



Office of Information Technology Services

COMPETITIVE PROCUREMENT SOLICITATION FOR:

REQUEST FOR PROPOSALS (RFP) C000522-PR – NETWORK CABLING SERVICES PERIODIC RECRUITMENT

PROCUREMENT WEBSITE: [HTTPS://ITS.NY.GOV/COMPETITIVE-PROCUREMENT-OPPORTUNITIES](https://its.ny.gov/competitive-procurement-opportunities)

DESIGNATED CONTACT FOR INQUIRIES AND SUBMISSIONS

Elizabeth Gocs, Contract Management Specialist

RFP-related questions must be submitted via electronic mail using the Vendor Questions and Extraneous Terms Form (Attachment 4) to the designated contact for this RFP at its.sm.bestvalue@its.ny.gov.

No other method of inquiries will be accepted. Administrative issues pertaining to sending/receiving e-mail through the designated mailbox may be reported at (518) 473-9341.

ITS ADDRESS FOR BID DELIVERIES

Address to:

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Calendar of Events	
Event	Date
1. RFP Release Date	8/21/2023
2. Deadline for Submission of Vendor Questions and Extraneous Terms Form	9/07/2023
3. Issuance of Response to Submitted Questions	On or about 9/21/2023
4. Proposal Due Date	10/11/2023 at 2:00 PM (ET)

ITS RESERVES THE RIGHT TO HOLD A PRE-BID CONFERENCE.

TABLE OF CONTENTS

SECTION 1 - AGENCY OVERVIEW	6
1.1 THE NEW YORK STATE OFFICE OF INFORMATION TECHNOLOGY SERVICES..	6
1.1.1 MISSION, VISION, AND VALUES STATEMENT	6
1.1.2 FORMATION OF ITS	6
SECTION 2 - PROCUREMENT OVERVIEW	6
2.1 PURPOSE OF REQUEST FOR PROPOSALS	6
2.2 PROJECT BACKGROUND (CURRENT STATE)	7
2.3 BUSINESS GOALS (FUTURE STATE).....	7
2.4 PROCUREMENT PROCESS OVERVIEW	7
2.5 DEFINITIONS.....	8
SECTION 3 - MINIMUM BIDDER QUALIFICATIONS (PHASE 1)	8
3.1 MINIMUM BIDDER QUALIFICATIONS FOR LOT 1 – MATERIALS.....	8
3.2 MINIMUM BIDDER QUALIFICATIONS FOR LOT 2 – LABOR RATES.....	9
SECTION 4 - DESCRIPTION OF SERVICES AND MATERIALS UNDER MASTER SERVICE AGREEMENT	10
4.1 DESCRIPTION OF SERVICES.....	10
4.1.1 STRUCTURED COPPER CABLING INSTALLATION, MAINTENANCE, AND REPAIR SERVICES.....	10
4.1.2 STRUCTURED FIBER OPTIC INSTALLATION, MAINTENANCE, AND REPAIR SERVICES.....	10
4.1.3 EXCAVATION AND AERIAL SERVICES (INSTALLATION, MAINTENANCE, AND REPAIR)	11
4.1.4 MANDATORY GENERAL SERVICE REQUIREMENTS	11
4.2 MATERIAL AND LABOR RATE CATALOG (LOT 1 AND LOT 2).....	12
4.2.1 MATERIAL CATEGORIES REQUIREMENTS (LOT 1)	12
4.2.2 LABOR RATES AND KEY PERSONNEL REQUIREMENTS (LOT 2).....	13
4.2.3 CONTRACTOR’S NETWORK CABLING MATERIAL AND LABOR RATE CATALOG UPDATES	14
SECTION 5 - REQUEST FOR QUOTES (RFQ) MINI-BID PROCESS AND REQUIREMENTS (PHASE 2)	15
5.1 NOTIFICATION OF NETWORK CABLING SERVICE WORK ASSIGNMENT	15
5.2 MANDATORY SITE VISIT.....	15
5.3 QUOTE REQUIREMENTS.....	16
5.4 REQUEST FOR QUOTES EVALUATION AND AWARD PROCESS	16
5.5 IMPLEMENTATION REQUIREMENTS.....	16
5.6 CONTRACTOR DEFICIENCY REPORT.....	17
SECTION 6 - PROCUREMENT PROCESS (PHASE 1)	17
6.1 METHOD OF AWARD.....	17
6.2 ADMINISTRATIVE REQUIREMENTS AND INFORMATION	17
6.2.1 INQUIRIES FROM VENDORS.....	17
6.2.2 SUMMARY OF POLICY AND PROHIBITIONS ON PROCUREMENT LOBBYING	18

6.2.3 MANDATORY PRE-BID CONFERENCE	18
6.2.4 EXTRANEIOUS TERMS	18
6.2.5 COMMUNICATIONS FROM NYS TO VENDORS	19
6.2.6 BUILDING ACCESS PROCEDURES FOR VISITORS AND HAND DELIVERIES	19
6.3 LATE SUBMISSIONS.....	19
6.4 STATE’S RESERVED PROCUREMENT RIGHTS.....	19
6.5 NOTIFICATION OF AWARD AND OPPORTUNITY FOR DEBRIEFING	20
6.6 ITS BID PROTEST POLICY	21
6.7 NEW YORK STATE VENDOR FILE REGISTRATION	21
6.8 NEW YORK STATE VENDOR RESPONSIBILITY QUESTIONNAIRE FOR PROFIT BUSINESS ENTITY	21
6.9 SUPPLIER DIVERSITY: MWBE AND SDVOB REQUIREMENTS	22
SECTION 7 - PROPOSAL REQUIREMENTS (PHASE 1)	24
7.1 PROPOSAL PREPARATION, RESPONSE, AND PACKAGE LABELING	24
7.2 GENERAL REQUIREMENTS FOR PROPOSALS	24
7.3 PROPOSAL FORMAT AND CONTENT	25
7.3.1 ADMINISTRATIVE PROPOSAL	25
7.3.2 FINANCIAL PROPOSAL.....	26
7.3.2.1 BIDDER’S SUBMISSION OF NETWORK CABLING MATERIAL AND LABOR RATE CATALOG (LOTS 1 AND 2.....	26
7.3.3 TECHNICAL PROPOSAL	27
7.4 EVALUATION METHODOLOGY (PHASE 1)	28
7.4.1 PROPOSAL COMPLETENESS REVIEW (ADMINISTRATIVE EVALUATION)	28
7.4.2 MANDATORY MINIMUM QUALIFICATIONS AND REQUIREMENTS (FINANCIAL AND TECHNICAL EVALUATION).....	28

APPENDICES

Appendix A – Standard Clauses for NYS Contracts (October 2019)

