

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**

Number: OCA/RC-207 Issue Date: Oct 3, 2014	Commodity Group:
Opening Date: OCTOBER 27, 2014 Time: 3:00 p.m.	Commodity Name: Records Management and Cashiering System Support

Office of the Richmond County Clerk
 130 Stuyvesant Place
 Staten Island, NY 10301
 (Agency Name and Address)

Direct Inquiries to: Mario J. DiRe, Esq.,
 Chief Deputy County Clerk
 E-Mail: mdire@nycourts.gov

Price to include delivery to the Office of the Richmond
 County Clerk, 130 Stuyvesant Place, Staten Island, NY
 10301

PER ATTACHED RFP/RFB SPECIFICATIONS

OCA/RC-207

OFFICE OF GENERAL SERVICES "GENERAL SPECIFICATIONS" (JANUARY 2004) ARE FULLY INCORPORATED HEREIN.

Agency's Specification of item(s) Required (include quantities)	Bidder's Quotation and Specific Description of Item Offered
UCS ATTACHMENTS I, III AND IV ARE ATTACHED & INCORPORATED HEREIN.	BIDDERS ARE TO SUBMIT ALL REQUIRED DOCUMENTATION AND PRICING IN THE FORMAT PRESCRIBED BY THE ATTACHED RFP/RFB SPECIFICATIONS.

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/Proposal 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/proposal. The bid/proposal 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/PROPOSAL NUMBER, THE OPENING
 DATE AND TIME ON THE ENVELOPE CONTAINING THE
 SEALED RESPONSE.

5) Mail the bid 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		
		NYS Vendor ID #		
Address Street	City	State	Zip	
Bidder's Signature		Official Title		
Printed or Typed Copy of Signature		Area Code/ Telephone Number	Email	

DOCUMENT ENCLOSURE CHECKLIST

_____ **Bid Response Form must be fully executed and included in bidder's proposal. (Failure to do so will immediately disqualify bidder's response.)**

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

- _____ **UCS Request for Bid/Proposal Form with original signature**
- _____ **Attachment I - Standard Request for Bid Clauses & Forms**
 - p.3 - Non-Collusive Bidding Certificate
 - p.4 - Corporate Acknowledgment
- _____ **Attachment II - Not Applicable**
- _____ **Attachment III - Vendor Responsibility Questionnaire**
 - Questionnaire filed online via OSC VendRep System and certified within 6 months of the bid opening date, or
 - Paper questionnaire attached
- _____ **Attachment IV - Procurement Lobbying forms**
 - Disclosure of Prior Non-Responsibility Determination (UCS 420)
 - Affirmation of Understanding and Agreement (UCS 421)
 - Termination Clause (UCS 423)
- _____ **Certificates of NYS Workers' Compensation and NYS Disability Benefits Insurance, or Certificate of Attestation of Exemption. Please see paragraph "Insurance Requirements" for a list of accepted forms.**
- _____ **Copies of bidder's certificate(s) of insurance or other adequate proof evidencing the insurance coverages required by the bid specifications**
- _____ **Description of records management and cashiering system**
- _____ **Disaster and Recovery Plan**
- _____ **List of at least three (3) references (names, contacts, addresses, phone numbers, emails)**
- _____ **Original bid response + three (3) 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:** _____

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III. THE RFB/RFP PROCESS: GENERAL SPECIFICATIONS

Note to Bidders

Attachment I - Standard Request for Bid Clauses & Forms, and Attachment
(Attachment II is not applicable.)

Attachment III - Vendor Responsibility Questionnaire

IV- Procurement Lobbying Law Required Forms

New York State Vendor File Registration

Online RFB/RFP Package: Disclaimer

Bid Response/Proposal: Original and Copies

Binding Nature of Bid/Proposal on Bidders

Estimated Quantities

Compliance with New York laws, rules and regulations

New York State is the site of the contract

Independent Contractor Status

Rejected and Unacceptable Bids/Proposals

Responsible Bidder

Clarification/Correction of Bids/Proposals

References

Indemnity

Insurance Requirements

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Confidentiality

Legal Ownership, Custody and Control of Databases, Data, Indexes and Images

Confidential/Proprietary Information

Financial Stability

Termination

Implied Requirements

Silence of the Specifications

All provisions of the bid are binding on bidders

BID RESPONSE FORM (1 page)

I. DETAILED SPECIFICATIONS

A. Purpose and Scope

The Office of the Richmond County Clerk is seeking sealed proposals to support and maintain a comprehensive records management and cashiering system for the processing and cashiering of documents submitted to this Office. The records management and cashiering system includes software and hardware.

B. General Information: The Office of the Richmond County

The Richmond County Clerk is a constitutional officer of the State of New York whose duties include serving as the County Clerk, the Clerk of the Supreme Court, the County Register, and the Commissioner of Jurors for the County of Richmond.

The Office of the Richmond County Clerk is mandated by statute to accept for filing and/or recording, numerous types of documents. Those documents must be reviewed, indexed, and stored or imaged in compliance with multiple provisions of New York State and New York City laws. With very limited exceptions, all documents filed and/or recorded with the Office of the Richmond County Clerk are public records which are fully accessible to the public. That public access is primarily via on-site digital access in the Public Access Center maintained in the County Clerk's office during regular business hours; as well as internet access to recorded real property instruments and indexes, which is accessed via the website of the Office of the Richmond County Clerk. This Office is also responsible for the acceptance, accounting, reconciliation, reporting and distribution of all statutory fees and taxes attendant to the filing or recording of those documents.

As of March 31, 2014, the records management system for the Office of the Richmond County Clerk, which is the subject of this contract, includes approximately:

5,100,000 document images of land records in Group IV Multi-page TIFF format, indexed according to the legal requirements of the Real Property Law of the State of New York and the New York City Administrative Code, and which are searchable by block and lot, parties' names, document type, document number, book and page, and date.

100,000 Supreme Court case files which are in searchable indexes by party names and index numbers. Each case requires multiple recurring document and minute entries into the clerks' minutes for each of the cases.

80,000 Corporation, business certificates and DBAs which are indexed and searchable by party names and date.

The average annual quantities of records processed by the Office of the Richmond County Clerk for the previous five calendar years is approximately:

58,000 land documents for processing, review, imaging, indexing and cashiering.

375,000 images (pages) to indexing to microfilm

5,000 corporation, business certificate and DBA documents for review and indexing

3,500 Supreme Court documents for review and entry into the clerks' minutes

98,000 Payment Centers cashiered transactions

However, nothing herein shall be interpreted or construed to mean that the Office of the Richmond County Clerk will process any minimum number of documents and/or transactions during the contract period.

The Office of the Richmond County Clerk is—and remains-- the legal custodian of all documents filed and/or recorded in this Office. Under the terms and conditions of any contract, the Vendor does not have the legal authority to sell or otherwise distribute the records or data. The vendor's unauthorized sale or transfer of any databases, data, indexes or images will be considered material breach of the agreement.

