December 30, 2015

REQUEST FOR PROPOSALS
RFP MODIFICATION No. 3/Attachment #29
FTA Program Compliance Monitoring Services
Contract #C031383

Dear Interested Party:

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


2. RFP Title page, Page iv, Proposals Due Date: Strike: January 6, 2016 and replace with: February 10, 2016.

3. RFP, Page 31, Section 6.4 Tentative Schedule of Key Events, Proposals Due: Strike: January 6, 2016 and replace with February 10, 2016.

4. After Attachment 28, ADD new Attachment 29: Questions and Answers (Set 3).

5. For section 6.1 (page 30), delete the following:

   “All questions concerning this solicitation must be directed only to Patricia Rumore, NYSDOT Contract Management Bureau. The last date to submit questions for this solicitation is indicated in Section 6.4, Tentative Schedule of Key Events. All inquiries should be addressed to:

   Patricia Rumore, NYSDOT Contract Management Bureau
   Email: Patricia.Rumore@dot.ny.gov
   Fax: 518-457-8475

   NYSDOT will respond to all questions of a substantive nature, answers to which shall be posted to NYSDOT’s website under this solicitation.”

And substitute the following:

   “All questions concerning this solicitation must be directed only to Peter Russell, NYSDOT Contract Management Bureau. The last date to submit questions for this
solicitation is indicated in Section 6.4, Tentative Schedule of Key Events. All inquiries should be addressed to:

    Peter Russell, NYSDOT Contract Management Bureau
    E-mail Peter.Russell@dot.ny
    Fax: 518-457-8475

NYSDOT will respond to all questions of a substantive nature, answers to which shall be posted to NYSDOT’s website under this solicitation.”
Question #13: Are there any additional security requirements beyond standard industry practice for the portal

Answer #13: The specified security requirements in Task 9, Deliverables, 9.1 should be used as the basis when submitting your proposals. We require at a minimum that the site has limited password protected access and that each sub-recipient agency would have exclusive access for as many users as they need to their information. The Consultant and NYSDOT would have access to all agencies information. Additional requirements will be detailed in a future Modification.

Question #14: Do the same restrictions apply to subcontractors that apply to the prime regarding no ongoing contracts with subrecipients? If a relationship exists, can this work be segregated so that a subcontractor does not have any interaction with the subrecipient in question through this contract?

Answer #14: Different restrictions would apply to subconsultants. If a relationship exists between a subconsultant and a subrecipient, this work shall be segregated so that a subcontractor does not have any interaction with the subrecipient in question through the term of this contract.

Question #15: Please confirm that restrictions do not apply in relation to ongoing contracts with NYSDOT, only subcontractors that would be subject to conflicts of interest with subrecipients.

Answer #15: Restrictions do not apply in relation to ongoing contracts with NYSDOT. Please see Modification #1, item #6 for additional language regarding conflict of interest for this contract.

Question #16: Please confirm that all firms listed on the NYSUCP with a BizNet Business Profile meet the DBE requirement. If not, please clarify what designations on the BizNet Business Profile are acceptable.

Answer #16: DBE firms listed on the NYSUCP with a BizNet Business Profile meet the DBE requirement if they are certified in the appropriate type of work they will be performing for this contract. For example, if a DBE firm listed on the NYSUCP with a BizNet Business Profile is certified in a NAICS code in Accounting and the DBE firm will serve as a subconsultant providing accounting services, this will meet the DBE subconsulting requirement. It is the responsibility of the Proposer to insure that proposed DBE subconsultants are certified for the work types relevant to the work they will provide.

Question #17: Scope of Work (Section 3.1), Task 1, Item #3
a. The consultant is to review existing protocols in an item associated with NYSDOT’s subrecipient’s risk assessment procedures and make recommendations on steps and procedures to transition to a consultant based systems. Does this deliverable also include review and provision of recommendations on the elements in items #1 and #2 as well?
b. The RFP references Attachment 20a, 20b and 20c, but only attachment 20 is provided in the list referenced in the RFP. Please direct us to where we can find these attachments?

Answer #17: a) Yes.
b) On page 6 of the RFP, Task 1, Item #2, not Item #3, incorrectly refers to Attachments 20a, 20b, and 20c. Please see item #1 of this Modification. Task 1, Item 2 should read “(See Attachments 21a, 21b, & 21c).” Prospective bidders should use redacted samples on attachments 21a, 21b, and 21c for reference.

