

STATE OF NEW YORK

JUDICIARY

—REQUEST FOR BID/PROPOSAL—

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

Marie-Claude Ceppi
 NYS Office of Court Administration
 25 Beaver Street, R-840
 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 attached RFB/RFP Specifications

Bid Number: OCA/DOT-132	Commodity Group:
Issue Date: 10/22/2007	
Opening Date: NOVEMBER 14, 2007 Time: 3:00 PM	Commodity Name: USB CLOCK DISPLAYS AND MIXERS

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
<u>UCS ATTACHMENTS I AND III AND IV</u> INCORPORATED HEREIN.	Respondents are to submit all required documentation and pricing in the format prescribed by the attached RFB/RFP Specifications.

NOTICE TO BIDDERS

Pursuant to the Rules and Regulations of the Chief Administrator for the Courts, sealed responses for furnishing the item(s) in this Solicitation will be received at the above address. When submitting a response, 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 response deviates from the specifications. If necessary, attach a separate sheet setting forth such explanations.

3. Sign the Solicitation Forms. The Bid/Proposal response must be completed in the name of the respondent (corporate or other) and must be fully and properly executed by an authorized person.

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

5. Mail the bid/proposal response to the above agency address in sufficient time for it to be received before the specified bid opening. LATE RESPONSES WILL BE REJECTED.

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

RESPONSES MUST BE SIGNED

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

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, p.3 - Non-Collusive Bidding Certificate
- _____ Attachment I, p.4 - Corporate Acknowledgment
- _____ Attachment III - Vendor Responsibility Questionnaire
 - ? paper questionnaire
 - ? 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

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: _____

BID SHEET

USB/Serial External Clock Display				Cost per year	
\$ _____ per unit	x	50	units per year	=	\$ _____
USB Mixer					
\$ _____ per unit	x	50	units per year	=	+ \$ _____
Grand Total Cost per year					\$ <u>_____</u>

Company Name _____

Authorized Officer's Name and Title _____

Signature _____ Date _____

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DETAILED SPECIFICATIONS

***** GENERAL SPECIFICATIONS *******I. The RFB/RFP Process****Note to Bidders****1. Attachment I - Standard Request for Bid Clauses & Forms and Attachment IV- Procurement Lobbying Law required forms**

In addition to such other specifications and criteria as are presented herein, the NYS Unified Court System Attachment I - Standard Request for Bid Clauses & Forms, and Attachment IV - Disclosure of Prior Non-Responsibility Determination (UCS 420) as well as Affirmation of Understanding and Agreement (UCS 421) and Termination Clause (UCS 423) pursuant to the Procurement Lobbying Act, which must be downloaded or printed from the UCS Contract & Procurement website under “Addenda” for the appropriate solicitation, are incorporated and made a part of this solicitation.

2. Attachment III - Vendor Responsibility Questionnaire

The NYS Unified Court System (UCS) is required to conduct a review of a prospective contractor to provide reasonable assurances that the vendor is responsible. The required Vendor Responsibility Questionnaire is designed to provide information to assist UCS in assessing a vendor’s responsibility prior to entering into a contract with the vendor. Vendor responsibility is determined by a review of each prospective contractor’s legal authority to do business in New York State, business integrity, financial and organizational resources, and performance history (including references).

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.

Online RFB/RFP Package : Disclaimer:

Bidders accessing any Unified Court System/Office of Court Administration (hereafter “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 **November 1, 2007 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.

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.

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.

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.

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/DOT-132 due November 14, 2007 at 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 OCA-designated person by November 14, 2007 at 3:00 pm at the latest or bids will be declared a "late bid" and they will be disqualified. It is recommended that bidders allow several extra days for shipping in order to meet the deadline.

No-Bids:

Bidders are requested to send a no-bid letter to OCA, Attn: Marie-Claude Ceppi, at the above address, should they decide not to answer this solicitation. The envelope shall be clearly marked in the lower left corner as follows: OCA/DOT-132.

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.

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 three (3) years.

