

**(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

Bid Number: OCA/PS-149 Issue Date: 12/29/2008	Commodity Group:
Opening Date: JANUARY 23, 2009 Time: 3:00 P.M.	Commodity Name: PRINT SHOP MAINTENANCE

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

NOTICE TO BIDDERS

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

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

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

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

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

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

BIDS MUST BE SIGNED

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

DOCUMENT ENCLOSURE CHECKLIST

Pricing sheet - the pricing sheet **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 - UCS Standard Request for Bid Clauses & Forms
 - Q p.3 - Non-Collusive Bidding Certificate and
 - Q p.4 - Corporate Acknowledgment
- Attachment III - Vendor Responsibility Questionnaire
 - ? paper questionnaire or
 - ? 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)
- List of at least three (3) references (names, contacts, addresses, phone numbers, emails)
- Original bid response + five (5) complete copies
- Signed Documents Enclosure Checklist
- Description of company's qualifications and experience
- Certificate of Insurance

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.

Bidder's Company Name:

Authorized Officer's Name and Signature:

Date:

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PRICING SHEET

Annual maintenance cost for print shop equipment. All equipment is located on the 9th floor of 25 Beaver Street, New York, NY 10004.

Item No.	Equipment	Model #	Serial #	Annual Cost
1.	Toko	R2SL	142515	\$
2.	AM Chain Delivery	1215DS	340042	\$
3.	AM Press	1250	340043	\$
4.	Hamada w/2 color Attachment	E-47	ES-8L105	\$
5.	Hamada w/Crestline	E-47	ES-9I074	\$
6.	Challenger Paper Cutter	305XG	08X1396	\$
7.	Omni Horizon Collator	Tower 1	032314	\$
8.	“ ” “	Tower 2	032042	\$
9.	“ ” “	Stitcher folder	018035	\$
10.	“ ” “	Trimmer	019024	\$
11.	“ ” “	Conveyor	029010	\$

GRAND TOTAL COST PER YEAR: \$ _____

Bidder's 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, 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, 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/Office of Court Administration (hereafter “UCS/OCA”) 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 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. Vendors opting to file a paper questionnaire can obtain the appropriate questionnaire from the VendRep website 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 paper questionnaire is not included with bidders bid/proposal submission.

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.

Questions:

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

Marie-Claude Ceppi
Management Analyst
Mceppi@courts.state.ny.us
Fax: (212) 428-2819

The **deadline** to submit questions is **Tuesday, January 13, 2009 at 5:00 pm**. No questions will be entertained after this deadline. All questions will be answered individually in writing and a Questions & Answers (Q&A) sheet with all the questions received and their answers will be posted on the UCS website. Please note that **no questions will be entertained during inspection** of the equipment (See paragraph ‘Bidders Inspection of Equipment’.)

IMPORTANT: All communications and 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 in connection with this RFB/RFP may violate the Procurement Lobbying Act of 2005 (see Attachment IV), will jeopardize the respective bidder’s standing and may cause rejection of its proposal.

Bid Response/Proposal: Original and Copies:

Bidders shall submit all the following required **original RFB/RFP documents:** Bid/Proposal; Executed RFB/RFP Form; Attachment I - pages 3 and 4 of 10; Attachment III - Vendor Responsibility Questionnaire (checkmark the appropriate box for paper questionnaire or online submission in Documents Enclosure Checklist); Attachment IV - Disclosure of Prior Non-Responsibility Determinations (UCS 420) Affirmation of Understanding and Agreement (UCS 421) and Termination Clause (UCS 423), and any other required documentation, brochures, samples, etc. listed on the Document Enclosure Checklist. Please note that there is no Attachment II.

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.

OCA/PS-149
PRINT SHOP MAINTENANCE

BID OPENING: JANUARY 23, 2009
3:00 PM

Binding Nature of Bid/Proposal on Bidders:

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

Packaging, Identifying and Delivering of Bids/Proposals:

Bidders may **not** submit their bid/proposal responses online.
All bid/proposal submissions must be securely contained in a **sealed package or carton** and **clearly labeled** on two sides as follows:

“Deliver immediately to Marie-Claude Ceppi R-840”
“Sealed bid - Do not open”
”OCA/PS-149 due January 23, 2009, 3:00 p.m.”.

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

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 UCS/OCA-designated person by January 23, 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:

In order to remain on the UCS/OCA bidders list, bidders are requested to send a no-bid letter to UCS/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/PS-149.

Rejected and Unacceptable Bids/Proposals:

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

References:

Each bidder must provide at least three (3) references including the company/agency name, complete address, contact name, title, telephone number and email address, for whom the bidder has provided similar products/services at any time during the past five (5) years.

Subcontracting:

The contractor shall not subcontract any portion of his/her work without the knowledge and written approval of UCS/OCA. Subcontracting of any services described herein shall be subject to the following:

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

The awarded contractor will be the prime contractor and is ultimately responsible for the completion and delivery of all aspects of this RFB's Specifications.

