

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/PR-113 | Commodity Group: |
| Issue Date: 8/14/06 | |
| Opening Date: Friday, September 8, 2006 | Commodity Name: INDOOR PISTOL RANGE RENTAL |
| Time: 3:00 PM | |

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

| | |
|--|---|
| Agency's Specification of item(s) Required (include quantities) UCS ATTACHMENTS I, II, III AND IV ATTACHED & INCORPORATED HEREIN. Rental of an indoor pistol range to provide firearms training for court peace officers. | Bidder's Quotation and Specific Description of Item Offered 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

All of the following documents and information must be fully executed and returned as specified. Failure to include any of the required documents or information may result in rejection of the bidder's proposal:

1. UCS Request for Bid Form with original signature.
2. Non-collusive bidding certificate with original ink signature - Attachment I, p.3
3. Corporate acknowledgment with original ink signature. - Attachment I, p.4
4. Vendor Tax Compliance & Certification - Attachment II, Form ST-220, 4 pages
5. Vendor Responsibility Questionnaire - Attachment III
6. Disclosure of Prior Non-Responsibility Determination and Affirmation of Understanding and Agreement, pursuant to the Procurement Lobbying Act - Attachment IV, Form UCS 420 and UCS 421, 3 pages
7. List of at least three (3) references (names, contacts, addresses, phone numbers)
8. Bid Response Form (Bid Sheet)
9. Certificate of Insurance
10. Bidder's full and complete original bid response with signature
11. Five (5) complete copies of the original bid response, including all the above

Note: All documents requiring original signature must bear the signature of the same authorized individual. Signatory notarization must be that of the person whose signature is affixed to required documents.

Table of Contents

GENERAL SPECIFICATIONS

A. The RFB/RFP Process

Note to Bidders
Online RFB/RFP Package: Disclaimer
Questions
Estimated Quantities
Bid Response: Original and Copies
Binding Nature of Bid/Proposal on Bidders
Packaging, Identifying and Delivering Bid/Proposal
No-Bids
Rejected and Unacceptable Bids/Proposals
References

B. RFB# OCA/PR-113

Purpose and Scope
Term of Award
Pricing
Method of Award
Site Visit
Billing
Subcontracting
Independent Contractor Status
Liability Insurance
Compliance with Laws
Financial Stability
Termination

DETAILED SPECIFICATIONS

- A. General Requirements
- B. Specific Requirements for the Range Facility

BID SHEET

*** GENERAL SPECIFICATIONS ***

I. The RFB/RFP Process

Note to Bidders:

In addition to such other specifications and criteria as are presented herein, the NYS Unified Court System Attachment I - Standard Request for Bid Clauses & Forms, Attachment II - Contractor Certification Form ST-220, Attachment III - Vendor Responsibility Questionnaire, and Attachment IV - Disclosure of Prior Non-Responsibility Determination as well as Affirmation of Understanding and Agreement pursuant to the Procurement Lobbying Act, which must be **downloaded** from the UCS Contract & Procurement website under “Addenda” for the appropriate solicitation, are incorporated and made a part hereof.

Online RFB/RFP Package - Disclaimer:

Bidders accessing any UCS/OCA solicitations and related documents from the NYS 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 email or by fax, to:

Marie-Claude Ceppi
Management Analyst
NYS Office of Court Administration
25 Beaver Street, R-840
New York, NY 10004
Fax: 212-428-2819 Email: Mceppi@courts.state.ny.us

The deadline to submit questions is August 28, 2006 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) with all the questions received and their answers will be posted online at www.nycourts.gov/admin/bids under “Current Solicitations” and this RFB/RFP Number, in the column “Addenda”.

Important: All questions regarding this solicitation must be directed solely to the attention of the above-designated person. Contact by any prospective bidder, or any representative thereof, with any other personnel of the UCS/OCA in connection with this RFB/RFP may violate the Procurement Lobbying Act of 2005 (see Attachment IV), will jeopardize the respective bidder’s standing and may cause rejection of its proposal.

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.

