May 1, 2014

SUBJECT: MODIFICATION NO. 1 TO REQUEST FOR PROPOSALS – TRANSPORTATION MANAGEMENT CENTER OPERATION SERVICES FOR NYSDOT
Contract #C031191 – JTMC Operations in NYC
Contract #C031191 TOC Operations in Central New York

Reference is made to the subject solicitation wherein the following formal changes are hereby incorporated:

1. The due date for submitting proposals has been extended to May 12, 2014 at 12 noon. Delete the original Section 6.8, and substitute the following:

6.8 Tentative Schedule of Events

NYSDOT will attempt to adhere to the following tentative schedule with regard to progressing this solicitation:

- RFP Release Date: April 8, 2014
- Question Submittal Deadline: April 25, 2014
- Proposals Due: May 12, 2014, 12 noon Eastern Time
- Recommendation & Designation: Approximately June 2, 2014
- Contract Finalizing: Two weeks
- Contract Award: 4–6 weeks after completion of contract negotiations

2. Delete the original Section 6.1.2 and substitute the following:

6.1.2 Along with the NYSDOT 255NAE, any required DBE certificates should be included as separate PDF files with the Part I submission.
3. After ATTACHMENT 17, Insert ATTACHMENT 18 (Questions and Answers)

4. Replace Attachment 14 (Costing Submission Form Upstate JTMC) in the original Request for Proposal with Attachment 14-2 (Revised Costing Submission Form JTMC), which can be downloaded from the project web site.

5. Replace Attachment 15 (Costing Submission Form Upstate TMC’s) in the original Request for Proposal with Attachment 15-2 (Revised Costing Submission Form Upstate TMC’s), which can be downloaded from the project web site.

6. Replace Attachment 16 (Technical Submission Form) in the original Request for Proposal with Attachment 16-2 (Revised Technical Submission Form), which can be downloaded from the project web site.

The project web site is located at the following NYSDOT web page:
https://www.dot.ny.gov/portal/page/portal/doing-business/opportunities/consult-opportunities#c1725

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

To be deemed responsive, all firms submitting proposals in response to this Request for Proposals (RFP) must acknowledge receipt of this formal modification to the RFP via Form AOR, Attachment 12
1. Page 3 – The 3rd paragraph from the bottom of the page “The JTMC and the upstate TMC Directors …. …” statement appears to conflict with the last sentence in Section 1.1 Purpose on page 1 of the RFP. Can NYSDOT clarify?

**Response:** The Regional Traffic Operations Center (RTOC) NYSDOT Manager will be responsible for the overall oversight and administrative of the contract, while the individual regional NYSDOT TOC directors in Region 3, 4, and 6 will supervise the day-to-day operations of their TOC’s.

2. Page 13 – Do Sections 3.1.2.2, 3.1.2.3 and 3.1.2.4 also apply to the JTMC Satellite TMC? Will NYSDOT reimburse the Consultant for any relocation of the Satellite TMC?

**Response:** No, sections 3.1.2.2 through 3.2.2.4 do not apply to the JTMC’s Satellite Office. As stated in the RFP, section 3.1.2.1, “A satellite office with additional office space, utilities and services for personnel other than system operations staff (i.e.: Project Manager, Field Technical Support, Coordinators, etc.) shall be provided by the Consultant, with such cost included in the Consultant’s overhead.”

If, during the term of the contract, the location of the JTMC Satellite Office is changed (with NYSDOT’s approval), the Consultant will not be reimbursed for the relocation costs. In addition, the Consultant will be required to maintain 24/7 functionality of the Satellite Office during any relocation, and shall submit a plan to the JTMC Director in detailing how 24/7 functionality will be maintained with its request to relocate the Satellite Office. The plan must be pre-approved by NYSDOT before any relocation is implemented.

3. Page 13 – As set forth in Section 3.1.2.4, what specific system hardware and software will be maintained by the State? How will this work differ from the maintenance work outlined in Section 3.3.6, Task 6: Traffic System Administration Support Services for the JTMC?

**Response:** The selected Consultant will not be responsible for any maintenance or support work on the JTMC ATMS network, hardware or software systems. Another contractor retained by State would be responsible for this, along with the Field to Center ITS systems, equipment and connections in the field.

To help clarify, duties of the Task 6 Traffic System Administration individual include:
- Providing day to day workstations IT support and coordination for the JTMC operations floor and satellite office workstations.
- Creating Helpdesk tickets for access to JTMC and State workstations and accounts with initial troubleshooting.
- Creating and maintaining email distributions for JTMC notification groups for the JTMC System Operators.
- Relocating and problem solving for workstations, printers, faxes and cabling for the JTMC operations floor and the satellite office.