C. Term of Award

The initial term of the contract shall be three (3) years. It is estimated that the contract will commence on or about January 1, 2015. The Office of the Richmond County Clerk shall have the option to renew the awarded contract for two (2) additional one-year terms (Renewal Terms) upon the same terms and conditions, including pricing. The maximum term of the contract shall be no longer than five (5) years from the date of commencement of the contract. The awarded contract and the Renewal Terms are subject to the approval of the New York State Attorney General and the Office of the New York State Comptroller.

D. Method of Award

A single contract will be awarded to the lowest responsible bidder determined to be in compliance with this RFB and specifications as calculated using the criteria set forth in the paragraph [below](#) entitled "Evaluation Criteria" which calculation will be made using the bidder's overall responses to this RFP and the bidder's response in the Bid Response Form.

E. Evaluation Criteria

% Weight	Criteria
25%	Ability of Vendor's proposed solution to meet the requirements of the Office of the Richmond County Clerk as set forth in the RFP and Vendor's understanding of the requirements of the Office of the Richmond County Clerk as demonstrated by the Vendor's response to the RFP, including vendor's projected time frame for conversion of existing images and data, if conversion is required.
25%	Proposed pricing and payment structure of Vendors bid as set forth in the "Bid Response Form"
20%	Amount of time Vendor has provided support and maintenance for comprehensive records management and cashiering systems to government records offices in New York State, and Vendor's experience and success in providing similar services to government records offices in New York State
15%	Access to Vendor personnel, facilities, equipment and other resources
15%	Length of time Vendor has been in business and financial stability of Vendor

F. Questions

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

Mario J. DiRe, Esq
mdire@nycourts.gov

Please indicate in "Subject" field: **OCA/RC-207 Question(s)**

The deadline to submit questions is TUESDAY OCTOBER 14, 2014 before 5:00 pm. No questions will be entertained after this deadline.

IMPORTANT: All questions regarding this solicitation must be in writing and 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 Office of the Richmond County Clerk 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.

G. Packaging, Identifying and Delivering of Bids/Proposals

Bidders may not submit their bid/proposal responses online.

Bids/Proposals must be clearly addressed and submitted to:

Mario J. DiRe, Esq
Chief Deputy County Clerk
Office of the Richmond County Clerk
130 Stuyvesant Place
Staten Island, NY 10301

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

"Deliver immediately to Mario J. DiRe, Esq."
"Sealed bid Do Not Open"
"OCA/RC-207 due: OCTOBER 27, 2014, at 3:00 p.m."

Failure to seal and mark the bid/proposal as prescribed may result in non delivery and/or rejection of the bid/proposal. Please note that bids/proposals must be received by the above named OCA designated person by October 27, 2014 at 3:00 p.m. 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.

H. No Bids

Bidders are requested to send a no bid letter to OCA, Attn: Mario J. DiRe, 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/RC-207

I. Bidders Qualifications

Bidder must be capable of supporting and maintaining the comprehensive records management and cashiering systems currently in use in the Office of the Richmond County Clerk. The system must remain fully operational and functional at all times, including, but not limited to, the time for any conversion, transfer, and or re-formatting of existing records, databases, data, indexes and images. Specifically, the awarded vendor must meet the following minimum criteria:

1. Vendor must provide delivery, installation and configuration of software, hardware and workstations within Sixty (60) days after award of contract. Training of Richmond County Clerk Personnel to be done after this time. Installation must include all requirements and specifications listed in this document. Conversion of existing databases must be completed prior to installation.
2. Vendor currently provides support and maintenance of government land records management systems in more than five (5) government sites of equal size to, or larger than, the Office of the Richmond County Clerk.
3. Vendor has provided a government land records imaging system in the State of New York that has been operational for at least the past three (3) years.
4. Vendor can provide audited financial statements for the previous three (3) years
5. Vendor uses an authorized industry-standard Silver-halide microfilm processing lab.
6. Vendor must own the software (and all rights thereto) being proposed to the Office of the Richmond County Clerk and should not outsource the development or services with respect to the software.
7. Vendor must adhere to Service Level Agreements (SLAs) with penalty, mutually agreed upon between Office of the Richmond County Clerk and Vendor guaranteeing system availability, responsiveness to hardware/software issues, etc.
8. Vendor must complete conversion of existing databases and images prior to installation.

J. Inspection of Bidder's/Contractor's Facilities

The Office of the Richmond County Clerk reserves the right to inspect bidder's proposed facilities, as part of the bid evaluation.

K. Pricing/Compensation

All pricing submitted pursuant to the solicitation shall be net and include all costs for the performance of all services required under this solicitation. Pricing shall be submitted only on, and in the format prescribed by, the Bid Response Form. Prices are transactional and Bidder must compute all price extensions listed in the Bid Response Form. In the event of a bidder's miscalculation, the unit price will prevail the Office of the Richmond County Clerk reserves the right to make mathematical corrections based on unit price(s.) Pricing will remain unchanged for the term of the contract. Nothing herein shall be interpreted or construed to mean that the Office of the Richmond County Clerk will process any minimum number of documents and/or transactions during the contract period. See paragraph Estimated Quantities.

II. SPECIFIC AND TECHNICAL PROVISIONS

A. Services to be Provided and Performed by Vendor

1. Provide and support a complete software package designed for the Fee Recording, Indexing, Imaging and on-line Index Search of land records, Court records. Vendor shall also supply user manuals that fully explain all system functions and procedures
2. Convert all digitized land records sent by the Office of the Richmond County Clerk to microfilm.
3. Responsible for servicing and/or replacing all equipment provided to the Office of the Richmond County Clerk for use in cashiering, indexing, scanning and of searching records.
4. Maintain an index of all images microfilmed and shall transmit to the Office of the Richmond County Clerk a copy of this index.
5. Provide Data Archiving and Disaster Recovery services throughout the contract period, described below under *Specifications for Data Archiving and Disaster Preparedness Services*.
6. Supply instruction and training of Office of the Richmond County Clerk personnel in the proper operation of all equipment and software provided. Training can be scheduled at the request of the agency at no additional charge during the contract period.
7. Supply continuous quality, technical supervision of the entire service it renders.
8. Responsible during the life of the contract, to advise the Office of the Richmond County Clerk of any changes or improvements in procedure or technique that may be required
9. Ensure that System complies with all New York State requirements regarding the verification and authentication of the recording and filing process. Vendor shall not charge for enhancements to System that are a result of state-mandated changes
10. Convert existing history data to new vendor format.
11. History data conversion must be completed prior to installation of new system.
12. Responsible for cabling services.
13. Provide Internet search access via secure replicated data located at a remote location outside of the Office of the Richmond County Clerk.
14. Provide digitized image to microfilm conversion services.
15. Provide microfilm to digitized image conversion services.
16. Provide both onsite and offsite scanning of historic documents, as well as loading and linking of the resulting digital images to our electronic indexes.
17. Authorized Kodak, Fuji, or industry-standard microfilm processing lab.
18. Provide "Full Service" Indexing where Vendor's staff provides either onsite or remote index data entry services. This service would assist the Office of the Richmond County Clerk in managing staffing resources and large fluctuations in recording volumes.
19. Provide index printing services.
20. Provide data entry Re-indexing services of historic indexes. This would expand our databases of electronic indexes and make searches more efficient.

