

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-829  
New York, NY 10004  
  
(Agency Name and Address)

Direct Inquiries to: Marie-Claude Ceppi  
E-mails: [mceppi@nycourts.gov](mailto:mceppi@nycourts.gov)

<b>Bid Number:</b> OCA/COA-247	<b>Commodity Group:</b>
<b>Opening Date:</b> 11/1/2018 <b>Time:</b> 3:00 pm <b>Issue Date:</b> 10/11/2018	<b>Commodity Name:</b> Court Officer Class A Dress Uniform Package

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.

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

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

**NOTICE TO BIDDERS**

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

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

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

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

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

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

**BIDS MUST BE SIGNED**

Bidder's Firm Name:		Employer's Federal Identification Number:	
		NYS Vendor ID 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

\_\_\_\_\_ Exhibit A/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 forms **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 (rfb1.frm – "Cover Page") with original signature.

\_\_\_\_\_ Attachment I: Standard Request for Bid Clauses & Forms

(Please only include the specific pages requested below with Original Bid Response)

\_\_\_\_\_ P. 3 – Non-Collusive Bidding Certificate

\_\_\_\_\_ P. 4 – Corporate Acknowledgment

Attachment II – Not Applicable

\_\_\_\_\_ Attachment III: Vendor Responsibility Questionnaire Instructions Form with original signature.

\_\_\_\_\_ Vendor Responsibility Questionnaire filed electronically via OSC VendRep System and certified within six (6) months of bid opening due date, **OR**

\_\_\_\_\_ Vendor Responsibility Questionnaire paper version (10 pgs.) with original signature and certification

\_\_\_\_\_ Attachment IV: Procurement Lobbying Act Forms

\_\_\_\_\_ Disclosure of Prior Non-Responsibility Determination (UCS 420)

\_\_\_\_\_ Affirmation of Understanding and Agreement (UCS 421)

\_\_\_\_\_ Certificates of valid New York State Worker's Compensation and New York State Disability Benefits Insurance, **OR**

\_\_\_\_\_ Certificate of Attestation of Exemption. (Please see P. 4, "Insurance Requirements" for a list of accepted forms.)

\_\_\_\_\_ Copies of bidder's certificate of insurance or other adequate proof evidencing the Commercial General Liability Insurance coverage required by the bid specifications.

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

\_\_\_\_\_ Bidder's complete Class A Uniform Package Sample

\_\_\_\_\_ List of three (3) business references (contact names, addresses, phone numbers, e-mail addresses)

\_\_\_\_\_ Bidder's contact information (Name, address, phone number and e-mail addresses)

\_\_\_\_\_ Document Enclosure Checklist (this page, fully executed and signed)

**The required Exhibit A (Bid Response Form), forms, documents and information listed above constitute the Original Bid Response.**

\_\_\_\_\_ Include two (2) copies of the Original Bid Response in your submission package.

Please do not place bid response submission in binders, spiral organizers or sealed folders. Use only paperclips or rubber bands to bind your paperwork together.

**IMPORTANT:**

1. 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.

2. Exhibit A (Bid Response Form) and the other forms listed above must all have the SAME COMPANY NAME AND TAX ID NUMBER in order for a purchase order or contract to be approved by the NYS Comptroller.

3. Do not alter this solicitation in any manner. Any changes, deletions, or additions to this RFB, including the Exhibit A (Bid Response Form), will result in the rejection of this offer as non-responsive.

4. Please note that the terms and conditions of this RFB will form the basis of the contract with the awarded vendor (hereafter "Vendor.")

**5. Please verify that all required documents are included before signing.**

COMPANY NAME:

\_\_\_\_\_

AUTHORIZED OFFICER'S NAME AND TITLE:

\_\_\_\_\_

\_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

## **I. DETAILED SPECIFICATIONS**

### **Purpose and Scope**

The New York State (hereafter “NYS”) Unified Court System (hereafter “UCS”) Office of Court Administration (hereafter “OCA”) is soliciting sealed bids to provide a Class A dress uniform package for Court Officer Trainees (“Uniform Package”), including measurement, fitting and delivery of Uniform Packages at NYS Ct Officer Academy facilities, currently located in Castleton-on-Hudson and Brooklyn, New York (each, hereafter, a “COA”). The Uniform Package shall consist of cap, tie, dress gloves, shoes and tailored-to-fit “Class A” quality blouse and trouser. Uniform Packages shall be provided within timelines set forth in the Technical Specifications listed in Article II herein. OCA estimates that a total of seven hundred and ten (710) Uniform Packages will be required annually.