For the TOC Operations in Central New York, TMC elements include ITS field devices and TMC computers and electronic equipment. Task 10 staff will support NYSDOT staff in repair/upgrade and maintenance of ITS/ATMS and Office electronics.

4. Page 15 – Can NYSDOT provide a copy of current NYSDOT performance standards as noted in the 4th paragraph?
   **Response:** If necessary, specific consultant employee performance standards can be jointly developed by the designated Consultant and the specific TMC Director after contract award. In general, at a minimum, any behavior by a Consultant employee that negatively impacts the ability of the Consultant to perform the Tasks detailed in the RFP may require, at NYSDOT’s discretion, the Consultant to replace the specific employee. In addition, failure by a Consultant employee to adhere to NYSDOT-issued bulletins regarding workplace behavior or failure to complete NYSDOT-mandated training for consultant staff may also, at NYSDOT’s discretion, require replacement of the employee.

5. Page 17 – Section 3.2.5 talks to Staff Responsibility by Title for Tasks 1-4 and 10, but it does not include the Project Manager. The NYSDOT Cost Proposal Spreadsheet for C031191 includes 1,040 man-hours for a Project Manager (PM).
   a. What are the PM’s responsibilities for C031191?
      **Response:** See section 3.3.1 of the RFP for tasks that may be assigned to the Project Manager.
   b. Could the PM’s responsibilities be expanded to make the position a full-time position with some operational responsibilities that would allow for the position to be more productive?
      **Response:** For purposes of this RFP, Proposers should assume that the Consultant will be only reimbursed for the hours indicated in Attachment 15-2: Costing Submission Form Upstate TMC’s for the Project Manager. During contract negotiations, at NYSDOT’s discretion, the number of hours for the Project Manager may be increased as long as there is meaningful management level work assigned to the PM. The PM rate is likely not appropriate for a majority of operations tasks.
   c. Would NYSDOT allow the PIC role for the Regional TOC’s to fulfill the part-time PM role, particularly if the hours are adjusted?
      **Response:** Yes, the Principal-in-Charge may fulfill the Project Manager role at the hourly rates submitted for the Project Manager title. Proposing firms should not assume the hours indicated in Attachment 15-2 for the Project Manager will change.

6. Page 18 – Is the Minimum FTE by Task for each TOC intended to mean the Consultant will provide a minimum of one FTE on the TOC floor at all times of TOC operation? If not, what is the intent of the word “minimum”?
**Response:** The three tables on page 18 indicate the minimum hours and FTE’s that must be present in the TOC’s for each day.

7. Page 18 – With regards to the Syracuse TOC staffing table:
   a. Section 3.2.1 (see page 14) states that all NYSDOT employees will remain with NYSDOT. Will the current NYSDOT TOC operators in the Syracuse TOC continue to operate the TMC, or will they be re-assigned within NYSDOT? **Response:** NYSDOT System Operators will continue to operate in the TMC for the near term but will be phased out through attrition. NYSDOT TMC management will remain.
   b. Is the Consultant to supplement the existing NYSDOT TOC operators with Consultant supplied staffing as set forth in the Syracuse TOC table? **Response:** Yes

8. Page 18 – Is the Hornell TOC operations included in the C031191 Cost Proposal Spreadsheet?  
   **Response:** The potential future hours for the Hornell TOC is included in the revised Attachment 15-2 (Revised Costing Submission Form Upstate TMC’s).

9. Page 21 – Section 3.3.1.5 is not consistent with Section 3.2.5. Can NYSDOT clarify?  
   **Response:** As shown in the table, Section 3.2.5 (page 17), in general, Task 1 duties will be carried out by the Operations Manager assigned to the RTOC. Operator III staff may also carry out Task 1 duties for the Regional TOC’s.

10. C031191 Cost Proposal Spreadsheet – Can NYSDOT investigate the following and offer an updated Cost Proposal Spreadsheet if needed?  
    a. The use of OT man-hours to the tenth decimal results in errors when seeking to balance the Cost Proposal Spreadsheet. Can NYSDOT investigate and offer an updated Cost Proposal Spreadsheet?  
    b. The System Engineer OT summation cell (Cell AC24) looks to be in error.  
   **Response:** Attachment 15 has been revised. Attachment 15-2 has been posted to the project web site and shall be submitted in place of the original Attachment 15 in the Part II Cost and Contract submission by proposing forms.

