

**NYS Contract Reporter Announcement
NYSDOT Website Announcement
Construction Seat Management Initiative (CSMIN)
Services for NYSDOT
Contract #C031195
August 23, 2013**

The New York State Department of Transportation (NYSDOT) announces the release of a Request for Proposals (RFP) seeking the services of a responsive and responsible Contractor to provide Construction Seat Management Initiative (CSMIN) Services.

Proposals are due September 27, 2013.

CONTRACT TERM: The base term of this contract will be for two (2) contract years commencing from the contract start date, with three (3) optional 12-month contract term extensions, depending on performance and project need. The level of complexity for this project is moderately complex.

SINGLE CONTRACT AWARD: The objective is to retain one responsive and responsible prime consultant under Contract #C031195 (or a Prime Consultant supported by a Team of Subconsultants).

20% M/WBE GOAL: The M/WBE subconsultant participation contract goal for this solicitation has been tentatively set at **20 percent** of total contract value over the full term of the contract.

For a full description of the project and requirements, please visit the NYSDOT website at: <https://www.dot.ny.gov/business> and click on 'Ads'. An e-mail shall be sent to all parties who formally express interest in the CSMIN RFP in advance; the e-mail shall alert interested parties that the RFP has been posted to NYSDOT's website and is ready for downloading.

DESIGNATED CONTACT PERSON: Catherine Traina, NYSDOT Contract Management Bureau, e-mail: catherine.traina@dot.ny.gov.

PROCUREMENT LOBBYING LAW COMPLIANCE

Under the requirements of the State Finance Law §139-j (3) and §139-j (6) (b), all communications regarding advertised projects are to be channeled through NYSDOT Contract Management Bureau's Designated Contacts. Until a contract is approved by the State Comptroller, contact with any other NYSDOT employee concerning this project should not be made unless otherwise directed by NYSDOT Contract Management Bureau. Communications made contrary to this policy and deemed an attempt to influence the outcome, may result in disqualification. Refer to "NYSDOT PROCUREMENT LOBBYING LAW GUIDELINES AND PROCEDURES" – see the Consultant's page at NYSDOT's "Doing Business With DOT" web site: <https://www.dot.ny.gov/main/business-center/consultants/non-architectural-engineering>

Required Forms: The consultant shall sign and e-mail/fax the following forms. These forms are part of and due with the consultants' proposals.

- a) **"Offerer's Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)"**

b) **“Offerer Disclosure of Prior Non-Responsibility Determinations”.**

Contacts Prior to Designation:

Any communications involving an attempt to influence the procurement are only permitted with the following Designated Contact Persons:

- The Contract Management Designation Contract Analyst
- The Contract Management Designation Analyst Supervisor
- The Contract Management Civil Rights Unit Supervisor
- The Contract Management Assistant Directors
- The Contract Management Director

These are some communications exempted from this restriction:

- Participation in a pre-proposal conference
- Submittal of written questions when written responses will be provided to all offerers
- Protests, complaints of improper conduct or misrepresentation

If any other NYSDOT employee is contacted and they believe a reasonable person would infer that the communication was intended to influence the procurement, the contact must be reported by the NYSDOT employee. If the Department determines an impermissible contact was made, that offerer cannot be awarded the contract. A second violation would lead to a four-year bar on the award of public contracts to the offerer.

Contacts After Designation

NYSDOT identifies its primary negotiation contacts. The designated contacts include:

- The Contract Management Negotiation Contract Analyst
- The Contract Management Negotiation Analyst Supervisor
- The Contract Management Civil Rights Unit Supervisor
- The Contract Management Assistant Directors
- The Contract Management Director
- The Consultant Management Bureau consultant job manager
- The Consultant Management Bureau consultant job manager’s immediate supervisor

Individual(s) that the Department may identify at or after designation

The law does not limit who may be contacted during the negotiation process. However, if any NYSDOT employee is contacted and they believe a reasonable person would infer that the communication was intended to influence the procurement, the contact must be reported by the NYSDOT employee.

Information Required from Offerers that contact NYSDOT staff, prior to contract approval by the Office of the State Comptroller:

The individuals contacting NYSDOT should refer and shall be prepared to provide the following information, either by e-mail or fax as directed by NYSDOT. Person’s name, firm person works for, address of employer, telephone number, occupation, firm they are representing, and whether owner, employee, retained by or designated by the firm to appear before or contact the NYSDOT.

Applicability to an Executed Contract

Restrictions similar to those described above apply to approval or denial of an assignment, amendment (other than amendments that are authorized and payable under the terms of the procurement contract as it was finally awarded or approved by the comptroller, as applicable), renewal or extension of a procurement contract, or any other material change in the procurement contract resulting in a financial benefit to the offerer. The staff noted above as well as the project manager and consultant manager are considered designated contact persons. The Department may identify other contact persons for each of these processes.

Rules and Regulations and More Information on this Law, Please Visit:

<http://www.ogs.ny.gov/aboutOgs/regulations/defaultAdvisoryCouncil.html> (Advisory Council FAQs)

<http://www.jcope.ny.gov/>

<http://www.jcope.ny.gov/law/lob/guidelines.html> (New York State Lobbying Act)

or contact the designated NYSDOT Contact Person:

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