B. Support Services to be Provided and Performed by Vendor during the contract period

1. Responsible for all hardware maintenance.
2. Responsible for DBMS administration.
3. Responsible for security administration.
4. Responsible for network administration including network security.
5. Responsible for all software maintenance including DBMS and Operating system.
6. Provide at least 1 hour call back response of any support request through supplied toll-free number.

7. Provide at least 4 hours response to any e-mail request for support.
8. Provide at least 4 hours resolution to any application procedure issue.
9. Provide at least 24 hours replacement of system critical hardware.
10. Provide at least 72 hours replacement of non-system critical hardware.
11. Provide the following Maintenance and Support Services
 - a. Installation and support throughout the project
 - b. Continued software and hardware maintenance and support
 - c. Toll free telephone and e-mail support
 - d. Unlimited training and re-training of Office of the Richmond County Clerk staff
 - e. Unlimited on-site support visits
 - f. User manuals
 - g. Off-site data storage
 - h. Image to Microfilm service & vice versa

C. Minimal Equipment & Software to be furnished, installed and configured by Vendor *(For compatibility w/ Office of Court Administration —Preferred computer hardware OEM is Dell)*

1. File server(s) with color Monitor and industry standard back-up for data; Uninterruptible Power Supply as well. File server and components must be rack based
2. Eight (8) fee workstations with SVGA 20" LCD monitors, 4 GB RAM and a high-speed processor from either Intel or AMD. Eight (8) receipt printers with serial or USB interfaces and four (4) cash drawers
3. High-speed laser printers as required for reports and other tasks. High-speed OEMs laser printers as required for reports and other tasks, Hewlett Packard, Lexmark, or equivalent.
4. Twelve (12) data entry workstations with 20" LCD monitors, 4 GB RAM and high-speed processors from either Intel or AMD
5. Twenty (20) Data Retrieval workstations with 20" LCD monitors, 4 GB RAM and high-speed processors from either Intel or AMD
6. Four (4) Scanning Workstations with 22" LCD monitors, 8 GB RAM and high-speed processors from either Intel or AMD. Must include Kofax digital controllers or the equivalent plus high capacity hard drives
7. All application software for Fee Collections, Cash Control, Indexing, Imaging, Search and Report generation. All application software will meet the requirements of the State of New York, The City of New York and the Office of Court Administration , as determined by the Office of the Richmond County Clerk.
8. During contract, Vendor must include all necessary storage if storage requirements exceed estimates due to document volumes exceeding estimates
9. Responsible for maintaining acceptable system/server performance throughout the term of agreement, including hardware/software upgrades and updates at no additional charge to the Office of the Richmond County Clerk to maintain acceptable performance
10. Provide two (2) data retrieval stations equal in specifications to item 5 above and two (2) label printers such as Dymo Label Writer or equivalent to help expedite the process of Land Records mailings

D. Data Center/Hosting Facilities

1. Provide off-site computer operations for Records Management at an industry-standard certified datacenter facility with round-the-clock operations

2. Provide redundant communication links to the Data Center according to the Service Level Agreement noted in item 7 of the General Vendor Requirements
3. Data Center must be part of Vendor organization
4. Data Center must have alternative power sources, ensuring round-the-clock operations
5. Data Center must be a secure facility and have video monitoring as well as authorized personnel only at processing facility
6. Data Center must host other Office of the Richmond County Clerk systems and have a proven track record in providing, hosting and the administration of services
7. Provide references of similar services from current customers
8. System must be administered by certified personnel

E. Technical Specifications for Existing Film and Records

The Current Contractor maintains approximately 50,000 rolls of film in archival storage. These rolls of film are the sole property of the Richmond County Clerk

1. Silver-halide film will be kept at a registered archival storage facility. Moving and storage expenses are to be the responsibility of the successful **contractor**
2. The present contractor maintains this agency's computer records in its Syracuse, New York location; from which all our printed indexes are provided. The successful bidder will have to assume the responsibility, at their own expense, to move the entire data store and to adapt its computer system to work with this existing data store. This aforementioned condition is critical in that it is the obligation of the contractor to provide new print-outs, changes and/or corrections as required. This, and all previously mentioned conditions, cover the entire period that the Richmond County Clerk has been "on line with its computer indexing system"; from January 1, 1914 to the present
3. Vendor must be able to demonstrate its capacity to adapt its computer system to our Richmond County Clerk's computer indexing system which is currently in use. Also the Vendor selected must be able to further demonstrate a system currently "on line", in a county similar in size and population to Richmond County; in addition, the hardware/software must be capable of optical scanning

F. Technical Specifications for Microfilm and Processing Services

1. 16mm archival film for recording shall be spooled in lengths of approximately 100 feet
2. Film shall be capable of resolving at least 180 lines per mm and shall carry the NBS symbols of approved safety archival base.
3. Vendor must assure that the microfilm produced will meet the standards of NYS Archives Records Administration of the Unified Court System of the State of New York as set forth in RECORDS MANAGEMENT POLICY #3.0 - Rev. Nov. 2013. Policy can be found at: <http://www.nycourts.gov/admin/recordsmanagement/policies/Policy3.pdf>
4. Maintain at least two (2) deep well microfilm processors with auto replenishment
5. Certify upon request, during the life of the contract, film has been processed in a continuous film processor and that daily test of hypo-content proved that none of the Office of the Richmond County Clerk's film has been reading in excess of .07 mg/sq in using the Methylene Blue test
6. Subscribe to the Kodak Microfilm Processing Program or an industry-standard quality assurance program to ensure that all processed microfilm is routinely checked for residual trisulfates, density and resolution. Vendor shall submit copies of proof of compliance with this requirement and proof of all results of periodic testing to the Office of the Richmond County Clerk

