Quotations Due: September 18, 2008 by 5:00 PM Eastern Time*

The New York State Energy Research and Development Authority (NYSERDA) is seeking quotations for **all or part of** NYSERDA's required printing services, including, pre-press, printing, photocopying, mailing services and large format items. Materials printed for NYSERDA may include, but are not limited to, perfect- or spiral-bound technical reports, manuals, booklets, folders, brochures, business reply mail pieces, postcards, business cards, letterhead, envelopes, labels, posters, presentation checks, display boards, and other printed materials.

The contract term will be three years, with the possibility for a one-year extension. Proposers must be responsive to Governor David Paterson's Executive Order No. 4 (Attachment D).

Multiple firms will be selected to provide the required printing services, should NYSERDA determine that such action is in its best interest. **Samples and references required**.

Proposal Submission: Proposers must submit ten (10) copies of the quotation with a completed and signed Quotation Checklist attached to the front of each copy, one of which must contain an original signature. Quotations must be clearly labeled and submitted to:

Roseanne Viscusi, RFQ 1225
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

If you have technical questions concerning this solicitation, contact Diane Welch at (518) 862-1090, ext. 3276 or dlw@nyserda.org. If you have contractual questions concerning this solicitation, contact Doreen Darling at (518) 862-1090, ext. 3216 or djd@nyserda.org.

No communication intended to influence this procurement is permitted except by contacting Diane Welch at (518) 862-1090, ext.3276 or dlw@nyserda.org. Contacting anyone other than this Designated Contact (either directly by the proposer or indirectly through a lobbyist or other person acting on the proposer's behalf) in an attempt to influence the procurement: (1) may result in a proposer being deemed a non-responsible offerer, and (2) may result in the proposer not being awarded a contract.

*Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned. Faxed or e-mailed proposals will not be accepted. Proposals will not be accepted at any other NYSERDA location other than the address above. If changes are made to this solicitation, notification will be posted on NYSERDA's web site at www.nyserda.org.

I. Introduction

The New York State Energy Research and Development Authority (NYSERDA) is seeking quotations for **all or part of** NYSERDA's required printing services, including, pre-press, printing, photocopying, mailing services and large format items. Materials printed for NYSERDA may include, but are not limited to, perfect- or spiral-bound technical reports, manuals, booklets, folders, brochures, business reply mail pieces, postcards, business cards, letterhead, envelopes, labels, posters, presentation checks, display boards, and other printed materials.

Upon selection, a meeting with NYSERDA's Director of Marketing and Economic Development may be scheduled to meet staff with whom the contractor will be working.

II. Quotation Requirements

SCOPE OF WORK

Printing will be determined on a per-job basis in conjunction with NYSERDA's Marketing Department. Primary and secondary contractors will be selected for some categories of printing, including: letterhead, business cards, stationary, reports, large format items, and mailing services. A pool of contractors will be selected for other categories of printing: folders, brochures, fact sheets, postcards, and other print materials. Each contractor in the pool will be included on a mini-bid list. A bid request will be sent to all printers on the list for each printing job. Each printer will have a specified time to respond to the request; one contractor will be chosen based on the results. The award will be specific to that job and any reprints.

Proposers must demonstrate the ability to provide materials compliant with New York State Governor David Paterson's Executive Order No.4 (Attachment D), and an ability to provide same-day or rush turnaround. Immediate pick up and delivery are often required.

Each printing job will be pre-authorized in writing by NYSERDA on an as-needed basis. The contract term will be three years, with the possibility of a one-year extension.

Quotation Criteria

Quotations shall be submitted in two parts: Part I: Technical Quotation; and Part II: Cost Quotaton. A completed Quotation checklist, included as Attachment B to this RFQ, must be attached to the front of all copies. Proposers must submit ten (10) copies each of Part I and Part II. The two Parts must be in the following format:

<u>Part 1. TECHNICAL QUOTATION</u>
To meet the evaluation criteria of this solicitation for printing services, each proposer shall address in narrative form how it will satisfy the requirements discussed within this RFP. The narrative must provide adequate information to demonstrate effectively the proposer's capability to perform all the work and services required, including the following:

1. Indicate how long your firm has been in continuous operation and its lines of business and growth within the past five years.

