July 24, 2014

SUBJECT: MODIFICATION NO. 1 TO REQUEST FOR PROPOSALS – Materials Management Support Services for NYSDOT – Contract #C031231

To Interested Parties:

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

1. The Attached Attachment 12: RFP Questions and Answers is added to the RFP after the existing Attachment 11: Preference Form. A subsequent Modification will be issued early next week to make the corresponding language changes to the RFP.

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, attached hereto as Attachment 1.
FORM AOR - ACKNOWLEDGMENT OF RECEIPT OF
MODIFICATIONS AND RESPONSES TO QUESTIONS
(to be included in Part 2 of Proposal)

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We hereby acknowledge receipt of the Modification to the Materials Management Support Services RFP issued by the Department as listed below.

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1. The proposed DBE Participation Goal of 18% is very high considering the special and unique services required. Will the Department consider a lesser, more manageable percentage?

No. Any considerations of a lesser goal will be determined based on the proposers’ good faith efforts. Good faith efforts will be evaluated and a determination will be made during the proposal evaluation stage.

2. If a consultant proposes as a prime in one of the categories, can that consultant also submit as a subconsultant for a different prime? What if it is in a different category?

Yes, a consultant who proposes as a prime in one category can still submit as a subconsultant in either the same or another category. In the event that a consultant submits as a subconsultant for more than one prime, that consultant must provide a letter to the prime contractor stating that the subcontractor will not act as a conduit of information between the teams.

3. The certification of NACE Level 3 for the Nationwide Technical Support Services category in structural painting is very restrictive. Can the Department revise the qualifications to be in line with the New York State Steel Construction Manual? Specifically the qualifications as listed in the SCM:
   a. American Institute of Steel Construction (AISC) – Application and Inspection of Sophisticated Coatings
   b. National Association of Corrosion Engineers (NACE) – International Coating Inspector training and Certification Program Session I: Coating Inspection Training.
   c. Society for Protective Coatings (SSPC) – Fundamentals of Protective Coatings for Industrial Structures (C-1) or Bridge Coating Inspector Program (BC1).
   d. Other training acceptable to the DCES

The Department does require an NACE Level 3 for structural coating applications. It is not a requirement that an inspector hold both NACE Level 3 and AWS certifications. Modification #2 will include a revision of the RFP language.
4. Would you please provide an FA # and pin # for this contract – I don’t see this information within the RFP materials provided via your site.

There is no Federal Aid number, the PIN we use is S007.01.301

5. Please confirm the required submission date for the Regional Technical Support Services to be 12 Noon August 7, 2014?

Yes. Precast Audit Services and Technical Support Services for NYSDOT Structures Division – Local are due at 12 noon on July 31; Nationwide Technical Support Services, Prestressed and Precast Concrete Technical Support Services and Regional Technical Support Services are due at 12 noon on August 7.

6. Schedule A – Scope of Services referenced in the Draft Contract is not included in the RFP. Will Schedule A include the following paragraph?

“Firms are also advised that overtime rates must be paid to inspectors, and will only be reimbursed at the overtime rate by the Department, when inspectors work under one of the following conditions:
- more than 8 hours in a single day,
- for services commencing between the hours of 6:00 pm and 4:00 am,
- more than 40 hours in a single week,
- on any state recognized holiday, including but not limited to Saturday, Sunday, New Year’s Day, Lincoln’s Birthday, Washington’s Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Martin Luther King Day, Thanksgiving Day and Christmas.”

The Scope of Services in the RFP will be the Scope of Services for the contract unless clarifications are made via Schedule A as a result of contract finalization. That being said, Section 3.2 of the RFP states:

“Selected consultants are also advised that overtime rates must be paid to inspectors, and will only be reimbursed at the overtime rate by the Department, when inspectors work:
- more than 8 hours in a single day
- more than 40 hours in a single week
- on any state recognized holiday”

7. Will a minimum of four (4) hours be compensated when services are ordered under the “M” items of this Agreement?

No, there will be no minimum reimbursement time under the “M” Items or any other items in the contracts. The Department will reimburse for inspector’s actual time at the plant. To qualify for compensation, the required inspection personnel must in fact be present at the assigned plant or project at the appointed time and
remain until cancellation of the assignment is made by the Administrator or his/her designee, to a representative of the consultant. This language will be added to the RFP via Modification #2.

8. For daily travel, the State has limited and specified the Official Station and where and when time and mileage starts and stops. Since Schedule A is not included in the RFP, will the State include the following provisions for daily travel (as taken from our RTSS Agreement)?

“It shall be the responsibility of the Consultant to determine, in consultation with the Administrator, whether it is in the best interest of the State for the Inspector to travel on a daily basis or obtain lodging near the assignment location.

a. For daily travel, the Inspector is eligible for:

1. Travel time and mileage starting from residence, Official Station or point of origin, but only when distance is 10.0 miles or more. Reimbursements will be for the lesser distance from the residence, Official Station or point of origin.

2. Travel related expenses (tolls, etc.),

3. Travel time and travel related expenses when the origin of travel is within the boundaries of New York City and the point of service

Similar language regarding travel reimbursement will be added to the RFP via Modification #2.