The New York State Department of Transportation (NYSDOT) anticipates the release of a Non-Engineering Request for Proposals (RFP) to seek a responsive and responsible Consultant to review and update NYSDOT’s FTA subrecipient FTA program compliance monitoring procedures and to provide FTA required site reviews and compliance monitoring of 5310, 5311, 5316, and 5317 grantees. The purpose of NYSDOT’s oversight program is to assess and audit the state of the sub-recipients’ management practices and program implementation for compliance with Federal requirements and State requirements that do not conflict with Federal requirements. The program consists of: 1) Reviewing necessary documentation of procedures and practices for FTA and State funded facilities, equipment, and policies concerning operations; and 2) Reviewing records that validate these procedures. There are currently 208 subrecipients statewide. **Number of Awards:** 1.

The project objectives include, but are not limited to the following:

1. For the selected Consultant to review existing protocols, and offer a plan (draft and final) to transition the existing compliance program to a consultant based system for the next 3 year period.
2. To administer the updated review process under the direction of NYSDOT.
3. To assist NYSDOT and its subrecipients to comply with all applicable federal regulations.
4. To train, provide technical support, and assist FTA funded subrecipients and their operators.
5. For the selected Consultant to perform appropriate level of site reviews of up to 100 subrecipient site reviews per year over the 3-year contract.
6. To assist NYSDOT to produce ongoing documentation of compliance of the oversight responsibility in preparation for the FTA State Management Review (SMR) of NYSDOT.
7. To develop a web-based, externally hosted reporting and tracking system used by recipients, NYSDOT, and the selected Consultant to update and store required documentation and track oversight progress to support NYSDOT efforts to minimize compliance risk.

Consultants interested in receiving the RFP should submit a brief, one-page Letter of Interest (LOI) to: Patricia.Rumore@dot.ny.gov. The LOI should include, at a minimum, the firm name, address, e-mail address, and phone number of a contact person at your firm. An e-mail announcing the release of the RFP will be sent to all parties submitting a 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. All parties who submit an LOI will be notified via e-mail when the RFP is released. If the release of the RFP is delayed for any reason, the due date for proposals will be extended appropriately.
The base term of this contract is three years (3) years, with an authorized option to extend the contract for one additional two-year terms, based on satisfactory performance of the selected Consultant, availability of funding and subject to approval by OSC.

The anticipated proposal release date is **July 9, 2015**, which is subject to change. The tentative DBE subconsulting opportunity goal is 18% (subject to change).

Once released, for a full description of the project and requirements, please visit the NYSDOT website at: https://www.dot.ny.gov/business and click on ‘Consulting Service Opportunities’ then click on ‘Ads’ then click on the date associated with C031383.

Under the requirements of the State Procurement Act, all communications regarding advertised projects are to be channeled through the NYSDOT Contract Management Bureau Designated Contact Person. 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.

**Procurement Lobbying Law Compliance**

**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 NYSDOT Contract Management Bureau (*Designated 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.


**Contacts Prior to Designation:**

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

- The Contract Management Bureau Designation Contract Specialist
- The Contract Management Bureau Designation Analyst Supervisor
- The Contract Management Bureau Civil Rights Unit Supervisor
- The Contract Management Bureau Assistant Directors
- The Contract Management Bureau Director
These are some communications exempted from this restriction:
  Participation in a pre-proposal conference/webinar
  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 identifies its primary negotiation contacts. The designated contacts include:
  The Contract Management Bureau Negotiation Contract Specialist
  The Contract Management Bureau Negotiation Analyst Supervisor
  The Contract Management Bureau Civil Rights Unit Supervisor
  The Contract Management Bureau Assistant Directors
  The Contract Management Bureau Director
  The Consultant Management Bureau consultant job manager
  The 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 the 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.

Contact the designated NYSDOT Contact Person:
Ms. Patricia Rumore
NYSDOT Contract Management Bureau
50 Wolf Road, 6th Floor
Albany, New York 12232-0203
E-mail: Patricia.Rumore@dot.ny.gov
Fax: (518) 457-2875