2. Include a list of ongoing projects and projects completed within the last five years comparable to the types of printing projects listed in Section I. Proposers must include returnable samples of printing work they have done, as applicable to their proposal, including:

    - Saddle-stitch, perfect-bound, multifold samples, folder(s)
    - Brochures: one-color, two-color, four-color; single and multiple pages; a variety of folds
    - Technical and annual report
    - Postcard sample
    - Business card, letterhead, and envelopes (#10 and 9 x 12)

The proposer must note the extent of its contribution to the final product, along with a name, title, company name, address, and phone/fax numbers for contacts at the organizations for whom these services were performed. NYSERDA reserves the right to request information from any source so named.

3. List a sampling of prior/existing or proposed contracts or other forms of relationships with the State of New York, any of its other operating agencies including public authorities, and any local government.

4. List all environmental and union certifications that your firm has attained, and show any print-eligible logos, symbols, or marks affiliated with those certifications.

5. Indicate how your firm is prepared to accommodate New York State Governor David Paterson's Executive Order No. 4 (Attachment D), stipulating the use of post-consumer waste in all paper goods purchased. Please supply samples of any papers you would be likely to recommend in your bid.

6. Indicate your current workload and your ability to provide printing services in a timely manner. Proposers must be available for often same-day or rush turnaround. Immediate pick up and delivery are often required.

7. Please submit detailed information about your printing facilities; i.e., two-color press, four-color press, six-color press, in-house binding, in-house die-cutting, offset, digital, and so on. Describe your firm's resources and procedures for providing printing services and the qualifications of your account executive.

8. Provide any other significant information about your firm that is relevant to demonstrating its experience and why it is qualified to meet NYSERDA's needs.

9. Indicate whether your firm will provide the printing services directly or through another firm. Submit corporate information about proposed subcontractors.

Part 2. COST QUOTATION

The proposer must complete the Printing Cost Quotation Form (Attachment C).

Proposers must submit ten (10) copies of the completed proposal to the attention of Roseanne Viscusi at the address on the front of this Request for Quotation. A completed and signed Quotation Checklist must be attached as the front cover of your Quotation, one of which must contain an original signature. **Late quotations and quotations lacking the appropriate completed and signed Quotaton Checklist will be returned.** Faxed or e-mailed copies will be not be accepted.

Procurement Lobbying Requirements - State Finance Law sections 139-j and 139-k

Procurement lobbying requirements contained in State Finance Law sections 139-j and 139-k became effective on January 1, 2006. (The text of the laws are available at: http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html). In compliance with §139-j and §139-k of the State Finance Law, for proposals submitted in response to this solicitation that could result in agreements with an annual estimated value in excess of $15,000, additional forms must be completed and filed with proposals: (1) a signed copy of the Proposal Checklist including required certifications under the State Finance Law and (2) a completed Disclosure of Prior Findings of Non-Responsibility form. Failure to include a signed copy of the Proposal Checklist referenced in this solicitation will disqualify your proposal.

Quotations should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics. Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective response will not influence the evaluation of the quotation. Each page of the quotation should state the name of the proposer, RFQ 1225, and the page number.

The following language requesting indirect cost supporting documentation REQUIRED:

Attach supporting documentation to support indirect cost (overhead) rate(s) included in your proposal as follows:

1. Describe the basis for the rates proposed (i.e., based on prior period actual results; based on projections; based on federal government or other independently-approved rates).

2. If rate(s) is(are) approved by an independent organization, such as the federal government, provide a copy of such approval.

3. If rate(s) is(are) based on estimated costs or prior period actual results, include calculations to support proposed rate(s). Calculations should provide enough information for NYSERDA to evaluate and confirm that the rate(s) is(are) consistent with generally accepted accounting principles for indirect costs.

NYSERDA reserves the right to audit any indirect rate presented in the proposal and to make adjustment for such difference. Requests for financial statements or other needed financial information may be made if deemed necessary.