Question #18: Scope of Work (Section 3.1) Task 1, Item 4

a. In preparing the implementation schedule, required in this task, it is assumed that the deliverable will only address procedures, as the number of site reviews is unknown at this point. Is this correct?
b. What role will the NYSDOT have in the actual scheduling of site visits?
c. Will communication with subrecipients be primarily via email, hard copy, or both?

Answer #18:
a) The NYSDOT is seeking to comply with the FTA review cycle of all subrecipients listed in attachment #14 within a 3 year cycle. Prospective bidders should construct their proposals based on this list and in conjunction with the stated objectives listed in 2.1 project objectives.
b) NYSDOT will review and approve site visit scheduling.
c) It is anticipated that communication will be captured in a portal communications functionality and will collect necessary emails or scanned letters.

Question #19: Scope of Work, (Section 3.1) Task 3

a. Based on current practice, is there a particular risk assessment “score” that automatically triggers a determination that a site visit must be conducted? Along these same lines, does the current process simply measure on a pass/fail basis (no site visit/site visit) or are there intermediary conclusions that dictate other actions by the subrecipient and consultant short of a site visit?
b. What course of action is to be taken by the consultant if a site visit is not triggered by the system’s score, but there is a significant finding that requires substantial corrective
action (i.e., ADA compliance) or findings are repeat findings from previous reviews that have not been corrected?

c. Of the 209 systems,
   i. Can you provide the breakout by type of system (i.e., 5310, 5311, 5316 and 5317)?
   ii. Do these include Section 5311(f) subrecipients?
   iii. Will systems that receive tribal transit funds be reviewed?

d. Also, can you provide detail about,
   i. The number of subrecipients that might have more than one service provider which would require additional reviews?
   ii. Will desk reviews and potential site visits also be made of operators that provide service under a subcontract or pass-thru arrangement with the subrecipient?

e. What course of action is the consultant to take if the subrecipient fails to provide the requisite information and documentation requested for a desk review in a timely manner? What is the role of the NYSDOT in this process?

Answer #19:

a) Attachments 17B and 19a reflects that below 70%, a site visit is required. Future “trigger” mechanisms as developed from Task 1 would be reported to NYSDOT prior to site visit scheduling.
b) Any “significant finding should be reported to the NYSDOT coordinator.
c) i. They are already provided in Attachment #14, the Subrecipient List, by selecting each Tab at the bottom left corner of the document., ii. YES.
   iii. There is currently only one tribal transit grantee in NYS and they also receive 5311 and are a sub-recipient listed in Attachment #14.
d) i. The majority of sub-recipients in the 5311 program only have one 3rd party operator. There are 2 systems that have multiple operators (one system has two operators and one three operators).
   ii. Yes, all 3rd party operators in the 5311 program and any leases of 5310 assets will be required to be included in the review.
e) NYSDOT fully intends to work with the selected consultant team on any non-responsive sub-recipient or their contractors. TASK 8 Reporting includes a monthly “Red Flag Report”. The awarded consultant can use this report, or an approved process as constructed from TASK 1.

Question #20: Scope of Work (Section 3.1) Task 4.2/4.3

a. Can you elaborate and/or confirm our reading of these requirements with respect to deliverables. These tasks discuss two distinct work products: (a) a Field report, which is essentially a one-page summary; and (b) a site visit report. For example,
   i. You provide a copy of a Field Report, but we did not see a site visit report in the attachments except for Attachment 17 for Section 5310 systems.
ii. Is the Field Report the summary report provided at the exit conference?

iii. Can you please refer us to an example of a Draft Site Visit Report Summary Report Form for Section 5311, 5316 and 5317 systems?

b. Please clarify the timeline for submission of the Field Report and the Site Visit Report. Is it correct that the Site Visit Report is to be submitted within one week of the site visit? Is this timeline realistic given the complexity of some of the systems to be reviewed?

c. What degree of explanation and supporting documentation is to be provided as support to the site visit report?

d. Are the Field Report and the Site Visit Reports provided by the consultant directly to the subrecipient or to NYSDOT for review and comment?

e. What level of technical assistance and follow-up is required of the consultant to assist the subrecipient with the implementation of corrective actions?
   i. It is understood that the consultant will provide email and a toll free telephone number for assisting subrecipients, but it is unclear how extensive the assistance might be beyond providing access to sample documents, explaining requirements, explaining procedures, clarifying corrective actions and recommending best practices.
   ii. How long after the desk review or site visit will technical assistance be provided (i.e., 60, 90, 180 days or longer)?
   iii. At what point are open items turned over to NYSDOT for state action?