Communications and Changes between UCS and Awarded Vendor:

Under no circumstances should the awarded vendor act on any verbal communications of the UCS/OCA with regard to orders. **Any and all communications or changes are to be in writing only.** The awarded vendor assumes all risk in acting otherwise.

II. RFP # OCA/DOT-132

Purpose and Scope:

The Office of Court Administration (hereafter “OCA”), Division of Technology (hereafter “DOT”), is soliciting sealed bids for the purpose of establishing an estimated quantity term contract to provide approximately fifty (50) USB/Serial External Clock Displays and fifty (50) USB mixers (both fully compatible with FTR Reporter 2.2, TheRecord 3.3. and above) per year for the courts throughout UCS.

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**.

Term of Award:

A single contract will be awarded for an initial two (2) year period, effective on or about January 1, 2008. The UCS reserves the right to renew for three (3) one-year periods, **upon the same terms and conditions, except pricing.**

Price:

All prices are to be net f.o.b. destination, and include full inside delivery to the exact locations indicated on the purchase order(s) that the UCS may place during the term of the contract. Bidder shall quote its price on a per unit basis, i.e. per mixer and per clock (See Bid Sheet).

Price Increases:

All prices shall remain firm through the initial contract period. Reasonable, necessary and documented cost increases to the contractor for any renewal period will be considered subject to the following:

1. Only those increases applicable to materials and supplies, as the result of increases levied by the manufacturers, will be reviewed. No increases associated with labor costs will be considered.
2. The price increase must not exceed the change in CPI from the twelve (12) months preceding the renewal period starting date.
3. The awarded contractor must submit written request for allowable increase(s) forty-five (45) days prior to the end of the initial contract period accompanied by any/all supporting documentation showing price increases at the manufacturers level including manufacturers invoices at the time of the beginning of the awarded contract and at the time of the awarded contractor's request for a price increase.

The awarded contractor shall send its request for a price increase in writing only to:

Marie-Claude Ceppi
Management Analyst
NYS Office of Court Administration
25 Beaver Street, R-840
New York, NY 10004

Method of Award:

Award shall be made to the lowest responsible **single** bidder determined to be in compliance with this RFB's specifications. "Responsible" shall be determined by, but not limited to, the following criteria: bidder's experience, compliance with the specifications contained herein, references, financial stability, performance history and cost.

Award shall be made to the bidder quoting the lowest total dollar cost per year AND deemed responsible as defined in the paragraph above. In the event of bidder's miscalculation, the price per unit will prevail.

Delivery:

Awarded contractor must be able to accept and produce any order placed within the contract period. The UCS shall place orders on an as-needed basis. Deliveries are expected within two weeks a/r/o or earlier, but deliveries shall be made at the latest thirty (30) days a/r/o or they may be rejected.

Purchase Orders:

Purchase Orders will be issued directly to the awarded contractor by OCA/DOT. They shall be binding upon the contractor when placed in the mail to the address noted in the award. Under no circumstances is the awarded contractor to perform any work prior to the receipt of a purchase order. Contractor accepts all risks in acting otherwise.

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.

Financial Stability:

Upon request by 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.

Termination:

If awarded bidder fails to fulfill any term of the contract, OCA shall have the right to terminate said contract, except that OCA shall allow awarded bidder a period of thirty (30) days to rectify the problem(s), after which OCA will notify contractor in writing of contract termination should problem(s) not be rectified to OCA's satisfaction or performance deemed unsatisfactory. Termination for non performance may subject contractor to further penalties.

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

USB/Serial External Clock Display

A USB/Serial External Clock Display is a two-sided digital clock fully compatible with FTR Reporter 2.2, TheRecord 3.3. and above. It produces a large, clearly-visible display of the current record time so court participants are aware that recording is in progress, and so they can note the time of specific events for future review. The digits on the digital clock should be visible up to 50 feet away, making the clear hour/minute/second readout easy to read in small deposition rooms as well as large courtrooms. It has removable rubber feet for tabletop positioning and optional mounting brackets are available. A serial and USB cable should be included to connect the external clock display to a computer or FTR Reporter Deck.