Quotation Evaluation

All quotations that meet the requirements established in this RFQ will be reviewed and ranked by a Technical Evaluation Panel (TEP) consisting of NYSERDA staff and selected outside reviewers. Final rankings and contract award(s) will be based on the following criteria:

1. Does the proposer have adequate resources for performance, or the ability to obtain such resources as required during performance?

2. Does the proposer have the necessary and relevant experience, organization, technical qualifications, skills, and facilities, or the ability to obtain them, including subcontractor arrangements?

3. Does the proposer demonstrate it can provide a timely, often one-day, turnaround throughout the contract period?

4. Does the proposer demonstrate it can provide pick up and delivery of jobs?

5. Does the proposer demonstrate a satisfactory record of performance?

6. Does the proposer have competitive rates?

GENERAL CONDITIONS

Proprietary Information - Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSERDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the proposer wishes to have treated as proprietary, and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to accept it from disclosure, including a written statement of the reasons why the information should be excepted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 www.nyserda.org/nyserda.regulations.pdf. However, NYSERDA cannot guarantee the confidentiality of any information submitted.

Omnibus Procurement Act of 1992 - It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises, as bidders, subcontractors, and suppliers on its procurement Agreements.

Information on the availability of New York subcontractors and suppliers is available from:

Empire State Development
Division For Small Business
30 South Pearl Street
Albany, NY 12245

A directory of certified minority- and women-owned business enterprises is available from:

Empire State Development
Minority and Women's Business Development Division
30 South Pearl Street
Albany, NY 12245

State Finance Law sections 139-j and 139-k - NYSERDA is required to comply with State Finance Law sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html
The attached Proposal Checklist calls for a signature certifying that the proposer will comply with State Finance Law sections 139-j and 139-k and the Disclosure of Prior Findings of Non-responsibility form includes a disclosure statement regarding whether the proposer has been found non-responsible under section 139-j of the State Finance Law within the previous four years.

Tax Law Section 5-a - NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSERDA having a value in excess of $100,000, to certify to the Department of Taxation and Finance (the "Department") whether the contractor, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the Department to collect New York State and local sales and compensating use taxes. The Department has created a form to allow a prospective contractor to readily make such certification. *See,* ST-220-TD (available at http://www.tax.state.ny.us/pdf/2006/fillin/st/st220td_606_fill_in.pdf). Prior to contracting with NYSERDA, the prospective contractor must also certify to NYSERDA whether it has filed such certification with the Department. The Department has created a second form that must be completed by a perspective contractor prior to contacting and filed with NYSERDA. *See,* ST-220-CA (available at http://www.tax.state.ny.us/pdf/2006/fillin/st/st220ca_606_fill_in.pdf). The Department has developed guidance for contractors that is available at http://www.tax.state.ny.us/pdf/publications/sales/pub223_606.pdf.

Contract Award - NYSERDA anticipates making multiple awards under this solicitation. It may award a contract based on initial applications without discussion, or following limited discussion or negotiations. Each offer should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support quotations. NYSERDA will use the Sample Agreement (Attachment E) to contract successful quotations. NYSERDA expects to notify proposers in approximately six to eight weeks from the quotation due date/receipt of an application whether your quotation has been selected to receive an award.

Limitation - This solicitation does not commit NYSERDA to award a contract, pay any costs incurred in preparing a proposal, or procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel in part or in its entirety this solicitation when it is in NYSERDA's best interest.

Disclosure Requirement - The proposer shall disclose any indictment for any alleged felony, or any conviction for a felony within the past five years, under the laws of the United States or any state or territory of the United States, and shall describe circumstances for each. When a proposer is an association, partnership, corporation, or other organization, this disclosure requirement includes the organization and its officers, partners, and directors or members of any similarly governing body. If an indictment or conviction should come to the attention of NYSERDA after the award of a contract, NYSERDA may exercise its stop-work right pending further investigation, or terminate

the agreement; the contractor may be subject to penalties for violation of any law that may apply in the particular circumstances. Proposers also must disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

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Attachments:

- **Attachment A - Printing Services Quotation Checklist**
- **Attachment B - Disclosure of Prior Findings of Non-Responsibility**
- **Attachment C - Printing Cost Quotation Form**
- **Attachment D - Executive Order No. 4**
- **Attachment E - NYSERDA Sample Agreement**