G. Specifications for Data Archiving and Disaster Preparedness Services

1. Qualified operators will be responsible for customer data
2. Office of the Richmond County Clerk data shall be examined by software designed to ensure that all of the proper record fields have been captured correctly
3. Office of the Richmond County Clerk data shall be automatically backed up on a precise rotation schedule. On a daily basis, the Office of the Richmond County Clerk's entire database of index and image data shall be saved to backup media
4. Each month, Vendor shall make a digital printout of all the Office of the Richmond County Clerk's indexes and send it to the Office of the Richmond County Clerk and provide it in the form of CD-ROM or similar digital storage media.
5. Original digital storage media shall be stored at an on-site tape library on Vendor's premises and the duplicate shall be sent to a secure storage facility
6. Once a year at end of fiscal and/or calendar year, all Fee/Cashiering data will be archived to digital storage media and sent to be stored off-site at a certified archival storage facility
7. All digital storage media, both at Vendor facility and off-site facility, must be maintained and inspected annually to ensure the life of the archived data. Vendor shall follow all ANSI (American National Standards Institute) recommended procedures for archiving electronic data
8. Office of the Richmond County Clerk's data, databases, images and indexes shall remain the property of the Office of the Richmond County Clerk at all times regardless of storage location
9. Vendor shall guarantee upward compatibility of data, both magnetic and imaging, as new technology is developed and adopted by Vendor. If a new superior technology for data archiving is invented and gains widespread usage, Vendor shall ensure that the Office of the Richmond County Clerk's data can be migrated to the new technology for optimal long-term protection
10. In conjunction with archive storage and protection, Vendor shall also provide disaster recovery services. In the event of a major disaster, Vendor shall at times be prepared to replace and/or restore all the Office of the Richmond County Clerk's historic and current databases
11. Provide all media for archival/backup services
12. Off-site "Hot Site" backup in event of disaster
13. An annual Mock Disaster and Recovery must be performed to ensure proper response and recovery
14. Bidder shall provide with its bid response a copy of its Disaster and Recovery Preparedness Plan.

H. System Technical Specifications---General System Requirements

1. Must be a totally integrated system which can be used for digital storage and retrieval of County Clerk Records, Court Records and Real Property related documents filed in Richmond County. System must have a form based interface to generate cover pages. The cover page recording information will be completed by the public using a secure encrypted Internet or Intranet connection for electronic transmittal. Each cover page must have a unique document ID number and a working barcode. Cover pages must be generated for all transactions that require cashier processing
2. All indexing must operate in the same manner: entry, verify, approve and merge
3. System allows for search and retrieval of data in customer defined format. The use of multiple reference codes and retrieval categories shall include but are not limited to: Names, Index Numbers, Block/Lot, Document Type, Transaction Number, Reel/Page and Lien Numbers

4. System can generate numbers for, but not limited to: index, in-house documents, receipts, UCC, transfer tax, mortgage information, Court Records and book/page. System automatically rolls over these numbers as scheduled
5. System allows supervisors to make modifications, adjustments and/or deletions to indexing and fee records in daily files without Vendor support. However, for security reasons, System will require Vendor support for deletion of records that are part of the public inquiry or the fee history
6. System includes editing and cross-checking of required entries (*i.e., an additional response to confirm the cancellation of transactions*).
7. System accommodates online document management and access to recorded documents and associated index data. Vendor must currently electronically record data for at least five (5) customers of equal size to the Office of the Richmond County Clerk.
8. System must scale upward to meet the needs of a growing community. System document storage will be expanded to accommodate such growth for the extent of the contract
9. System allows for systematic backups on a daily, weekly, monthly and annual basis
10. System allows for simultaneous access between the Office of the Richmond County Clerk's LAN and Vendor's system on multiple workstations
11. System allows for the security maintenance of IDs and passwords
12. System is menu-driven. Supervisors and users have different menus and options; a security component that allows the Office of the Richmond County Clerk to control user access to all information and screens. Security profiles can be established that restrict access to specific types of activities

I. Cashiering Document Recording Requirements

1. System requires each employee to have their own user ID for auditing purposes. Drawers can be cashed out at any time throughout the day
2. A lookup table for fees based on the document type must be provided. Fee types can be automatically calculated, manually entered and exempted. System will calculate transfer taxes based on the document type and consideration amount. System can handle multiple types of taxes on one document
3. System's mortgage tax and transfer tax processing are conducted in accordance with the state's requirements. System can be tailored specifically to Richmond County, New York State, New York City and other fee collecting entities as needed
4. System provides for the ability to distribute taxes and/or fees to various state agencies. It must allocate the correct breakdown of the mortgage tax as follows: County, NYC, Basic, TASAF, MTA, SONYMA and any other fee(s) and/or taxes required. These breakdowns are based on the type of property
5. System calculates taxes such as: NYS Real Estate Transfer Tax (RETT), NYS Real Property Transfer Tax (RPTT) and Mortgage Recording Tax
6. System allows for receipt maintenance
7. System provides the New York State mandated MT-4 (*Statement of Mortgages – Monthly*) and Semi-Annual reports that are sent to the Dept. of Taxation and Finance as well as in-office reports detailing the taxing number, date recorded, mortgage types, distribution of taxes and consideration amount
8. If the transaction needs to be held, system allows for transactions to be suspended and resumed at a later time retaining all of the previously entered information. These "held" receipts must be cancelled or finished by the end of the business day

9. System automatically assigns instrument numbers, receipt numbers and any other numbers that are required. System must allow sequential numbering on a receipt
10. Documents can be reviewed in any order before printing a receipt. Documents can be added, modified or deleted. If an adjustment affects the originally calculated fees, the fees are automatically adjusted
11. System allows entry of one transaction for multiple documents that are the same document type, same party names and number of pages. System will calculate the total fee(s) and issue in sequence the required document numbers for each document in that batch
12. System allows for the repetition of names on a receipt and the option to reverse the order of names (*i.e., grantor to grantee*)
13. A remarks field is provided for all transaction types
14. System retains all index information entered during the recording process for automatic recall during indexing (*no re-keying of information is required*)
15. System recognizes multiple payment methods (*i.e., cash, credit, check and escrow or debit account*) within a single transaction. System allows entry of miscellaneous revenue
16. System allows check tracking and check imaging
17. System allows cancellation of an entry at any point before printing receipt without issuing and/or assigning numbers
18. Users can validate documents
19. System allows the re-printing of the validation stamps at any time
20. System can generate full sheets or slips, detailed or summary receipts. The detailed receipts list all documents recorded, in sequential document number order, all associated fees for each document, names associated with the documents and remarks, if entered. System is able to print multiple copies of receipts
21. Fee reports available must include but not be limited to:
 - Check Report
 - Class/Type Recap
 - Daily Register/Counter Control
 - Daybook/Instrument Register
 - Fee Report
 - RETT and RPT Transmittal
 - Void Counter Control
 - Credit Card Recap
 - NYS RP-5217NYC
 - RETT Number Issued & Summary
 - Mortgage Tax Number
 - Statement of Mortgages Recorded
22. Index Reports available must include but not be limited to:
 - Block Report
 - Land Verify – Date Daily/History
 - Missing Instrument Daily/History
 - Indexing Count Report
 - Class Recap Report w/ Comments
 - RPT Transmittal
23. System allows for receipt adjustments by authorized supervisors only
24. System allows for search inquiries on the following criteria: Check Name, Check Number, CVP, Transaction Number, Document Number, Drawer Number, Fee Code, Receipt Number, Serial Number, User, Volume/Book/Page and Workstation