11. Where should employment letters be included in Part II (Checklist in RFP, Page 5, Page 42) **OR** Part I (page 54 6.1.2) **OR** both parts?  
    **Response:** Employment letters should be included in Part II (as stated on page 42). Section 6.1.2 has been revised in Modification 1.

12. Can NYSDOT reissue Attachment 7: DBE Solicitation Log? It is illegible  
    **Response:** The document has been reviewed and appears to be legible and usable.

13. Attachment 16, NYSDOT 255NAE form, Section 4, does not include Project Manager or Operations Manager for RTOC Personnel. Please clarify.  
    **Response:** A revised 255NAE form (Attachment 16-2) can be downloaded from the project web page and must be submitted instead of the original Attachment 16 that was included with the RFP.
14. Attachment 14 and 15, Cost Proposal Spreadsheets. Please verify the Overtime categories for each Contract Job Title. Per Section 4.3.2, other than the Project Manager and Principal-in-Charge, all positions should be Overtime Category C. This is not reflected in Attachments 14 and 15 - several positions are listed as Overtime Category B, and is not consistent between subconsultant worksheets. **Response:** The revised cost proposal spreadsheet Attachment 15-2 (Costing Submission Form Upstate TMC’s) has been corrected so that overtime categories are consistent with Attachment 14 (Costing Submission Form JTMC). Overtime categories are now correct for each title in both Attachments.

15. Can NYSDOT provide the Target Annual hours by job title for each task? (i.e. Principal-in-charge, 150 hours task 1, 50 hours task 2). **Response:** It is up to the bidding firms to propose the hours by job title for each task in the costing spreadsheets, keeping within the Target Annual Hours by Task All Firms and Target Annual Hours by Job Title All Firms stipulated in the two Verification Tables shown on the “Staffing Tables” tab of the worksheets for the two contracts.

16. For both Contracts C031190 and C031191, the Direct Non-Salary Cost tab (Base Term Cost, Column K) of the Cost Estimate Spreadsheet appears to be set up for 2-years as it doubles the Annual Cost (Column J). The Salary Schedule Info tab of the Cost Estimate Spreadsheet says the project mid-point is 18-months. The transmittal letter of the NYSDOT RFP says the work will commence August 1, 2014 and continue for a period of three to five years. Are both contracts a base 2-year or 3-year contract? Will NYSDOT revise and distribute new Cost Estimate Spreadsheets for both contract opportunities? **Response:** Both contracts have a 3-year base term. The new Attachments 14-2 and 15-2 have the “Direct Non-Salary Costs” tab corrected to show a 3-year base term.

17. What contractor(s) currently has the contract? **Response:** Telvent USA is the current Prime Consultant for both contracts.

18. 3.3.3.3.1 on page 27 states that "The Consultant shall designate a Construction Coordinator for each contract...." The table in Section 3.2.2 on page 15 & 16 shows a Construction Coordinator for JTMC only. Is a Construction Coordinator required for the Regional TOCs? **Response:** The Construction Coordinator for the JTMC is a full-time position to perform Task 3. For the Upstate TOC’s, as shown on the tables on pages 17 and 18, the Task 3 duties are carried out by one of the Operator staff who will have the Construction Coordinator position as a part-time duty.

19. Project Manager is full time and dedicated to JTMC. Why is he/she required to be off-site (not based at the JTMC)? **Response:** As stated in section 3.1.2.1, there is only space at the JTMC for the Operational staff.

20. TRANSITION. Is current provider under contract to provide transition services similar to those identified under Task 11?
Response: The current contracts for the JTMC and RTOC do not have transition services as part of their scopes. However, it is expected that the current Consultants will assist with the transition to the new Consultant(s), if not designated for the new contract(s).

21. What are the existing overtime hours by position?
Response: The overtime hours used on the current contracts vary depending on time of year, staffing levels, and special events. It is up to the bidding Consultants to identify the number of Straight Time and Overtime hours in the “Staffing Tables” tab of the costing submission spreadsheets, staying within the Target hours identified in the Validation Tables.

22. Payment is "not to exceed the maximum allowable hourly rates of pay". Is the maximum hourly rate applied in total or at the individual employee level? For example, if the hourly rate for a Systems Operator is set at $15 per hour, employee 1 is paid $14/hour while employee 2 is paid $16/hour due to experience. How will the contractor be reimbursed for these two employees?
Response: The Maximum Hourly Rate specified in the costing submission spreadsheets, “Salary Schedule Info” tab is the maximum amount NYSDOT will reimburse the Consultants for consultant staff working in the specific titles. In the example provided, NYSDOT will reimburse for Employee 1 at $14/hour and Employee 2 at $15/hour.