Appendix B – Reserved

Appendix C – ITS Standard Contract Clauses

Appendix C-1 – Contractor’s Insurance Requirements

Appendix D – Reserved

Appendix E – Reserved

Appendix F – Glossary of Terms

Appendix G – Reserved

Appendix H – Work Product Acceptance Form

Appendix I – Primary Security and Privacy Mandates

Appendix J – Contractor Deficiency Report

Appendix K – Change Form

ATTACHMENTS

Attachment 1 – Proposal Checklist

Attachment 2 – Bidder Information Form

Attachment 3 – Firm Offer Letter and Conflict of Interest Disclosure

Attachment 4 – Vendor Questions and Extraneous Terms Form

Attachment 5 – Consultant Confidentiality and Non-Disclosure Agreement

Attachment 6 – NYS Required Certifications

Attachment 7 – Vendor Responsibility Questionnaire Attestation

Attachment 8 – Reserved

Attachment 9 – Reserved

Attachment 10 – Contractors Certification to Covered Agency, ST-220-CA

Attachment 11 – Minimum Bidder Qualifications Certification

Attachment 12 – Requirements Verification and Traceability Matrix

Attachment 13 – Network Cabling Material and Labor Rate Catalog

**Attachment 14 – Vendor’s Network Cabling Material and Labor Rate Catalog
Certification**

Attachment 15 – Executive Order 16 Certification

Attachment 16 – Vendor Assurance of No Conflict of Interest or Detrimental Effect

Attachment 17 – Reserved

Attachment 18 – FOIL and Litigation Disclosure

EXHIBITS (Project Specific Information)

Exhibit A – Cabling Industry Standard Guidelines

Exhibit B – Additional Standards for Work Performed

Exhibit C – Cable Manufacturer List

Exhibit D – Article 8 Prevailing Wage Schedule

Exhibit E – Sample RFQ Solicitation

MWBE Forms:

Refer to the weblink stated in Section 6.9, Supplier Diversity: MWBE AND SDVOB Requirements.

SDVOB Forms:

Refer to the weblink stated in Section 6.9, Supplier Diversity: MWBE AND SDVOB Requirements.

SECTION 1 - AGENCY OVERVIEW

1.1 THE NEW YORK STATE OFFICE OF INFORMATION TECHNOLOGY SERVICES

1.1.1 MISSION, VISION, AND VALUES STATEMENT

MISSION	To create and deliver innovative solutions that foster a technology-enabled government to best serve New Yorkers
VISION	To lead the nation in serving citizens, businesses, and visitors through world-class technology
VALUES	Accountability, Citizens, Innovation, Integrity, People, Transformation

1.1.2 FORMATION OF ITS

In 2012, New York consolidated information technology (IT) functions and service delivery from over 52 State agencies into a single agency in the largest IT consolidation in State government history. The New York State (NYS) Office of Information Technology Services workforce of approximately 4,000 professionals serves over 120,000 end users. Historically, IT systems and applications were primarily decentralized within individual State agencies supported by internal agency teams working with disparate IT tools, methods, and varied technical platforms. Now, NYS Office of Information Technology Services is transforming IT across the State to offer world-class service that provides a consistent and high-quality experience for end users and citizens using an IT environment that:

- Maximizes existing resources
- Meets agency business needs with world-class customer service
- Creates a talented, innovative IT workforce
- Increases accountability
- Provides cost savings

SECTION 2 - PROCUREMENT OVERVIEW

2.1 PURPOSE OF REQUEST FOR PROPOSALS

The New York State Office of Information Technology Services (ITS) is issuing this periodic recruitment Request for Proposals (RFP) to seek qualified responsive and responsible vendors for a Master Service Agreement (“MSA” or “Contract”), to perform varying Network Cabling Services statewide, including any inside and outside cabling including but not limited to:

- a) structured copper cabling installation, maintenance, and repair (inside/outside plant);
- b) structured fiber optic installation, maintenance, and repair (inside/outside plant); and
- c) excavation and aerial services relating to cabling installation, maintenance, and repair.

2.2 PROJECT BACKGROUND (CURRENT STATE)

Currently, ITS is responsible for coordinating structured voice and data network cabling work requests for 50+ New York State Executive Agencies with locations statewide. Work requests vary from installing one (1) cable to installing 300+ cables in a NYS Facility. ITS also receives maintenance and repair work requests that range from damaged fiber optic and/or copper cable to a phone or computer not working. ITS cabling work requests occur in a number of settings from interior occupied offices to exterior construction sites.

2.3 BUSINESS GOALS (FUTURE STATE)

ITS has a continual need for installing, maintaining, and repairing structured voice and data cabling and these demands continue to grow. ITS currently receives approximately 100 cabling work requests per year. A separate contract covers cabling jobs from 1-20 copper runs for inside environments only. This contract is to cover more complex jobs including outside plant. In addition to copper cabling, fiber optic tie/riser cable installation, maintenance, and repair requests are abundant throughout the State. However, in the event that there is no available contract for smaller cabling jobs, the resulting contracts from this procurement may also be utilized to fill smaller job needs as well.

2.4 PROCUREMENT PROCESS OVERVIEW

The release of this periodic recruitment RFP is a process in a two-phase effort for ITS to fulfill its ongoing needs for Network Cabling Services statewide.

Phase 1 – Request for Proposal for Master Service Agreement (MSA)

1. Phase 1 of the procurement process is to solicit a Request for Proposals (RFP) to vendors, and award qualified, responsive, and responsible Bidders with a Master Service Agreement, in an effort to expeditiously fulfill the State's ongoing needs for network cabling services. This Phase 1 process will result in multiple awards for a Master Service Agreement, the Contract issued to Bidders who successfully meet the RFP requirements.
2. During this phase of the procurement process, Bidders must submit Proposals that reflect that they meet all of the Minimum Vendor Qualifications outlined in Section 3 and agree to all of the Mandatory Service Requirements as outlined in Section 4. **Note: Bidders that are only submitting a Proposal for Lot 1 – Materials do not have to meet any Minimum Vendor Qualifications.

3. Administrative, financial, and technical evaluations will be completed for each Bidder's Proposal submitted. If the Bidder's Proposal meets all of the qualifications as outlined in this RFP, the Bidder will be awarded a Master Service Agreement (Contract).
4. Recruitment of vendors will occur at initial RFP release and approximately mid-way through the five-year contract term, in an effort to maintain an up-to-date vendor pool for Phase 2 of the procurement process, the Request for Quotes (RFQ) for work assignments under the Master Service Agreement.

Phase 2 – Request for Quotes for Work Assignments under Master Service Agreement (MSA)

1. Phase 2 of the procurement is a mini-bid process, where ITS will issue Request for Quotes (RFQ) to solicit to and obtain quotes from the Contractors that resulted from the RFP under Phase 1 of the procurement, for specified work assignments for network cabling services within New York State.
2. ITS will identify the need for Network Cabling Services and will issue an RFQ to all Contractors awarded a MSA under Phase 1.
3. Contractors will be provided with pertinent information needed to provide a quote to perform all network cabling services requested, within ITS' Work Assignment Form that is issued with the RFQ. A sample of ITS' Work Assignment Form can be found in Exhibit E – Sample RFQ Solicitation.
4. Any quote submitted by a Contractor in response to an RFQ must not exceed the material and/or labor rates agreed upon during Phase 1. However, additional discounts may be applied to the material and labor rates on quote submission. The additional discounts will only apply to the specific quote submitted unless specified by the Contractor in subsequent RFQs.
5. Unless otherwise noted in the RFQ, all quotes received will be reviewed, and an award may be made to one (1) responsive Contractor based on lowest cost. The State reserves the right to make multiple awards to responsive Bidders based on lowest cost, where indicated in the RFQ.

2.5 DEFINITIONS

Definitions for certain terms in this document, its appendices and attachments, can be found in Appendix F – Glossary of Terms.

SECTION 3 - MINIMUM BIDDER QUALIFICATIONS (PHASE 1)

3.1 MINIMUM BIDDER QUALIFICATIONS FOR LOT 1 – MATERIALS

There are no minimum qualifications for Bidders only submitting a Proposal for Lot 1 – Materials.

3.2 MINIMUM BIDDER QUALIFICATIONS FOR LOT 2 – LABOR RATES

Bidder must meet the minimum qualifications set forth below if bidding on Lot 2 – Labor Rates. Bidder must certify that they meet the minimum vendor requirements, set forth in Attachment 11 – Minimum Bidder Qualifications Certification. Failure for Bidder to certify that they meet the minimum requirements may result in the Bidder's Proposal being deemed disqualified, non-responsive, and eliminated from consideration.

1. Bidder must have five (5) years' experience in the each of the following areas:
 - a. Structured copper cabling installation, maintenance, and repair (inside/outside plant)
 - b. Structured fiber optic installation, maintenance, and repair (inside/outside plant)
 - c. Excavation and Aerial Services (installation, maintenance and repair conduit, manhole, etc.)
2. Bidder must have at least one (1) combined year experience of Structured Data Center fiber optic and copper installation, maintenance, and repair as defined by the TIA-942-B Data Center Cabling Standard.
3. Bidder must be certified by one copper cabling manufacturer of structured voice and data cabling; and provide a Manufacturer's Certification Warranty (combination of cabling manufacture and component manufacture) of at least 15 years, as proof that they are a certified installer of that manufacturer's structured voice and data cabling system.
4. Bidder must be certified by one fiber cabling manufacturer of structured voice and data cabling; and provide a Manufacturer's Certification Warranty (combination of cabling manufacture and component manufacture) of at least 15 years, as proof that they are a certified installer of that manufacturer's structured voice and data cabling system.

For any work a subcontractor will complete, the subcontractor must meet the applicable Minimum Vendor Qualifications for the portion of work that they will complete over the contract term. For example, a subcontractor providing excavation services must meet the five (5) years' experience providing such services. If a proposed subcontractor is able to meet an applicable Minimum Vendor Qualification for the specific work they will be completing under the Contract, the Prime Vendor may be deemed to have met the Minimum Vendor Qualifications upon review and approval by ITS. In order for this to apply, any proposed subcontractor must be currently under contract with the Prime Vendor and have been so for at least two (2) years. A listing of all subcontractors must be provided to ITS prior to commencement of any particular work assignment. ITS may reject any proposed subcontractor at its sole discretion.

SECTION 4 - DESCRIPTION OF SERVICES AND MATERIALS UNDER MASTER SERVICE AGREEMENT

4.1 DESCRIPTION OF SERVICES

The Contractor may be requested to provide one or more of the following services over the term of the Master Service Agreement, including, but not limited to:

4.1.1 STRUCTURED COPPER CABLING INSTALLATION, MAINTENANCE, AND REPAIR SERVICES

1. Communicating with building managers, working with project managers, understanding blueprints/drawings, and working with other trades.
2. Identifying endpoints of cables to be installed, maintained, or repaired.
3. Planning pathways for inside and outside plant cable runs.
4. Providing turnkey, structured copper cabling solutions.
5. Providing turnkey data center structured copper solutions.
6. Providing aerial and underground outside plant (utility poles, conduit and manhole, tunnels, and bridges) for copper distribution systems.
7. Providing copper distribution cabling (cables ranging from 25pair to 1800pair).
8. Providing structured data center copper installation maintenance and repair.
9. Testing, troubleshooting, and repairing inside and outside plant copper cables as needed to restore service.
10. Transporting structured copper cabling and infrastructure equipment.
11. Extending demarcations.

4.1.2 STRUCTURED FIBER OPTIC INSTALLATION, MAINTENANCE, AND REPAIR SERVICES

1. Communicating with building managers, working with project managers, understanding blueprints/drawings, and working with other trades.
2. Identifying endpoints of cables to be installed, maintained, or repaired.
3. Planning pathways for inside and outside plant cable runs.
4. Providing turnkey, structured fiber optic cabling solutions (inside plant, outside plant, horizontal and vertical building risers).
5. Providing turnkey data center structured fiber optic solutions.
6. Providing aerial and underground outside plant (utility poles, conduit and manhole, tunnels, and bridges) for fiber optic distribution systems.
7. Providing fiber optic fusion splicing (indoor and outdoor).
8. Providing structured data center fiber optic installation, maintenance, and repair.
9. Testing, troubleshooting, and repairing inside and outside plant fiber optic cables as needed to restore service.
10. Transporting structured fiber optic cabling and infrastructure equipment.

11. Extending demarcations.

4.1.3 EXCAVATION AND AERIAL SERVICES (INSTALLATION, MAINTENANCE, AND REPAIR)

1. Digging trenches to connect buildings together.
2. Installing manholes, handholes, and conduit.
3. Raising existing manhole covers to grade.
4. Directional drilling/boring.
5. Installation of utility poles and supporting structures to support aerial pathways.

4.1.4 MANDATORY GENERAL SERVICE REQUIREMENTS

The Contractor must comply with all Mandatory General Service Requirements for the Network Cabling Services, including, but not limited to the following:

1. Adherence to the most current ANSI/TIA 568 Commercial Building Telecommunications Cabling Standards.
2. Adherence to all Building Industry Consulting Service International (BICSI) and Telecommunications Industry Association (TIA) recommended installation practices when installing structured voice and data network cabling.
3. Adherence with all standards as set forth in Exhibit A – Cabling Industry Standard Guidelines and Exhibit B – Additional Standards for Work Performed.
4. Adherence with all NYS Department of Labor guidelines regarding prevailing wages under New York Labor Law's Article 8 (Public Work Project). Please note **PRC# 2021006002** has been assigned for the purposes of this solicitation and any resultant contract (See Exhibit D – Article 8 Prevailing Wage Schedule).
5. Accepting, updating, and modifying Auto-CAD, PDF, WORD, EXCEL files.
6. Passing security clearances as required for access to NYS Facilities (See Appendix C – ITS Standard Contract Clauses).
7. Obtaining all permits required to install structured voice and data network cabling on a per-site basis.
8. Providing as-built drawings for all installations, maintenance, and repairs.
9. Clearly labeling and documenting all structured voice and data network cabling consistent with the location of installation.

10. Must use Certified Manufacturer Brand for all new installations and provide Manufacturer warranty, unless otherwise specified by the State in ITS' Work Assignment Form that would be issued in the RFQ.
11. For any moves, adds, or changes of any existing structured voice and data network cabling system, Contractors must quote equal, equivalent, or better components to the existing structured voice and data network cabling system during Phase 2, unless otherwise specified by the State in ITS' Work Assignment Form that would be issued in the RFQ.
12. All work, including but not limited to: cabling, pathways, support structures, wiring, equipment, installation and workmanship shall comply with the latest editions of the requirements of the Authority Having Jurisdiction (AHJ), National Electrical Code, National Electrical Safety Code, all applicable local rules and regulations, equipment manufacturer's instructions, and the National Electrical Contractors Association (NECA) Standard of Installation.
13. The Contractor will be held fully liable for any damages that result from Contractor performing services under the Contract resulting from this RFP.
14. The Contractor must comply with NYS Department of Transportation (DOT) rules and regulations. (Please refer to:
<https://www.dot.ny.gov/divisions/operating/oom/transportation-systems/safety-program-technical-operations/work-zone-control>)
15. The Contractor must comply with all DIG Safely NY requirements (<https://www.digsafelynewyork.com/>)

4.2 MATERIAL AND LABOR RATE CATALOG (LOT 1 AND LOT 2)

4.2.1 MATERIAL CATEGORIES REQUIREMENTS (LOT 1)

Contractors providing Lot 1 – Materials under the MSA may need to provide the following:

1. Cabinets and Enclosures
2. Structured copper voice and data systems
3. Structured fiber optic cabling systems
4. Structured data center cabling systems
5. Horizontal and vertical cable management (e.g., cable tray, ladder racking, inter rack cable managers)
6. Inside plant (e.g., hangars, conduit, raceway)
7. Outside plant (e.g., hand holes, manholes, aerial support hardware, pull-boxes conduit, and fittings)

8. Mounting hardware (e.g., bolts, screws, anchors, Velcro/cable supports)
9. Labeling (e.g., wrap around labels, typed labels, spreadsheets)
10. Fire Stopping
11. Lightning protectors
12. Grounding wire/accessories
13. Conduit and EMT
14. MPO Cables

4.2.2 LABOR RATES AND KEY PERSONNEL REQUIREMENTS (LOT 2)

Contractors providing Lot 2 - Labor Rates and Key Personnel under the MSA may need to provide the following:

1. Dispatch Coordinator

The Dispatch Coordinator (DC) must fulfill all DC requirements and responsibilities including, but not limited to, the following:

- a. Serve as the single point of contact (SPOC) for the Contractor.
- b. Be available by phone or e-mail during the hours of 8am-5pm M-F.
- c. Provide updates on all projects (moves, adds, changes (MACS), incidents (INC), etc.) as requested.

2. Project Manager

The Project Manager (PM) must fulfill all PM requirements and responsibilities including, but not limited to, the following:

- a. Manage all LAN Cabling installations requiring (50+) network cables, fiber optic risers and campus fiber installations.
- b. Have five (5) years' experience managing structured voice/data cabling projects, inside plant fiber optic riser, and outside plant fiber optic installations.

3. Foreman

The Foreman must fulfill all Foreman requirements and responsibilities including, but not limited to, the following:

- a. Being assigned to all projects requiring 20+ cables.
- b. Being assigned to all projects requiring copper or fiber optic risers, tie cables, and outside plant installations.
- c. Being the on-site SPOC for each project and responsible for coordinating with landlords, building managers, plant superintendents, etc.
- d. Updating floor plans, communicating with customers, and notifying the ITS project manager of any issues or emergencies that may arise.

- e. Overseeing the LAN cabling technicians throughout the entire installation.
- f. Have at least five (5) years' experience in LAN Cabling, fiber riser/tie projects, and outside plant construction.

4. LAN Cabling Technician

The LAN Cabling Technician must fulfill all LAN Cabling Technician requirements and responsibilities including, but not limited to, the following:

- Technicians must have at least two (2) years of experience in installation, maintenance, and repair of structured LAN Cabling and fiber optics.

5. Registered Communications Distribution Designer (RCDD)

Contractor must have a Registered Communications Distribution Designer (RCDD) on staff during the term of the Contract.

4.2.3 CONTRACTOR'S NETWORK CABLING MATERIAL AND LABOR RATE CATALOG UPDATES

1. Contractors are responsible for providing any updates to their Network Cabling Material and Labor Rate Catalog.
2. Contractor's Network Cabling Material and Labor Rate Catalog must be in the format as set forth in Attachment 13 - Network Cabling Material and Labor Rate Catalog.
3. No updates to Contractor's Network Cabling Material and Labor Rate Catalog will be accepted during the first year of the Contract term.
4. Within 60 days of the anniversary date of the Contract, and every year thereafter, Contractors may submit requests to update their Network Cabling Material and Labor Rate Catalog. ITS will review the Contractor request, and if acceptable, will update the Contractor's Network Cabling Material and Labor Rate Catalog no earlier than the Contract anniversary date.
5. Prior to becoming effective, any adds, changes, or modifications to Contractor's Network Cabling Material and Labor Rate Catalog must first be approved by ITS through the process set forth below:
 - a. Submit the adds, changes, or modifications to ITS, using Appendix K - Change Form.
 - b. Submit proof of reasonableness of price. Reasonableness of price for Materials can be provided by supplying proof of cost being less than MSRP; and for Labor Rates, supplying proof of compliance with prevailing wage requirements under the NYS Labor Law.
 - c. ITS will review submissions and request clarification, or additional documentation supporting the request as needed.

- d. At the sole discretion of ITS, adds, changes, or modifications may be accepted or rejected, in whole, or in part.

Only ITS-accepted Materials or Labor Rate SKU's may be added or updated in the Contractor's Network Cabling Material and Labor Rate Catalog under the MSA.

SECTION 5 - REQUEST FOR QUOTES (RFQ) MINI-BID PROCESS AND REQUIREMENTS (PHASE 2)

See Section 2.4, *Procurement Process Overview*, for high level overview of the Phase 2 process.

5.1 NOTIFICATION OF NETWORK CABLING SERVICE WORK ASSIGNMENT

Upon identification of a Network Cabling Service assignment to be made, pursuant to the Contract (MSA) resulting from this RFP, ITS will issue a notification, via e-mail, of the work assignment and Request for Quotes (RFQ) to all NYS Contractors awarded under this RFP. The e-mail will contain the RFQ documents that will include ITS' Work Assignment Form containing: the details of the work to be completed; location of the work; required service level; any work assignment details necessary for the Contractors to begin formulating their quotes for the work assignment; specific Lots being solicited; and any other necessary instructions to submit a quote. (Please note, in order for a Contractor to be eligible to Bid on the RFQ, they must have been awarded a Contract for the Lot or Lots being identified in the RFQ). Requirements for a quote to be submitted on the Quote Response Form (issued with the RFQ) will vary on a case-by-case basis, and are at the sole discretion of ITS.

All Contractors are responsible for maintaining a valid contact e-mail address with ITS for purposes of receiving RFQs issued under the Contract resulting from this RFP. Any changes in Contractor's contact e-mail address must be provided to ITS, Vendor Sourcing and Management Organization's Contract Unit directly. ITS is not responsible for notifying Contractors, should the e-mail address on file no longer be valid.

5.2 MANDATORY SITE VISIT

Upon receipt of the RFQ, Contractors interested in presenting a quote for the work assignment must either attend the site visit at the date and time listed in the RFQ, or contact the designated program contact listed on page one (1) of the Work Assignment Form to schedule a site visit. Where required and as specified in the Work Assignment Form, Contractors must complete a site visit in order for their quote submission to be eligible to be evaluated by ITS. This requirement may be waived on a case-by-case basis at the sole discretion of ITS.

5.3 QUOTE REQUIREMENTS

All Contractors' quote submissions must be submitted via e-mail to ITS, on the Quote Response Form that is issued with the RFQ. The Quote Response Form must be completed in its entirety and include the following information:

1. All SKU's needed to complete the work assignment.
2. All materials with part numbers to complete the work assignment.
3. All job titles needed to complete the work assignment.
4. Part and job descriptions of all SKU's and how they will be utilized for the work assignment.
5. Quantity of units needed for each SKU to complete the work assignment.
6. The Contractor's Not-to-Exceed Catalog Price (from Phase 1 MSA).
7. Any additional discounts applied to the SKU.
8. Final quoted price for each SKU with all discounts for all units quoted.
9. The total price for all materials and labor needed to complete the work assignment.

5.4 REQUEST FOR QUOTES EVALUATION AND AWARD PROCESS

After the submission deadline for quotes, indicated in the Work Assignment Form of the RFQ, ITS will review all Quote Response Forms that are received from Contractors by the submission deadline date for completeness and responsiveness to the job requirements outlined in the Work Assignment Form. All responsive quotes will then be reviewed to ensure that the Contractor is in compliance with the terms of the Contract, which include the Contractor's material prices and labor rates approved by ITS. An award of the work assignment will be made to one (1) responsive Contractor who bid the lowest cost; and such award will be made by ITS, subject to the approval of the NYS Office of the State Comptroller, when applicable. The State reserves the right to make multiple awards to responsive Contractors who bid the lowest cost, where indicated in the RFQ.

5.5 IMPLEMENTATION REQUIREMENTS

Upon notification of award for a work assignment, Contractors must contact the designated program contact listed in the Work Assignment Form, to schedule commencement of work in accordance with the RFQ instructions.

Work Product Acceptance

Contractors must comply with all Work Product Acceptance Criteria and documentation as follows:

1. Work Product Acceptance Criteria

Satisfactory test results according to the standard guidelines listed in Exhibit A – Cabling Industry Standard Guidelines, specifically:

ANSI/NEMA WC 66/ICEA S-116-732, Standard for Category 6 and 6A, 100 Ohm, Individually Unshielded Twisted Pairs, Indoor Cables (With or Without an Overall Shield) for use in LAN Communication Wiring Systems, 2019

Contractors must meet industry standards as they change.

2. Work Product Acceptance Form

Acceptance of work product shall be documented in the attached Appendix H – Work Product Acceptance Form. ITS will review the work performed and the Work Product Acceptance Form, and either accept the work performed, by executing the Work Product Acceptance Form, or send the Contractor a list of deficiencies to be corrected, to then be reviewed by ITS for acceptance of work product.

In no instance will silence on the part of ITS indicate acceptance of work product.

5.6 CONTRACTOR DEFICIENCY REPORT

If the Contractor fails to meet the requirements of the Contract, ITS may complete Appendix J–Contractor Deficiency Report (CDR), where all deficiencies or non-compliance reports will be recorded centrally. At the discretion of ITS, upon completion of three CDRs, the Contractor’s Contract may be terminated pursuant to the terms of the Contract.

SECTION 6 - PROCUREMENT PROCESS (PHASE 1)

6.1 METHOD OF AWARD

ITS will make multiple awards for the services described in this RFP to all responsive and responsible Bidders who meet the Minimum Bidder Qualifications, as stated in Section 3, and agree to adhere to all Mandatory Service Requirements set forth in Section 4.

6.2 ADMINISTRATIVE REQUIREMENTS AND INFORMATION

6.2.1 INQUIRIES FROM VENDORS

NYS Finance Law §§139-j and 139-k imposes certain restrictions on communication between NYS and Vendors during a procurement. Vendors should submit all RFP inquiries, questions, or comments to its.sm.bestvalue@its.ny.gov, using the Vendor Questions and Extraneous Terms Form (Attachment 4), by the due date indicated on the Calendar of Events. **No other method of inquiries will be accepted.**

Administrative issues pertaining to sending/receiving email through the designated mailbox may be reported at (518) 473-9341.

6.2.2 SUMMARY OF POLICY AND PROHIBITIONS ON PROCUREMENT LOBBYING

Pursuant to State Finance Law §§139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between the procuring agency and Bidders during the procurement process. Bidders are restricted from making contact, from the earliest notice of intent to solicit offers/Bids through final award and approval of the procurement Contract by ITS and, if applicable, the NYS 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). Certain findings of non-responsibility can result in rejection for Contract award and in the event of two findings within a four-year period, the Bidder must be debarred from obtaining governmental Procurement Contracts. Further information about these requirements can be found on the OGS website:

http://www.ogs.ny.gov/aboutOgs/regulations/defaultSFL_139j-k.asp

6.2.3 MANDATORY PRE-BID CONFERENCE

There will not be a mandatory pre-bid conference for vendors who intend on submitting a Proposal for this RFP solicitation. However, ITS reserves the right to hold a pre-bid conference if in ITS’ sole determination a pre-bid conference would be in the best interest of the State.

6.2.4 EXTRANEIOUS TERMS

Proposals must conform to the terms set forth in the RFP. Extraneous terms or material deviations (including additional, inconsistent, conflicting or alternative terms) may render the Proposal non-responsive and may result in rejection of the Proposal. Extraneous terms submitted on standard, pre-printed forms (including but not limited to product literature, order forms, license agreements, contracts or other documents) that are attached or referenced with submissions shall not be considered part of the Proposal or resulting Contract, but shall be deemed included for informational or promotional purposes only.

Each proposed extraneous term must be specifically enumerated in writing and specify the particular RFP section that Bidder proposes to modify and the reasons why. Any extraneous terms must be submitted during the Question-and-Answer period, as identified in this RFP’s Calendar of Events. Extraneous terms submitted after this time will not be considered.

No extraneous term shall be incorporated into the Contract unless expressly accepted by ITS in writing. Acceptance and/or processing of a Proposal shall not constitute acceptance of extraneous terms. ITS will not entertain any exceptions to Appendix A – Standard Clauses for New York State Contracts.

6.2.5 COMMUNICATIONS FROM NYS TO VENDORS

ITS has established a procurement website for the purpose of disseminating information relating to this procurement at <https://its.ny.gov/competitive-procurement-opportunities>. Vendors are encouraged to monitor the site.

6.2.6 BUILDING ACCESS PROCEDURES FOR VISITORS AND HAND DELIVERIES

To access the ITS office building, all visitors must present photo identification at the Security Desk and comply with other requirements. Bidders who intend to hand deliver their Proposals or utilize independent courier services should allow extra time to comply with these procedures. Bidders who hand deliver their Proposals should ask the security personnel at the security desk to call the Designated Contact(s) indicated in this RFP or the Vendor Sourcing and Management Organization (VSMO). Building access procedures may change or be modified at any time. Bidders assume all risks for timely, properly submitted hand deliveries.

Hand Delivery to lobby front desk:

Attention: Elizabeth Gocs

NYS Office of Information Technology Services

Vendor Sourcing and Management, Best Value Team

Empire State Plaza, Swan Street Building, Core 4, Floor 2

Albany, NY 12223

6.3 LATE SUBMISSIONS

All Proposals must be submitted and received by the Proposal submission dates and times specified in this RFP. Proposals received after the Proposal Submission Deadline may be rejected.

Faxed and electronic submissions will not be accepted. If Proposal packaging labels are not sufficient to identify the contents, ITS reserves the right to open packages for the purpose of identifying the source and contents of the package. All materials submitted by the Bidder become the property of the NYS Office of Information Technology Services and may be returned only at the sole discretion of ITS.

6.4 STATE'S RESERVED PROCUREMENT RIGHTS

Bidder understands and agrees that ITS reserves the following rights throughout the procurement process:

1. Reject any or all proposals received in response to the RFP.
2. Withdraw the RFP at any time, at ITS' sole discretion.

3. Make an award under the RFP in whole or in part.
4. Disqualify any Bidder whose conduct and/or proposal fails to conform to the requirements of the RFP.
5. Seek clarifications and revisions of proposals.
6. Use proposal information obtained through site visits, management interviews and the State's investigation of a Bidder's qualifications, experience, ability or financial standing, and any material or information submitted by the Bidder in response to ITS' request for clarifying information in the course of evaluation and/or selection under the RFP.
7. Prior to the bid opening, amend the RFP specifications to correct errors or oversights, or to supply additional information, as it becomes available.
8. Prior to the bid opening, direct Bidders to submit proposal modifications addressing subsequent RFP amendments.
9. Change any of the scheduled dates.
10. Eliminate any mandatory, non-material specifications that could not be complied with by all of the prospective Bidders.
11. Waive any requirements that are not material.
12. Negotiate with the successful Bidder within the scope of the RFP in the best interests of the State.
13. Conduct contract negotiations with the next responsible Bidder, should ITS be unsuccessful in negotiating with the selected Bidder.
14. Utilize any and all ideas submitted in the RFP proposals received.
15. Unless otherwise specified in the RFP, treat every offer as firm and not revocable for a period of 270 days from the Bid opening.
16. 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 the RFP.
17. Waive minor irregularities and/or omissions in Bids if in the best interest of the State.
18. In its sole discretion, reject illegible, incomplete, or vague Bids.

Should ITS and a tentative awardee be unable to reach agreement as to the terms of the Contract within a reasonable time as determined by ITS, ITS may withdraw the award.

6.5 NOTIFICATION OF AWARD AND OPPORTUNITY FOR DEBRIEFING

Tentative awardees will be advised of selection by ITS through the issuance of a formal written correspondence indicating a proposed award. All Bidders will be

notified of the selection or rejection of their Proposals. Once an award has been made, Bidders may submit a written request for a debriefing as to why their Proposal did not result in an award. The written request must be received by the ITS Sole Designated Contact identified on the cover page of this RFP no later than fifteen (15) calendar days from the date of the award announcement. The purpose of the debriefing is to provide information to each Bidder about the scoring and evaluation of the requesting Proposer's Proposal. ITS will not provide Bidders with information about another Bidder's Proposal unless the debriefing is held after the final award. This is also an opportunity for a Bidder to learn how to improve future Proposals.

6.6 ITS BID PROTEST POLICY

The State of New York strives to assure a fair, open and competitive process to all vendors qualified to respond to this Procurement. In the event that any Bidder has a complaint or objection to the RFP requirements, the procurement process or any matter affecting the submission of a Bidder's Proposal, the Bidder is encouraged to informally contact the ITS Sole Designated Contact for this procurement, listed on the cover page of this RFP, immediately to resolve the matter.

If the Bidder believes that the objection affects the outcome or nature of the proposed award for this Procurement, the Bidder must follow the procedures for timely filing a formal protest set forth in Section 4 of the ITS Bid Protest Policy. Prior to Contract award, protests which may affect the outcome or nature of the award may only be considered by the State in the context of a formal written protest filed in accordance with the procedure located at <https://its.ny.gov/system/files/documents/2023/04/its-p23-003-bid-protest.pdf>.

6.7 NEW YORK STATE VENDOR FILE REGISTRATION

Prior to being awarded a contract, Bidder must be registered in the New York State Vendor File (Vendor File) administered by the NYS Office of the State Comptroller. 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 Contractor for use 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. For more information on the Vendor File, please visit the following website:

http://www.osc.state.ny.us/vendor_management/

6.8 NEW YORK STATE VENDOR RESPONSIBILITY QUESTIONNAIRE FOR PROFIT BUSINESS ENTITY

The State conducts a review of prospective contractors and subcontractors with anticipated expenditures at \$100K or more to provide reasonable assurances that the

Contractor is responsive and responsible. A For-Profit Business Entity Vendor Responsibility Questionnaire (hereinafter “Questionnaire”) is used for non-construction contracts and is designed to provide information to assess a Bidder’s responsibility to conduct business in New York based upon financial and organizational capacity, legal authority, business integrity, and past performance history. By submitting a Proposal, Bidder agrees to fully and accurately complete the Questionnaire. The Bidder acknowledges that the State’s execution of the Contract will be contingent upon the State’s determination that the Bidder is responsible and that the State will be relying upon the Bidder’s responses to the Questionnaire, in addition to all other information the State may obtain from other sources, when making its responsibility determination.

The ITS recommends that vendors file the required Questionnaire online via the New York State VendRep System. To enroll in and use the VendRep System, please refer to the VendRep System Instructions available at <http://www.osc.state.ny.us/vendrep/enroll.htm> or go directly to the VendRep System online at <https://onlineservices.osc.state.ny.us>.

Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the Office of the State Comptroller’s IT Service Desk at 866-370-4672 or 518-408-4672, or by e-mail at ITServiceDesk@osc.state.ny.us. 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 ITS or the Office of the State Comptroller’s Help Desk for a copy of the paper form.

6.9 SUPPLIER DIVERSITY: MWBE AND SDVOB REQUIREMENTS

Under various New York State laws (including NYS Executive Law Article 15-A and Veterans’ Services Law Article 3; 5 NYCRR 140-145 and 9 NYCRR Part 252; and NYS Executive Order 162), ITS is obligated to promote opportunities for maximum feasible participation in the performance of its contracts for NYS-certified minority-and women-owned business enterprises (MWBEs), NYS-certified Service-Disabled Veteran-Owned Businesses (SDVOBs), and the employment of minority group members and women.

In 2006, New York State commissioned a disparity study to evaluate whether minority- and women-owned business enterprises had a full and fair opportunity to participate in State contracting. Published on April 29, 2010, the study, “*The State of Minority and Women-Owned Business Enterprises: Evidence from New York*” and a follow-up report entitled “*2016 MWBE Disparity Study*” published on June 30, 2017 (“Disparity Studies”) found evidence of statistically significant disparities between the participation levels of MWBEs in State procurement and contracting versus the number of MWBEs ready, willing, and able to participate in such procurements. Accordingly, the Disparity Studies made recommendations concerning implementation and operation of the statewide certified minority- and women-owned business enterprises program. These recommendations led to enactment and implementation of New York State Executive Law Article 15-A, which requires, among other things, that ITS establishes, in the performance of NYS contracts: goals for maximum feasible participation of NYS-certified

MWBEs; and, equal employment opportunity (EEO) of minority groups members and women.

Under Chapter 22 of the Laws of 2014, the NYS Service-Disabled Veteran-Owned Business Act was directed towards assisting service-disabled veterans in playing a greater role in the economy of NYS in order to promote and encourage the continuing economic development of service-disabled veteran-owned businesses. In accordance with § 2 of Part PP of Chapter 56 of the Laws of 2022, the SDVOB provisions in Executive Law Article 17B became Veterans' Service Law Article 3, and in accordance with § 113 of Part PP, the act became effective April 1, 2023.

As such, under NYS law Contractors must continue to utilize small, minority and women owned businesses, provide opportunities for service-disabled veterans, and provide for the employment of minority group members and women in the performance of their contracts with NYS, consistent with current New York State law.

The January 9, 2017, NYS Executive Order No. 162 was created "to ensure that workers are being provided equal opportunities to work on State contracts and are being paid similarly for performing the same work."

The EEO and EO 162 Workforce Utilization forms are located at:

<https://its.ny.gov/procurement#eoo-and-mwbe-supplier-diversity-program>

The MWBE forms are located at:

<https://its.ny.gov/procurement#eoo-and-mwbe-supplier-diversity-program>

The SDVOB forms are located at:

<https://its.ny.gov/procurement#sdvob-supplier-diversity-program>

Business Participation Opportunities for MWBEs

For purposes of this solicitation, ITS hereby establishes an overall goal of **30%** for MWBE participation, **15%** for New York State-certified Minority-owned Business Enterprise ("MBE") participation and **15%** for New York State-certified Women-owned Business Enterprise ("WBE") participation (based on the current availability of MBEs and WBEs).

SDVOB Participation Goals

For purposes of this solicitation, ITS has established an overall goal of **6%** for SDVOB participation, based on the current availability of qualified SDVOBs. For purposes of providing meaningful participation by SDVOBs, Contractor should reference the directory of New York State Certified SDVOBs found at:

<https://ogs.ny.gov/veterans>.

SECTION 7 - PROPOSAL REQUIREMENTS (PHASE 1)

7.1 PROPOSAL PREPARATION, RESPONSE, AND PACKAGE LABELING

All Proposals must be submitted in a timely manner, in no case later than the date and time specified in the Calendar of Events listed at the beginning of this RFP.

All Proposals must have a label on the outside of the package or shipping container with the following information:

1. Addressor (Company name and address of Bidder)
2. Addressee (ITS Designated Contact and Address):
Elizabeth Gocs, Contract Management Specialist
NYS Office Of Information Technology Services
Vendor Sourcing and Management, Best Value Team
Empire State Plaza, Swan Street Building, Core 4, Floor 2
Albany, NY 12223
3. RFP number and name stated, with statement that package is not to be open except by authorized personnel, as follows:

**RFP C000522-PR – Network Cabling Services Periodic Recruitment -
Proposal ENCLOSED**

NOT TO BE OPENED EXCEPT BY AUTHORIZED PERSONNEL

Each section of the paper copy and electronic copy within a Bidder's Proposal package shall be clearly marked as three (3) separate parts:

- Administrative Proposal
- Financial Proposal
- Technical Proposal (No overt statements about costs shall be included in the Technical Proposal.)

7.2 GENERAL REQUIREMENTS FOR PROPOSALS

A Bidder must submit a complete response to this RFP that satisfies the requirements set forth herein and in Attachment 1 - Proposal Checklist. The Bidder's Proposal should be submitted in one package with three separately sealed and labeled Proposal parts – Administrative Proposal, Financial Proposal, and Technical Proposal. The Administrative Proposal, Financial Proposal, and Technical Proposal shall each contain one (1) original hard copy and one (1) electronic copy (on USB flash drive). Failure to do so may render the Bidder's Proposal non-responsive.

Proposals that make extensive use of color photographs or illustrations, or that include separate brochures or marketing materials and overly elaborate embellishments, are discouraged.

All Proposals submitted in response to this RFP must be written in the English language with quantities expressed using Arabic numerals and United States Dollars (\$ USD) rounded to the nearest penny, as applicable.

In the case of a discrepancy between the hard copy and the electronic copy, the hard copy shall control.

7.3 PROPOSAL FORMAT AND CONTENT

In order for the State to evaluate Proposals fairly and completely, Bidders must follow the format set forth herein and must provide all of the information requested. All items identified in Attachment 1 – Proposal Checklist must be addressed as concisely as possible, in order for a Proposal to be considered complete. Failure to conform to the stated requirements may necessitate rejection of the Proposal.

Bidders are encouraged to include all information that may be deemed pertinent to their Proposal. Bidders may be requested to provide clarification based on the State's evaluation procedure. Any clarification will be considered a formal part of the Bidder's original Proposal. If further clarification is needed during the evaluation period, ITS will contact the Bidder.

Note: ITS reserves the right to request any additional information deemed necessary to ensure that the Bidder is able to fulfill the requirements of the contract.

7.3.1 ADMINISTRATIVE PROPOSAL

Bidder's Administrative Proposal will include one (1) bound paper copy, which will contain original ink signature(s), and one (1) electronic copy (on USB flash drive) saved as searchable Microsoft Word, Excel and/or Adobe Acrobat (PDF) formats and in Windows file format, of all the documents listed below. **Each document must be complete with no lines omitted.** ITS reserves the right to reach out to any Bidder to correct any ministerial defect with respect to the attachments listed below, as they are standardized forms required for contracting purposes.

