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**Response to Round 2 Bidder Questions and Amendment #1  
For Request for Proposals (RFP) 14-01 STORAGE AND AUCTION SERVICES**

To All Potential Bidders:

Attached are the Department's responses to Questions received for Round 2 of the above referenced RFP.

The Department is issuing Amendment #1 as clarification to:

- Amend the Purpose for Module 2 to clarify the location of Bidders eligible to submit proposals for Region 4.
- Amend the Qualifying Experience for Module 1 to address auctioneers submitting a bid as a prime Contractor.
  - Please note that if you are partnering for these services, qualifying reference information must be submitted for both the auctioneer and the storage company. For more information, please see **Section III. Qualifying Requirements, A. Qualifying Experience.**
- Amend the Insurance Requirements for Module 1 to clarify that Insurance is **ONLY** required for the storage facility.

Replacement pages are attached after Question Responses. All deletions are shown as shaded, strike-through text, all additions are made in red text.

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

NYS Department of Taxation and Finance  
Request for Proposal (RFP) #14-01  
Storage and Auction Services  
Round 2 Question and Answer Document

#	RFP Section	RFP Page #	Question	Answer
1			Will the storage facility be required to advance towing expenses on behalf of NYST or will NYST pay the towing contractor directly? If storage facility is required to advance, is there a maximum outstanding reimbursement period?	The storage facility will not be required to advance towing expenses on behalf of New York State. New York State will pay the Tow companies directly.
2			From past experience receivables can go beyond 6 months. Will there be new procedures implemented. I understand that storage facilities must send NYST the gross sale proceeds. Will there be new procedures implemented.	The purpose of this Request for Proposals is to put a Contract in place for the procurement and timely payment for these Services. Payment will be made in accordance with Article XI-A of New York State Finance Law.
3			What will be the timeframe for reimbursement of the expenses disbursed on behalf of NYST.	Identification of a specific timeframe for reimbursement of the expenses disbursed on behalf of Tax is not feasible, as there are multiple factors which will affect the timeframe. Payment will be made upon sale/redemption of the vehicle, submission of a proper invoice, and in accordance with Article XI-A of New York State Finance Law.
4			Does the vehicle being sold have to be sold to a dealer only, or is the bidding open to the general public?	The bidding is open to the general public.

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#	RFP Section	RFP Page #	Question	Answer
5			<p><u>Facility:</u></p> <p>In addition to having storage capability for 10 vehicles, is office workspace for a NYST tax employee required to work and to collect payment?</p> <p>Is interior storage space required for higher value/sensitive vehicles?</p>	<p>No.</p> <p>No, interior storage for higher value/sensitive vehicles is not required, however it is preferred.</p>
6			<p><u>RFP 14-01 Module 2</u></p> <p>If our office is within 50 miles of Region 4, are we permitted to submit a proposal for that region?</p>	<p>Yes. Please see Amendment #1.</p>

## Module 2 – Auction Services for Seized Businesses

### A. Purpose

The New York State Department of Taxation and Finance (Department or DTF) is soliciting proposals from qualified entities to provide public auction services for assets associated with businesses that have been seized due to delinquent Tax debt or child support arrears.

This RFP consists of two modules. Module 1 is for the Storage and Auction of seized vehicles and Module 2 is for Auction services for seized businesses. **Bidders may submit proposals for one or both Modules.** Each Module will be evaluated on a stand-alone basis. The Department will award multiple contracts for each Module. The Department is seeking proposals from entities to provide Auction Services for seized businesses in each of the Department identified Regions (see map on page 15). **If submitting a proposal for Regions 1, 2, 3 and 5, Bidders must be located within the Region. ~~for which they are submitting a proposal~~ For Region 4, the Bidder must have a location within 50 miles of the Region.**

**Please note: Module 2 does not include any storage services. The Bidder will be required to go to the location of the seized business to perform the auction.**

### B. Program Overview

The Collection and Civil Enforcement Division (CCED) of the New York State Department of Taxation and Finance is charged with the collection of unpaid NYS Tax Debt and Delinquent Child Support Debt. The Department utilizes numerous methods in the collection of the debt. Once voluntary efforts to collect these debts have been exhausted, CCED performs an investigation to identify any assets that may be seized to satisfy the debt. When a business is seized to satisfy a delinquent tax debt the Department will secure the assets at the place of business.