23. Contract states that "CONSULTANT will commence work no later than ten (10) days after receiving notice to proceed…." Does commencing work mean planning, recruiting, etc.?
Response: “Commencing work” means all performing the tasks identified in the RFP scope and submitting an invoice to NYSDOT for reimbursement.

24. Contract states that "the base term of the Agreement shall be 24 months…." Section 2.4, page 10 of the RFP says "the base term or duration for the contracts will be three years." Is the base term 24 months or 36 months?
Response: The base term of both contracts is 3 years. Article 4 of the Sample Contract (Attachment 1 of the RFP) will be corrected when the final contract is developed with the Designated Consultant(s).

25. What is the purpose of the clause "The STATE reserves the right to amend the maximum allowable hourly rates during the term of this agreement…"? Does the State wish to reserve the right to decrease maximum hourly rates? If so, what happens if the STATE reduces the maximum allowable hourly rates and CONSULTANT is unable to retain staff at those rates?
Response: The purpose of the clause it to enable the State (i.e. NYSDOT) the ability to change the hourly rates in the option years of the contract(s), as detailed in Section 2.4 of the RFP.

26. Article 9a of the Sample Contract: Is it correct to interpret this section to mean that CONSULTANT should expect to receive payment 90 days from the end of each month? If not, when should CONSULTANT expect to receive payment for January services, for example?
Response: Article 9a deals with the final payment due to the Consultant at the end of the contract term. Article 7 and RFP Section 1.3 detail billing and payment requirements. In general, NYSDOT will expect the Consultant(s) to submit monthly invoices to the NYSDOT TMC Managers within 10 business days following the end of the previous month, unless otherwise directed by the NYSDOT TMC Manager.

27. On the Staffing Tables" worksheet, it appears there are formulas missing in the following cells: L13, M14, L25, M26, L31, M32 and Z15. Please confirm.  
Response: The formulas for the specified cells have been properly inserted into the Revised Attachment 14-2 (Costing Submission Form JTMC).

28. We assume the hourly rates are fully loaded (i.e. includes payroll taxes, workers compensation and benefit package). Please clarify if taxes and benefits are to be included in another section of the proposal.  
Response: Hourly rates are to reflect the direct labor (salary) costs of the individuals working in the specific titles. Overhead (including but not limited to items such as taxes and benefits) is bid as a percentage of the direct labor costs as shown in the “Cost Summaries” tab, Item III (highlighted in yellow). The Net Fee (Item IV) is pre-set in the “Cost Summary” tab at 10%, though, as stipulated in Attachment 17 of the RFP, this can be lowered by the bidding Consultants.

29. The Consultant Checklist for Proposal Submission states “Download, complete, and submit as a MS Word file via e-mail NYSDOT 255NAE (Shown as Attachment #16), but on Page 52, paragraph 2, it states, “the form must be submitted as a single electronic document in a PDF format.” Please clarify whether the submission must be a Word or PDF file.  
Response: The NYSDOT 255NAE Form should be submitted as PDF file.

30. The Consultant Checklist for Proposal Submission states “Download, complete, and submit as a MS Word file via e-mail NYSDOT 255NAE (Shown as Attachment #16), but on Page 7, a proposal delivery location is provided. Please confirm that the submission is electronic and not a physical delivery to the address provided.  
Response: Section 1.7 of the RFP (page 7) refers only to the address for the Designated Contact for the RFP. The submission shall be the Managed File Transfer (MFT) as specified in Section 4.1 of the RFP.

31. Section 1.2, Overview (pages 3-4) of the solicitation provides firms the opportunity to review operational information at the JTMC and RTOC. Would NYSDOT consider holding a site tour of all facilities to further assist offerors in the preparation of proposals?  
Response: Site tours will not be provided.

32. Per 3.2 Staffing Levels, 3.2.1 General (page 14) NYSDOT’s stated desire “that the selected Consultant make all reasonable efforts to hire existing consulting operations staff,” would you please furnish the staff’s current salaries or salary ranges by Operator level (i.e., Operators 1, 2 and 3)? Also, is there currently an employee in the System Engineer position in Region 4 and if so can you provide the position’s salary range?
Response: There isn’t a current System Engineer position in Region 4. See Question #39 for the current System Operator billing rates.