USB Recording Device/Mixer

A digital recording device/mixer that connects to a host PC via USB 2.0. The device/mixer has 8 balanced inputs that can be either microphone or line level, and are mixed down to 2 or 4 channels and digitized. The mixing is completely

flexible, allowing any selection of inputs to be routed to any record channel. The digitized audio is sent to the host PC via a USB connection for recording on the host PC's hard drive. A software driver is provided that makes the device/mixer appear as a standard Microsoft Wav device. The device/mixer is designed for voice applications and incorporates a dynamic range compressor/noise gate on each input. The dynamic range compressor/noise gate makes the recording process more forgiving of varying loudness levels of different people's voices. There are 4 monitor outputs intended for interfacing to telephone or video teleconferencing systems. This allows for person(s) at remote locations to participate in the proceeding being recorded and hear the voices of the other participants. Any selection of inputs may be routed to any of the 4 monitor outputs. This allows remote participants to listen to a mix which has their voice removed to avoid echoes or feedback. There is a fifth "monitor all" output which is a fixed mix of all 8 inputs.

Unit Specifications

Analog Inputs

Quantity	8
Connector	XLR-F
Levels	-60 to +10dBu (0.775mv to 2.5VRMS) (note 1)
	Input Impedance 1K ohms
Phantom Power	Each channel individually enabled by software, +12V
THD+N	0.025% condition: -30dBu input (25mVRMS), trim controls set so that compressor is not active
CMRR	80dB
Frequency Response	20 to 20kHz \pm 3dB
DR Compression	Uses THAT4301 analog audio processor (note 2)
Noise Gating	Uses THAT4301 analog audio processor (note 3)
Trim Control	Software controllable, -90dB to +15dB range, 0.5dB steps

Notes: (1) The input preamplifier has 3 software configurable gain settings: +62dB, +46dB, and 0dB. The preamplifier is followed by a software adjustable trim control. (2) Compression takes effect about 10dB above nominal record level. Compression slope 10:1. (i.e. a 10dB increase in input level will cause a 1dB increase in output level.) (3) Noise gating is in effect about 10dB below nominal recording level. Slope 1:10. (i.e. a 1 dB decrease in input level will cause a 10dB decrease in output level.)

Mixer (see block diagram)

Record Device Source Selection	Any N of 8 inputs for each of 4 records
Monitor Source Selection	Any N of 8 inputs for each of 4 monitor out

A/D Conversion

Conversion	16 bits
Sample rates	8,11.025,12,16,22.05,24,32,44.1,48 KHz
Physical Record Devices	4 (mono)

Audio Monitor Outputs

Monitor All	Balanced or unbalanced +20dBu nominal full scale output level, ¼” TRS (note 5)
Monitor 1 - 4	Unbalanced RCA, 2VRMS nominal full scale output level (note 6)
Output Trim Control, each	>90dB range, 0.5dB steps

Notes: (5) The +20dBu level is for balanced configuration. If one output is grounded, the output will function as unbalanced, but +20dBu will not be possible without high distortion. (6) Because of the trim controls, levels greater than the nominal levels are possible. If connecting to telephone equipment, care must be taken not to over drive the public telephone network.

Indicator LEDs

Power, green

One bi-color LED per input channel. Green indicates audio activity. Red indicates compression threshold is reached.

Computer Interface

OS support	Windows 2000 workstation, XP Home, XP Pro
Recording Software	Fully compatible with FTR Reporter 2.2, TheRecord 3.3. and above
USB	USB 2.0 required
Audio Wav Devices	2 or 4 mono record devices (1 or 2 stereo)
Mixer	Device/mixer Windows application with storable mixer “scenes”

General

Power	120/240VAC, switchable; 50-60Hz
AC Input	Removable IEC plug
Certifications	cUL 60065-1, CE/FCC Part 15 Class A
Size	15.25” W x 10.75” D x 2.4” H
Weight	9 lbs.
Connector Orientation	All audio, USB, and AC power connectors on one 15” side
Indicator LED Orientation	On opposite side from connectors
Operating Environment	0-40C, 0-95% RH non-condensing