25. System supports multiple payment centers which are or may be maintained by the Office of the Richmond County Clerk.

J. Cashiering (Document Reporting): General Data Entry Requirements

Document barcode is scanned to bring document into fee system. If barcode cannot be read, system allows for manual entry of transaction number to bring document into fee system

K. Land Document Indexing Requirements

The cover pages which will be generated by the public, using the form based interface, must include the following but not be limited to:

- Document Number
 - Recording Date
 - Document Type
 - Consideration Amount
 - Party Names and Addresses
 - Book & Page Number
 - Series (Grantor, Grantee, etc.)
 - Person or Corporation
 - Document Date
 - Property Data
 - Fees and Taxes
1. Information entered for the cover page is made globally available so as to eliminate data entry redundancy. Cover page must calculate fees and taxes pertinent to the applicable document
 2. Surname, given name and middle name are treated as separate data elements from corporate names. System must have an additional field for adding a suffix such as esquire, executor or attorney which does not affect the sorting of records or the index
 3. For indexing purposes the System allows the duplication of any information from one document to the next with override capability and the ability to retrieve (duplicate) party(s) or case captions from a previously field/recorded document
 4. Supervisory and/or authorized staff can make corrections to work prior to it becoming a permanent record. System allows users with proper security clearance to update fields, including records verified to the public. All data entered allows for multiple people to verify data entered by someone other than the original data entry operator. Individual transaction batches are provided for each user
 5. System provides field validation so that incomplete or invalid data must be verified before the user can continue to the next step
 6. System utilizes lookup lists wherever possible to increase speed and accuracy. Users can enter the first portion of a name/code and the search listing will start with the portion entered. Users can view code tables from every screen, select a code from the table and return to the entry screen
 7. System can automatically format fields such as dates, parcel numbers, pin numbers and amounts so that the staff/public is not required to enter required punctuation
 8. Index fields are dynamically linked to the instrument type. In other words, System will only bring up index fields that are pertinent to the specific instrument type currently being worked on

L. E-Recording of Land Documents

1. System capable of accepting submissions of land documents electronically in conformity with the provisions of New York State E-Recording law (see: L.2011, c. 549 and 9 NYCRR 540.7)

2. Electronic recording of instruments affecting real property shall, at a minimum, meet the following technical standards and guidelines prescribed by PRIA: PRIA Request Version 2.4.2, August 2007; PRIA Response Version 2.4.2, August 2007; Document Version 2.4.1, October 2007; Notary Version 2.4.1, October 2007; and eRecording XML Implementation Guide for Version 2.4.1, Revision 2, March 2007, (collectively, "PRIA Guidelines"), which guidelines are hereby incorporated by reference. PRIA Guidelines may be found on the PRIA Website at: www.pria.us, and may be viewed at the New York State Office of Information Technology Services, Empire State Plaza, Swan Street Building Core 4, Albany, New York 12223.
3. The system supports one or more of the models of electronic recording supported by PRIA.
4. Any model containing an electronic signature shall comply with section 540.4(c) and any other applicable section of New York law.
5. An instrument affecting real property submitted to a recording officer for electronic recording shall be submitted and retained in a freely available, readable and searchable format. The utilized format must ensure the preservation of the instrument and its contents and the ability of the instrument to be retrieved in a fashion that prevents content modification or destruction. Examples of such acceptable formats include, but are not limited to, PDF/A (an International Organization for Standardization standardized version of the Portable Document Format) and TIFF (Tagged Image File Format for Image Technology).
6. The system must ensure that :
 - (a) electronic recording complies with the security principles identified in chapter 6 of the PRIA e-recording XML Implementation Guide for Version 2.4.1, Revision 2, March 2007, and applicable security standards established by New York State and local laws; and
 - (b) digitized paper documents and electronic records of instruments that have been submitted for electronic recording are protected from alteration and unauthorized access from the time of submission to the recording officer throughout such time as the recording officer is required to maintain the document or record.
7. The system must accept such electronic instruments only from registered submitters whose identity has been electronically verified and authenticated. The system must permit the Office of the Richmond County Clerk to maintain a listing of persons so registered by the recording officer.
8. The system must accept by electronic means any recording fee, filing fee or tax authorized to be collected by New York State or local law or regulation, in a manner compatible with the recording officer's internal software and financial practices.
9. Upon receipt of a payment by electronic means, the system must cause an electronic receipt of payment to be provided to the party making the payment.
10. The system must ensure that such electronic instruments are retained and preserved in accordance with the rules and regulations promulgated by the New York State Commissioner of Education which govern the retention and preservation of electronic records by local governments, including, but not limited to, Title 8 NYCRR Part 185, and any records retention and disposition schedules published by the New York State Archives. Recording officers also shall ensure compliance with New York State and local laws and regulations concerning the backup of real property instruments for disaster recovery purposes.

M. Court Indexing and Docketing System

1. Surname and given name are treated as separate data elements from corporate names. System must have an additional field for adding a suffix such as esquire, executor or attorney which

does not affect the sorting of records or the index. Unlimited Plaintiff and Defendant names must be allowed

2. For indexing purposes the System allows the duplication of any information from one document to the next with override capability and the ability to retrieve party(s) or case captions from a previously entered data
3. Supervisory and/or authorized staff can make corrections to work prior to it becoming a permanent record. System allows users with proper security clearance to update fields, including records verified to the public. All data entered allows for multiple people to verify data entered by someone other than the original data entry operator. Individual transaction batches are provided for each user
4. System provides for field validation so that incomplete or invalid data must be verified before the user can continue to the next step
5. System utilizes lookup lists wherever possible to increase speed and accuracy. Users can enter the first portion of a name/code and the search listing will start with the portion entered. Users can view code tables from every screen, select a code from the table and return to the entry screen. System must allow the viewing of both Plaintiff and Defendant simultaneously on the screen
6. System can automatically format fields such as dates and amounts so that the staff/public is not required to enter required punctuation
7. Software allows the addition of Minute information pertaining to any case with a minimum of a Forty (40) character input field. Users should be able to select Action Codes from a lookup list for consistency with a Four (4) character minimum code length
8. Tables must be provided at a minimum for case type, court type, attorney names, action codes and sealed codes to allow for ease of use
9. System must be able to seal an individual Minute as well as, an entire case. Sealed records/cases must not be viewable without proper security
10. System provides the capability for the user to custom sort lists and tables when needed