Answer #20: Answers to be released in a future Modification.

Question #21: Scope of Work (Section 3.1) Task 4 Deliverable

   a. In Deliverable 4.1, on page 9 of the RFP, you note a three tier (high, medium, and low) level of effort.
      i. Based on past experience, can these levels of effort be translated into length of site visit (e.g., low- 1 person-day; medium – 1.5 person days; high – 2 person days)?
      ii. What has been the previous distribution between the three tiers?
   b. When was the last cycle of reviews completed?

Answer #21:
   a. i. It is up to the Proposer, based on their experience and resources, to determine the level of effort for each level. The Proposer should fully explain their approach to the Task and the accompany Deliverable in their Technical submission.
   ii.; Unknown.
   b. The last cycle was completed during the summer of 2015.

Question #22: Scope of Work, (Section 3.1) Task 5
a. Please confirm that staff training events will be separate from those provided for subrecipients.

Answer #22: Staff training events will be separate from those provided for subrecipients. Please see Deliverable 5.1 (Staff Training) and Deliverable 5.2 (Subrecipient Training) on page 10 of the RFP.

Question #23: Scope of Work, (Section 3.1) Task 7

a. We seek clarification that the consultant will only recommend changes to the SMP; actual SMP revision will remain a NYSDOT function.

Answer #23: Yes: the consultant will only recommend changes to the SMP; actual SMP revision will remain a NYSDOT function.

Question #24: Scope of Work, (Section 3.1) Task 8

a. For the monthly report, are you requesting, by way of illustration, that the report for the month of September ending on September 30, 2016 would be due on October 1, 2016? Or is the first day of the following month November 1, 2016?

b. It is understood that you want timely reports to manage the project, however, some project expenses may be delayed beyond the time line provided and, subsequently, not reflected in the job cost accounting system for the project the following month. Will a penalty be imposed if expenses (i.e., expense reports, credit card charges, airline tickets, printing) are included in a subsequent report?

c. Similarly, on occasion some assessments may require additional clarification from NYSDOT or the subrecipient that may require an extension of the timeline dictated. Will there be a process whereby these time delays will be allowed?

d. Similarly, other actions may occur beyond the control of the consultant that may impact the timeliness of a report (i.e., computer crashes, extended weather emergencies). Will these acts be penalized if they are brought to the attention of the NYSDOT as soon as possible following the incident?

e. Is there an appeal process if a penalty is enforced? If so, what is the appeal process?

Answer #24:

a. The report for the month ending September 30, 2016 is due October 1, 2016.

b. No, a penalty will not be imposed if expenses (i.e., expense reports, credit card charges, airline tickets, printing) are included in a subsequent report. The reports that we are referring that generate a penalty are concerned with content of the review and status of the projects and follow-up.

c. If an extension of the timeline is needed because of clarification needed from NYSDOT, the extension can be requested and will be at the discretion of the
NYSDOT Project Manager.
d. Factors such as those stated will be considered by the NYSDOT Project Manager and any penalties will be at the discretion of the NYSDOT Project Manager.
e. There is not an appeals process. The NYSDOT Project Manager will make the final determination on how and when penalties will be assessed. It is up to the contractor to comply with schedule they offer in their technical proposal.

