

STATE OF NEW YORK

JUDICIARY

—REQUEST FOR BID—

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

NEW YORK STATE
 OFFICE OF COURT ADMINISTRATION
 CONTRACT & PROCUREMENT ADMINISTRATION
 42 KARNER ROAD, ALBANY, NY 12205
 (Agency Name and Address)

Direct Inquiries to: BETTY FALTERMEIER
 SENIOR COURT ANALYST
 Telephone No.: (518) 285-5011

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

PER ATTACHED RFP/RFB SPECIFICATIONS

Bid Number: OCA/CPA-330	Commodity Group:
Opening Date: 07/23/08 Time: 11:00 AM	Commodity Name: PRINTING OF UNION CONTRACT HANDBOOKS

OFFICE OF GENERAL SERVICES "GENERAL SPECIFICATIONS" ARE FULLY INCORPORATED HEREIN.

Agency's Specification of item(s) Required (include quantities)	Bidder's Quotation and Specific Description of Item Offered
<p>UCS ATTACHMENT I, ATTACHMENT III AND ATTACHMENT IV ARE ATTACHED & INCORPORATED HEREIN.</p> <p>ESTIMATED QUANTITY TERM CONTRACT FOR THE PRODUCTION AND DELIVERY OF UNION CONTRACT HANDBOOKS</p> <p>TERM: SEPT 01, 2008 - FEB 28, 2010 WITH OPTION TO EXTEND FOR UP TO 180 DAYS.</p>	<p>BIDDERS ARE TO SUBMIT ALL REQUIRED DOCUMENTATION AND PRICING IN THE FORMAT PRESCRIBED BY THE ATTACHED RFB/RFP SPECIFICATIONS.</p>

NOTICE TO BIDDERS

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

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	Email

DOCUMENT ENCLOSURE CHECKLIST

Page 1

All of the following documents and information, must be **fully executed** as indicated (**Notarized where required**) and returned as specified. Failure to include **any** of the required documents or information may result in rejection of the bidder's proposal.

- Document Enclosure Checklist
- Request for Bid Form
- Attachment I, all pages applicable to this solicitation
- Attachment III - Vendor Responsibility Questionnaire
 - Paper questionnaire
 - Questionnaire **previously** filed on line via OSC VendRep System (see NOTE, page 3 Checklist)
- Attachment IV - Procurement Lobbying Forms
 - Disclosure of Prior Non-responsibility Determination (UCS 420)
 - Affirmation of Understanding and Agreement (UCS 421)
 - Termination Clause (UCS 423)
- Appendix C - List of references
- Bid Response Form(s). Must be completed
- One (1) original and four (4) **complete sets** of bids/proposals and documentation as required

Note: All documents which require signatures must bear the original signature of the **same authorized individual** and signatory notarizations **must** be that of the person whose signature is affixed to required documents.

DOCUMENT ENCLOSURE CHECKLIST

Page 2

Name of Firm: _____ Date: _____

Authorized Signature: _____

Name in Print: _____ Title: _____

Email Address: _____

DOCUMENT ENCLOSURE CHECKLIST

Page 3

NOTE

ATTACHMENT III
STATE OF NEW YORK
UNIFIED COURT SYSTEM

VENDOR RESPONSIBILITY QUESTIONNAIRE: INSTRUCTIONS

(This page is **not** the 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 Vendor Responsibility Questionnaire, a required component of all UCS solicitations, 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).

Vendors 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 Office of the State Comptroller or the Unified Court System at (518) 285-5011 for a hard copy of the paper form.

Vendors who elect to file the questionnaire online **must check the appropriate box on the Document Enclosure Checklist** and complete the information requested below. The signature is only an acknowledgment by the vendor that the questionnaire has been completed and certified directly on the Office of the State comptroller's VendRep system.

Sign below if the Vendor Responsibility Questionnaire was filed online via the OSC VendRep System: (If questionnaire is not yet up on system, please provide a hard copy.)