Each COA location will host two recruit classes per year that will require Uniform Packages. The length of a standard recruiting class is fourteen (14) to sixteen (16) weeks, or seventy (70) to eighty (80) training days. Recruits do not train on legal holidays and week-ends. We anticipate the next NYC Class to begin basic training at the Court Officers Academy in Brooklyn, NY, mid-February 2019.

### **Term of Award**

A single contract will be awarded for an initial term of two (2) years (“Initial Term”) effective on or around January 15, 2019. UCS shall have the option to renew the contract for three (3) additional one (1) year terms (each, a “Renewal Term”) upon the same terms and conditions except pricing, which for each renewal period, shall be determined in accordance with the paragraph below entitled, “Price Adjustments.” UCS also reserves the right to extend the contract for a maximum of six (6) months upon the same terms and conditions, including pricing, as of the expiration date of the Initial Term, or the first Renewal Term of the contract, as the case may be. The maximum term of the contract will be five (5) years. The initial contract, renewals and extension are subject to the approval of the NYS Attorney General and the NYS Comptroller.

### **Method of Award**

A single contract shall be awarded to the responsible bidder, determined to be in compliance with this RFP/RFB and specifications, who submits the lowest Grand Total 2-Year Initial Term Cost as indicated in Exhibit A/ Bid Response Form annexed hereto.

## Questions

Any and all questions bidders may have in connection with this solicitation are to be directed by e-mail only to:

Marie-Claude Ceppi  
[mceppi@nycourts.gov](mailto:mceppi@nycourts.gov)

Please indicate in “Subject” field: RFB# OCA/COA-247 Question(s).

The deadline to submit questions is 10/18/2018 before 5:00 PM. No questions will be entertained after this deadline. A written compilation of all questions received and the UCS response to them (the “Q&A”) will be posted on the UCS website at [www.nycourts.gov/admin/bids](http://www.nycourts.gov/admin/bids) in the Addenda column for this solicitation and e-mailed to the bidders list promptly after this deadline.

**IMPORTANT:** All questions regarding this solicitation must be in writing and directed solely to the attention of the above-designated persons. Contact by any prospective bidder, or any representative thereof, with any other personnel of the UCS 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.

## Packaging, Identifying and Delivering Bids/Proposals

Bids/Proposals must be clearly addressed and submitted to:

Marie-Claude Ceppi  
NYS Unified Court System  
Office of Court Administration  
Division of Financial Management  
25 Beaver Street, R-829  
New York, NY 10004

All inner envelopes and external packaging must also be labeled with the following information on two sides:

“Deliver immediately to Marie-Claude Ceppi – R-829, ”  
“Sealed Bid – Do not open”  
“RFB# OCA/COA-247 due date November 1, 2018 at 3:00 PM”

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 on November 1, 2018 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-Bid Letters**

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: RFB# OCA/COA-247. A No-Bid letter may also be submitted by email to Marie-Claude Ceppi at [mceppi@nycourts.gov](mailto:mceppi@nycourts.gov) (“Subject” field: OCA/COA-247 No-Bid).

### **Bidder’s Contact Information**

Bidder shall designate in its bid response, and provide the name, title, phone number and email address of a person who shall function as primary contact for all questions UCS/OCA may have regarding bidder’s bid response, and for the term of an awarded contract.

## **II. TECHNICAL SPECIFICATIONS**

### **Narrative**

New York State Court Officers are highly trained peace officers whose role is essential to the function of the Courts. They are required to wear uniforms and carry firearms and are charged with providing law enforcement, security services and maintaining order in and around court facilities statewide. Court officers also execute bench warrants and make arrests statewide.

### **Academy Facility Locations**

OCA operates two (2) full-time COA training facilities in the state. The upstate facility is located at 2500 Pond View, Castleton-on-Hudson, NY 12033. The downstate facility is located at 541 St. John’s Place, Brooklyn, NY 11238. Specific scheduling and delivery dates and times and will be given for each location via a schedule to be provided by UCS to the awarded contractor (“Delivery Schedule”). The Delivery Schedule may be updated and/or revised by UCS at any time during the term of an awarded contract, including any renewals or extensions. COA



locations are subject to change by UCS without additional charge (including, but not limited to, delivery costs and charges).

### **Class A Uniform Package**

The Class A Uniform Package will consist of the following:

#### Class A Blouse:

- Navy Blue, thumb tip length, four-button front with New York State brass buttons, permanent shoulder epaulets with New York State brass buttons, two top pointed pocket flaps (not including pockets) and two bottom scalloped flaps with New York State brass buttons. The blouse has two (2) side vents without zippers, and no rear vents.
- Sleeves to be two-piece set in with shoulder pads and sleeve heads, with two New York State brass buttons on each sleeve.
- Fabric to be 55% Dacron polyester/45% wool or 100% wool
- Fully lined permanent lining to be 100% polyester, with an inside breast pocket
- Fabric weight to 13.5 – 14.5 oz. per square yard
- Regulation New York State patches affixed to both shoulders
- Shield eyelet holes over the left breast spaced exactly 1-5/8" apart
- New York State brass buttons are gold color with NYS Seal embossed.

#### Class A Trouser:

- Navy Blue with ½" wide black mohair braid on the outer seam. A comparable material braid (such as nylon blend) may be used as a substitute.
- Fabric to be 55% Dacron polyester/45% wool or 100% wool
- Fully lined permanent lining to be 100% polyester
- Fabric weight to 13.5 – 14.5 oz. per square yard

**Blouse and trouser must be a uniform match in fabric, weight and color.**

#### Cap:

- Dark Navy
- Police Type, eight-point, winter uniform cap with black chin strap
- New York State brass buttons

#### Tie:

- Black
- Polyester, 3" wide x 14.5", 18", 20" or 22" length
- Clip-On, breakaway

Dress Gloves:

- White
- 100% stretch nylon with raised stitching on the back
- Snap Closure

Shoes:

- Black leather military oxford compatible with Class A uniform
- High shine, natural leather
- Adjustable laces

**Item Substitutions**

Bidders may offer substitute Uniform Package components of a higher quality than required by the specifications contained in this RFB; provided UCS shall retain the sole discretion to determine whether any proposed substitution meets the technical specifications set forth herein.

Awarded contractor may not substitute any Uniform Package item without the express prior consent of UCS, in its sole discretion.

**Item Marking/Labeling**

Each uniform item shall be appropriately marked and/or labeled as to identified size, style, fiber content, manufacturing RN number, care instructions and country of origin labeling.

**Additional Requirements**

All Uniform Package items shall be comprised of new, and not used or reconditioned items or materials. All Uniform Package items shall be required to fit appropriately and properly for the purpose intended, as determined by UCS in its sole discretion.

**Sample Submission**

The bidder is required to submit together with their bid response a complete sample Class A Uniform Package. OCA shall have the option to evaluate and/or test any item offered in this RFB at any time prior, or subsequent to, contract award.

**Fulfillment Time Line**

CLASS A UNIFORM PACKAGE	
Recruit Measurement	Between Training Day <b>3 and 5</b>
Delivery of Shoes	Not later than Training Day <b>11</b>
Delivery and Distribution of Uniform Package	Not later than Training Day <b>50</b>
Alterations and refitting	Not later than training day <b>54</b>

Each Uniform Package delivery for a trainee class will be commenced by the delivery to the awarded vendor of a notice to proceed (“Notice to Proceed”) to be sent to an email address specified by the vendor. The Notice to Proceed will contain the date of the first Training Day and the location of the COA to receive the Uniform Packages. Each Training Day listed above is to be measured from the first Training Day specified in the Notice to Proceed.

**Note: Time is of the essence with respect to the Training Days specified in the Fulfillment Time Line.**

**Recruit Measurement**

Awarded contractor must conduct recruit measurement, at the specified COA location between the hours of 5:00 PM and 8:00 PM on the Training Day listed in the Fulfillment Time Line. Measurement of recruits must be completed not later than three (3) business days thereafter.

The awarded vendor must size each recruit (and not request their shoe or clothing size).

**Uniform Delivery/Distribution**

Distribution and fitting of recruits must be conducted between 5:00 PM and 8:00 PM commencing on the Training Day listed in the Fulfillment Time Line, and completed not later than one (1) business day from the specified Training Day. Any required alterations, and subsequent re-fitting and re-delivery of Uniform Packages must be completed not later than the Training Day specified in the Fulfillment Time Line for alterations and refitting. Awarded vendor’s representatives must be present to conduct delivery, distribution and alterations of Uniform Packages to the recruits.

### **Returns**

Any unused Uniform Package items in their original packaging that have not been individually tailored may be returned by UCS within ninety (90) days of delivery for a full refund, at the prices listed in the Bid Response Form.

