

**NYS Court of Claims  
Judges Conference 2017  
Request for Proposal**

**Purpose:**

The New York State Court of Claims is soliciting proposals for a three-day conference with up to 120 participants. Both double and single occupancy rooms, meals and meeting space will be required.

**Location:**

Montauk, New York

**Dates:**

October 23, 24 and 25, 2017

**Detailed Specifications:**

- There will be up to 120 participants, including up to 86 master-billed participants and a number of private-pay spouses/guests who must be billed separately. Up to 86 rooms, both double and single occupancy, will be required for the nights of October 23 and 24, 2017.
- Participants will arrive between 3:00 and 5:00 p.m. on Monday, October 23, 2017, and depart after lunch on Wednesday, October 25, 2017.
- 1:00 p.m. check-out is requested for Wednesday, October 25, 2017.

**Monday, October 23, 2017:**

- Registration table is to be provided in main lobby from 3:00 - 5:00 p.m.
- Informal meeting space for groups of 4-6 individuals is to be provided for up to 30 people.
- Dinner is to be provided for up to 120 people. Private dining with a minimum of three dinner selections is required. A podium and microphone must be provided. In addition, audio-visual capabilities and internet access

must be available. **The price per person should also include non-alcoholic beverages.** Alcoholic beverages will be on a cash-only basis to be paid by the individual.

**Tuesday, October 24, 2017:**

- Breakfast 7:00 - 9:00 a.m. for up to 120 people. Private dining is not required provided the capacity of public dining is adequate to ensure seating of up to 120 participants. **The price per person should also include non-alcoholic beverages.**
- One Meeting Room, with a capacity of up to 90 people, set up classroom style, with a podium, microphone, audio-visual capabilities and internet access.
- Two Breakout Rooms: The first with a capacity of up to 50 people, set up classroom style, with a podium, microphone, audio-visual capabilities and internet access; the second with a capacity of up to 30 people, set up in a U-shape or hollow square, with audio-visual capabilities and internet access.
- Optional Coffee Break (coffee, tea, decaf only required) for up to 90 people.
- Lunch 12:00 - 2:00 p.m. for up to 120 people. Private dining is not required provided the capacity of public dining is adequate to ensure seating of up to 120 participants. **The price per person should also include non-alcoholic beverages.** Alcoholic beverages will be on a cash-only basis to be paid by the individual.
- Dinner is to be provided for up to 120 people. Private dining with a minimum of three dinner selections is required. A podium and microphone must be provided. In addition, audio-visual capabilities and internet access must be available. **The price should also include non-alcoholic beverages.** Alcoholic beverages will be on a cash-only basis to be paid by the individual.

**Wednesday, October 25, 2017:**

- Breakfast 7:00 - 9:00 a.m. for up to 120 people. Private dining is not required provided the capacity of public dining is adequate to ensure seating of up to 120 participants. **The price per person should also include non-alcoholic beverages.**

- One Meeting Room, with a capacity of up to 90 people, set up classroom style, with a podium, microphone, audio-visual capabilities and internet access. This room is needed for the morning only.
- Two Breakout Rooms: The first with a capacity of up to 50 people, set up classroom style, with a podium, microphone, audio-visual capabilities and internet access; the second with a capacity of up to 30 people, set up in a U-shape or hollow square, with audio-visual capabilities and internet access. These rooms are needed for the morning only.
- Optional Coffee Break (coffee, tea, decaf only required) for up to 90 people.
- Lunch 12:00 - 2:00 p.m. for up to 120 people. Private dining is not required provided the capacity of public dining is adequate to ensure seating of up to 120 participants. **The price should also include non-alcoholic beverages.** Alcoholic beverages will be on a cash-only basis to be paid by the individual. **A Box Lunch option should be included.**

**Additional requirements :**

- Guaranteed on-site parking.
- Separate pricing for individual meals for non-overnight participants.
- Separate billing for meals, room charges and applicable taxes for non-employees.

**Proposal Content:**

Please provide the following details in your proposal:

- A brochure describing facilities and room accommodations, as well as a description of the conference spaces to be made available for the Conference. Preferences will be given based upon privacy/soundproofing of conference and private dining spaces.
- The cost per participant, including lodging, meals (breakfast, lunch, break, and dinner), and parking. Quoted price should include gratuity, but no sales or occupancy taxes. **PLEASE NOTE: For all meals, please include in price non-**

**alcoholic beverages only.** Alcoholic beverages will be on a cash-only basis paid by the individual. **Quoted price shall include gratuity, but no sales or occupancy tax.**

- Menu and/or menu selections for all meals. Indicate what is included in dinner, i.e. appetizer, salad, soup, dessert, coffee, selection of non-alcoholic beverages, etc.
- Please indicate what audio-visual equipment/access is included in the conference package and include a schedule of costs for optional equipment/access.
- Any other items/facilities that may be provided as part of the conference package.
- The price for both half and full day usage of meeting and breakout rooms, if any.
- Please attach to the Proposal Sheet a detailed description of the policy regarding cancellation of the conference and cancellation of individual accommodations and meals.

