January 23, 2014

REQUEST FOR PROPOSALS
RFP MODIFICATION No. 1
DBE Assessment Services For NYSDOT
Contract #C0301181

Dear Interested Party:

Reference is made to the subject solicitation wherein the following changes are hereby incorporated:
(Yellow highlight indicates revisions)

1. **The RFP Proposal Due Date has changed from January 22, 2014 to February 20, 2014, 2:00 PM EST.**

   A second round of Questions is open until the Question Submittal Due Date of January 31, 2014, COB.

2. RFP Page 2 Section 1: **Strike** “The selected Consultant shall provide assessments of firms certified in New York State as DBEs to perform various highway work codes.” And **replace** with “The selected Consultant shall provide assessments of firms certified in New York State as DBEs to perform various NYSDOT highway work codes.”

3. **Strike Section III Scope of Services** and replace with **REVISED Section III Scope of Services** attached to this document.

4. RFP Page 13, Section 4.3: Part II – Cost and Contract Proposal Submittal: **Strike** the entire checklist and **replace** with:

<table>
<thead>
<tr>
<th>Part II - Cost and Contract Submittal Checklist</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑️ Three (3) Printed and bound hard copies of Part II plus Part II on two CD/DVDs, in MS Excel compatible format. Identify the name, title, address, email, and telephone number of person(s) with authority to negotiate, and who may be contacted during proposal evaluation</td>
</tr>
</tbody>
</table>
Submit one cover letter (can be same as Part I’s)

Securely sealed and clearly labeled with the words “DBE Assessment Services Cost Proposal”

Complete and submit Attachment 2, (sign both Sections II and III):

Complete and submit one set of Attachment 3 Procurement Lobbying Law Compliance Forms (Offerer’s Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b) and Offeror Disclosure of Prior Non-Responsibility Determinations).
- These two forms are required with a firm’s RFP Response.
- Enter contract number on each form
- These forms are also available at: https://www.dot.ny.gov/main/business-center/consultants/forms-publications-and-instructions
- **Note:** Failure to submit the completed PLL forms with your proposal will result in elimination from consideration for contract award

Complete and submit Attachment 8, DBE Participation Information Form

Complete and submit (if applicable) Attachment 9, DBE Subconsultant Participation Solicitation Log AND Letter of Explanation of Non or Partial DBE Goal Attainment

Required Salary Cost information - complete and submit Attachment 10A

Required Expense Cost information - complete and submit Attachments 10B, 10C and 10D

Complete and submit Attachment 12 Non-Collusive Bidding Certification

Required Expense Cost information - complete and submit Attachment 10E

Complete and submit all future RFP Modification Acknowledgement Forms as instructed

5. **Replace** Attachment 6 Company References and Attachment 7 Project Manager References with the attached new Attachment 6 Company References and Attachment 7 Project Manager References (RFP Pages 73 and 74). Note: Completed Reference Forms by a Proposer’s References should not be included in proposals. As stated in RFP Section 4.2.5. (Page 13) “NYSDOT reserves the right to request information from any source so named.”

6. **Replace** RFP Pages 82 and 83 Cost Proposal Attachment 10B with new Cost Proposal Attachment 10B. (Note: Toll Rules revised and Bridge Toll Column added; ferry cost noted; mileage reimbursement rate revised.)

7. **Replace** RFP Page 84 Cost Proposal Attachment 10C with new Cost Proposal Attachment 10C. (Note: Toll /Rules revised and Bridge Toll Column added; ferry cost noted; car mileage reimbursement rate revised.)

8. After Attachment 13, **Add** new Attachment 14: Questions and Answers.

9. **Replace** the Cost Proposal Excel Spreadsheet with new REVISED Cost Proposal Excel Spreadsheet. Note: Revisions have been made to Tab 10B and 10C only: Toll Rules revised and Bridge Toll Column added; car mileage reimbursement rate revised; Tab 10A, Tab 10D and Tab 10E do not contain revisions.
10. An updated Source List is posted to the NYSDOT website.

All firms are reminded that proposals are due February 20, 2014 at 2:00 PM (EST).

No other provision of the solicitation is otherwise changed or modified.

A one-page mandatory ACKNOWLEDGEMENT reply is attached. To ensure that your proposal is deemed to be responsive to the RFP, acknowledgement receipt of RFP Modification #1 is required by all firms submitting proposals. Acknowledgement instructions are to be found on RFP Modification #1 page number four. Thank you.
ACKNOWLEDGEMENT OF RECEIPT: MODIFICATION NO. 1
Request For Proposals  Contract #C0301181
DBE ASSESSMENT SERVICES FOR NYSDOT

An authorized representative of your firm or organization must acknowledge receipt and acceptance of this Modification No. 1 by signing and returning one copy of this Modification to the undersigned via inclusion in the Contract Section of your firm’s Part II Cost and Contract Proposal to NYSDOT.