N. DBA (“Doing Business As”) and Corporation Document Indexing Requirements

Once a document is entered through Cashiering, all relevant data must be available to automatically pass through to the Indexing module in order to avoid re-keying of data. Indexing information to be entered for each document will include, but is not limited to:

- Document Number
 - Recording Date
 - Document Type
 - Index Number
 - Party Names and addresses
 - Book & page Number
 - Series (DBA, Owner, etc.)
 - Person or Corporation
1. Surname, given name and middle name are treated as separate data elements from corporate names. System must have an additional field for adding a suffix
 2. For indexing purposes, system allows the duplication of any information from one document to the next with override capability and the ability to retrieve party(s) information from previously entered data
 3. Supervisory and/or authorized staff can make corrections to work prior to it becoming a permanent record. System allows users with proper security clearance to update fields, including records verified to the public. All data entered allows for multiple people to verify data

entered by someone other than the original data entry operator. Individual transaction batches are provided for each user

4. System provides for field validation so that incomplete or invalid data must be verified before the user can continue to the next step
5. System utilizes lookup lists wherever possible to increase speed and accuracy. Users can enter the first portion of a name/code and the search listing will start with the portion entered. Users can view code tables from the entry screen, select a code from the table and return to the entry screen
6. System automatically formats fields such as dates so that the staff/public is not required to enter punctuation
7. Index fields are dynamically linked to the instrument type. In other words, System will only bring up index fields that are pertinent to the specific instrument type currently being worked on

O. Document Proofing and Verification

1. System must automatically flag documents as “completed”
2. System must produce a verification report definable by a specific recording date
3. All edit rules and edit checks that are available in the Indexing module must be available in the verification of the document
4. All field duplication features that are available in the Indexing module should be available in the verification of the document
5. All user-defined tables that are being used to simplify data entry in the Indexing module should be available in the verification of the document
6. System must track all changes made to a completed document by date, time, operator ID, and original and new values

P. Document Scanning and Imaging

1. System supports multiple scan stations. Images are accessible concurrently by multiple workstations
2. System supports flatbed, simplex, duplex and high-speed Barcode scanning. System includes scanners capable of scanning an 11 x 17 inch page
3. System supports scanning before or after entry of index information. System allows split-screen viewing of an image and its index
4. System allows documents to be scanned in any order into a batch – documents do not have to be scanned in consecutive document number order. System automatically links images to their associated recording information, captured during the initial document recording. System can match control numbers when back-scanning older indexes
5. System will alert the user if it detects a document that has already been scanned
6. During scanning, System automatically verifies document page counts with the page count entered during the document recording. The scan operator is automatically notified of any page count discrepancies
7. Scanning system allows the operator to view an image immediately after it is scanned
8. System provides document and image verification during the scanning process. Capabilities include, but are not limited to:
 - Verification of clarity of image with re-scanning as required
 - Image enhancement tools for de-skewing, de-specking, line enhancing, etc.
9. System allows the document scanned to be rotated, moved on the screen, scrolled page by page or displayed in reverse video

10. Prior to re-scanning a document, System requires the operator to indicate whether or not the prior image(s) should be overwritten
11. Operator can reject individual documents from a batch without having to rescan the entire batch

Q. Document Retrieval and Public Access

1. General inquiry is accessible from every system terminal and does not affect the functionality of System. County Clerk searches conducted for the general public can be created, maintained and tracked
2. System allows the user to search for information in a variety of ways and lists the different types of search options that are available on the System. The available searches must include, but not be limited to:
 - Name (Plaintiff and/or Defendant)
 - Document Number
 - Book & Page
 - Associated Book and Pages
 - Index Number
 - Block and Lot
 - Address
 - Free form and user defined field searches
 - Name selections can be limited by document and by any Office of the Richmond County Clerk selected criteria
 - All searches can be specified by date range
3. Search options can be turned on/off to allow customers to only show searches that they do in their offices
4. Once a data search is initiated, entries that fit the selected criteria are displayed, with information such as Party Names, Book & Page number, File Number, Date Filed and a Control Number. From here an entry can be selected to view the full detail. From this point in the search, all recurred information is made available for the searcher to see.
5. Users can view related UCC activity together on the selection screen
6. Authorized users can view daily, unverified records
7. System indicates the date range of the permanent data (*i.e., Data Verified and Permanent: MM/DD/CCYY through MM/DD/CCYY*)
8. System allows the option to view stored images. System allows the public to select more than one document from the search results list, for image display. The person can then view all Images without returning to the list
9. System provides for multiple public workstations to print to network printers
10. System allows on-line documents management access via a browser
11. Integrated approval system provides a method of authenticating a login and to track inquiries made and bills the customer accordingly
12. Public workstations do not require a log-on; however, System will provide the option for a public log-on when the requested services involve charges
13. System must provide separate search capability for Court related information. Searches should include, at a minimum, surname, given name, corporation name and index number
14. System must provide separate search capability for DBA and Corporation information. Searches should include, at a minimum, surname, given name, corporation name and document number
15. System allows the public to view only public indexing information, view both the public image and the index, or print the image

16. System allows printing of documents from any terminal attached to the network
17. System supports public access image-capable stations
18. System must grant ability to provide certified copies with customizable overlay and watermark capabilities

R. Printing and Report Generation

1. System provides print functions of document images that include:
 - Printing of entire document and all of its pages
 - Printing of Retrieval index list
 - Printing of select page(s)
2. System provides the capability to print all the imaged pages of a document without looking at each document page
3. System provides the capability to queue prints to specific printers and the ability to specify default printers
4. System provides print functions of system reports that include:
 - Capability to print select pages and/or page range of any report
 - Capability to preview reports with the option to print select portions
 - Must provide industry standard API for off-the-shelf report generators
5. The print services subsystem must be capable of supporting industry standard printers such as Hewlett Packard
6. Printers must be individually addressable by the users as defined by System Administrator. Not all printers within the printing subsystem are to be available to all users unless allowed by System Administrator
7. System must allow full printer management at the agency level by the technology staff

S. Internet Capability Requirements

1. System provides browser-based public inquiry
2. System provides the capability to host image and index data
3. Provides replicated image and index data for web-based public inquiry
4. Provides a website with established Office of the Richmond County Clerk customers with land document image and index data available from the site
5. Web-based public inquiry must replicate public inquiry performed within the Office
6. Web-based public inquiry must be hosted by an industry-standard qualified data center
7. Provide sufficient bandwidth and adequate monitoring for optimal operation

T. Archiving

1. System capable of downloading images to digital storage media for conversion to microfilm
2. System can export function for index data
3. Digitized image to microfilm conversion services for all documents scanned by the Office of the Richmond County Clerk. The image to film conversion services must be performed by Vendor, not by a subcontractor