Question #25: Scope of Work (Section 3.1) Task 9

Does NYSDOT anticipate that the consultant will utilize off-the-shelf project management software for the Oversight Repository, or is it expected that a new product will be designed specifically for this function?

a. Does the reference to stand alone mean that the system must be housed on its own dedicated server or can the Repository be housed on a shared server with appropriate security and limited access?
b. Can the Depository be primarily an upload/download site or do you envision a more dynamic site?
   i. What level of interaction is desired?
   ii. Does NYSDOT want the capability to sort and filter data within the dashboard?
c. If an off-the-shelf product is anticipated,
   i. What level of customization is expected?
   ii. Does NYSDOT have any prior experience or knowledge of specific products that offer the desired functionality?
d. Given the wide array of possible approaches to this requirement, corresponding range of costs and implementation timelines, it would be helpful if NYSDOT could provide a more detailed specification for this product and, in addition, permit additional questions on this specific topic prior to the required submission of proposals.

Answer #25: We repeat the answer to question #8 given in Modification 2. “NYSDOT has not researched the best method to deliver this task. We are relying on bidders to recommend the best value solution that meets the requirements of the task. A subscription SaaS solution may be considered by NYSDOT, provided it meets the requirements stated in Task 9”. Therefore, if a consultant submits a proposal which includes a subscription SaaS solution, the consultant is required to certify the subscription SaaS solution is in full compliance, or list all deviations, and include any additional costs needed to make the system compliant in their separate Cost submission.

Question #26: Scope of Work, (Section 4.2) Approach, Scope of Services, and Project Schedule

a. NYSDOT asks for the consultant to describe the level of interaction contemplated between the Consultant team and subrecipients, based on fleet size. In our experience,
fleet size is only one of several factors that dictate the required level of interaction necessary to produce a successful compliance engagement. May we take opportunity to describe these other factors besides fleet size?

b. Are there other issues, e.g., limited normal business days and hours for smaller sub-recipients, etc., that could impact the scheduling and clustering of site visits?

Answer #26:

a) YES, please include those details regarding level of interaction in your proposal.

b) YES, NYSDOT is relying on proposing consultants to base their proposals using prior experience and the subrecipient addresses listed in Attachment #14.

Question #27: Scope of Work, (Section 4.2) Staffing Level Penalties

a. It is understood that NYSDOT wants to ensure that the consultant provides qualified and experienced personnel to conduct the work assignment throughout the duration of the contract, but there may be circumstances beyond the control of the company that may result in the loss of a key employee for a period of time. Examples include emergency surgeries, car accidents, and quick onset critical illnesses, just to name a few.
   i. Even though these types of emergencies are not anticipated, will NYSDOT take the documentable circumstances into consideration before applying a penalty?
   ii. Is there an appeal process? If so, please describe the process.

b. What does the term “required work” apply to under "Staffing Level Penalties?" For example, does this stipulation apply only to deliverables promised within the initial 30 calendar days of the contract? Or, does this stipulation apply to a number of hours worked, travel, etc.? Please explain.

c. Can you clarify the provisions in the second paragraph of this section?
   i. Does this apply to anyone in the project staffing plan or just key members?
   ii. How do you define key members?
   iii. If an individual is replaced or duties assigned to other team members, does the qualified candidate have to have the "same level of experience and expertise" or an equivalent?

d. Given the extensive regulatory knowledge and skill sets necessary to conduct compliance reviews, a 30-day replacement timeframe may not be reasonable.
   i. If the consultant develops a plan for mitigating the negative impact associated with the loss of a key employee and is still able to meet the terms of the contracts, will NYSDOT waive the penalties?
   ii. Is there an appeals process? If so, please describe the process.

Answer #27: ai. Factors such as those stated will be considered by the NYSDOT Project Manager and any penalties will be at the discretion of the NYSDOT Project Manager. Please see
the Question and Answer for 24 d.

a.ii. There is not an appeals process. The NYSDOT Project Manager will make the final determination on how and when penalties will be assessed. Please see the Question and Answer for 24e.

b. “Required Work,” page 21 of the RFP, under “Staffing Level Penalties” in paragraph one refers to the work the Consultant has proposed which will be part of the executed contract’s Scope of Services according to the schedule in the Contract which had been agreed upon and approved by the NYSDOT Project Manager.

c. i. This applies to Key personnel as defined as all personnel included in Attachment 12 of the RFP.
   ii. Key personnel is defined as all personnel included in Attachment 12 of the RFP. It shall exclude clerical and other office support staff.
   iii. Yes, and the replacement need to be approved by the NYSDOT Project Manager. This is stated in the RFP, page 21, under Staffing Level Penalties, paragraph two.

d. i. This will be at the discretion of the NYSDOT Project Manager.
   ii. There is not an appeals process.