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 only; Attachment II - Form ST-220; Attachment III - Vendor Responsibility Questionnaire; Attachment IV - Disclosure of Prior Non-Responsibility Determinations as well as Affirmation of Understanding and Agreement; and any other required documentation, brochures, 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 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** in large block letters on two sides as follows:

"Deliver immediately to Marie-Claude Ceppi R-840"
"Sealed bid - do not open"
"OCA/PR-113 due Friday, September 8, 2006 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 Friday, September 8, 2006 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/AR-113.

Rejected and Unacceptable 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 references, including the company/agency name, complete address, contact name, title and telephone number and email address, for whom the bidder has provided similar services at any time during the past five (5) years.

II. RFB/RFP # OCA/PR-113

Purpose and Scope:

The New York State Unified Court System (hereafter "UCS") Office of Court Administration (hereafter "OCA") is soliciting sealed bids/proposals to establish a single, estimated quantity term contract for the rental of an indoor pistol range to provide firearms training for court peace officers. The pistol range must be located in the New York City metropolitan area (See Detailed Specifications). The range will be available for the exclusive use of the UCS for an estimated one hundred and eighty (180) to two hundred (200) days per year.

Term of Award:

A single estimated quantity term contract will be awarded for an initial term of four (4) years effective October 1, 2006. The UCS reserves the right to renew the contract for one (1) additional one-year (1) period upon the same terms and conditions, except rates. The contract and its renewal shall be subject to the approval of the Office of the Comptroller (OSC).

Pricing:

Bidders shall quote a per diem rate for the use of the range and all related facilities, including all the services and equipment described in the Detailed Specifications. No other fees or charges will be allowed. Bidders shall specify a per diem rate for each of the four one-year periods of the initial contract term, as well as for the possible one-year renewal term, together with estimated annual costs. The per diem rate shall remain firm within each 12-month period.

Method of Award:

A single contract shall be awarded to the bidder scoring the **highest point total** for the following criteria:

- | | | |
|----|---|-----------|
| 1. | Number of Shooting Positions with Electronic Target Carriers; Configuration of Shooting Positions with Removable Shelf; Length of Range; Central Control Area with Speaker Amplification System | 40 points |
| 2. | Classroom as Specified; Range/Classroom Facilities Conform to OSHA and NYS Department of Labor (PESH) Standards; Inspection Certificate Available; Storage Space; Staff Locker Facility, Bathroom Accommodations | 20 points |
| 3. | Availability | 10 points |
| 4. | Experience and References | 10 points |
| 5. | Minimum general liability insurance of \$2,000,000 | 15 points |
| 6. | Ease of accessibility via public transportation | 5 points |

Points will then be added for a points total .

Classification of a bidder as a “responsible” bidder shall be determined by the bidder’s compliance with these specifications, references, past performance history, financial stability and any other criteria necessary and reasonable to establish the bidder’s responsibility.

Site Visit:

In order to properly evaluate the responses, OCA personnel may schedule a site visit to a bidder’s facilities. Such inspection shall take place during normal business days and at a time convenient to all parties.

Billing:

The awarded contractor shall submit invoices on a quarterly basis and, upon the UCS approval of the invoices, shall be paid in arrears.

Subcontracting:

The awarded contractor shall not subcontract the work described in this RFB/RFP without the prior written consent of UCS.

Independent contractor status:

It is expressly understood and agreed that the awarded contractor's status shall be that of an independent provider of services and that no officer, employee, servant or subcontractor of the contractor is an employee of the UCS, OCA or State of New York. The awarded contractor shall be solely responsible for the work, assignment, compensation, benefits and personal conduct and standards of all such persons assigned to the provision of services. Nothing herein shall be construed to impose any liability or duty on the UCS, OCA or State of New York to persons, firms, consultants or corporations employed or engaged by the awarded contractor either directly or indirectly in any capacity whatsoever, nor shall the UCS, OCA or State of New York be liable for any acts, omissions, liabilities, obligations or taxes of any nature including, but not limited to, unemployment and workers' compensation insurance of the awarded contractor or any of its employees or subcontractors.