U. Database Management

1. System utilizes ODBC compliant databases

2. For every document recorded, depending on the type of document, system must be able to capture and store, but not be limited to, the following information:
 - Instrument Number
 - Document Type (*i.e., Instrument Type*)
 - Date and Time Recorded (*w/ unique seconds*)
 - Book Number
 - Page Number
 - First page number, number of pages
 - Consideration Amount
 - Property Address
 - Name and Return Address
 - Name of Submitter and Address
 - Party Types (*varies by document type*)
 - Party Names (*all*) – separate data elements for surname, given name and middle name
 - Party “Also Known As” Names – Name is defined to System as equivalent to the specified party name
 - Must distinguish between individual names and firm names during data entry
 - Instrument Number or parent document
 - Date of Last Change (*for changes after document has been verified*)
3. System provides a user maintained table for setting up customer information (i.e., a firm table). The firm table should capture sufficient customer information to support debit, credit and “drawdown” transactions
4. System has the capability to compute the total amount to be charged to record a specific document type based on the taxes and fees that together make up the total
5. System must allow the Office of the Richmond County Clerk to define the recording fees as fixed fees and/or fee calculations
6. Recording fees by document type must be definable on a per-page charge or a flat fee charge
7. System provide the capability to define a base rate for a base number of pages, and then to define additional fee amounts for pages beyond the base
8. System provides user maintained lists for defining and maintaining document and company codes. System must allow codes to be retrieved from the table during data entry, as well as return addresses for mailing back instruments
9. System provides user maintained lists for commonly used party names. System must allow these names to be selected from the user-defined table(s) during indexing
10. System provides the ability to enter and store unlimited grantor/grantee names, mortgagor/mortgagee names, block/lots or any other party type names
11. System should support modification of previously verified data with the appropriate level of security for modifications
12. System provides the capability to establish security profiles for users that can be administered to restrict access to specific types and groups of documents
13. System should provide the ability to establish security profiles for users that can be administered to restrict access to specific types of activities. This would include, but not be limited to: entering new documents, updating documents, indexing documents, verifying documents, viewing document images, viewing secured documents and updating secured documents
14. System provides the capability to restrict public access to “confidential” indexed documents
15. System provides the capability to copy name information when entering names into the indexing and verification modules

V. Network

1. System is compatible with TCP/IP network standards

W. Desktop

1. Desktop workstations must be Intel or AMD processor based units
2. System must support Microsoft Windows 7 or above for all end user components running on the desktop

X. Backup and Recovery

1. System must provide the ability for full backup and recovery in the case of any types of malfunction (*hardware and/or software*)
2. System must provide backups for images and index data also allowing System Administrator to control and adjust backup procedures
3. System must keep image index databases on-line indefinitely
4. Supply backup procedures and policies as an appendix to this proposal

Y. System Administration and Security

1. System must provide a comprehensive administration and security system
2. System must include an administrator-controlled security feature for access to documents that have been "sealed"
3. Security allows system administrator to add or define user profiles to control log-on access and utilization. Each user must be assigned a security level that will automatically mask higher-level functions on a hierarchical basis

Z. Import And Export of Existing Data & Images

1. System allows for the batch importing of document indexes and images
2. System allows for the batch exporting of document indexes and images

AA. Project Management Requirements

1. Project Manager to oversee implementation of project for the entire length of the contract
2. Project Manager may not be changed without the consent of the Office of the Richmond County Clerk
3. Project Manager will maintain complete Project Notebook and Implementation Plan throughout the term of the contract
4. Project Manager will provide regular periodic reports to the entire team, informing them of the status of the project, as well as, any issues that have been reported
5. Project Manager will be responsible for maintaining Change Request Logs and reporting status of request changes
6. Project Manager will facilitate status meetings as agreed upon with the Office of the Richmond County Clerk and will be on-site at Office of the Richmond County Clerk location as needed

III. The RFB/RFP PROCESS: GENERAL SPECIFICATIONS

A. 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.

B. Attachment III - Vendor Responsibility Questionnaire

The Office of the Richmond County Clerk (ORCC) and the NYS Unified Court System (UCS) are 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 ORCC and 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).

It is recommended that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. However, vendors may choose to complete a paper questionnaire and submit it with their proposal.

Online Questionnaire: To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at http://www.osc.state.ny.us/vendrep/vendor_index.htm or go directly to the VendRep System online at <https://portal.osc.state.ny.us>. Vendors must provide their New York State Vendor Identification Number when enrolling (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 ciohelpdesk@osc.state.ny.us.

Bidders who file the Vendor Responsibility Questionnaire online via the OSC VendRep System are requested to checkmark the appropriate box on the Document Enclosure Checklist. Please note that online submissions must be certified and dated/updated not more than six (6) months prior to the bid opening date of this RFB/RFP. Bidders' authorized signature of the RFB/RFP form will serve as confirmation that bidders have knowingly filed their questionnaire online if the paper questionnaire is not included with the bidder's submission.

Paper Questionnaire: Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website www.osc.state.ny.us/vendrep or may contact the Office of the State Comptroller's Help Desk for a copy of the paper form.

C. 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/ac3237_fe.pdf) and submit the form to UCS. **The UCS will initiate the vendor registration process** for the awarded contractor. Once the process is initiated, awarded contractor will receive an e-mail identifying their unique ten-digit Vendor ID and instructions on how to enroll in the online Vendor Self-Service application. For more information on the Vendor File please visit the following website: http://www.osc.state.ny.us/vendor_management/.

D. 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.

E. 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 – only pages 3 and 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, Affirmation of Understanding and Agreement UCS 421 as well as Termination Clause UCS 423; proof of Workers' Compensation and Disability Benefits insurance coverage (See "Insurance Requirements" on page 7); and any other required documentation, brochures, etc. listed on the Document Enclosure Checklist. Complete the paperwork on the forms provided with this solicitation unless otherwise requested. Do not retype or amend any portion of this solicitation. Failure to provide all original documents and the requested number of copies may result in disqualification of a bidder's response.

F. Binding Nature of Bid/Proposal on Bidders

All bids/proposals shall remain binding on bidders until such time as the Office of the Richmond County Clerk 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.

G. 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.

H. 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. Specifically,

1. The Vendor must be, and must remain, in compliance with all applicable laws, rules and regulations of the State of New York as those laws, rule and regulations relate to Vendors doing business with the State of New York and the Unified Court System.
2. The Vendor agrees to cooperate with and assist any agency or department of the State or City of New York conducting an audit of the operations of the Office of the Richmond County Clerk.
3. All contracts are subject to review and approval by the Office of Court Administration, the Office of the Attorney General and the Office of the New York State Comptroller.
4. The Office of the Richmond County Clerk is currently engaged in record sharing agreements with various New York State, New York City and United States governmental departments and agencies. The Vendor agrees to provide for the continuation of those record sharing agreements. The Vendor is also bound by all confidentiality and other non-disclosure requirements of those United States, New York State and New York City departments and agencies.