Insurance:

Bidder must include with its response a certificate of general liability insurance coverage in the minimum amount of \$1,000,000 for each occurrence. The awarded contractor will be required to include UCS as an additional insured at no cost to the UCS and the insurance must remain in force throughout the period a contractual agreement exists with UCS.

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.

Compliance with Laws:

Awarded contractor 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.

Estimated Quantities:

Any quantity specified in this RFB/RFP constitutes an **estimate only** and accordingly, no commitment or guarantee to reach any specified volume of business is made or implied. Accordingly, the award shall be for an **estimated quantity term contract**.

Implied Requirements:

Products and services that are not specifically requested in this RFP, but which are necessary to the provision of the products or services required by this RFP, shall be included in bidders proposal.

Silence of Specifications

The apparent silence of the specifications contained in this RFP as to any detail or 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.

Financial Stability:

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

II. RFP # OCA/PS-149

Purpose and Scope:

The UCS/OCA is soliciting sealed bids to establish an estimated quantity term contract for the provision of equipment maintenance for its print shop located on the 9th floor at 25 Beaver Street, New York, NY 10004.

Term of Award:

A single contract will be awarded for an initial term of one (1) year effective March 1, 2009 to February 28, 2010, with four renewal terms of one year each. The renewal terms shall be optional at the sole discretion of UCS/OCA and shall be upon the same terms and conditions as the initial term including pricing. UCS/OCA 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.

Bidder's Qualifications:

Bidder shall have the technical knowledge and skills required to diagnose, maintain and repair all mechanical as well as digital and electronic parts.

Description of Bidder's experience:

Bidder is required to describe and to document its company's qualifications and past and current experience in providing the full range of services contained in this RFB's specifications or its response may be rejected.

Pricing:

Bidders shall quote one annual cost for each piece of equipment listed on the Pricing Sheet. This annual cost shall include all parts and services described under "Detailed Specifications" as well as all parts that the awarded contractor shall deem necessary to the proper functioning of the equipment. Only soft rollers and electric motors may be charged separately.

No charges for start-up servicing or examinations will be accepted.

Pricing shall remain firm throughout the life of the contract. Please refer to the Pricing Sheet.

Invoices/Payments

The awarded vendor shall be compensated quarterly in arrears upon submitting a detailed invoice of the work performed.

Method of Award:

A single contract will be awarded to the responsible bidder who scores the highest total points (Maximum 100) for the following categories:

1. Cost:

Max. 75 points

Lowest cost gets maximum points; next lowest cost gets a fraction of points

Formula: (lowest \$ cost/2nd lowest \$ cost, etc.) x max. points = points

Example: lowest = \$100 75 points; 2nd lowest = \$125

\$ 100 : \$125 = 0.8

0.8 x 75 = 60

Lowest = 75 points; 2nd lowest = 60 points

2. Company's Experience:

Max. 20 points

Max. 5 point for each criteria:

Years of experience in mechanical service

Ratio of employees with experience in electronic/digital service

References and Past Performance

Company's description and documentation

3. Added/Enhanced Services:

Max. 5 points

A maximum of 5 points will be awarded to respondents offering at not cost to the UCS additional services not specified in the scope of this solicitation.

In addition to the evaluation criteria set forth above, bidder must be responsible as defined in section I.2 of the General Specifications and in the section headed "Rejected and Unacceptable Bids/Proposals"

Supporting Presentation:

UCS/OCA may request bidder to make an oral and visual presentation in support of its proposal.

Bidders Inspection of Equipment:

Bidders may inspect all or part of the equipment, by appointment, Monday through Friday, between 9:00 am and 5:00 pm, **no later than Friday, January 9, 2009**. Please call Zola Hill at 212-428-2820 or Handel Wilson at 212-428-2822 to schedule an inspection. **No questions will be entertained during inspection.** Questions arising from the inspection must be submitted in writing to Marie-Claude Ceppi at Mceppi@courts.state.ny.us Please see paragraph "Questions."

****** DETAILED SPECIFICATIONS ******

- Responses to unlimited repair calls **MUST** be made within eight (8) hours of request, between the hours of 9:00 am and 5:00 pm, Monday through Friday. Timely responses to service calls and timely repairs are very important to OCA. These times will be monitored very closely.
- The awarded vendor shall repair, maintain and service the equipment with **new parts** purchased from the respective manufacturers of the equipment.
- The awarded vendor will provide twelve (12) monthly inspections per year, including greasing, oiling, adjusting of equipment to manufacturer's specifications, as well as performing pressure adjustments, machines timings and exterior cleaning accordingly.
- The awarded vendor shall make unscheduled service calls on the equipment for the purpose of remedial maintenance, whenever the UCS/OCA determines that it is

necessary. The awarded contractor will provide such remedial service between the hours of 9:00 am to 5:00pm, Monday through Friday, within eight (8) hours of receiving such a request from UCS by telephone. Timely responses to service calls and timely repairs are very important to OCA. These times will be monitored very closely.

- All equipment is presented in an “as is” condition consistent with the manufacturer’s specification.
- All services shall be performed in accordance with the respective manufacturer’s specifications.