Solicitation Number or Procurement Name: _____

Company Name: _____

Name and Title: _____

Signature : _____ Date: _____

Please include this page **or** the downloaded paper questionnaire with original blue ink signature with your bid response.

***** GENERAL SPECIFICATIONS *****

The RFB/RFP Process

NOTE: In addition to such other specifications and criteria presented herein, the NYS Unified Court System Standard Request for Bid Clauses & Forms - Attachment I, Attachment III, Vendor Responsibility Questionnaire and Attachment IV Lobbying Legislation must be downloaded from the Contract & Procurement web site under addenda for the appropriate solicitation and are incorporated and made a part hereof.

Failure to return any required forms or documents referenced in this solicitation may result in the rejection of bidder's response.

Online RFB/RFP Package Disclaimer

Bidders accessing any UCS/OCA solicitations and related documents from the NYS UCS website <http://www.nycourts.gov/admin/bids> shall remain solely and wholly responsible for reviewing the respective solicitation and 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.

Submission of Documents

Bidders may **not** submit their bid/proposal responses online.

All documents must be submitted in English and shall be quoted in United States currency. Please pay careful attention to "Bid Instructions - General Requirements" on the "Bid Instructions" page of the Procurement & Contract Opportunities site.

All bids must be submitted in a **sealed** envelope, package or carton and marked in large block letters on two (2) sides

"DELIVER IMMEDIATELY TO BETTY FALTERMEIER- SEALED BID" The lower left corner must be marked:

**"BID - DO NOT OPEN
OCA/CPA-330
DUE DATE: July 23, 2008
TIME: 11:00AM"**

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

Betty Faltermeier
Senior Court Analyst
NYS Office of Court Administration
42 Karner Road
Albany, NY 12205

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 Wednesday July 23, 2008 on or before 11:00 a.m. or the bid will be declared a late bid and may be disqualified. It is recommended that bidders allow several extra days for receipt of documents in order to meet the deadline.

Please read “Bid Instructions - General Requirements” on the Bid Instruction page of the Procurement & contract Opportunities site (<http://www.nycourts.gov/admin/bids>) carefully.

Bidders are cautioned to check the web site often for any changes or amendments to the solicitation. (See On-Line Package Disclaimer)

All times indicated are E.S.T. or E.D.S.T. (Eastern Standard Time or Eastern Daylight Savings Time)

Questions

All questions must be addressed **in writing** only, by e-mail or by fax, to:

Betty Faltermeier
Senior Court Analyst
NYS Office of Court Administration
42 Karner Road
Albany, NY 12205
Fax: 518-869-4735 Email: Bfalterm@courts.state.ny.us

The **deadline** to submit questions is July 15, 2008 at 4:00 pm.. Questions may not be entertained after this deadline. **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 in connection with this RFB/RFP may violate the Procurement Lobbying Act (see Attachment IV), will jeopardize the respective bidder’s standing and may cause rejection of its proposal.

The bid number must be indicated on the subject line. Due to current issues with email; email from unknown senders will NOT be opened unless the bid number is indicated on the subject line.

Binding Nature of Bid/Proposal on Bidders

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

Bidder’s/Contractor’s Facility

For purposes of evaluation, bidder(s) proposed facilities shall be available for inspection. Subsequent to the award, contractor(s) facilities shall be made available for periodic inspection upon request.

Required Original Forms & Copies

See “Document Enclosure Checklist” for requirements.

In addition to the return of all required **original** ink signed bid documents (stamps or electronic signatures are not acceptable), bidders must include four (4) copies of **complete package** including, but not limited to attachments, appendices, brochures, etc.

Copies are **not** to be submitted in binders or other bound fashion. They are to be bound by rubber bands, clips or stapled only.

Complete the paperwork on the forms provided with this solicitation unless otherwise specified herein. **Bidders are not to retype or reconfigure, in whole or in part, any documents issued in connection with this RFB/specifications.** Failure to comply may result in disqualification.