**Proposal Response Submission:**

**Bidder's Contact Name and Required Information**

Bidder shall designate, in its bid response, a staff member as primary contact for all questions UCS/OCA may have regarding bidder's bid/proposal response. Bidder shall include in its bid/proposal response all forms, documents and information required herein.

**Packaging, Identifying and Delivering of Proposals**

Proposals must be clearly addressed and submitted to:

Lea E. Stevens  
Robert Abrams Building for Law and Justice  
P.O. Box 7344, Capitol Station  
Albany, New York 12224

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

Deliver immediately to Lea E. Stevens  
Sealed proposal - Do not open  
RFP# CC-2017-01 due May 26, 2017 at 5:00 p.m.

Failure to seal and mark the proposal as prescribed may result in non-delivery and/or rejection of the proposal. Please note that proposals must be received by the above named designated

person by May 26, 2017 at 5:00 p.m. at the latest or proposals will be declared late proposals and they will be disqualified. It is recommended that bidders allow several extra days for shipping in order to meet the deadline. Do not bind or staple your proposal response in any manner. Clips and rubber bands are the only acceptable methods of securing proposal responses.

### **No-Bid/Proposal Letters**

Bidders are requested to send a no-bid/proposal letter to the Court of Claims, Attn: Lea E. Stevens, 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: RFP# CC-2017-01. No-bid letters may be sent by email to [lesteven@nycourts.gov](mailto:lesteven@nycourts.gov). Please indicate in "Subject" field: RFP# CC-2017-01 – No-Bid/Proposal.

### **Questions**

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

Lea E. Stevens  
[lesteven@nycourts.gov](mailto:lesteven@nycourts.gov)

Please indicate in "Subject" field: RFP# CC-2017-01 - Question(s).

The deadline to submit questions is May 17, 2017 before 5:00 p.m. No questions will be entertained after this deadline. A written Questions & Answers (Q&A) listing all questions received and their answers will be posted on the UCS website at [www.nycourts.gov/admin/bids](http://www.nycourts.gov/admin/bids) in the Addenda column for the appropriate solicitation and mailed to the bidders list promptly after this deadline.

**IMPORTANT:** All questions regarding this solicitation must be in writing by email 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 UCS in connection with this 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.

### **Review & Selection Process:**

This contract will be awarded based on the following components:

- Financial evaluation - 40%:  
Low bidder will receive the maximum number of points. All others will receive a reduced number of points based upon a comparative cost analysis.
- Facilities - 45%:  
Special consideration will be given to the following:
  - Privacy and adequateness of dining facilities to accommodate a working environment
  - Menu selection
  - Food quality
  - Lodging
  - Security
  - Professionalism of staff
  - Ability to bill in accordance with court requirements
  - Extras/Amenities
- Meeting room accommodations - 15%:  
Special consideration will be given to the following:
  - Spaciousness of seating arrangement
  - Audio-visual, internet capability, etc.
  - Proximity of meeting room to restrooms and other facilities
  - Extras

*The Court of Claims reserves the right to visit the site to review accommodations.*

**The RFB/RFP Process: General Specifications**

**Note to those submitting proposals:**

**Attachment I - Standard Request for Bid Clauses & Forms and Attachment IV  
Procurement Lobbying Law required forms:**

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

**Attachment III - Vendor Responsibility Questionnaire:**

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

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

Online Questionnaire: To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at <http://www.osc.state.ny.us/vendrep/index.htm> or go directly to the VendRep System online at <https://portal.osc.state.ny.us/Enrollment/login>. Vendors must provide their New York State Vendor Identification Number when enrolling (see paragraph headed "New York State Vendor File Registration" for instructions on obtaining a Vendor Identification Number.) For VendRep System assistance, contact the Office of the State Comptroller's Help Desk at 866-370-4672 or 518-408-4672 or by email at [ITServiceDesk@osc.state.ny.us](mailto:ITServiceDesk@osc.state.ny.us).

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

Paper Questionnaire: Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website [www.osc.state.ny.us/vendrep/forms\\_vendor.htm](http://www.osc.state.ny.us/vendrep/forms_vendor.htm) or may contact the UCS or the Office of the State Comptroller's Help Desk for a copy of the paper form.

**New York State Vendor File Registration:**

Prior to being awarded a contract pursuant to this solicitation, the bidder(s) must be registered in the New York State Vendor File (Vendor File) administered by the OSC.

