ANNOUNCEMENT NUMBER FIVE

The New York State Department of Transportation (NYSDOT) announces early release of 2nd round Q&A on the subject RFP. Deadline for 2nd round questions on subject RFP are due Friday February 14th.

SECOND Q&A ROUND: (early release)

Question #44: The answer for Question #15 refers to not-to- exceed fully loaded hourly rates for each RFP job title. Article 8.1 seems to indicate that there will be one Specific Hourly Rate for each job title and therefore the contractor will be paid at that Specific Hourly Rate for each employee in that title. Under that interpretation we believe a not-to-exceed rate would not apply. Please clarify the Specific Hourly Rate methodology.

Answer: Yes. The answer is both apply, but in different ways. Actual reimbursement or billing rates can be set by person within a job title and can vary but all must be less than or equal to the max not to exceed rate. The RFP requires one rate be submitted per job title yet grades of a job title are allowed (junior, intermediate, senior, etc.). For instance, one could propose junior, intermediate, senior grades of the ‘Operations Coordinator’ job title, each with its own proposed not to exceed rate, wherein each rate would include a base salary with applicable overhead and company fee additives (the latter two being a percentage of base salary). The RFP also requires that each max rate be fully loaded, to include applicable overhead and company fee additives. For proposal evaluation purposes, a firm must propose one rate by job title. For informational purposes only, a firm can also include rates by proposed person within job title (all subject to the not to exceed limitation). Further, any adjustments to actual billing rates after contract execution are to be discussed with and subject to NYSDOT’s Project Manager’s approval.
**Question #45:** In reference to the answer to Question #16, if the contractor’s Practice Commercial General Liability policy is written with a Per Project General Aggregate endorsement, does that policy comply with the requirement in Article 18.1.2.1, eliminating the need to purchase a separate project-specific Commercial General Liability policy, which would, pending negotiations, add additional cost to our bid?

**Answer:** Yes, as a legitimate additional direct non-salary expense, to be reimbursed by the State.

**Question #46:** Article 6 of the draft contract indicates the State may extend the term of the contract. If the State so decides to extend, is this extension mandatory on the contractor?

**Answer:** By accepting the RFP’s draft contract, a firm shall express its willingness to consider extending the contract for another 5 year block of time. NYSDOT will, in a timely manner, negotiate extending the agreement as the end of the five-year base term approaches. NYSDOT wants a firm to commit to the base term of the contract and be willing to accept an extension if needed. The extension is not a mandatory requirement for the consultant, but by submitting a proposal, the firm is aware of this possibility, to be negotiated between the State and the selected Consultant.

This announcement and other C031205-related RFP documents are available via NYSDOT’s website at: [https://www.dot.ny.gov/portal/page/portal/doing-business/opportunities/consult-opportunities](https://www.dot.ny.gov/portal/page/portal/doing-business/opportunities/consult-opportunities)

Please direct any questions regarding this information to Mr. Al Hasenkopf, NYSDOT Contract Management Bureau via e-mail: alfred.hasenkopf@dot.ny.gov or 518-457-1560. Thank you.