I. 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 Office of the Richmond County Clerk, 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 Office of the Richmond County Clerk, 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 Office of the Richmond County Clerk, 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.

J. Rejected and Unacceptable Bids/Proposals

The Office of the Richmond County Clerk reserves the right to reject any and all proposals or bids submitted in response to this solicitation. In addition, the Office of the Richmond County Clerk 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'.

The Office of the Richmond County Clerk also reserves the right to reject any bidder: (i) whose facilities and/or resources are, in the opinion of the Office of Court Administration or the Office of the Richmond County Clerk, inadequate, too remote from the Office of the Richmond County Clerk 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 the Office of the Richmond County Clerk, unable to meet specifications.

K. 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.

L. Clarification/Correction of Bids/Proposals

In addition to any rights articulated elsewhere in this solicitation, the Office of the Richmond County Clerk 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 the Office of the Richmond County Clerk, must be submitted by the bidder, in accordance with formats as prescribed by the Office of the Richmond County Clerk at the time said information is requested and, if received by the due date set forth in the Office of the Richmond County Clerk'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 the Office of the Richmond County Clerk to seek or allow clarifications or corrections as provided for herein.

M. References

Each bidder must provide at least three (3) references, other than the Office of the Richmond County Clerk, 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.

N. Indemnity

Awarded contractor shall indemnify, defend and hold harmless the Office of the Richmond County Clerk, 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 the Office of the Richmond County Clerk 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 the Office of the Richmond County Clerk of the awarded contract or any provisions thereof.

O. 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:

The Office of the Richmond County Clerk
130 Stuyvesant Place
Staten Island, NY 10301

-and-

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
Personal Injury and Advertising:	\$1 million aggregate
Contractual and Products/ Completed Operations	\$2 million aggregate
Auto Liability, Combined single limits	\$1 million

Commercial General Liability insurance coverage shall be obtained from commercial insurance carriers licensed to do business in the State of New York and shall name the Office of the Richmond County Clerk and the NYS Unified Court System as an additional insured or loss payee as appropriate, and shall provide for at least thirty (30) days advance written notice to the Office of the Richmond County Clerk and the NYS Unified Court System of cancellation or non-renewal.

P. Confidentiality

Bidder acknowledges that any and all information, records, files, documents or reports contained in any media format provided to the bidder by the court, or which may be otherwise encountered by bidder shall be considered extremely confidential and shall be handled accordingly at all times. Neither the bidder nor any of its employees, servants, contractors, agents or volunteers shall at any time be permitted to utilize such confidential information for any purpose outside the scope of any resulting agreement without the express prior written authorization of the Office of the Richmond County Clerk. 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 the Office of the Richmond County Clerk and may subject the bidder to further penalties.

Awarded contractor shall use, and require its employees and authorized agents to use, at least the degree of care a reasonably prudent person would use to protect and prevent improper access to the records.

Q. Legal Ownership, Custody and Control of Databases, Data, Indexes and Images

1. The Office of the Richmond County Clerk solely retains legal ownership, custody and control of all databases, data, indexes and images, as well as all types of summaries, abstracts, extracts or

other derivations of the databases, data or images, regardless of the form or location in which the databases, data, indexes or images are maintained, stored or otherwise exist, including, but not limited to paper, microfilm, microform, digital, or electronic.

2. The Vendor shall not sell, give, or transfer, any databases, data, indexes or images, or offer or agree to do the same without the express written consent by the Office of the Richmond County Clerk. Proceeds from any sale or other transfer of databases, data, indexes or images shall be payable to the Office of the Richmond County Clerk as agent of, and for the benefit of, the State of New York. The vendor's unauthorized sale or transfer of any databases, data, indexes or images will be considered material breach of the agreement.

R. New York State is the site of the contract

1. New York State is the actual and legal location at which the Vendor provides the contracted services to the Office of the Richmond County Clerk.
2. The Vendor must be authorized to do business in New York. The Vendor must not be under any legal restrictions which bar or prevent the Vendor from doing business with the State of New York.
3. The Vendor consents to the jurisdiction of the courts of the State of New York for any action or proceeding brought by the Office of the Richmond County Clerk, the Office of Court Administration, the Unified Court System, the State of New York, or their agents or representatives to enforce the terms and provisions of the contract. Neither the Office of the Richmond County Clerk, the Office of Court Administration, the Unified Court System, the State of New York, or their agents or representatives shall be compelled to submit to the jurisdiction of any courts, other than the courts of the State of New York, nor shall they be compelled to submit to arbitration or mediation for any conflict arising under the terms of the contract.

Q. 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 the Office of the Richmond County Clerk. 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.

R. Financial Stability

Upon request by the Office of the Richmond County Clerk, 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.

S. Termination

Early termination of the contract for cause may result in, among other consequences, all remedies available to the Office of the Richmond County Clerk and New York State, the awarded contractor both being declared non-responsible by the Office of the Richmond County Clerk, 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.

T. 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.

U. Silence of the Specifications

The apparent silence of the specifications contained as part of this package as to any detail or to the apparent omission of a detailed description concerning any point, shall be regarded as meaning that only the best commercial practices are to prevail. All interpretations of these specifications shall be made on the basis of this statement.

BID RESPONSE FORM

(Must be completed by Vendor for bid to be considered)

Cost Proposals for Calculation of Vendor's Bid

Cost calculation for estimated documents/data/entries processing during initial 3 year contract				
Document/Entry Type	Column A <i>Cost per document/entry</i>	Column B <i>Estimated documents / entries per year (see sec 1 for estimates)</i>	Column C <i>Projected annual (multiply "Cost per document / entry" times "Estimated documents /entries per year")</i>	Column D <i>Projected cost for three year contract (multiply "Projected annual" times 3)</i>
Imaging, Indexing and Cashiering Land documents		58,000 documents		
Image to Recording to Film for Land documents		375,000 Image pages		
Indexing Supreme Court records		3,500 documents		
Indexing DBAs, business certificates and corporations		5,000 documents		
Entering cashier transaction in Payment Center		98,000 transactions		
Monthly cost for public internet access and data sharing with gov't agencies				
Costs calculation for conversion of existing documents/data entries				
One-time cost for conversion of existing Land document images (approx. 5,1000,000 image pages)				
One-time cost for conversion of existing Supreme Court minutes, (approx 100,000 cases, each having multiple Clerks Minutes entries)				
One-time cost for conversion of existing DBA's, business certificates and corporations (approx. 80,000 entries)				
Cost Calculation for Equipment and Storage				
Total Equipment Costs (bidder to attach itemized list of specific equipment and individual costs)				
Total cost for storage of archival Silver-halide microfilm volumes in a registered archival storage facility (including cost, if any, to secure and relocate existing rolls of film).				
TOTAL PROJECTED COST (3yr base contract period)				