



Request for Proposals

Copiers

Submittal Deadline: August 12, 2022

Background Information

The Erie County Industrial Development Agency is a corporate governmental agency, constituting a public benefit corporation of the State of New York (“NYS”). The ECIDA has been authorized by New York laws to promote, attract, encourage and develop economically-sound commerce and industry for the purpose of preventing unemployment and economic deterioration. The ECIDA may acquire, construct, reconstruct, lease, improve, maintain, equip or furnish and dispose of real property interests and industrial and commercial facilities. The ECIDA may exercise appropriate financing powers, including the issuance of bonds or other obligations and securing of such obligations by the granting of mortgages and indentures of mortgage.

The Board of Directors of the ECIDA is set forth by the New York State Legislature to include senior representatives from the local political, business, minority, union and school communities.

Designated Individuals - Procurement Lobbying Law

Brian Krygier Director of IT 716-856-6525, ext. 501 bkrygier@ecidany.com

Pursuant to State Finance Law §§139-j and 139-k, this Request for Proposal includes and imposes certain restrictions on communications between ECIDA members (including employees and Board members) and a Bidder during the procurement process. A Bidder is restricted from making contacts from the earliest notice of intent to solicit Request for Proposals through final award and approval of the Procurement Contract by the ECIDA (“restricted period”) to other than the above Designated Individuals unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). ECIDA members (including employees and Board members) are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period; the Bidder is debarred from obtaining governmental Procurement Contracts.

Bidders are required to complete Form 1, Attachment A, Attachment B and Attachment C regarding their understanding and agreement to comply with procedures on procurement lobbying restrictions regarding permissible contacts in the restricted period in accordance with State Finance Law §§139-j and 139-k. **YOUR BID WILL BE CONSIDERED INCOMPLETE IF THE ATTACHMENTS ARE NOT INCLUDED.**

Request for Proposals

The Erie County Industrial Development Agency (ECIDA) is requesting proposals for the replacement of our current copiers, lease ending on 12/31/22. We are currently not interested in ending the current agreement early, and will expect delivery of the new equipment in the same month our current lease ends.

The ECIDA will be interested in 2 new machines with similar capabilities to provide redundancy to our current operations.

All proposals will be evaluated by a committee of ECIDA employees, representative of each department. The criteria for this evaluation will include price, performance, capability and service. Specific items will be detailed further in this RFP.

Please do your best to meet the specific requirements. If the capabilities of your proposed system fall below our requirements, please indicate details. Falling below the requirements is not grounds to dismiss your proposal.

The ECIDA is eligible to procure under **New York State Contract** pricing, although we are also able to negotiate a separate contract if more favorable.

Requirements

A.) General

- 1.) Equipment proposed must be New Equipment Only. No used, refurbished, remanufactured or demo model equipment will be considered.
- 2.) Equipment proposed must not be a discontinued model at the time of bid and/or delivery.
- 3.) Please indicate lease options for 36, 48 and 60 months and purchase options.
- 4.) Equipment proposed will also be serviced by the vendor through the lease term chosen.
- 5.) Please indicate, if available, options to include our current HP printers in your service agreement.
- 6.) Vendor will propose 2 Color MFP systems with identical functionality and capabilities as detailed in Section C.
- 7.) Vendor must install all equipment within 1 business day, on a day that is mutually agreed upon.
- 8.) Vendor must remove any debris as a result of the installation.
- 9.) Vendor must include removal of equipment at the end of the lease term at no additional cost.

B.) Vendor

- 1.) Please indicate if your company is locally owned and operated.
- 2.) Please indicate how long your company has been servicing the local area.
- 3.) Please indicate how long your company has been in business.
- 4.) Please briefly describe why your company is the best choice for our copier needs.

C.) Copier Requirements

- 1.) Minimum copy/print/scan speed of 55ppm B&W and 45ppm Color.
- 2.) System should be capable of network connectivity for Printing and Management.
- 3.) Duplexing capable
- 4.) Scan to folder, scan to email, scan to FTP with no software dependency and to multiple formats including TIFF and searchable (OCR) PDF.
- 5.) Minimum 600dpi resolution.
- 6.) Minimum of 3 sources. Minimum paper handling of 2000 sheets 8½"x11" (main system), 500 sheets 8½"x14", 500 sheets 11"x17".
- 7.) Page numbering.
- 8.) Minimum paper weight handling of 110lb index through all sources.
- 9.) Must support Glossy, Bond, Cover and Tab paper types.
- 10.) Multi-position stapling capabilities (100 sheets) with Hole Punching.
- 11.) Reduction and Enlargement.
- 12.) Ability to manage print job priorities.
- 13.) Restrict user capabilities to produce color documents.
- 14.) All instructional, operational and reference documentation shall be included at no additional cost.
- 15.) All technical CD's, Drivers and Software shall be included at no additional cost.
- 16.) Ability to track usage by department or user.

