Karp Fixture Auctioneer Services for NYSDOT
Contract #X031234

NYS Contract Reporter Announcement
NYSDOT Website Announcement
January 24, 2014

The New York State Department of Transportation (NYSDOT) anticipates the release of a best value non-engineering request for proposals (RFP) to seek proposals from responsive and responsible Auctioneer Contractors to enter into a contract with NYSDOT to advertise, prepare, and sell the contents contained within a facility acquired via eminent domain located at 54-54 43rd Street, Maspeth, New York, 11378 by March 31, 2014. NYSDOT intends to select and enter into contract #X031234 with a responsible and responsive consultant that provides best value to the State.

Responsive and responsible Consultants interested in providing Auctioneer Services to NYSDOT should submit a brief, one-page Letter of Interest (LOI) to the e-mail address of the Contact Persons listed below. The LOI should include, at a minimum, the firm name, address, e-mail address, and phone number of a contact person at your firm, as well as the contract title and number being responded to. An electronic letter announcing the release of the RFP will be e-mailed to all parties submitting a LOI.

When ready, the RFP will be posted to NYSDOT’s website and will contain all the information necessary for firms to submit a complete proposal. It is expected that the RFP will be released on or after January 27, 2014. If the release of the RFP is delayed for any reason, the due date for proposals will be extended appropriately.

A pre-proposal webinar has been tentatively scheduled for January 30, 2014 at 10:00 A.M. Firms interested in participating need to contact via e-mail the Contact Persons listed below in order to receive the webinar registration and instructions.

The anticipated due date of the receipt of proposals is February 18, 2014 (subject to change).

A more detailed notice of regarding this project has been posted onto NYSDOT’s website (listed below). Once available, a full description of the advertisement (RFP) for this project and its requirements will be posted to NYSDOT’s website at: https://www.dot.ny.gov/business, select ‘Consulting Service Opportunities’.

Official NYSDOT Contact Person: Mr. Al Hasenkopf at: alfred.hasenkopf@dot.ny.gov

NYS Procurement Lobbying Law Compliance for Contract #X031234

NYSDOT Policy Summation:
Under the requirements of the State Procurement Act, all communications regarding advertised projects are to be channeled through the applicable Contract Management staff (Designated
NYSDOT Contact Management). 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 the NYSDOT Contract Management. Communications made contrary to this policy and deemed an attempt to influence the outcome, may result in disqualification.

**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”.

**NYSDOT Guidelines and Procedures:**
Under the requirements of the State Procurement Act all communications regarding advertised projects are to be channeled through applicable Contract Management staff (Designated NYSDOT Contacts). Until a designation is made, communication with any other NYSDOT employee concerning this project that is determined to be an attempt to influence the procurement may result in disqualification.

Refer to “NYSDOT PROCUREMENT LOBBYING LAW GUIDELINES AND PROCEDURES” – see the following NYSDOT web site:

**Contacts Prior To Designation:**
Any communications involving an attempt to influence the procurement are only permitted with the following Designated Contact Persons:

- The NYSDOT Contract Management designation analyst
- The NYSDOT Contract Management designation analyst supervisor
- The NYSDOT Contract Management Assistant Directors
- The NYSDOT Contract Management Director
- The NYSDOT Project Manager

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 identify the primary negotiation contacts. The designated contacts include:

- The NYSDOT Contract Management negotiation analyst
- The NYSDOT Contract Management negotiation analyst supervisor
The NYSDOT Contract Management Assistant Directors
The NYSDOT Contract Management Director
The Consultant Management Bureau consultant job manager
The Consultant Management Bureau consultant job manager’s immediate supervisor
The NYSDOT Project Manager
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 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 For More Information on this Law, Please Visit:**
http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/Faq.htm (Advisory Council FAQs)
http://www.nylobby.state.ny.us/
http://www.nylobby.state.ny.us/lobbying.html (New York State Lobbying Act)
http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html