|  |  |  |
| --- | --- | --- |
|  | | |
| **BUREAU OF FISCAL SERVICES**  **Procurement Unit** |  |  |

**January 2, 2019**

**Request for Proposals (RFP) 18-103 Cigarette Tax Stamps Manufacturing Solution**

**Response to Bidder Questions and Amendment #1**

To All Potential Bidders:

Attached are the Department’s responses to Questions received for the above referenced RFP.

The Department is issuing Amendment #1 to amend language in the following sections:

* “Sexual Harassment Prevention Certification” in VI.B., Administrative Contract Conditions

(Revising Page 41 of the published document titled “RFP 18-103”)

* Attachment 1, Bidder’s Checklist

(Revising Page 5 of the published document titled “RFP18-103 Attachments”)

* Attachment 19, Sexual Harassment Prevention Certification”

(Adding Page 27A to the published document titled “RFP18-103 Attachments”)

Corrected pages are attached to this document. All additions are made in red text.

All other requirements and conditions remain as indicated in the RFP.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **#** | **RFP Section** | **RFP Page #** | **Question** | **Answer** |
| 1 | NA | NA | Whether companies from Outside USA can apply for this? (like, from India or Canada) | No, all bidders must be located in the United States. |
| 2 | NA | NA | Whether we need to come over there for meetings? | Most interactions can be handled via phone or email. However, if the need for a face to face meeting were to arise, yes, you would need to come here. |
| 3 | NA | NA | Can we perform the tasks (related to RFP) outside USA? (like, from India or Canada) | No. Section II.B. of the RFP states "Throughout the term of the Agreement, the Contractor must maintain and utilize a manufacturing site(s) located in the United States. The site(s) must comply with applicable building codes, regulations and laws. During the term of the Agreement, the Contractor shall continue to possess, control or be legally authorized to provide the necessary equipment and facilities to accurately and satisfactorily fulfill its responsibilities under the Agreement." The Contractor is expected to comply with these requirements throughout the contract duration. |
| 4 | NA | NA | Can we submit the proposals via email? | No. Section VII. of the RFP states "Faxes or electronically transmitted proposals will not be accepted." |
| 5 | NA | NA | You mention 60 points for technical and 40 points for Financial.  Is there a scorecard that you could share for the points. Do I get 30 points if my stamp sticks to the pack and 0 points if you can scratch off my stamp after application. | Section VIII.B.2. of the RFP states that 60 points are allotted for Technical Evaluation and 40 points are allotted for Financial Evaluation.  No. The point allocation will not be disclosed. |

**Response Requirement:**

The Bidder must complete and submit **Attachment 14, Certification of Non-Discrimination Practices.**

1. **New York City Tax Affirmation**

By submission of a bid or proposal in response to this solicitation, the Bidder/Contractor agrees with all the terms and conditions of **Attachment 15, New York City Tax Affirmation**. The Bidder affirms and declares that said Bidder is not in arrears to the City of New York upon debt, contract or taxes and is not a defaulter, as surety or otherwise, upon obligation to the City of New York, and has not been declared not responsible, or disqualified, by any agency of the City of New York, nor is there any proceeding pending relating to the responsibility or qualification of the proposer or bidder to receive public contract.

**Response Requirement:**

Each Bidder must complete and submit **Attachment 15, New York City Tax Affirmation.**

1. **Sexual Harassment Prevention Certification**

State Finance Law §139-l requires bidders on state procurements to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training to all its employees and that such policy, at a minimum, meets the requirements of section two hundred one-g of the labor law.

**Response Requirement:**

The Bidder must complete and submit **Attachment 19, Sexual Harassment Prevention Certification.**

**Page 41 of 46**

Bidder-Proposed Changes to Preliminary Base Contract

Request for Exemption from Disclosure

Attachment 4 – New York State Office of the State Comptroller Substitute Form W-9

Attachment 5 – Vendor Responsibility Response Form

Attachment 6 – Designation of Prime Contact Form

Attachment 7 – Non-Collusive Bidding Certification

Attachment 8 – Offerer Disclosure of Prior Non-Responsibility Determinations

Attachment 9 – Offerer’s Certification of Compliance with State Finance Law 139-k(5)

Attachment 10 – Public Officers Law Form

Attachment 11 – Public Officers Law – Post Employment Restrictions

Attachment 12 – Encouraging Use of New York State Business in Contract Performance

Attachment 13 – Vendor Assurance of No Conflict of Interest or Detrimental Effect

Attachment 14 – Certification of Non-Discrimination Practices

Attachment 15 – New York City Tax Affirmation

Attachment 16 – Staffing Plan

Attachment 17 – Listing of Proposed Subcontractors Form

Attachment 19 – Sexual Harassment Prevention Certification

**Volume 3, Financial Requirements**

Attachment 18 – Financial Response Form

**Page 5 of 41**

**Attachment 19 - Sexual Harassment Prevention Certification**

State Finance Law §139-l requires bidders on state procurements to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training to all its employees and that such policy, at a minimum, meets the requirements of section two hundred one-g of the labor law.

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.

The Bidder’s signature below certifies its compliance with State Finance Law §139-I.

Bidder: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By (signature): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name (Please Print): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

This form must be signed by an authorized executive or legal representative.

If the bidder cannot make the above certification, the bidder must provide a statement with their bid detailing the reasons therefor:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Page 27A of 41**