D.) Maintenance/Service Requirements

- 1.) Vendors are required to have at least 3 Factory Certified Technicians for the proposed equipment.
- 2.) Please indicate number of years each technician has been with your company.
- 3.) Please indicate the number of years each technician has been working on the proposed product line.
- 4.) Please base Maintenance agreement costs for both systems on the following monthly combined volumes:
Black & White: 25,000/mo
Color: 5,000/mo
- 5.) All maintenance agreements should be inclusive of parts, labor, unlimited travel and all supplies. Exclusion of media and staples only.
- 6.) Please indicate overage cost per copy for B&W and Color. Please also indicate what constitutes a charge towards our monthly allowances such as print, copy, scan.
- 7.) Maintenance pricing should be proposed as separate B&W cost per copy and Color cost per copy. Please indicate if the cost per copy is fixed for the contract term or not. If it is not, please include detail as to when it may change and the maximum percentage of increase per year.
- 8.) Please indicate if service provided in the proposal is dispatched locally.
- 9.) Please indicate in detail your response time to a service call placed by ECIDA staff. Also indicate if response time is based on a phone call or arrival on-site.
- 10.) Please indicate how ECIDA will order toner and supplies (phone/website/automated).
- 11.) Please indicate turn-a-round time that ECIDA can expect to receive ordered supplies.
- 12.) Please indicate how ECIDA staff will submit meter readings or if the process is automated.

E.) Training Requirements

- 1.) Please describe and outline your training and implementation process.
- 2.) Vendor will provide at no additional cost, at least one expert trainer for up to 8 hours, who is very knowledgeable in the functionality, operation and use of the systems proposed.
- 3.) Please indicate the number of years your trainer has been training on the product brand proposed.
- 4.) Is the trainer an employee of your company or the manufacturer?

Additional Information

The ECIDA currently uses Docuware for electronic document management. Please answer the following questions in order for us to evaluate the compatibility of your proposed systems with our systems.

- 1.) Please indicate the scanning speed and method of the proposed systems.
- 2.) Please indicate if the system includes capability to create searchable (OCR) PDF documents.
- 3.) Are there any modules that are required, outside of the current requirements, to enable the system to integrate with our electronic document management software?
- 4.) Is there a cost per copy charge for scanned items?

Selection Criteria

The ECIDA will carefully review and rank your response based upon the following criteria:

Direct Responses to Requirements – 50%

Completeness and compliance of your response to our requirements.

Approach to Scope of Work – 20%

Understanding of our requirements and installation/return process for equipment.

Cost of Services – 20%

Fees and hourly rates of involved personnel and hardware/software cost.

Development of Women & Minority Employees and Partners – 10%

Provide proof that the business is women or minority owned, or that the business offers programs fostering the development of women and minority employees.

The ECIDA will develop a short list of the most qualified candidates. Follow-up discussions and site-visits/demonstrations may be scheduled. The ECIDA will then make a final recommendation and select a firm. Our goal is to have a firm selected no later than **August 31, 2022**.

Please submit all questions via email to bkrygier@ecidany.com. Questions via phone call will not be accepted. Questions will be accepted until 5:00pm on August 3rd. All questions and answers will be posted by 5:00pm August 5th, on the ECIDA website at http://www.ecidany.com/Requests_for_Proposals.

Please submit your proposal and completed forms by August 12th, 3:00 P.M. Completed proposals can be submitted via email to bkrygier@ecidany.com, or by postal mail to the address below:

**Attention: Brian Krygier
Erie County Industrial Development Agency
95 Perry St., STE 403
Buffalo, New York 14203**

Form 1: Non-Collusive Proposal Certification

By submission of this proposal, each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief:

- a) The prices in this proposal have been arrived at independently, without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Bidder or with any competitor;
- b) Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any other Bidder or to any competitor, and
- c) No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

SUBMITTAL OF PROPOSAL

The undersigned submits the following proposal, which is in conformity with the intent of the RFP. The Bidder agrees that should it be awarded a contract on the proposal through the issuance of a contract from the Erie County Industrial Development Agency, it will provide the services in strict compliance with the contract documents for the compensation stipulated herein. The Bidder agrees that its proposal shall remain effective for a period of 90 days from the formal proposal receipt date.

Bidder

Name

Signature

Title

Date

NEW YORK STATE FINANCE LAW REQUIREMENTS

Permissible Contacts

Pursuant to State Finance Law §§139-j and 139-k, this Solicitation/Request for Proposal includes and imposes certain restrictions on communications between the ECIDA and an Offerer/bidder during the procurement process. An Offerer/bidder is restricted from making contacts from the earliest notice of intent to solicit Request for Proposals through the final award and approval of the Procurement Contract by the ECIDA and, if applicable, Office of the State Comptroller (“restricted period”) to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). Designated staff, as of the date hereof, is identified on page ___ of this solicitation. ECIDA employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Offerer/bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period, the Offerer/bidder is barred from obtaining governmental Procurement Contracts. Further information about these requirements can be found at <http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html>.