The Department is seeking proposals to provide on-site Auction Services for businesses that have been seized to satisfy outstanding tax debt in five Regions throughout New York State. The Department reserves the right to restructure Regions.

**Region 1 - Erie County, Niagara County, Chautauqua County, Cattaraugus County, Monroe County, Livingston County, Allegany County, Orleans County, Wyoming County and Genesee County.**

**Region 2 - Broome County, Chemung County, Chenango County, Cortland County, Delaware County, Otsego County, Schuyler County, Steuben County, Tioga County, Tompkins County, Cayuga County, Onandaga County, Ontario County, Oswego County, Seneca County, Wayne County, Yates County, Herkimer County, Jefferson County, Lewis County, Madison County, Oneida County and St. Lawrence County.**

### III. Qualifying Requirements

Only qualified entities may submit a proposal in response to this RFP. A qualified entity is defined as one that meets **all of the following qualifying requirements**. Entities not meeting these qualifying requirements should not submit a proposal.

#### Module 1 – Storage and Auction Services for Seized Vehicles

##### A. Qualifying Experience

The bidder **or its Subcontractor** must have been in the business of providing storage services for a minimum of three years since January 1, 2009; **AND**

The Bidder or its subcontractor must have a minimum of three years experience providing auction services since January 1, 2009.

Furthermore the Department recognizes that new entities may form for the purpose of submitting a bid and that the new entity (which shall be considered the Bidder) may consist of existing entities. In such case, at least one such existing entity or its subcontractor must have three years experience providing storage services **AND** at least one such existing entity must have three years experience providing Auction Services since January 1, 2009.

##### Response Requirement

The Bidder must complete and submit **Attachment A, Qualifying Experience Response Form**, with applicable information for three separate contracts for Storage and Auction Services to substantiate the experience required. Bidders may submit three contracts that include both Storage and Auction Services; or three contracts for Storage Services and three contracts for Auction Services; or any combination that will substantiate three Storage contracts and three Auction contracts. **Each contract submitted in response to this requirement must have been in effect for a minimum of a one year period.**

##### B. Insurance

At the time of proposal submission, the Bidder's company and all staff and/or subcontractors must be insured against financial loss as a result of their actions.

##### Response Requirement

On **Attachment B, Qualifying Insurance Response Form**, the Bidder must provide its current insurance information and must attach a copy of its certificate of insurance including a description of coverage and the amount of coverage.

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Bidders must provide three (3) references for clients that are similar in scope to the services set forth in this RFP. This may be the same three (3) references used to satisfy the Qualifying Requirements, however the Bidder should select the contracts that best meet the criteria to be evaluated. The Bidder shall be solely responsible for providing contact names, e-mail addresses, and phone numbers for client references who are readily available to be contacted by the Department and capable of responding to performance questions.

**Response Requirement**

On **Attachment I, Reference Response Form**, the Bidder must provide information for client references for three (3) contracts which they have engaged in services similar to those required in this RFP. A maximum of two (2) alternate references may also be provided in the event an original reference cannot be contacted. Alternate references must be identified as such.

If DTF is unable to contact or obtain information from any reference, the Bidder will be provided one opportunity, with a deadline, to assist in obtaining cooperation from those client references who have not responded.

**G. Insurance (M)**

Prior to the commencement of the work to be performed **under this Contract** by the contractor hereunder, the contractor shall **procure, or cause to be procured**, at **its sole cost and expense no cost to the state, insurance for the storage facility**, and shall maintain in force at all times during the term of this contract, policies of insurance as herein below set forth, written by companies authorized by the New York State Insurance Department to issue insurance in the State of New York with an A.M. Best Company rating of "A-" or better or as acceptable to DTF. DTF may, at its sole discretion, accept policies of insurance written by a non-authorized carrier or carriers when Certificates and/or other policy documentation is accompanied by a completed Excess Lines Association of New York (ELANY) Affidavit; provided that nothing herein shall be construed to require DTF to accept insurance placed with a non-authorized carrier under any circumstances.

The Contractor shall deliver to DTF evidence of such policies in a form acceptable to DTF. These policies must be written in accordance with the requirements of the paragraphs below, as applicable.

General Conditions:

A. **Conditions Applicable to Insurance.** All policies of insurance required by this Agreement must meet the following requirements:

1. **Coverage Types and Policy Limits.** The types of insurance and policy limits required from the Contractor are specified in Paragraph B, Insurance Requirements, below.