Rejected and Unacceptable Bids/Proposals

The OCA reserves the right to reject any and all proposals or bids submitted in response to this solicitation. In addition, 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.

Implied Requirements

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

Compliance with Laws

Contractor(s) shall be compliant with all applicable Federal, State and Local laws, rules and regulations.

Termination

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

Silence of the Specifications:

The apparent silence of the specifications contained herein 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 shall prevail. All interpretations of these specifications shall be made on the basis of the statement.

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.

Purpose and Scope

The New York State Office of Court Administration (OCA) - Contracts & Procurement Administration Unit (C&PA) is soliciting sealed bids on behalf of the OCA - Division of Human Resources (hereinafter OCA-HR) for the purpose of establishing a **single, estimated quantity term contract** covering the production and delivery of Union Contract Handbooks and services for participating courts and related offices throughout the New York State Unified Court System (UCS). Bids submitted in response to this solicitation shall constitute agreement to contract by the respective bidder(s) and to abide by the terms and conditions of the contract.

Estimated Quantities

The appearance of any quantities herein is based on estimates submitted by individual courts and past awards expressly for the purpose of providing bidders with a sense of program scope and is intended for informational purposes only. Any requirements specified in this solicitation constitute estimates only, and accordingly, no commitment or guarantee to reach any specified volume of business is expressed or implied. Accordingly, the award shall be for an **estimated quantity term contract**. Contract shall be for actual amounts shipped. **Reprints of books may be required.**

Proofs & Deliveries

Upon contract award, the contractor will receive purchase order(2) and **final copy will be provided type set to size, but must be positioned for camera.** The contractor will then prepare and deliver blue line proofs of the "Union Contract Handbooks" to OCA-HR within the time period stated on the Bid Response Form. OCA-HR shall have the right to make any copy modifications or corrections to the first proof without additional charges. Upon return of the approved proof, contractor must deliver the final products within three (3) weeks after approval and return of the final proof. **Failure to do so may result in the application of a one percent (1%) reduction of the contractor's invoice for every day the delivery is late. Delivery time may be a factor in determining the successful bidder.**

Payments

Upon receipt of true and accurate invoice(s), payments will be processed as items are delivered and accepted.

Contractor Identification

The awarded contractor's logo, trademark or any other identifying information **must not appear on any portion of the product** except the "**Union Bug**" **must be printed** on the outside of back cover.

Order Communication

Any and all corrections, changes, clarifications, etc. communicated between the OCA-HR and the contractor **must** be in writing. **Contractor will assume all risks if acting otherwise.**

Eligibility

Vendor must have a minimum of three (3) years experience in providing similar services and scope and must provide information pertaining to the organization which demonstrates its experience and competence in the conduct of service comparable in nature, volume, and scope to that described in the solicitation. (Appendix D)

References

Bidder **must provide with their response**, the names of at least three (3) references including company/agency name, complete address, contact name, title, telephone private or governmental single entities (including agency or company name, complete address contact name, title, phone numbers and email addresses) for which similar services and scope have been performed. (Appendix C)

Note: Failure to submit any of the data requested in this RFB in a timely manner may result in rejection of the bid.

Term of Contract

The term of this contract(s) shall be from September 1, 2008 - February 28, 2010, a period of eighteen (18) months.

Extension

Awarded contract(s) may be extended for a period of up to six (6) months upon expiration of the contract term and upon the same pricing, terms and conditions. Pricing in effect a the time of the contract expiration shall remain in force for such extension period and subject to the approval of the NYS Office of the Attorney General and the Office of the State Comptroller.

Judiciary Use

Awarded contract shall be for use by the NYS courts and related offices, which may include certain not-for-profit organizations receiving funding from the UCS.

