be compensated based solely on the number of hours of Program services actually performed by Housing Part Assistants (HPA's). There shall be no other charge, cost, reimbursement or expense of any kind payable by UCS in connection with or arising from the awarded contractor's performance of Program services.

Bidder shall quote its price on a per HPA hour basis. Total price will be computed as follows: Rate per HPA hour multiplied by the total number of estimated HPA hours per year, multiplied by 3 years = Estimated Total Cost for initial three-year term of the contract. The Estimated Total Cost shall be the maximum total compensation payable to the awarded contractor for the Program services provided during the initial term. The rate per HPA hour quoted by bidder in the Bid Response Form shall remain unchanged for the initial three-year term of the contract.

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Pricing/HPA hourly rate will remain unchanged for the initial three (3)-year term of the contract. HPA hourly rate may be increased for the first renewal term only. Any such renewal term HPA hourly rate 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.

Method of Payment

The awarded contractor and the UCS shall agree to a payment schedule, either on a quarterly or on a monthly basis in arrears upon submission of an accurate billing of contractually-covered services rendered in the period in question. The format for billing shall be in form and substance acceptable to UCS and OSC. All valid payments due awarded contractor shall be processed by the appropriate UCS office in the ordinary course of state business.

Duplicate Payments

No payments made by UCS to awarded contractor shall duplicate payments received from any other source to perform Program services hereunder. In the event of such duplication, awarded contractor shall promptly remit to UCS an amount equal to such duplicate payment received from other sources.

Bid Response Form

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 basis and compute all price extensions listed in the Bid Response Form. In the event of a bidder's miscalculation, the unit price will prevail and UCS reserves the right to make mathematical corrections based on unit price(s.) Bidder must enter a price or "No Charge" or "N/C" for each category of pricing presented on the form; the UCS will assume that any line left blank is a "No Charge"/"No Cost."

Subcontracting

No subcontracting shall be allowed.

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II. TECHNICAL SPECIFICATIONS**Introduction**

A Housing Part exists in each county of New York City. Housing Parts were established in 1973 to enforce state and local laws regulating housing maintenance standards in New York City. Legal actions to collect rent, evict tenants and enforce state and local laws regarding housing conditions are brought in Housing Parts. Housing Parts hear residential landlord and tenant cases. Non-residential landlord/tenant matters are heard in Civil Court. There are currently 50 housing judges serving in Housing Parts.

Caseload Volume

The Program is available to all unrepresented tenants and landlords appearing in a Housing Part. This represents more than 90% of all Housing Part litigants. The following table provides the 2013 City-wide caseload statistics, for the Housing Part courts, by county/Harlem*:

County	Notices of Petition Filed	Added to Calendar	Motions/Orders to Show Cause Filed	HPs Housing Part Cases - First Papers Filed
Bronx	85613	61372	100778	4040
Kings	73104	44903	72664	4442
New York	51798	27555	41090	2632
Queens	40221	21520	32991	2184
Richmond	5394	3391	7207	276
Harlem	4519	2561	5052	224
TOTALS	260649	161302	259762	13798

*SOURCE: Caseload Activity Report Terms 1-13/2013

The above table is provided to give bidders an estimate of the caseload volume in Housing Parts

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per county. Please note that volume varies from year to year and county to county.

Project Managers/Supervising Coordinators

The awarded contractor shall provide an administrator/coordinator, the “Project Manager,” who will be responsible for the overall operation and coordination of the Program and will act as liaison to the UCS. The Project Manager’s business address, phone and fax numbers, as well as e-mail address, should be provided. In addition, the awarded contractor shall provide at least four Supervising Coordinators.

Housing Part Administrators/Coordinators

Awarded contractor shall provide one (1) Housing Part Assistant who shall serve as Administrator/Coordinator (also known as the Project Manager). At least fourteen (14) Housing Part Assistants shall staff information tables throughout the Housing Part courts; four (4) Housing Part Assistants shall serve as Borough Coordinators for Kings, New York, Queens and Bronx Housing Parts.

Housing Part Assistants

Housing Part Assistants shall provide the following services to unrepresented tenants and landlords in all Housing Parts:

- Assist in locating resources available in and out of the courts in connection with pending cases;
- Assist in using (DIY) programs on computers located in the courts that are made available to litigants to obtain information and complete Housing Part forms ;
- Assistance in obtaining legal information, and in retaining legal representation through the website, “Law Help”;
- Assistance to litigants in completing HRA referral forms;
- Facilitate Housing Part litigants to settle of their cases; and
- Provide informational support to persons who volunteer in the Civil Court, Housing Part Court Navigator Program.

In addition to the above, awarded contractor shall make Housing Part Assistants available to the Housing Parts as necessary who are proficient in a foreign language, such as Spanish, Mandarin, Cantonese, Russian, and/or French.

Housing Part Assistants shall be required to provide the services described herein in each Housing Part for not less than four (4) hours each day such Housing Part is in session. Program

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services must be performed in a fair, impartial and content-neutral manner, and be void of the appearance of impropriety, bias or conflict of interest.

The provision of Program services shall be subject to review by the Deputy Chief Administrative Judge of the City of New York, the Administrative Judge of the Civil Court of the City of New York or their respective designees.

Information Tables and DIY Computer Programs

The awarded contractor shall be required to operate information tables in all Housing Parts in session between the hours of 9:00AM to 1:00PM. Information table staff shall provide information and referral services to both unrepresented tenants and landlords on topics such as court procedures, Housing Part legal documents, enforcement of legal rights and such topics as UCS shall designate. All materials available at information tables shall be subject to prior approval by the Deputy Chief Administrative Judge of the City of New York, the Administrative Judge of the Civil Court of the City of New York or their respective designees. The awarded contractor shall provide at each information table a large-print, stand-up, prominently displayed sign in Spanish and English containing a disclaimer that awarded contractor is solely responsible for all information and referral services provided, and that such information is not intended as legal advice, which can only be provided by an attorney. The wording and design of the signs shall be subject to the approval of UCS.

Training

All Housing Part Assistants shall attend and participate in UCS-sponsored training and other training pursuant to the guidelines established by the Deputy Chief Administrative Judge of the City of New York, or the Administrative Judge of the Civil Court of the City of New York.

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

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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. To request assignment of a Vendor ID or 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.

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3. New York State Vendor File Registration

Prior to being awarded a contract pursuant to this solicitation, the bidder 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 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 RFB/RFP Form; Attachment I - pages 3 and 4 of 10; Attachment III - Vendor Responsibility Questionnaire (questionnaire may be filed electronically with OSC); Attachment

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IV - Disclosure of Prior Non-Responsibility Determinations UCS 420, and Affirmation of Understanding and Agreement UCS 421; 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.

HOUSING PARTS SERVICES PROGRAM**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

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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:

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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
- **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:

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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

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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, pursuant to the UCS and Office of the State Comptroller's guidelines on vendor responsibility and in the contractor's removal from the UCS'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.

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.

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BID RESPONSE FORM

Rate per HPA* Hour	x	Estimated Total Number of HPA Hours per Year	Estimated Cost per Year	x	3years	=	Estimated Total Cost for Initial 3 Years
\$ _____	x	18,848 hours	\$ _____	x	3	=	\$ _____

***HPA = Housing Part Assistant**

Company Name:

Authorized Officer's Name and Title:

Signature and Date:
