

# SECTION A



BID NO.: 623

PROJECT NAME & LOCATION CUNY Data Center  
395 Hudson Street - 6<sup>th</sup> Fl.  
New York, New York 10014

Description: Furnish and, Deliver Panduit Product  
Bid Open Location: DASNY  
515 Broadway, Albany, New York

Bid Open Date: December 19, 2018

Bid Open Time: 2:30 p.m.

Contact: Susan Valente (518) 257-3363

### **NOTICE TO BIDDERS**

#### **MAIL BIDS EARLY**

Sealed bids will be received by DASNY at the above address for the items listed in the attached Bid Breakdown and Schedule. When submitting your bid you must:

1. Prepare your bid on the attached Bid Breakdown and Schedule. Return one signed original of the Bid Breakdown and Schedule
2. If your bid deviates from Specifications, explain such deviations or qualifications on your letterhead, setting forth therein such explanations, and attach them to the Bid Breakdown and Schedule.
3. Submission of a bid constitutes full knowledge and acceptance of all provisions of the Notice to Bidders, all information referenced in the Purchasing General Conditions, Supplemental and Detailed Specifications, the Bid Submission and any Supplemental General Requirements contained herein, as well as any addenda issued in relation to the Invitation for Bids.
4. Each bid shall bear on the outside of the envelope the name of the bidder, address, telephone number and designated as a bid for the following:  
DASNY Bid No. 623 - Furnish and Deliver Panduit Product  
Bid Opening Date: December 19, 2018 @ 2:30PM  
Return to:  
DASNY  
Attn: Purchasing Unit  
515 Broadway  
Albany, NY 12207-2964



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When a sealed bid is placed inside another delivery jacket, the bid delivery jacket must be clearly marked on the outside “**BID ENCLOSED**” and “**ATTENTION: PURCHASING UNIT**”. The Dormitory Authority will not be responsible for receipt of bids which do not comply with these instructions.

5. Mail bid responses early in order for them to be received before the time of the bid opening. **Late bids will be automatically rejected.** Individuals submitting bids in person or by private delivery services should allow sufficient time for processing through building security to assure that the bids are received prior to the deadline for submitting bids. All individuals who plan to attend bid openings will be required to present government-issued picture identification to building security officials and obtain a visitor’s pass prior to attending the bid opening.
  
6. In accordance with State Finance Law § 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between Dormitory Authority personnel and an Offerer during this procurement process. Designated contact for this solicitation is:  
Susan Valente, Contract Administrator , at Dormitory Authority – State of New York, 515 Broadway, Albany, NY 12207,(518) 257-3363. Contacts made to other Dormitory Authority Personnel regarding this procurement may disqualify the Offerer and affect future procurements with governmental entities in the State of New York. Please refer to the Authority’s website [www.dasny.org](http://www.dasny.org) for Authority policy and procedures regarding this law, or the NYS office of General Services website [www.ogs.ny.gov/BU/PC/](http://www.ogs.ny.gov/BU/PC/) for more information about this law.



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**If you are not submitting a bid it is requested that you complete and return the lower portion of this form**

*(Please check all that apply and provide comments in the space provided, if necessary)*

- We are not Submitting a bid.
- We Request removal of our name from the mailing list.
- Location of the job site.
- Commodity is not carried by our company.
- Scope is too large.

Other/Additional Explanation: \_\_\_\_\_  
\_\_\_\_\_

NAME OF BIDDER: \_\_\_\_\_

ADDRESS \_\_\_\_\_

:  
Street Telephone
City
State
Zip

\_\_\_\_\_  
Signature of Bidder

\_\_\_\_\_  
Official Title

## **CLAUSES PURSUANT TO THE 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 woman-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

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

Empire State Development  
Small Business Division  
30 South Pearl Street, 7<sup>th</sup> Floor  
Albany, NY 12207  
Phone: (800) 782-8369

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

Empire State Development  
Division of Minority and Women Business Development  
30 South Pearl Street  
Albany, NY 12207  
Phone: (518) 292-5250

Online Directory: <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>

DASNY maintains a directory of minority and women-owned business enterprises:  
<http://www.dasny.org/construc/mwsberreg/index.php>

The contractor acknowledges notice that New York State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

DASNY encourages the use of recycled Materials in the manufacturing process. To that end, the recycled product must meet the same codes, specifications and standards the non-recycled materials do, including requirements for cost, installation, aesthetics, availability and maintenance.

The Omnibus Procurement Act of 1992 and § 2879 of the NYS Public Authorities Law require that by signing this bid, contractors certify that whenever the total bid amount is greater than \$1 million:

1. The contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and Subcontractors on this project, and has retained the documentation of these efforts to be provided upon request to the State. If the contractor determines that NYS business enterprises are not available to participate on the contract as subcontractors or suppliers, the contractor shall provide a statement indicating the method by which such determination was made. If the contractor does not intend to use subcontractors, contractor shall provide a statement verifying such;
2. The contractor has complied with the Federal Equal Opportunity Act of 1972 (PL 92-261), as amended;
3. The contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The contractor agrees to document these efforts and to provide said documentation to the State upon request.

**DASNY is required by law to notify the NYS Department of Economic Development of any procurement contract for one million dollars or more that is to be awarded to an out-of-state vendor. This notice must be done simultaneous to the notification of award provided to the vendor. A purchase order or contract cannot be issued until fifteen (15) days after such notification is provided.**



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## GENERAL SPECIFICATIONS

- (1) The enclosed Purchasing General Conditions are hereby incorporated by reference. Submission of a bid response shall constitute acceptance of such conditions. Any exceptions/clarifications/qualifications to these conditions or other specifications and/or requirements contained herein must be clearly stated in the bid response and, depending upon the nature of such, may be grounds for rejection of your bid.
- (2) Bids must be submitted in the bidder's full legal name, or the bidder's full legal name plus a registered assumed name, if any.
- (3) All NYS bidders are required to be registered to do business with the NYS Department of State or their local County Clerk, whichever is applicable.
- (4) All out-of-state bidders will be required to provide proof of registration to do business in their state. All out-of-state bidders that "do business in New York State" **MUST BE REGISTERED WITH THE NYS DEPARTMENT OF STATE**. Please contact the NYS Department of State at (518) 473-2492. Information is available at the DOS website: [www.dos.ny.gov](http://www.dos.ny.gov)
- (5) DASNY is required by law to notify the Empire State Development of any procurement contract for one million dollars or more that is to be awarded to an out-of-state vendor. This notice must be done simultaneous to the notification of award provided to the vendor. A purchase order or contract cannot be issued until fifteen (15) days after such notification is provided.
- (6) Empire State Development is required by law to identify states and other jurisdictions that impose preferences or other penalties against New York bidders. DASNY is precluded from soliciting bids or entering into procurement contracts with companies that have their principal place of business located in one of the listed jurisdictions, unless the procurement is for a product that is substantially manufactured in New York State or the services are to be performed in New York State. Currently, this list of jurisdictions includes the states of Alaska, Hawaii, Louisiana, South Carolina, West Virginia and Wyoming.
- (7) Unless otherwise indicated, any reference to brands or model numbers is intended to establish a standard. Items of all manufacturers will be considered, provided the item is determined to meet or exceed the required specification. DASNY's decision as to whether a substitute item meets specification will be final. Your attention is directed to Article II-7, Page 5 of the General Conditions. In order to evaluate substitute items, detailed specifications must be submitted for any product that is other than the one(s) specified in the bid.



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## GENERAL SPECIFICATIONS CONTINUED

- (8) Unless otherwise noted, guarantee on all items is to be one year as detailed in Article XVI of the General Conditions
- (9) All upholstered furniture and drapery panels and lining must meet strict flammability requirements. Standards applicable to this bid, if any, will be delineated in the Detailed Specifications.
- (10) LABOR/TRADES - Any labor, materials or means whose employment, or utilization during the course of this contract, shall not in any way cause or result in strike, work stoppages, delays, suspension of work; or similar troubles by workers employed by this contractor or his subcontractors, or by any of the trades working in or about the buildings and premises where work is being performed. Any violation by the contractor of this requirement may in the sole judgment of DASNY be considered as proper and sufficient cause for declaring the contractor to be in default, and for the owner to take action against him as set forth in the Purchasing General Conditions, Article VIII, "Termination", or such other action as DASNY may deem proper.
- (11) Bid results are available on the DASNY website ([www.DASNY.org](http://www.DASNY.org)). Bid results will not be given over the phone.
- (12) If you are a NYS Certified Minority or Women Owned Business, please include a copy of your certification with the bid.





**DASNY**

**ANDREW M. CUOMO**  
Governor

**ALFONSO L. CARNEY, JR.**  
Chair

**GERRARD P. BUSHELL, Ph.D.**  
President & CEO

## SUPPLEMENTAL SPECIFICATIONS

**The following items are attached for informational purposes. Referenced documents need not be returned with the proposal.** These documents are only applicable to the successful bidder and the ensuing procurement contract. Documents are only applicable to the successful bidder and the ensuing procurement contract. Documents applicable to the procurement that will result from this Invitation for Bids are designated by a check box (☒). Unless otherwise indicated, the referenced documents are located at the end of this Invitation for Bids.

- Purchasing General Conditions** – The DASNY Purchasing General Conditions contains terms and conditions of purchases made by DASNY. It is recommended that this document be reviewed fully.
- M/WBE Utilization Plan and Request for Waiver** - Minority and Women-Owned Business Enterprise (M/WBE) goals for this project are 0% and 0%, respectively. The successful bidder shall be required to complete a Utilization Plan or Request for Waiver, to be approved by DASNY’s Opportunity Programs Group. Reference Purchasing General Conditions, Article XIX, Affirmative Action for Contracts Mr. Michael Clay, DASNY Opportunity Programs Group at (518) 257-3464, is available to assist all bidders in attaining these goals. *Reference the enclosed “Good Faith Efforts Guidelines”.*
- Supplemental General Requirements** – Attached (if applicable) are the Supplemental General Requirements (SGRs) which provide important logistical information and additional conditions which govern this procurement. Please read these SGRs carefully.
- Form of DASNY Contract** – The procurement resulting from the Invitation for Bids will be executed through a DASNY purchase order and a related contract. The contract executed with the successful bidder will be in the same substantial form as the attached “Form of Contract”. Note that this Invitation for Bids and any response to such will be annexed as binding terms of the purchase agreement.
- Certificate of Insurance** (*sample enclosed*) – The successful bidder will be required to provide a Certificate of Insurance pursuant to Article XIV of the enclosed Purchasing General Conditions. The certificate shall name DASNY and other designated parties as additional insureds.

**CORPORATE HEADQUARTERS**  
515 Broadway  
Albany, NY 12207-2964

T 518-257-3000  
F 518-257-3100

**NEW YORK CITY OFFICE**  
One Penn Plaza, 52nd Floor  
New York, NY 10119-0098

T 212-273-5000  
F 212-273-5121

**BUFFALO OFFICE**  
539 Franklin Street  
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T 716-884-9780  
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**SUPPLEMENTAL SPECIFICATIONS CONTINUED**

- Worker’s Compensation / Disability Insurance** – The successful proposer will be required to provide specific documentation with respect to Worker’s Compensation and Disability Insurance pursuant to Article XIV of the enclosed Purchasing General Conditions. Requirements are detailed in the enclosed “Workers’ Compensation and Disability Benefits Requirements” document.
  
- Prevailing Wage Schedule** – NYS Labor Law requires all wages paid by contractors and subcontractors on public work projects be paid at the prevailing wage rates. Enclosed is the current rate schedule for the appropriate county. Contractors and Subcontractors are responsible for obtaining current rates throughout the course of the project. The NYS Department of Labor (NYS DOL) updates these rates on July 1st of each year. Current rates can be obtained on the NYS DOL website ([www.labor.state.ny.us](http://www.labor.state.ny.us)) or by fax at (518) 485-1870. Note that an executed Contractor and Subcontractor Certification and certified payrolls, which include the hours and days worked by each workman, laborer or mechanic, the occupation at which he worked, the hourly wage rate paid and the supplements paid or provided, must be submitted with each and every payment requisition. **DASNY will not process an invoice without this information.** Forms are available on the DASNY website:  
<http://www.dasny.org/construc/forms2/vendors.php>
  
- Labor and Material Payment Bond** – The successful bidder must be prepared to provide surety bonds prior to award in accordance with Article XIV of the DASNY Purchasing General Conditions. The costs of these bonds are to be separately stated in the total bid price as indicated on the Bid Breakdown and Schedule.
  
- Performance Bond** – The Successful bidder must be prepared to provide surety bonds prior to award in accordance with Article XIV of DASNY Purchasing General Conditions. The costs of these bonds are to be separately stated in the total bid price as indicated on the Bid Breakdown and Schedule.
  
- Standard Vendor Responsibility Questionnaire (SVRQ)** – The successful proposer, in accordance with Article XXII of DASNY Purchasing General Conditions, will be required to complete the enclosed SVRQ. The award of a contract will be subject to a review of the information contained in these forms.

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**SUPPLEMENTAL SPECIFICATIONS CONTINUED**

- NYS Uniform Contracting Questionnaire (UCQ)** – The successful proposer will be required to complete the enclosed UCQ. The award of a contract will be subject to a review of the information contained in these forms.
  
- DASNY Contractor and Consultant Questionnaire (CCQ)** – The successful proposer will be required to complete the enclosed CCQ. The award of a contract will be subject to a review of the information contained in these

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## SUPPLEMENTAL GENERAL REQUIREMENTS

1. Union truck drivers are required to deliver product.
2. SUBMISSION OF QUESTIONS - Inquiries concerning this bid should be addressed to the following individual:

Susan Valente  
Purchasing Coordinator  
DASNY

E-mail: [svalente@dasny.org](mailto:svalente@dasny.org)

**Re: Bid No. 623 – Furnish and Deliver Panduit Product**

All questions shall be submitted in writing (e-mail is preferred), citing the particular bid/specification section, paragraph number and/or drawing number. Bidders should note that all clarifications and exceptions, including those related to the terms and conditions of the contract are to be resolved prior to the submission of the bid.

Answers to all questions of a substantive nature will be issued in an addendum, which will be annexed to and become a part of the bid and contract.

**Deadline for submittal of written questions shall be: December 6, 2018 at 4:00 P.M.**

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**DETAILED SPECIFICATIONS**

Part Number	Description	Quantity
PANDUIT FZUYPEEEEEAM010	24 Strand OM4 100GBE Trunk Female/Female 10 Meter MTP	10
PANDUIT FZUYPEEEEEAM025	24 Strand OM4 100GBE Trunk Female/Female 25 Meter MTP	10
PANDUIT FZTRP7N8NANM001	12 Strand OM4 40G Male/Female Cord 1 Meter PANMPO	100
PANDUIT FZTRP7N8NANM002	12 Strand OM4 40G Male/Female Cord 2 Meter PANMPO	100
PANDUIT FZTRP7N8NANM006	12 Strand OM4 40G Male/Female Cord 6 Meter PANMPO	100
PANDUIT FZTRP8N8NANM001	12 Strand OM4 10G Male/Male Cord 1 Meter PANMPO	100
PANDUIT FZTRP8N8NANM002	12 Strand OM4 10G Male/Male Cord 2 Meter PANMPO	100
PANDUIT FZURPENFNXNM002	24 Strand OM24 Interconnect 2 Meter	25
PANDUIT FQMAP65RD	QN SFQ MPO Fiber Adapter Panel for 100G Connectivity, 6 Ports with Type A	8

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