ACKNOWLEDGED AND ACCEPTED:
BY: ______________________________

NAME: __________________________
TITLE: __________________________
FIRM: __________________________

NYS DEPARTMENT OF TRANSPORTATION
BY: _original signed by: Barbara Sonenberg, for________

WILLIAM A. HOWE
Director, Contract Management
REVISED SCOPE OF SERVICES SECTION 3

3. Scope of Services

3.1 General

NYSDOT seeks a qualified, responsive and responsible Consultant to perform assessments of firms that have been certified in Highway Work Codes as DBEs in New York State to identify areas of needed business assistance and opportunities for growth. Assessments are expected to be made via review of information submitted by these DBE firms in connection with NYSDOT’s annual DBE certification affidavit process, supplemental inquiry (to be developed by the consultant and approved by NYSDOT) with representatives of the firms, and via on-site visits to the DBEs offices as directed by NYSDOT.

The Consultant may be directed to travel to DBE firms that have been selected for assessment. Expenses incurred in connection with said directed travel will be eligible for reimbursement to the extent that they are consistent with the rates and travel policies for the State of New York, as detailed in http://www.osc.state.ny.us/agencies/travel/manual.pdf or superseding guidance. The selected Consultant will be paid a fully-loaded hourly rate for work and travel time plus reasonable reimbursement for acceptable expenses (such as gas, tolls, and meals, subject to New York State reimbursement limits). Travel requests must be approved in advance of the actual travel in writing by NYSDOT’s Director of Civil Rights or his designee. NYSDOT is highly interested in maximizing the efficiency and economy of site visits. NYSDOT is seeking most cost efficient mode of travel and may also direct some visits to occur via phone/webinar/Skype. NYSDOT is highly interested in the number of assessments the proposing firm can accomplish. If multiple teams are conducting assessments, the members of the teams need to be equally qualified.

Firms are instructed to provide a copy of their assessment questionnaire in their Technical proposal submission. NYSDOT is aware of several DBE assessment questionnaires out in the market place.

The selected Consultant shall provide a written assessment for each firm evaluated. The format of these assessments must be approved by NYSDOT. The selected Consultant will be required to prepare a monthly progress report for NYSDOT and prepare a quarterly report on behalf of NYSDOT for the Federal Highway Administration. Progress reports must include the number of firms assessed, results of these assessments, identification of areas where DBE firms typically need assistance and recommendations to increase their business opportunities. Progress reports should also assess any other areas that are in need of improvement and provide recommendations for such.

Proposals must include hourly rate(s), title(s), and resumes of those individuals who will perform work for this contract; a DBE firm assessment schedule including the estimated number of DBE firms that the consultant expects to be able to assess; the Consultant’s proposed methodology and approach to conducting the assessments; and a description of the Consultant’s familiarity and experience with the
United States Department of Transportation’s (USDOT) DBE Program including certification requirements as well as their business assessment/development experience.

Proposals will be evaluated based on technical and cost considerations including the number of DBEs to be assessed with assessment schedule, the submitted assessment questionnaire and the extent and overall quality of the consultant’s experience/expertise and proposed approach.

Qualifications:
1. Familiarity with 49 CFR Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs, particularly certification regulations and requirements.
2. Small to medium business assessment and/or business development experience.

3.2 Tasks: The following specific services are requested:

1. Provide assessment questionnaire to assess strengths and weaknesses of each DBE identified. This questionnaire will be pre-approved by NYSDOT. Questions will include but should not be limited to: how many times in the past 12 months a DBE participated on a NYSDOT contract as a prime or subcontractor; was solicited by a prime to work on a project and how many times it submitted quotes; how many times a firm submitted a quote to work as a prime contractor on NYSDOT projects; what NYSDOT could do to help a firm obtain more business; a description of barriers to working with NYSDOT (including hurdles and issues with NYSDOT’s prime contractors); lack of bonding/lack of technological resources, capacity and size of NYSDOT projects/contracts. Questions should also relate to administration, management and planning ability, marketing, bidding and estimating, scheduling and project control, bonding levels, business development plans including record keeping. In addition, the questionnaire will discern whether or not the firm is interested in further participation in the assessment process. Inventory type questions will contain lists and probing questions will be open-ended.

2. Send the assessment questionnaire to DBE firms (approximately 700) as directed by NYSDOT. A response rate of at least 70% shall be achieved. The 70% response rate is the minimum acceptable response rate as NYSDOT prefers the highest response rate possible. The Consultant shall recontact firms that do not respond to the questionnaire, utilizing both phone and e-mail to obtain as close to a 100% response rate. The selected Consultant will ask if the non-responding DBE has any questions or problems with regard to responding. The selected Consultant will maintain a record of all communication/contact efforts which will be made available to the NYSDOT Project Manager upon request. NYSDOT will contact each DBE firm to introduce the consulting firm and convey the expectation that each DBE firm will respond to the questionnaire even if they do not wish to have assessment services. It is expected that the assessment questionnaire will be sent electronically to contain costs.
The Consultant shall compile an assessment report of the questionnaire responses. The assessment results will be compiled by individual DBE firm, by question and by geographic location (based on NYSDOT region).

3. Utilizing the results of the questionnaire, the NYSDOT Project Manager will develop an initial list of DBE firms to be assessed and will seek Consultant’s input regarding which firms shall be assessed. The Consultant will complete at least five site visit assessments, in-person, every month.

4. Develop/initiate assessment services using NYSDOT-approved methodology after receiving authorization to contact DBEs from the NYSDOT Project Manager.

5. The Consultant will prepare and send a site-visit agenda to each DBE firm prior to meeting so that salient information/documents are available to help increase the efficiency of the meeting.

6. Perform on-site visit to each DBE as directed by NYSDOT. Travel requests must be approved in advance of the actual travel in writing by NYSDOT’s Director of Civil Rights or designee. Reimbursement will be consistent with the rates and travel policies for the State of New York as detailed in http://www.osc.state.ny.us/agencies/travel/manual.pdf or superseding guidance. No more than two people will be permitted to attend each assessment site visit. NYSDOT may direct some gathering of follow-up information to be accomplished electronically, via phone or Skype. All initial site visits will occur in person. Follow-up visits will be conducted electronically.

7. Contact the NYSDOT Project Manager if any additional information regarding the DBE client is required from NYSDOT; the consultant shall arrange for the transmittal of such information.

8. Examine each DBE’s current work codes and determine its ability to perform work in the stated codes. Consultant will use a NYSDOT approved formula to determine which codes are no longer applicable to the DBE (for example, a DBE is certified for a code but had not performed any work in the said code in several years).

9. Examine the status of the DBE business operations in the following areas: Administration and Management; Planning and Marketing; Bidding and Estimating and Scheduling and Project Control.

10. Determine each DBE’s single and aggregate bonding levels, and the frequency by which primes require the DBE in a sub-contractor role to bond a portion of its work.

11. Review each DBE’s current business development plan and identify opportunities for improvement.
12. Develop and complete a draft and final evaluation/assessment/development plan report for each DBE assessed. The report must diagnose deficiencies, identify strengths and opportunities for improvement, with development plan recommendations regarding the assessed DBE. (The development plan recommendations may be utilized in the anticipated Business Services Contract.)

13. Forward each draft plan to the NYSDOT Project manager for review and comment. The NYSDOT Project Manager will advise the consultant in writing of its approval or need for revision/clarification.

Make any necessary revisions to the plan and re-submit final assessment report to the NYSDOT Project Manager and DBE client firm.

The Consultant will obtain from the Principal of each DBE firm a completion certificate which will attest to the administration of the needs assessment questionnaire document, receipt and acknowledgement of the results of the assessment questionnaire, including the development plan and the date and times of the site visit or any telephone/Skype interview. This certificate will be separate from the final assessment report to preserve the confidentiality of the firm.

NOTE: For the protection each DBE firm’s privacy, the Consultant is prohibited from taking documents from the DBE Firm, either physically or electronically. The Consultant must garner the needed information from the Consultant’s documents during the on-site visit. The Consultant may not request hard copies or electronic copies of the DBE firms’ documents. NYSDOT or its Consultant may not possess any of the DBE firms’ documents.

In its reports and questionnaire responses, the Consultant shall protect the identity of each DBE firm by utilizing a code, e.g. number ID, so that each DBE firm’s business information is protected. The Consultant shall provide this code key within a separate draft document to the NYSDOT Project Manager. In no instance, should the DBE firm’s name/identifying information be listed in reports/questionnaires submitted to NYSDOT.

Each page of the Summary Report submitted to NYSDOT shall be labeled “DRAFT”. The report title shall be prefixed by “DRAFT” and the file name shall also be labeled “DRAFT”.

14. Provide monthly reports to NYSDOT describing the number of firms assessed, results of the assessments, identification of areas where DBE firms need assistance and recommendations to increase their business opportunities. Monthly reports should include number of assessment questionnaires sent, number of site visits completed, number of draft development plans. These monthly reports will be submitted electronically and in the form of two hard copies sent to NYSDOT. A completed and acceptable monthly report is a required component of the billing process.
15. Provide quarterly reports to NYSDOT and the Federal Highway Administration summarizing the quarterly activity, noting successes and deficiencies, providing specific recommendations and ways to improve areas where the program may be deficient.

16. Provide final report to NYSDOT no later than 60 days after the conclusion of the program with summary of the work accomplished and an update on the status of each business evaluated. All reports shall be submitted both as bound hard copy and in MS Word 2007 compatible electronic copy.

17. The Consultant shall participate in up to three DBE symposiums, sponsored by NYSDOT, during each year of the contract. The symposiums can be for specific, major projects or geographic area based or both. It is anticipated that each symposium will last from a half day to a full day. Two representatives from the Consultant Team will set up a booth at each symposium. It is envisioned that one member of the Consultant team will occupy the booth while another member will be available for one-on-one assistance. The Consultant will have hand-outs available describing the DBE Assessment program. The Symposiums may occur in New York City, Capital Region, and Western Region (Rochester or Buffalo) or in the geographic area where the project is located. DBEs who attend seek answers to questions they have about the project to find out how they can obtain a contract. They also find out what prime contractors are looking for in terms of skilled labor, learn about project schedules and the size and scope of the project. The Consultant will assist the DBEs with a customer service approach to their inquiries. Estimated number of expected attendees for each symposium is approximately 100 people.

NOTE: A subconsultant who is proposed for more than 20% of the proposed total dollar value for labor of this contract may not propose as a Prime Consultant or be included as a subconsultant for more than 10% of the proposed total dollar value for labor of the upcoming RFP for #C031192 DBE Business Development Services. Any proposal received for #C031192 that does not follow this guideline will be disqualified.
Attachment 6

Company References

COMPANY (Firm) REFERENCES:
- Provide at least three Firm references.
- Use below form. Fill one out for each Firm reference (fill in number blank – ie, ‘Firm Reference #1; Firm Reference #2, etc.)
- Form is expandable –.

<table>
<thead>
<tr>
<th>Firm Reference Number:</th>
<th>#_____</th>
</tr>
</thead>
<tbody>
<tr>
<td>Client/Firm Name:</td>
<td></td>
</tr>
<tr>
<td>Project Name:</td>
<td></td>
</tr>
<tr>
<td>Project Cost (total $):</td>
<td></td>
</tr>
<tr>
<td>Name &amp; Title of Contact:</td>
<td></td>
</tr>
<tr>
<td>E-Mail Address &amp; Telephone Number:</td>
<td></td>
</tr>
</tbody>
</table>

Provide a brief description of a recent relevant project for which they served or are serving to reference:
Attachment 7

Project Manager References:

- Provide two references for proposed Project Manager.
- Can cite more than one project – work needs to be relevant to this RFP.
- Use form below, one form for each reference. Form is expandable.
- Reference check evaluation criteria provided below.

<table>
<thead>
<tr>
<th>Staff Title:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Client Name (Reference Company):</td>
</tr>
<tr>
<td>Reference Main Line of Business:</td>
</tr>
<tr>
<td>Project Name:</td>
</tr>
<tr>
<td>Name &amp; Title of Contact:</td>
</tr>
<tr>
<td>E-Mail Address &amp; Telephone Number:</td>
</tr>
<tr>
<td>Provide a Brief Description of Recent, Relevant Project for which they are Serving to Reference</td>
</tr>
</tbody>
</table>
COST PROPOSAL
Attachment 10B
PROPOSED TRAVEL EXPENSES FOR ASSESSMENT SITE VISITS INSTRUCTIONS

COLUMN A: The address of each NYSDOT Regional Office is listed below.
Region 4 (Genesee Valley) 1530 Jefferson Road Rochester, NY 14623
Region 5 (Western NY) 100 Seneca Street Buffalo, NY 14203
Region 8 (Hudson Valley) Eleanor Roosevelt State Office Building, 4 Burnett Boulevard Poughkeepsie, NY 12603
Region 10 (Long Island) State Office Building, 250 Veterans Memorial Highway Hauppauge, NY 11788
Region 11 (New York City) Hunters Point Plaza, 47-40 21st Street Long Island City, NY 11101

COLUMN B: The address of the firm’s office location from where they will be travelling to perform the work for this contract.

Add one line for the second person who will travel for each assessment, if applicable.

COLUMN C: Using Google Maps or MapQuest, indicate mileage from Column A location to Column B location.

COLUMN D: the formula multiplies COLUMN C X 2 to arrive at the round trip figure (rounded to nearest whole number).

COLUMN E: The Cost per Mile is 0.56.

COLUMN F: Cost Per Trip = COLUMN D X COLUMN E (round trip X cost per mile).

COLUMNS G, H, I for Air Travel ONLY: If using air travel, enter “0” in COLUMN C so car miles do not calculate.

COLUMNS J, K & L contain the State Reimbursement rate utilized for this cost evaluation. Enter eligible reimbursements below which are based on GSA Table (www.gsa.gov/perdiem)

<table>
<thead>
<tr>
<th></th>
<th>Region 4</th>
<th>Region 5</th>
<th>Region 8</th>
<th>Region 10</th>
<th>Region 11</th>
</tr>
</thead>
<tbody>
<tr>
<td>Breakfast</td>
<td>$8</td>
<td>$9</td>
<td>$10</td>
<td>$11</td>
<td>$12</td>
</tr>
<tr>
<td>Dinner</td>
<td>$26</td>
<td>$29</td>
<td>$31</td>
<td>$34</td>
<td>$36</td>
</tr>
<tr>
<td>Lodging</td>
<td>$101</td>
<td>$107</td>
<td>$102</td>
<td>$119</td>
<td>$260</td>
</tr>
</tbody>
</table>

Trips of less than 40 miles one way are not eligible for meals/lodging reimbursables.
Trips between 40 and 150 miles one way are eligible for: breakfast.
Trips greater than 150 miles one way are eligible for: breakfast, dinner and lodging.

Example: If your office is located in Region 1 and you are travelling to Region 11; and one-way trip is 152 miles, enter $12 for breakfast, $36 for dinner and $260 for lodging.

COLUMN M: Calculate ROUND TRIP cost of Tolls from Column B to Column A (Firm location to Regional Destination). If Proposer does not enter this value, NYSDOT will enter a $53 default value.
(The Consultant may use: NYS Thruway Toll and distance calculator: http://www.thruway.ny.gov/travelers/tolls/calc/findclassclasstree.cgi)
If the proposer will travel by air or train, enter “0”.
If the proposer will travel by taxi, must include toll fees: For taxi fare information the following site may be helpful: (http://www.nyc.gov/html/tlc/html/passenger/taxicab_rate.shtml)
Note: Ferry costs should be included in Column M.

COLUMN N: Enter cost of any ROUND TRIP bridge/tunnel tolls from Column B to Column A (Firm location to Regional Destination). If the Proposer does not enter this value, NYSDOT will enter a default value of $30.
(The Consultant may use the following website for assistance in calculating bridge tolls: http://beta.costtodrive.com/new-york-tolls/)
If the proposer will travel by air or train, enter “0”.
If the proposer will travel by taxi, must include bridge fees.

COLUMN O: Total per Trip (COLUMNS F+G+H+I+J+K+L+M+N)

COLUMN P: For cost evaluation purposes only, a multiplier is being used to represent the density of DBE firms in the regions of NYS where DBE firms are most numerous. A region with mode DBEs located in it shall be assigned a higher density multiplier.

COLUMN Q: The formula calculates the total cost of trips per region for the three year contract.
Note: The actual travel schedule for site visits may include all regions of NYS.
The reimbursements for breakfast, dinner, and lodging are for cost evaluation purposes only.
Replacement page 84

Attachment 10C INSTRUCTIONS
PROPOSED TRAVEL EXPENSES FOR SYMPOSIUMS

COLUMN A: The address of each NYSDOT Regional Office is listed below.
Region 1 (Capital District) 50 Wolf Road Albany, NY 12232
Region 5 (Western NY) 100 Seneca Street Buffalo, NY 14203
Region 11 (New York City) Hunters Point Plaza, 47-40 21st Street Long Island City, NY 11101

COLUMN B: The address of the firm’s office location from where they will be travelling to perform the work for this contract. One line is provided for each of the two consultants who will participate in the symposium.

COLUMN C: Using Google Maps or MapQuest, indicate mileage from NYSDOT Regional Office Address listed in Column A to firm’s location listed in Column B.

COLUMN D: The formula multiplies Column C \( \times 2 \) to arrive at the round trip figure (rounded to nearest whole number).

COLUMN E: The Cost per Mile is 0.56.

COLUMN F: Cost Per Trip = COLUMN D \( \times \) COLUMN E (round trip X cost per mile).

COLUMNS G, H, and I are for Air Travel Only. If filling in G, H, and I, PLACE “0” in COLUMN D so that car miles will not calculate.

COLUMNS J, K, and L: state reimbursement rate utilized for this cost evaluation.

<table>
<thead>
<tr>
<th></th>
<th>Breakfast</th>
<th>Dinner</th>
<th>Lodging</th>
</tr>
</thead>
<tbody>
<tr>
<td>NYC</td>
<td>$12</td>
<td>$36</td>
<td>$260</td>
</tr>
<tr>
<td>Albany</td>
<td>$10</td>
<td>$31</td>
<td>$111</td>
</tr>
<tr>
<td>Buffalo</td>
<td>$9</td>
<td>$29</td>
<td>$107</td>
</tr>
</tbody>
</table>

Trips of less than 40 miles one way are not eligible for meals/lodging reimbursables.
Trips between 40 and 150 miles one way are eligible for: breakfast.
Trips greater than 150 miles one way are eligible for: breakfast, dinner and lodging.
The reimbursements for breakfast, dinner, and lodging are for cost evaluation purposes only.

COLUMN M: Calculate ROUND TRIP cost of Tolls from Column B to Column A (Firm location to Regional Destination). If Proposer does not enter this value, NYSDOT will enter a $53 default value. (The Consultant may use: NYS Thruway Toll and distance calculator: http://www.thruway.ny.gov/travelers/tolls/calc/findclassclasstree.cgi)
If the proposer will travel by air or train, enter “0”.
If the proposer will travel by taxi, must include toll fees: For taxi fare information the following site may be helpful: (http://www.nyc.gov/html/tlc/html/passenger/taxicab_rate.shtml)
Note: Ferry costs should be included in Column M.

COLUMN N: Enter cost of any ROUND TRIP bridge/tunnel tolls from Column B to Column A (Firm location to Regional Destination). If the Proposer does not enter this value, NYSDOT will enter a default value of $30. (The Consultant may use the following website for assistance in calculating bridge tolls: http://beta.costtodrive.com/new-york-tolls/)
If the proposer will travel by air or train, enter “0”.
If the proposer will travel by taxi, must include bridge fees.

COLUMN O: The formula totals all annual costs.

COLUMN P: The formula totals all Costs for the three year contract (=Column O X 3).
Note: The actual symposium site may change during the contract.
Questions and Answers
Request For Proposals for Contract #C031181
DBE ASSESSMENT SERVICES FOR NYSDOT

Question 1: The RFP cites a DBE pool of 700 firms. How was the number developed? Did this include firms who only have certain NYSDOT work codes such as 010A and 010B for highway design or did this pool include firms who provide construction and/or services that support the highway design and construction efforts?
Answer 1: The 700 number was taken from the number of currently certified DBEs listed in the Unified Certification Program (UCP). 700 is the approximate number of DBEs certified to do NYSDOT work.

Question 2: What if consultants, due to no fault of their own, cannot achieve a 70% response rate? Is there any penalty? (RFP Page 6; 3.7.2)
Answer 2: The RFP states (Page 6, 3.2.2): “The Consultant shall re-contact firms that did not respond to the questionnaire, utilizing both phone and email.” It is anticipated that these follow-up calls will increase the response rate to at least 70%. NYSDOT is now stating that the 70% is a minimally acceptable response rate, and actually prefers the highest response rate possible. NYSDOT expects the selected consultant to follow up with non-responding DBEs to obtain as close to a 100% response rate as possible. The selected consultant will use email and phone calls to follow up, asking if the non-responding DBE has any questions or problems with responding etc. However, a penalty will not be imposed.

Question 3: The RFP states that NYSDOT expects a 70% participation rate. Is DBE participation mandatory? Are there incentives that NYSDOT and/or the Consultant can use to encourage participation (e.g., a gift card drawing)? If an incentive can be used, what is the maximum value for this incentive?
Answer 3: NYSDOT will not use incentives. NYSDOT will notify DBE firms that it expects each one to participate in the survey. The Consultant will provide NYSDOT with a list of any DBE firms which will not respond.

Question 4a: Does NYSDOT have a technology that it uses for its surveys or will the Consultant use its own survey platform?
Answer 4a: NYSDOT expects the Consultant to use its own survey platform which is part of the Consultant’s overhead. NYSDOT will not pay for the Consultant’s survey platform.

Question 4b: If the Consultant will use its own survey platform, will NYSDOT need to approve the survey platform?
Answer 4b: No.

Question 4c: Are there current software programs that are pre-approved by NYSDOT?
Question 5: Can you describe “NYSDOT approved methodology”? (RFP Page 7; 3.2.4)
Answer 5: The method will entail the results from the survey assessment subject to NYSDOT’s discretion and determination.

Question 6: Is there a Scope of Work (SOW) for the DBE Support Services Unit (DBE SS) for 2013-2014 and/or 2014-2015? If yes, may we receive a copy of it?
Answer 6: The referenced scopes of service are not available at this time. However, the RFP’s Scope of Services is more detailed and provides better information than the general SOW.

Question 7: RFP Section 3.2.3 states: “the Consultant will complete at least five assessments every month.” Could you please confirm that all assessments include on-site visits?
Answer 7: Modification #1 corrects the RFP Statement and reads: “the Consultant will complete at least five site visit assessments, in person, every month.” Please see Section 3.2.5 (P7) which states the Consultant will “Perform on-site visits to each DBE as directed by NYSDOT….NYSDOT may direct follow-up visits to be accomplished electronically, via phone or Skype.” Of the approximately 700 firms that are sent assessment questionnaires and then respond, at least five assessment site visits per month will be conducted and all of these site visits will be in-person. However, follow-up visits that are needed will be done electronically/phone. For proposal preparation purposes, assume all initial site visits are in-person.

Question 8a: The RFP states that over 700 DBE’s will receive the email assessment questionnaire. Of these, how many site visits does NYSDOT anticipate?
Answer 8a: Approximately 60 site visit assessments per year is the minimum number of site visit assessments specified by the RFP. However, NYSDOT prefers the highest number of effective site visits possible.

Question 8b: The RFP states (3.2.3 Page 7): “Utilizing the results of the questionnaire, the NYSDOT Project Manager will select DBE firms to be assessed.” What method will the Project Manager use to make this selection?
Answer 8b: The method to make this selection has yet to be developed and will occur with the selected Consultant.

Question 8c: Do you expect all of the site visits to be completed in the first year or will the total number of site visits be spread out over the 2nd and 3rd years?
If you expect all of the site visits to be completed in the first year then will a different set of DBEs be included in the subsequent years?
Answer 8c: A minimum of 60 DBEs will be visited in-person by the consultant each contract year. More than 60 site visits are possible depending on the firm’s approach. Note: It is expected that the approximately 700 assessment questionnaires will be distributed and responded to during the first year of the contract.

Question 8d: In the development of the NYSDOT assessment questionnaire, how many people and levels of approval are involved from NYSDOT staff?
Answer 8d: The assessment questionnaire will be approved by the Office of Civil Rights.

Question 8e: Are there others outside of NYSDOT with whom the Consultant will work for final approval of the assessment questionnaire?
Answer 8e: The Department may consult with FHWA.

Question 9: Can you describe what type of one-on-one assistance will be required during the symposiums? (RFP Page 8; 3.2.17)
Answer 9: Symposiums are large scale events to introduce DBEs to upcoming NYSDOT Projects. They are held in the geographic area where the project is located. DBEs who attend seek answers to questions they have about the project to find out how they can get a contract. They also find out what prime contractors are looking for in terms of skilled labor, learn about project schedules and the size and scope of the project. Consultant and NYSDOT staff assist the DBEs with a customer service approach to their inquiries.

Question 10: The solicitation mentions that NYSDOT is seeking the most cost efficient mode of travel and may also direct some visits to occur via phone/webinar/Skype. Does NYSDOT decide which meetings will be in-person vs. phone/webinar/Skype or does the Consultant decide? If NYSDOT decides which meetings will be in-person vs. Phone/webinar/Skype, how will this be determined?
Answer 10: RFP Section 3.2.5 has been modified: “All initial site visits will occur in person. Followup visits will be conducted electronically.”

Question 11: The RFP (4.3.1.4) states: “Rental expenses are not encouraged but may in some instances be allowed with pre-approval by the NYSDOT Project Manager.” Does this refer to the use of rental cars? For instance, what if a DBE is located in a location where the cheapest mode of transportation is a rental car? In some cases, neither the New York based firms nor its employees own a car.
Answer 11: This statement refers to rental cars and the needs to be reflected in the technical proposal which should justify the proposer’s travel mode choice. Other additional rentals, such as AV rentals, are not knowable at this time and will be negotiated with the selected consultant. These costs may be added via a contingency fund.

Question 12: What is the annual budget for this work? What is the total 3-year budget?
Answer 12: It is not NYSDOT practice to publish a budget for a Best Value RFP as NYSDOT expects the consultant to propose a reasonable budget to accomplish these services.

Question 13: My firm has DBE status. Must I still utilize a DBE subconsultant for the 20% goal or complete a Good Faith Effort?
Answer 13: Yes. A prime consultant’s DBE status does not account toward meeting the contract’s 20% DBE goal (it does help NYSDOT to meet its corporate goal, a separate goal). The 20% DBE goal is a subconsultant utilization opportunity. Per RFP page 75, a prime consultant which is certified as a DBE is not relieved of meeting the DBE contract goal solely via their participation, as the DBE contract goal is a subconsultant program opportunity. DBE primes need to either meet the additionally DBE subconsultant participation goal, or submit the
DBE Subconsultant Participation Solicitation Log (Attachment 9) and the DBE Goal Attainment Explanation Letter.

**Question 14:** Our firm can accomplish all of the listed tasks ourselves. Utilizing a DBE subconsultant is not necessary and is more costly. Is this a justification for not utilizing a DBE subconsultant?

**Answer 14:** To be deemed responsive, a proposal must either meet (or exceed) the 20% DBE contract goal or submit an acceptable good faith effort should the 20% DBE contract goal not be met.

**Question 15:** It was stated in the webinar that service rates (direct labor rates) can not exceed the rate of NYSDOT’s Chief Engineer. Can you provide the rate for this position?

**Answer 15:** The Chief Engineer’s Salary is $152,886.

**Question 16:** Is this an original RFP or was it previously issued/completed under a previous contract?

**Answer 16:** This is an original RFP.

**Question 17:** This RFP requests monthly, quarterly, and summary reports. Can you provide a sample of these reports if they have been completed previously? Can you define what components are required in each report?

**Answer 17:** This is a new contract, so no examples of previous reports are available. The RFP defines the reporting requirements. A report format for deliverables under C031181 shall be made known to the selected consultant.

**Question 18:** What is NYSDOT’s anticipated duration for the consultant to develop the survey questionnaire?

**Answer 18:** It is up to the Consultant to prepare a schedule that will accomplish the RFP objectives/Scope of Services.

**Question 19:** What is NYSDOT’s internal approval timeline of the final questionnaire of the designated consultant?

**Answer 19:** It is expected that the approval timeline will be one week.

**Question 20:** What is the expected duration for the Consultant to receive the appropriate quantity of responses?

**Answer 20:** It is the consultant’s responsibility to develop the questionnaire utilizing an efficient timeline with regard to the RFP’s specifications.

**Question 21:** RFP Section 3.2.2 (Page 6) states: “Send the assessment questionnaire to DBE firms (approximately 700) as directed by NYSDOT. A 70% response/completion rate shall be achieved.” How often will this survey be required over the 3 year term?

**Answer 21:** During the first year of the contract, all DBE firms should receive the assessment questionnaire. During the next two years, the assessment questionnaire will be sent to newly certified DBEs.
**Question 22:** Will the Consultant visit all 700 DBE’s or visit a statistically significant number of DBE’s?

**Answer 22:** The RFP requires a minimum of 60 DBEs per year to be assessed via site visit during each year of the contract. Assessment of more than 60 firms per year will be based on the designated Consultant’s proposal. We are asking consultants to propose how they would accomplish more than the 60 firm minimum if asked to do so.

**Question 23:** Will only NYSDOT work codes be used?

**Answer 23:** Yes, only NYSDOT work codes will be used in this contract to identify which DBEs to assess. RFP section 2.1 (Page 2) is being clarified to state: “The selected Consultant shall provide assessments of firms certified in New York State as DBEs to perform various NYSDOT highway work codes.”

**Question 24:** Can you talk more about the upcoming training RFP? Will the training be one on one or group training based on the weaknesses found in the assessments? Can you provide an executive overview?

**Answer 24:** The upcoming RFP is a work in progress and may not be discussed at this time.

**Question 25:** Will NYSDOT require the selected consultant to work out of NYSDOT Albany office in or the Consultant’s home office?

**Answer 25:** The Consultant may work from the Main Office in Albany if preferable.

**Question 26:** Do our proposed subs need to be on the source list?

**Answer 26:** The proposed subconsultants do not have to be on the source list. The source list is just intended as a tool to assist proposers.

**Question 27:** Is it the Prime Proposer’s responsibility to ensure that the subconsultant 20% participation rule is followed?

**Answer 27:** Yes, it is the prime proposer’s responsibility to ensure that the subconsultant 20% participation rule is followed. It is recommended that when a prime discusses with the potential subconsultant its possible participation, that the prime informs the subconsultant about the participation rule, specifically by providing the subconsultant with the written portions of the RFP where the participation rules are stated. Subconsultants should be aware that they may send their participation questions to NYSDOT. The Department has spelled out the rules, but it is possible that someone could think of examples that we have not covered.

**Question 28:** If a prime proposes on this RFP can they propose on the second RFP (C031192), DBE Business Services?

**Answer 28:** If a prime proposes on this RFP, the prime may propose on the second RFP (C031192). However if the prime is designated on this RFP (C031181), then that prime may not be designated as the Prime on C031192. If a Prime designated for this RFP has a proposal in the pipeline for C031192, the C031192 proposal will be dismissed. The Prime designated for this RFP cannot participate in C031192 above the levels stated in this RFP rules. (A designated Prime for C031181 could participate as a subconsultant under 10% participation in C031192.) Currently, NYSDOT does not know the timeline for the release of the C031192 RFP as it is a
work in progress. When a Consultant is designated for C031181, all parties on the project source list will be notified.

Question 29: In assessment programs we have developed, there appears to be a difference in the benchmarks of our contractors. Therefore, in order to develop our program and our questionnaire to the firms, can you supply a budget for the first three years of the contract so we can determine an approximate estimate for each assessment?

Answer 29: Since this is a competitive solicitation, NYSDOT wants to see what each consultant will submit. A proposer may establish their own reasonable benchmarks for each area based on their expertise. A proposer may submit two separate scopes (meaning two completely separate technical and cost proposals from one firm sent to NYSDOT entirely separately from each other).

Question 30: After assessments have been completed, is training and development part of the scope? Answer 30: No. Training and development of firms is not part of the scope. This RFP covers assessment of areas in which DBE firms need training and development, while the RFP under development (C031192) is to select a consultant to provide training/development based on the results of this contract.

Question 31: RFP Section 3.2 Tasks: #16 (Page 8) states: “Provide final report to NYSDOT no later than 60 days after the conclusion of the program with summary of the work accomplished and an update on the status of each business evaluated.” Please define what the update will require since it would not be a repetition of the assessment.

Answer 31: Per the RFP, the final C031181 report shall include a summary of all of the work accomplished by the selected Consultant while under Contract #C031181; it shall also contain an update on the assessment status of each business selected for assessment.

Question 32: On the cost proposal form should we put the farthest travel, worst case scenario because we don’t know where we would be travelling for the 700 firms?

Answer 32: No, the RFP is not evaluating cost for travelling for all 700 firms but is evaluating a representative sample of the cost of required travel (since not all 700 DBEs are expected to be assessed during the term of the resulting contract) based on the origin location of a consultant and NYSDOT selected, representative destination (NYSDOT Regional Offices). The RFP presents an evaluative construct to help NYSDOT determine a representative competitiveness of directed travel costs required from each firm. Even though in reality the DBE firms could be in any of NYSDOT’s Regions, a sample of the NYSDOT Regions were selected (ones which contained the highest number of DBEs) and would serve as a singular focal point to identify the length of a directed work trip (which is then expanded via the multiplier to roughly estimate cost of directed travel to selected DBEs).

So, the RFP does not seek to address a worst possible scenario but a sample, representative scenario capped at the minimum requirement of 180 site visits over C031181’s base three year term.
First, 180 firms will be the minimum number of firms assessed for the first three years of the contract, while about 700 DBEs firms would be the maximum. Second, from the DBE firms which respond to the questionnaire, NYSDOT will select which firms will be further assessed via site visit, and NYSDOT will direct all travel. When the contract is actually in effect, NYSDOT will direct the Consultant to assess individual firms – it will not be to the Consultant to choose which firms to assess.

On the technical side, the RFP asks you to show us how you could accomplish assessing a minimum of 60 firms a year; assessing more than 60 firms a year is allowed.

**Question 33:** The numbers in the percentages of the Three Year Multiplier do not add up to 100.
**Answer 33:** That is correct; the numbers are based on the 180 minimum assessments/for three years. The Three Year Multiplier is not a percentage but conveys where most DBES are. It is a proportion based on a total of 180. For example, Region 4 is 12.7 trips out of 180. Also, only five regions are presented in the table.

**Question 34:** If a consultant utilizes a subconsultant in an area where the DBE firm is located, e.g. a Region 4 subconsultant evaluates a DBE firm located in Region 4, will the cost proposal be more cost competitive?
**Answer 34:** Yes. The cost proposal would be more competitive. (The Consultant would have to ensure the technical ability of the subconsultant for the technical proposal side.)

**Question 35:** How many points of the cost proposal are travel costs?
**Answer 35:** Travel costs are not separated from other costs: All costs from spreadsheets A through D (Labor, travel, and direct nonsalary costs) will be totaled on Spreadsheet E and that sum will be evaluated. Lowest cost sum will receive 30 points, with other scores receiving proportionately lower scores.

**Question 36:** If consultant decides to use air travel, how will they be reimbursed? (e.g. NYC to Buffalo.)
**Answer 36:** Per the US General Services Administration (GSA) guidelines, the maximum amount of reimbursement allowed for air travel is $1.31 per mile for 2014. GSA’s guidelines may be accessed via the following link:

The following may be a helpful tool for calculating distance between airports: http://www.transtats.bts.gov/Distance.asp?pn=0.

Air travel may be more efficient technically but may also increase cost. It is up to each firm to present an effective and efficient approach and scope of services to meet the RFP’s requirements.

**Question 37:** If the Consultant is located further away, will it negatively affect the cost proposal?
Answer 37: The RFP requires directed travel from the selected Consultant’s office to selected DBE locations. The cost competitiveness of a firm’s proposal is, in part, dependent upon the origin(s) from which their directed travel starts from.

A tool that may be helpful for calculating

Question 38: Will some travel be recommended by NYSDOT?
Answer 38: All travel will be directed by NYSDOT.