This is a central registry for all vendors who do business with New York State agencies and the registration must be initiated by a State agency. Following the initial registration, a unique New York State ten-digit vendor identification number (Vendor ID) will be assigned to vendors for usage on all future transactions with New York State. Additionally, the Vendor File enables vendors to use the Vendor Self-Service application to manage certain vendor information in one central location for all transactions related to the State of New York.

**If the bidder is already registered in the Vendor File**, the vendor must enter the vendor's ten- digit Vendor ID on the first page of this bid document.

**If the bidder is not currently registered in the Vendor File**, upon award of a contract the Bidder must complete the OSC Substitute W-9 Form ([http://www.osc.state.ny.us/vendors/forms/ac3237s\\_fe.pdf](http://www.osc.state.ny.us/vendors/forms/ac3237s_fe.pdf)) and submit the form to UCS.

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

### **UCS Reserved Rights:**

The UCS reserves the right to:

- Reject any or all proposals received in the response to the RFB/RFP.
- Withdraw the RFB/RFP at any time, at the agency's sole discretion.
- Disqualify any bidder whose proposal fails to comply with the requirements of the RFB/RFP.
- Seek clarifications of material elements of proposals.
- Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for purpose of assuring a full and complete understanding of a bidder's proposal and/or determine a bidder's compliance with the requirements of the solicitation.
- Use information obtained through site visits, management interviews and the UCS's investigation of a bidder's qualifications, experience, ability or financial standing, and any material or information submitted by the bidder.
- Prior to opening to the bid/proposal opening, issue a question and answer document (Q &A) and/or an Amendment to the bid specifications to clarify issues, add additional information, or make corrections.
- Change any of the scheduled dates.

- Unless otherwise specified in the solicitation, all bids/proposals shall remain binding on bidders until such time as the UCS 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.

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

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

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

Bidders shall submit all the following required **original RFB/RFP documents:** Bid/Proposal; Executed RFB/RFP Form; Attachment I - pages 3, 4, of 10; Attachment III - Vendor Responsibility Questionnaire (questionnaire may be filed electronically with OSC); Attachment IV - Disclosure of Prior Non-Responsibility Determinations UCS 420 and Affirmation of Understanding and Agreement UCS 421; proof of Workers’ Compensation and Disability Benefits insurance coverage (See “Insurance Requirements”); and any other required documentation, brochures, etc. referenced herein. 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.

**NYS OGS General Specifications:**

New York State Office of General Services (NYS OGS) General Specifications (May 2015) are incorporated herein by reference, except to the extent any provision thereof is not applicable to UCS. Any reference in the NYS OGS General Specifications to ‘Commissioner’ shall be deemed to refer to the Chief Administrator of the Courts or the designee of the Chief Administrator. In the event of any conflict or express or implied ambiguity between this solicitation document, including attachments hereto, and the NYS OGS General Specifications, this solicitation document shall take precedence. The NYS OGS General Specifications are available at: <http://www.ogs.ny.gov/purchase/spg/pdfdocs/CL815.pdf>.

**Estimated Quantities:**

Any quantities specified in this solicitation constitute estimates only, and accordingly no commitment or guarantee to reach any specified volume of business is made or implied.

**Compliance with Laws:**

Awarded contractor(s) must comply with all applicable federal, state and local laws, rules and regulations, including but not limited to, fire, health and safety codes, prior to and during the provision of all services under the contract resulting from this RFP.

**Independent Contractor Status:**

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

**Rejected and Unacceptable Bids/Proposals:**

UCS reserves the right to reject any and all proposals or bids submitted in response to this solicitation. In addition, UCS may reject any bids/proposals from any bidders who are in arrears to the State of New York upon any debt or performance of any contract; or who have previously defaulted on any contractual obligations, (as contracting party, surety or otherwise), or on any obligation to the State of New York; or who have been declared not responsible or disqualified by any agency of the State of New York, who have any proceeding pending against them relating to the responsibility or qualification of the bidders to receive public contracts, whose proposal is incomplete or otherwise non-responsive in any material respect, or who are found to be non-responsible based on any of the criteria specified in the section headed "Responsible Bidder".

UCS also reserves the right to reject any bidder: (i) whose facilities and/or resources

are, in the opinion of OCA, inadequate, too remote from the UCS locations to render services in a timely manner in accordance with all requirements of this solicitation; (ii) who does not provide references in accordance with the bid specifications, or whose references report significant failure to comply with specifications; or (iii) who are otherwise, in the opinion of OCA, unable to meet specifications.

**Responsible Bidder:**

A bidder shall be defined as “responsible” in accordance with, but not limited to, references, past performance history, financial stability, the criteria set forth in paragraph 2 of the General Specifications (Attachment III-Vendor Responsibility Questionnaire), and the criteria set forth in the paragraph headed “Rejected and Unacceptable Bids/Proposals” as well as any other criteria necessary and reasonable to establish the bidder’s responsibility.

**Clarification/Correction of Bids/Proposals:**

In addition to any rights articulated elsewhere in this solicitation, UCS reserves the right to require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of a bidder’s proposal and/or to determine a bidder’s compliance with the requirements of this solicitation. This clarifying information, if required in writing by UCS, must be submitted by the bidder, in accordance with formats as prescribed by UCS at the time said information is requested and, if received by the due date set forth in UCS’s request for clarification, shall be included as a formal part of the bidder’s proposal. Clarifying information, if any, whether provided orally, visually or in writing will be considered in the evaluation process. Failure to provide required information by its associated due date may result in rejection of the bidder’s proposal. Nothing in the foregoing shall mean or imply that it is obligatory upon UCS to seek or allow clarifications or corrections as provided for herein.

**Indemnity:**

Awarded contractor shall indemnify, defend and hold harmless UCS, its officers and employees from and against any and all claims, causes of action, damages, costs, liabilities and expenses of any kind (including reasonable attorney’s fees and the cost of legal defense) which UCS may incur by reason of: (i) awarded contractor’s breach of any term, provision, covenant, representation or warranty contained in the contract awarded as a result of this bid; (ii) any act, omission, negligence or intentional misconduct of awarded contractor or its employees, subcontractors, agents, volunteers or of other persons under its direction and control; (iii) awarded contractor’s performance or failure to perform under the contract; and (iv) enforcement by UCS of

the awarded contract or any provisions thereof.

**Unified Court System Self-Insurance:**

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

**Insurance Requirements:**

Awarded contractor shall be required to maintain during the term of the contract, including any renewal terms, at their own cost and expense:

1. Workers' compensation and disability benefit insurance coverage as required under NYS law. **Each vendor must provide with its proposal proof of such workers' compensation and disability benefits insurance coverage or, if it is legally exempt from such coverage, proof of exemption.** Vendor must obtain the appropriate Workers' Compensation Board forms from its insurance carrier or licensed agent, or must follow the procedures set forth by the Workers' Compensation Board for obtaining an exemption from coverage. See Workers' Compensation

Board website at <http://www.wcb.ny.gov> under "Forms" for a manual listing required forms and procedures. Any questions regarding workers' compensation coverage requirements or debarments should be directed to:

Workers' Compensation Board  
Bureau of Compliance  
(518) 462-8882  
(866) 298-7830

**Only the following forms will be accepted:**

Proof of Workers' Compensation Coverage

- **Form C-105.2** - Certificate of Workers' Compensation Insurance issued by private insurance carriers; or
- **Form U-26.3** issued by the State Insurance Fund; or
- **Form SI-12** - Certificate of Workers' Compensation Self-Insurance; or
- **Form GSI-105.2** - Certificate of Participation in Workers' Compensation Seminar Option Self-Insurance; or
- **Form CE-200** - Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage.

Proof of Disability Benefits Coverage

- **Form DB-120.1** - Certificate of Disability Benefits Insurance, or
- **Form DB-155** - Certificate of Disability Benefits Self-Insurance; or
- **Form CE-200** - Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage.

On forms that have a space for a certificate holder to be listed, the carrier must enter:

NYS Unified Court System  
Office of Court Administration  
25 Beaver Street, Room 850  
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.

**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 UCS. Any breach of this confidentiality by the bidder or by any of its employees, servants, subcontractors, agents, or volunteers may result in the immediate termination of any resulting agreement by UCS and may subject the bidder to further penalties.

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.

**Confidential/Proprietary Information:**

If applicable, bidders should specifically identify those portions of the proposal deemed to contain confidential or proprietary information or trade secrets, and must provide justification why such material, upon request, should not be disclosed to parties other than UCS. Bidders are advised that any material deemed confidential by bidder may still be subject to disclosure in connection with any governmental or judicial proceeding or inquiry or as may be required by applicable law, including but not limited to Article 6 of the New York Public Officers Law (Freedom of Information Law). Such confidential/proprietary information must be easily separable from the non-confidential sections of the proposal.

**Financial Stability:**

Upon request by UCS, bidder shall provide its audited financial statements prepared in accordance with GAAP-Generally Accepted Accounting Principles for the past three (3) consecutive years and a copy of its last three (3) annual reports.

**Termination:**

Early termination of the contract for cause may result in, among other consequences, all remedies available to UCS and New York State, the awarded contractor both being declared non-responsible by the UCS/UCS/OCA, pursuant to the UCS and Office of the State Comptroller's guidelines on vendor responsibility and in the contractor's removal from the UCS/UCS/OCA's bidders list for future solicitations.

**Implied Requirements:**

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

**Silence of the Specifications:**

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