Offerer/Bidder’s Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)

State Finance Law §139-j(6)(b) requires that the ECIDA seek written affirmations from all Offerers/Bidders as to the Offerer’s/Bidder’s understanding of and agreement to comply with the ECIDA’s procedures relating to permissible contacts (described above) during a Governmental Procurement pursuant to subdivision three of this section. It is recommended that this affirmation be provided to the ECIDA as early as possible in the procurement process, such as when the Offerer/bidder submits its proposal or bid. Attachment A may be used to satisfy this requirement.

Offerer’s/Bidder’s Certification of Compliance with State Finance Law §139-k(5)

New York State Finance Law §139-k(5) requires that every Procurement Contract award subject to the provisions of State Finance Law §§139-k or 139-j shall contain a certification by the Offerer/Bidder that all information provided to the ECIDA with respect to State Finance Law §139-k is complete, true and accurate. It is recommended that the certification be provided to the ECIDA as early as possible in the process, such as when an Offerer/Bidder submits its proposal, bid or other form of offer. Attachment B may be used to satisfy this requirement.

Offerer/Bidder Disclosure of Prior Non-Responsibility Determinations

New York State Finance Law §139-k(2) obligates the ECIDA to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, an Offerer/bidder must disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms “Offerer” and “Governmental Entity” are defined in State Finance Law § 139-k(1). State

NEW YORK STATE FINANCE LAW REQUIREMENTS

Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such Contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offerer/bidder fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with the law, no Procurement Contract shall be awarded to any Offerer/bidder that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offerer/bidder is necessary to protect public property or public health safety, and that the Offerer/bidder is the only source capable of supplying the required Article of Procurement within the necessary timeframe. See State Finance Law §§139-j (10)(b) and 139-k(3).

The ECIDA must include a disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of proposals or bid documents or specifications or contract documents, as applicable, for procurement contracts. Attachment C entitled “Offerer Disclosure of Prior Non-Responsibility Determinations” must be completed by the Offer/Bidder and submitted to the ECIDA.

Public Disclosure

Responses submitted under this Request for Proposals are subject to public disclosure under the New York State Freedom of Information Law. If the respondent does not want certain data disclosed for any purpose other than for the evaluation of the submitted proposal, the respondent must prominently identify sections or pages of the response which they wish to have restricted. Such sections shall be restricted from disclosure, if allowed by law.

Contract Termination Provision

New York State Finance Law §139-k (5) provides that every procurement contract award subject to the provisions of State Finance Law §§139-k and 139-j contain a provision authorizing the ECIDA to terminate the contract in the event that the certification is found to be intentionally false or intentionally incomplete. This statutory contract language authorizes, but does not mandate, termination. “Governmental Entity” and “procurement contract” are defined in State Finance Law §139-k(1). If a contract is terminated in accordance with State Finance Law §139-k (5), the ECIDA is required to include a statement in the procurement record describing the basis for any action taken under the termination provision.

ECIDA Termination Provision

Pursuant to New York State Finance Law §139-k(5), the ECIDA reserves the right to terminate any contract in the event it is found that the certification filed by the Offerer in accordance with New York State Finance Law §139k was intentionally false or intentionally incomplete. Upon such finding, the ECIDA may exercise its termination rights by providing written notification to the Offer/Bidder in accordance with the written notification terms of this contract.

NEW YORK STATE FINANCE LAW REQUIREMENTS

ATTACHMENT A

Affirmation of Understanding & Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)

I affirm that I understand and agree to comply with the procedures of the ECIDA relative to permissible contacts as required by State Finance Law §139-j (3) and §139-j (6) (b).

By: _____ Date: _____

Name: _____ Title: _____

Contractor Name: _____

Contractor Address: _____

NEW YORK STATE FINANCE LAW REQUIREMENTS

ATTACHMENT B

Offerer/Bidder Certification:

I certify that all information provided to the ECIDA with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____

Name: _____ Title: _____

Contractor Name: _____

Contractor Address: _____

NEW YORK STATE FINANCE LAW REQUIREMENTS

ATTACHMENT C

Offerer Disclosure of Prior Non-Responsibility Determinations

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address: _____

Name and Title of Person Submitting this Form: _____

Contract Procurement Number: _____

Date: _____

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle):

No

Yes

If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):

No

Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle):

No

Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.

Governmental Entity: _____

Date of Finding of Non-responsibility: _____

Basis of Finding of Non-Responsibility:

(Add additional pages as necessary)

NEW YORK STATE FINANCE LAW REQUIREMENTS

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle):

No

Yes

6. If yes, please provide details below.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

(Add additional pages as necessary)

Offerer certifies that all information provided to the ECIDA with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____

Signature

Name: _____ Title: _____