Price/Delivery

Prices quoted shall be **per lot** and **Net F.O.B. Destination** and include full **inside delivery** to the exact location indicated on the purchase order(s). Approximately 5,730 of the CSEA (Lot A) books will be delivered **approximately** as follows:

600 copies to:

Sherry Barnum
Fourth District Administrative Office
65 South Broadway, Suite 101
Saratoga Springs, New York 12866

730 copies to

Michael A. Klein, Esq.
Fifth District Administrative Office
Onondaga County Office Building
600 South State Street
Syracuse, New York 13202

500 copies to

G. Russell Oechsle
Sixth District Administrative Office
State Office Building, Suite 1501
44 Hawley Street
Binghamton, New York 13901-4466

900 copies to

Harry Salis
Seventh District Administrative Office
Hall of Justice, Room 161
99 Exchange Boulevard.
Rochester, New York 14614-2185

1150 copies to

Andrew Isenberg, Esq.
Eighth District Administrative Office
92 Franklin Street, Third Floor
Buffalo, New York 14202-3902

3,000 copies to

Craig Hoeffner
OCA Labor Relations
15 Elk Street
Albany, NY 12207

1,400 of the COBANC (Lot C) books will be delivered to Nassau District Administrative Office, 100 Supreme Court Drive Mineola, New York 11501,

1,400 of the Suffolk (Lot B) books will be delivered to Suffolk District Administrative Office, 400 Carleton Avenue - 7th Floor
P. O. Box 9080 Central Islip, New York 11722-9080

and the balance of the handbooks (balance of Lots A, B and C plus Lots D through L) will be delivered to the OCA Print Show, 25 Beaver Street, 9th Floor, New York, New York 10004). Pricing shall be inclusive of all requirements and services contained herein including, but not limited to, paper, printing, plates and negatives (if applicable), assembly, ink packaging, delivery, etc.

Important: All plates and negatives, if applicable, are considered the property of the New York State Judiciary and at OCS-HR's option shall be relinquished without costs upon completion of all work and deliveries.

All pricing shall remain firm throughout the initial contract period and extensions thereof.

Method of Award

OCA will award any resulting contract to a **single contractor**. Specifically, all lots indicated herein shall be awarded to one (1) contractor. **There will be no split awards.**

Awarded contract will be to the **lowest cost responsible** bidder.

"Lowest cost" shall be determined by the pricing provided on the Bid Response Form. It will be the sum of the price for each lot (items A through L). In the event of a bidder miscalculation, unit pricing will prevail.

Responsible shall be defined to include, but not be limited to, compliance with these specifications, resources and capabilities, past performance history, references, financial stability, cost factors, experience with comparable awards/contracts and any other criteria necessary and reasonable to establish the bidder's responsibility. OCA reserves the right to require any and all information or documentation deemed necessary to determine the "responsibility" of bidder. Failure to provide such information or documentation may result in rejection of bidder's submission. Sufficient resources to ensure the ability to adhere to the contract requirements shall be a factor in the determination of the award. Please see OCA printing policy in Attachment I.

Pricing Structure

Pricing shall be submitted only on, and in the format prescribed by the Bid Response Form. Bidder must enter a price or "No Charge" or "N/C" for each category of pricing presented on the form. The submission of an inaccurate or incomplete Bid Response Form **may result in rejection of the bid**. Proposers are cautioned to be thorough and accurate. In the event of a miscalculation, the unit pricing will prevail.

Delivery Access

Note: Bidders are advised that increased security measures are in effect in most court facilities and no special arrangements will be made, including, but not limited to, parking, loading, clearance with respect thereto. Accordingly, contractor shall be solely responsible for familiarity and compliance with any such special security or access measures.

Liability - Personal Injury

Awarded contractor shall hold harmless the State of New York, the Unified Court System and the Office of Court Administration with respect to any injuries sustained by contractor's employees, agents, subcontractors, etc. during the contract period.

Detailed Specifications

Following are the detailed and technical specifications **governing the production of Union Contract Handbooks.**

Only union shops may submit a bid. The “Union Bug” must be printed on the exterior back cover.

UNION CONTRACT HANDBOOK:

Printing of approximately 32,700 copies of the Union Contract Handbook consisting of approximately 12 variations.