33. In reference to 3.2.10 Task 10—System Computer Network and Hardware/Software Support (pages 36-40), 2., please verify that the computers in the TMCs covered by the two contracts have all been updated to Window 7 or later in accordance with the Statewide NYSIT initiative?
Response: To be answered

34. Will the successful bidder be responsible to complete the update if it has not been done?
Response: To be answered

35. Section 7.10 Attachment 10: Titles and Descriptions, System Engineer (pages 124-125) requires a minimum of four certifications, which exceeds the requirements of most other NYSDOT regions and may inhibit recruiting qualified staff for this position. Would NYSDOT consider a combination of certification and experience as replacement for the four separate certifications?
Response: To be answered

36. Please estimate the size and any special requirements for the JTMC satellite office.
Response: One office for Project Manager plus workstations/workspace for Systems Administrator, Special Incident Coordinator, Construction Coordinator, Traffic Data Coordinator and Technical Specialist. Also a room for video & server equipment racks and wall space for at least two flat screen video monitors. The current satellite office is approx. 1740 sq. ft.

37. Other than the location, are there any additional requirements for the satellite office space?
Response: See #1 above.

38. Are the current employees unionized? If so, which union?
Response: For the JTMC, NYSDOT is not aware if the current contract’s employees are unionized. For the RTOC, the consultants employees are not unionized.

39. As you desire "Consultant make all reasonable efforts to hire existing consultant operations staff where practical" please provide the current wages by position.
The current billing rates for the RTOC: System Operator 3, Min $16.39/hour Max. $21.85/hour, Avg. $19.12/hour; System Operator 2, Min. $14.75/hour, Max. $18.03/hour, Avg. $16.39/hour; System Operator 1, Min. $14.75/hour, Max $16.94/hour, Avg. $15.84/hour.

40. Are the Task 2 personnel responsible for dispatching of the HELP vehicles included in the Hours and FTE table on page 18?
Response: For the JTMC, no. The New York City Police Department dispatches HELP vehicles in Region 11’s jurisdiction. For the RTOC, yes.

41. Training for JTMC staff is to be provided by the Technical Specialist. Why is one not required for Regional TOCs? Who provides the training for Regional TOC staff?  
Response: Each Region will provide training on ATMS applications.

42. What specific equipment and locations are required for the inventory tracking portion of the RFP?  
Response: For the JTMC, the State will provide a Transportation Asset Management System (TAMS) workstation at the JTMC and at the satellite office.

43. Are there currently any DBEs working on the existing contract? If so, who are they?  
Response: For both the JTMC and RTOC current contracts, PEMCCO, is the DBE sub-consultant.

44. Page 17, Section 3.2.5 lists an Operator I (Trainee) position. The Costs Spreadsheet list 6,240 man-hours for System Operator I, of which (Trainee) is not attached to the title.  
   a. Are these the same positions?  
      Response: Yes  
   b. Is the Operator I (Trainee) position a new position?  
      Response: No

45. Page 24, Section 3.3.2.3.11 – Is this subtask a duplicate of Section 3.3.2.3.6 on page 23? If so, will one of these tasks be deleted? If not, what is the intent of Section 3.3.2.3.11?  
Response: Section 3.3.2.3.6 deal with monitoring of ITS equipment failures. Section 3.3.2.3.11 deals with post-incident debriefings. Both are subtasks of 3.3.2.3 General Subtasks of Task 2. The two subtasks are not duplicative.

46. Page 24, Section 3.3.2.3.12 – Does this subtask a duplicate of some of the desired scope of work in Sections 3.3.10.3.3 (C) and 3.3.10.3.7 (A-D)? Is the work to be done by System Operators in Task 2 or the Systems Engineer in Task 4?  
Response: Section 3.3.2.3.12 is a General subtask of Task 2 (System Operations) at the TMC, applicable to both contracts. Sections 3.3.10.3.3(c) and 3.3.10.3.7 are subtasks of task 10 (System Computer Network and Hardware/Software Support) and is applicable only to the Upstate TOC’s, and requires a dedicated individual, as stated on page 36 (bottom of the page). Though there may be some slight general overlap, Consultants will are required to perform all Tasks for both contracts.

47. Page 24, Section 3.3.2.3.13 – Can NYSDOT clarify what state supplied reporting and monitoring equipment will be supplied at each TOC and the JTMC?  
Response: To be answered

48. Page 30, Section3.3.4.3.4 – How does this section differ from Section 3.3.4.3.2? What is NYSDOT’s intent with Section 3.3.4.3.4?  
Response: To be answered
49. Page 124 – Is the on-site SE to have the stated minimum certifications, or are they preferred certifications?
   **Response:** To be answered

50. See Page 23, Section 3.3.2.3.10 of the NYSDOT JTMC / RTOC RFP. Please provide a description of systems currently used at each TMC related to this task
   **Response:** To be answered.