Liability Insurance:

Bidders must include with their response evidence of general liability insurance coverage from a carrier approved by New York State in the minimum amount of \$1,000,000.00 for each occurrence and \$2,000,000 in the aggregate. The insurance must cover both the UCS and the individual instructors and trainees using the facility. A copy of the Certificate of Insurance issued by bidder's carrier will be sufficient proof. Such coverage shall be at no cost to the UCS and shall remain in force throughout the period a contractual agreement exists with UCS.

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 annual reports.

Termination:

In the event of termination pursuant to this provision or otherwise, UCS shall be obligated only for the rental fees due up to and including the effective date of termination. Early termination of the contract for cause may result in the awarded contractor both being declared "non responsible" by the UCS/OCA, pursuant to the UCS and Office of the State Comptroller guidelines on vendors responsibility and in the vendor's removal from the UCS/OCA's bidders list for future solicitations.

***** D E T A I L E D S P E C I F I C A T I O N S *****

A. General Requirements

1. Range must be centrally located within the New York City metropolitan area, i.e., in one of the five boroughs of New York City, in Nassau, Western Suffolk, or in lower Westchester County.
2. Range must be accessible by public transportation.
3. Range and classroom must be available for exclusive use by UCS five days a week, Monday through Friday, from 8:00 am to 6:00 pm, for a minimum of 180 days per year.
A schedule of the days on which the range and classroom must be available to UCS will be agreed upon by the parties.

B. Specific Requirements for the Range Facility

1. There must be a minimum of eighteen (18) shooting positions with electronic target carriers which can be controlled both from a central station and from the individual shooting points.
2. Configuration of shooting positions must accommodate barricade shooting and shooting from the kneeling position. A removable shelf/rest in each point is required.
3. There must be an air conditioned/heated, well-maintained classroom equipped with dry erase board, projection screen, movable chairs, 110 volt electrical outlets (for audio-visual equipment) and tables with a seating capacity for at least thirty-five (35) persons.
4. The range, classroom and all other areas must be clean, unobstructed, well-maintained and adequately lighted and must have sufficient air exchange. The range and all other facilities must conform to all OSHA and PESH safety standards, as well as all applicable federal, state and local laws and regulations, and must be available for government agency and private contractor inspections on an ongoing and regular basis.
5. Storage space for range accessories and ammunition must be available.
6. A private room must be available to serve as a locker facility for a staff of twenty-two (22) UCS instructors.
7. There must be separate bathrooms for women and men with hot and cold running water.
8. The range must be a minimum of fifteen (15) yards in length from the shooting position to the bullet trap.
9. A central control area with a speaker amplification system from which range commands can be given must be provided.

10. There must be a bullet trap which can accommodate jacketed ammunition of various calibers, as well as .12 gauge shotgun ammunition.
11. Spent bullet casings must be retained and disposed of by range management.
12. A refrigerator for the exclusive use of UCS instructors must be provided and maintained by the range management.
13. Space for storing lead-contaminated range uniforms awaiting pick-up by the UCS authorized cleaning vendor must be provided.
14. A board to display diagrams and official notices must be provided by the range management in a central location.

BID SHEET

The annual rental cost quote on this Bid Sheet should be based on the daily rental price for each of the four (4) years of the initial contract term, as well as the daily rental price for the one (1) optional renewal year. The annual cost for each year should be based on an estimated average of 180/200 days per year range usage. This number is an estimate only. UCS may in fact use the range more or less days in any year in the contract term.

October 1, 2006 - September 30, 2007 \$ _____ per day for 200 days \$ _____

October 1, 2007 - September 30, 2008 \$ _____ per day for 200 days \$ _____

October 1, 2008 - September 30, 2009 \$ _____ per day for 200 days \$ _____

October 1, 2009 - September 30, 2010 \$ _____ per day for 200 days \$ _____

Estimated total cost of initial four-year term of contract: \$ _____

October 1, 2010 - September 30, 2011 \$ _____ per day for 200 days \$ _____
(optional renewal)

Estimated grand total cost of contract: \$ _____

Company Name: _____

Name and Title of Authorized Officer _____

Signature: _____ Date: _____