- Attachment 1 – Proposal Checklist
- Attachment 2 – Bidder Information Form
- Attachment 3 – Firm Offer Letter and Conflict of Interest Disclosure
- Attachment 5 – Consultant Confidentiality and Non-Disclosure Agreement
- Attachment 6 – NYS Required Certifications (seven certifications are to be submitted)
- Attachment 7 – Vendor Responsibility Questionnaire Attestation
- Vendor Responsibility Questionnaire, For-Profit Business Entity, only if submitting paper version, which must be the original with notarized ink signature
- Equal Employment Opportunity Staffing Plan (Form EEO 100)

- MWBE Utilization Plan (Form MWBE 100)
- MWBE and EEO Policy Statement (Form #4)
- SDVOB Utilization Plan
- Attachment 10 – Contractor Certification to Covered Agency, ST-220-CA
- Attachment 15 – Executive Order 16 Certification
- Attachment 16 – Vendor Assurance of No Conflict of Interest or Detrimental Effect
- Attachment 18 -- FOIL & Litigation Disclosure

7.3.2 FINANCIAL PROPOSAL

Bidder's Financial Proposal will include one (1) bound paper copy, which will contain original ink signature(s), and one (1) electronic copy (on USB flash drive) saved as searchable Microsoft Excel and/or Adobe Acrobat (PDF) formats and in Windows file format, of all the attachments listed below. Each item must be complete with no lines omitted. Bidder cannot provide alternative pricing or deviate from the forms in the attachments. Alternative pricing methodologies will not be considered and may result in the rejection of the Proposal.

- Attachment 13 – Network Cabling Material and Labor Rate Catalog
- Attachment 14 – Vendor's Network Cabling Material and Labor Rate Catalog Certification

7.3.2.1 BIDDER'S SUBMISSION OF NETWORK CABLING MATERIAL AND LABOR RATE CATALOG (LOTS 1 AND 2)

1. Bidder must submit their Network Cabling Material and Labor Rate Catalog, as outlined in Attachment 13, with their Proposal. Also, Bidder must certify on Attachment 14 – Vendor's Network Cabling Material and Labor Rate Catalog Certification that their Material prices are less than the published Manufacturer Suggested Retail Price (MSRP); and that their Labor Rates comply with prevailing wage requirements under the NYS Labor Law.
2. Bidder's submission of the Network Cabling Material and Labor Rate Catalog must include prices for all Materials that the Contractor will need to fulfill the service and material requirements as outlined in Section 4. Labor Rates must be provided for all Key Personnel shown in Section 4.2.2.
3. Bidder may supply a catalog for Lot 1 (Materials) only, Lot 2 (Labor Rates) only, or both. For the RFQ process (Phase 2), each work assignment will indicate which Lot is being solicited; however, if both Lot 1 and Lot 2 are being solicited together, the Contractor must have been awarded a Contract for both Lot 1 and Lot 2.

4. Bidder submitting a Labor Rate Catalog under Lot 2 must provide labor rates for all key personnel and all information as outlined in Attachment 13 – Network Cabling Material and Labor Rate Catalog.
5. All Labor Rates needed for completion of work assignments must be included in Labor Rates Catalog including, but not limited to, all Key Personnel listed in Section 4.2.2 of this RFP, overtime rates, and any other Labor Rates.
6. Bidder submitting a Material catalog for Lot 1 must provide all information as outlined in the Lot 1 – Materials sheet of Attachment 13 – Network Cabling Material and Labor Rate Catalog. Bidder must list all materials required to complete the services outlined in Section 4.1 of this RFP. Refer to Section 4.2.1 of this RFP for list of material categories.
7. Bidder providing a Labor Rate Catalog for Lot 2 must provide all information as outlined in the Lot 2 – Labor Rates sheet of Attachment 13 – Network Cabling Material and Labor Rate Catalog, for key personnel required to complete the services outlined in Section 4.1 of this RFP. Failure to provide the information requested in Attachment 13 regarding the Key Personnel listed in Section 4.2.2 may result in Bidder's Proposal being deemed non-responsive and removed from consideration for award. Refer to Section 4.2.2 of this RFP for the list of key personnel.

7.3.3 TECHNICAL PROPOSAL

Bidder's Technical Proposal will include one (1) bound paper copy, which will contain original ink signature(s), and one (1) electronic copy (on USB flash drive) saved as searchable Microsoft Word, Excel and/or Adobe Acrobat (PDF) formats and in Windows file format, of all the attachments listed below. Each attachment must be complete with no lines omitted. **DO NOT INCLUDE ANY FINANCIAL OR COST INFORMATION IN THE TECHNICAL PROPOSAL.**

- Attachment 11 – Minimum Bidder Qualifications Certification (**Only if bidding Lot 2 – Labor Rates**)
- Attachment 12 – Requirements Verification and Traceability Matrix (**Only if bidding Lot 2 – Labor Rates**)
- Resumés for the Key Personnel outlined in Section 4.2.2: One resumé per job title must be submitted with Attachment 12. (Any changes in Key Personnel during the term of the Contract resulting from this RFP will only be made with the prior approval of ITS.)
- Copy of Bidder's Manufacturer's Certification Warranty (combination of Cable Manufacture and Component Manufacture) from one copper cabling manufacturer of structured voice and data cabling, as proof that Bidder is a certified installer of that copper cabling manufacturer's structured voice and data cabling system. (Warranty must be for at least 15 years.)

- Copy of Bidder's Manufacturer's Certification Warranty (combination of Cable Manufacture and Component Manufacture) from one fiber cabling manufacturer of structured voice and data cabling, as proof that Bidder is a certified installer of that fiber cabling manufacturer's structured voice and data cabling system. (Warranty must be for at least 15 years.)

7.4 EVALUATION METHODOLOGY (PHASE 1)

7.4.1 PROPOSAL COMPLETENESS REVIEW (ADMINISTRATIVE EVALUATION)

After the Proposal opening, each Bidder's Proposal will be screened administratively for completeness and conformance with the RFP requirements. Proposals that do not meet the requirements of the RFP may be deemed non-responsive, removed from further consideration, and the Bidder be notified accordingly. ITS reserves the right to request clarifications.

7.4.2 MANDATORY MINIMUM QUALIFICATIONS AND REQUIREMENTS (FINANCIAL AND TECHNICAL EVALUATION)

Proposals submitted by Bidder will be evaluated on a Pass/Fail basis to determine whether the Bidder satisfies the RFP's Minimum Bidder Qualifications, Mandatory Service Requirements, and Material and Labor Rates Catalog requirements. Bidders submitting Proposals for Lot 1 - Materials only do not need to submit Attachment 11 - Minimum Bidder Qualifications Certification or Attachment 12 – Requirements Verification and Traceability Matrix. However, Material Catalogs will be reviewed to verify that they meet the Material Catalog requirements as outlined in Sections 4.2.1 and 7.3.2.1. Bidders that fail to meet the minimum qualifications will not be further evaluated, and the Bidder will be notified accordingly. Bidders whose Proposals pass the financial and technical evaluation may be awarded a Contract under this RFP.