### **Pricing**

All price quotes shall be inclusive of all costs associated with the measurement, production, delivery and distribution of Uniform Packages, including, without limitation, shipping and delivery costs and travel expenses.

Except as expressly provided for in this RFB, there shall be no other charge, cost, reimbursement or expense of any kind payable by the UCS in connection with or arising from awarded contractor's services to be provided under this RFB, including, but not limited to, delivery and travel expenses, if any.

Please note that UCS is a tax exempt governmental entity.

### **Price Adjustments**

Pricing shall be subject to increase as of the commencement date of each Renewal Term by the percentage equal to the lesser of: (i) the increase, if any, in the Consumer Price Index for All Urban Consumers (CPI-U); U.S. Cities Average; All items; not seasonally adjusted, 1982-1984 = 100 reference base ("CPI") as of the third month prior to the commencement date of each such Renewal Term, over the CPI as of the third month prior to the commencement date of the immediately prior term of the Agreement, or (ii) five percent (5%). Pricing shall thereafter remain unchanged for the balance of each such term, and shall further remain unchanged during any extension term of the Agreement.

### **Bid Response Form**

Pricing shall be submitted only on, and in the format prescribed by the Bid Response Form attached as Exhibit A hereto. Unless specified otherwise herein, all prices shall remain unchanged during the Initial Term of the awarded contract.

### **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) and Affirmation of Understanding and Agreement (UCS 421) 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/index.htm> or go directly to the VendRep System online at <https://portal.osc.state.ny.us/Enrollment/login>. 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 [ITServiceDesk@osc.state.ny.us](mailto:ITServiceDesk@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/forms\\_vendor.htm](http://www.osc.state.ny.us/vendrep/forms_vendor.htm) 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/ac3237s\\_fe.pdf](http://www.osc.state.ny.us/vendors/forms/ac3237s_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/](http://www.osc.state.ny.us/vendor_management/).

### **Online RFB/RFP Package: Disclaimer**

Bidders accessing any UCS/UCS/OCA solicitations and related documents from the New York State UCS website [www.nycourts.gov/admin/bids](http://www.nycourts.gov/admin/bids) under “Current Solicitations” shall remain solely and wholly responsible for reviewing the respective solicitation & bid documents on the internet regularly, up to the scheduled date and time of the bid/proposal due date, to ensure their knowledge of any amendments, addenda, modifications or other information affecting the solicitation or bid documents in question.

### **Bid Response/Proposal: Original and Copies**

Bidders shall submit all the following required **original RFB/RFP documents**: Bid/Proposal; Executed RFB/RFP Form; Attachment I - pages 3, 4, of 10; Attachment III - Vendor Responsibility Questionnaire (questionnaire may be filed electronically with OSC); Attachment 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”); 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 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.

### **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.

### **Unified Court System Self-Insurance**

UCS, a New York State governmental entity, is self-retained for risk of loss and liability.

### **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
- **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
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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.

### **Confidentiality and Data Security**

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.

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.

Any and all material and documents, records and any other data or information developed by contractor, or any person or entity acting on behalf of contractor, remains the sole property of the UCS.

Contractor is prohibited from maintaining files and records provided to or generated by Contractor in a mobile or portable device. In addition, Contractor will be required to comply with the data security and confidentiality requirements of other government agencies that supply data to UCS.

### **Bidder 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/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/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.

### **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

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meaning that only the best commercial practices are to prevail. All interpretations of these specifications shall be made on the basis of this statement.

**IV. EXHIBIT A - BID RESPONSE FORM**

<b>(A) Item</b>	<b>(B) Unit Price</b>	<b>(C) Estimated # of Annual Recruits</b>	<b>(D) Total Annual Cost (B) x (C) = (D)</b>	<b>(E) Total Two-Year Cost by Item (D) x 2 = (E)</b>
1) Class A Blouse	\$	710	\$	\$
2) Class A Trouser	\$	710	\$	\$
3) Cap	\$	710	\$	\$
4) Tie	\$	710	\$	\$
5) Dress Gloves (pair)	\$	710	\$	\$
6) Shoes (pair)	\$	710	\$	\$
			<b>Grand Total Cost for 2-year Initial Term</b> (The <u>sum</u> of all total item costs in Column (E))	\$

Company Name:

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Company Address:

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Price Quote Preparer's Name:

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IV. EXHIBIT A - BID RESPONSE FORM (cont.)

Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_