The New York State Department of Transportation (NYSDOT) anticipates the release of a Request for Proposals (RFP) soliciting proposals from entities interested and capable of providing a variety of air quality analyses, conformity determination and related services. Air quality concerns, as they relate to NYSDOT activities are often complex and time-consuming. To assist with its Air Quality Program, NYSDOT requires expert consultant services. This RFP shall describe the air quality analysis, conformity determination, climate change, energy analysis and other related services performed and required of and by NYSDOT. More detailed information regarding NYSDOT’s Air Quality Analysis and Related Services program will be available in the RFP.

It is anticipated that the RFP will be released by May 1, 2015. When released, the RFP may be found on NYSDOT’s website. If release of the RFP is delayed, the due date for proposals may be extended appropriately.

**Single Contract Award:** The objective of this procurement is to retain one responsive and responsible Prime Consultant (or a team of consultants). More information regarding the anticipated contract award will be provided in the RFP.

**Contract and Term:** This project will be referred to as **Contract #C031380** and the title of the project is “**Air Quality and Related Services for NYSDOT**.” It is anticipated that the contract awarded as a result of this RFP will have a base term of three years with up to two one year optional extensions.
**DBE Goal:** It is anticipated that the New York State Department of Transportation will establish a **DBE contract participation goal (goal percentage to be determined)** for this solicitation. Please refer to the RFP for specific information regarding the DBE contract participation goal and the Department’s DBE procedure.

**Letters of Interest:** Responsive and responsible consultants interested in receiving the RFP should submit a brief, one-page Letter of Interest (LOI) to the e-mail address of the Contact Person 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. A letter announcing the release of the RFP will be sent to all parties submitting an LOI. When ready, the RFP will be posted to the NYSDOT website and will contain all the information necessary for firms to submit a complete proposal. As stated above, it is anticipated that the RFP will be released no later than May 1, 2015.

A full description of this project and its requirements will be provided in the RFP. The link to NYSDOT’s website is: [https://www.nysdot.gov/business](https://www.nysdot.gov/business). Once the link has been accessed, click on the **Business Center** tab and then click on **Consulting Services**; then click on **Opportunities**; and then click on the project line that represents **C031380 “Air Quality and Related Services for NYSDOT.”**

**Designated Contact Person:**

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

Ms. Patricia Rowe*
NYSDOT Contract Management
Contract Management Specialist 1
50 Wolf Road, 6th Floor
Albany, NY 12232
E-mail prow@dot.ny.gov
Voice (518) 457-2600
Fax (518) 457-8475
NYS Procurement Lobbying Law Information for Contract #C031380

Required Forms:
The Consultant shall sign and mail/e-mail/fax the following forms (as instructed in the RFP). These forms are due with the Consultant’s proposal:

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 Contract Management (*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 general information page at NYSDOT’s “Doing Business with NYSDOT” web site: https://www.dot.ny.gov/main/business-center/consultants/non-architectural-engineering

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

- Contract Management Specialist*
- Contract Management Non-Architectural/Engineering Unit Supervisor
- Contract Management Civil Rights Unit Supervisor
- Contract Management Assistant Director
- Contract Management Director

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 has identified its primary negotiation contacts. The designated contacts include:

- Contract Management Specialist*
- Contract Management Non-Architectural/Engineering Unit Supervisor
- Contract Management Civil Rights Unit Supervisor
- Contract Management Assistant Director
- Contract Management Director
- Consultant Management Bureau consultant job manager
- Consultant Management Bureau consultant job manager’s immediate supervisor
- 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.ny.gov/aboutOgs/regulations/defaultAdvisoryCouncil.html
(Advisory Council FAQs)

http://www.jcope.ny.gov/