Size: 5.5" wide x 8.5" tall

Stock: Text interior - 60 lb. White Vellum (recycled stock)

Cover - 110 lb. Straight Index Cover (recycled) in **various colors** to be determined

Printing: Black ink throughout (interior and exterior)

Interior Covers - No printing on inside covers.

Exterior Back Cover- Must be printed with the “**Union Bug**”

Binding: Perfect Bound.

Copy: Final copy will be provided type set to size but must be positioned for camera.

Proof: See Proofs & Delivery, page 4 of the General Specifications.

Printing & Delivery: As soon as possible, but within three (3) weeks maximum after approval of final proof.

Pack: Each carton must be clearly labeled as to title and quantity.

Printing and Delivery schedule for the handbooks.

Initial printing and inside delivery to be within three (3) weeks of proof approval.

Pages:

Lot A is approximately **112 pages** and **Lot I** is approximately **116 pages**. The **balance of the lots** are approximately **75 or fewer** pages each.

ESTIMATED QUANTITIES:

LOT	TITLE	ESTIMATED QTY.
A	CIVIL SERVICE EMPLOYEES ASSOCIATION	9,500
B	SUFFOLK COUNTY COURT EMPLOYEES ASSOCIATION	1,700
C	COURT OFFICERS BENEVOLENT ASSOCIATION OF NASSAU COUNTY	1,700
D	CITYWIDE ASSOCIATION OF LAW ASSISTANTS OF THE CIVIL, CRIMINAL AND FAMILY COURTS	950
E	COMMUNICATIONS WORKERS OF AMERICA	300
F	THE ASSOCIATION OF SURROGATES' AND SUPREME COURT REPORTERS WITHIN THE CITY OF NEW YORK	900
G	COURT ATTORNEYS ASSOCIATION OF THE CITY OF NEW YORK	650
H	NEW YORK STATE COURT OFFICERS ASSOCIATION	4,200
I	NEW YORK STATE SUPREME COURT OFFICERS	4,200
J	NEW YORK STATE COURT CLERKS ASSOCIATION	4,200
K	DISTRICT COUNCIL 37	3,500
L	NINTH JUDICIAL COURT EMPLOYEES ASSOCIATION	900

BID RESPONSE FORM

LOT	ESTIMATED QTY.	PRICE
A	9,500	
B	1,700	
C	1,700	
D	950	
E	300	
F	900	
G	650	
H	4,200	
I	4,200	
J	4,200	
K	3,500	
L	900	
GRAND TOTAL		

SUPPLEMENTAL INFORMATION IN THE EVENT OF A CHANGE TO THE NUMBER OF PAGES:

PAGES	PRICE
+/- 4 PAGE SIGNATURE	
+/- 8 PAGE SIGNATURE	
+/- 16 PAGE SIGNATURE	
+/- 32 PAGE SIGNATURE	

Although the pricing for additional pages is not calculated in the totals because the figure is unknown at this time, it may be a factor in the award. The UCS reserves the right to negotiate the cost of supplemental pages if pricing appears unreasonable.

*Delivery - first proof: _____ days after receipt of Purchase Order(s)

*Delivery of the second proof (if required) _____ days after return of first proof.

***May be a factor in determination of the award.**

The page counts indicated are a close estimation of the total number of pages. Enter a cost for the estimated number of pages for each lot. Final charges will be pro-rated using the provided signature cost if the number of pages increases or decreases. The **most cost effective combination of signature costs will be used in calculating each bid**, i.e., if the actual page count is 12 pages different from the estimate, then a cost for one (1) eight (8) page signature and a cost for one (1) four (4) page signature will be added or subtracted **if that is the most cost effective pricing**.

Note: If your cost for additional or fewer pages should be calculated in a manner different than above, you must provide your formula in an attachment on your letterhead. The absence of such attachment shall be construed as acceptance of the formula indicated above.

NAME OF FIRM

AUTHORIZED SIGNATURE

DATE

NAME IN PRINT