Question #28: Per the “Staffing and Level of Effort” tab in “Attachment 12: Staffing Level,” what is the total number of hours of staffing/level of effort to which NYSDOT expects the contractor to commit under a resultant contract?

Answer #28: As stated in the Request for Proposal document, the resultant contract will be mainly deliverable-based, except for the three tasks identified in Attachment 8. As such, it will be up to the contractor/consultant to determine the number of hours necessary to successfully complete each deliverable.

Question #29: Per the “Cost and Contract” Proposal requirements, could NYSDOT please confirm whether they are seeking a composite rate, or rates based on experience and technical expertise?

Answer #29: As detailed in Attachment 8, for the identified Deliverables, NYSDOT is requiring either (a) a single inclusive price for the completion of the identified Deliverables (such as Deliverable 1.1: Draft Outline) or a unit price (such as Deliverable 8.1: Monthly Reports). For the Tasks requiring an Hourly Rate, NYSDOT requires a single composite hourly rate per person to accomplish the Task.

Question #30: Per “Task 2: Document Library” on page 7 of the RFP, who is currently maintaining the library?

Answer #30: Personnel within the NYSDOT Public Transportation Bureau maintain the information in the library.

Question #31: Does NYSDOT anticipate existing documentation generated from previous
reviews to be included (i.e. uploaded) in the new repository? If so, what is the estimated volume?

**Answer #31:** NYSDOT does not anticipate including (uploading) documentation from previous reviews in the new repository.

**Question #32:** Does NYSDOT have a current methodology and hardware for scanning and storing compliance documentation and reports? Is it NYSDOT’s expectation for us to include the cost of hardware, as well as methodology, in our response?

**Answer #32:** No complete system or methodology is in place. The expectation is for proposers to offer a complete “system” as described in TASK #9. As stated in Attachment 8: Instructions, prices submitted must include ANY AND ALL fees.

**Question #33:** The Cost proposal states that no qualifying or additional information may be submitted with the form. Does that include no cost proposal cover letter that describes our overhead rates, contact information, etc.?

**Answer #33:** You may not submit a cost proposal cover letter. Overhead rates are not required because the hourly rates proposed should all be fully loaded hourly rates. Contact information is to be provided in the Cover Letter included in the Technical submission.

**Question #34:** The Proposed Specific Hourly Rate Cost Sections require a fully loaded hourly rate for each task identified in the RFP (4.2, 6.1, and Task 10). Given the consultant may have multiple staff members working on a task that have different levels of expertise and corresponding labor rates, can fully loaded rates be given for more than one category of employee? For example, a site review of a complicated multi-provider Section 5311 subrecipient that was found to have major procurement issues in the desk review might dictate the use of one reviewer, whereas a system that has ADA issues or tribal transit issues may dictate another. With the wide range of systems to be reviewed and levels of expertise required, the NYSDOT could achieve substantial cost savings if fully loaded hourly rates by type of reviewer could be provided.

**Answer #34:** No, we require one fully loaded hourly composite rate for each of these tasks.

**Question #35:** Please confirm that all travel costs (mileage, meals, hotels, etc.) for Site Visits are to be included in the fully loaded hourly rates.

**Answer #35:** Yes, that all travel costs (mileage, meals, hotels, etc.) for Site Visits are to be included in the fully loaded hourly rates as stated on page 22 of the RFP under the section titled “PROPOSED SPECIFIC HOURLY RATE COST SECTION”.

**Question #36:** We understand that the Prime contractor can be a DBE. If the prime contractor meets/exceeds the DBE requirement and no subcontract work is anticipated, will this meet the DBE requirement?
Answer #36: No. The prime consultant, whether a DBE or not, must strive to meet the 18% DBE goal through hiring a DBE subconsultant. If the prime consultant is a DBE, this does not count toward meeting the DBE goal. The 18% DBE goal is only associated with subcontract opportunities.

Question #37: Is the 18% goal only associated with subcontract opportunities? In other words, are DBE subcontractors required in addition to the Prime DBE to meet the 18% DBE subcontractor goal?

Answer #37: Yes, the 18% DBE goal is only associated with subcontract opportunities. If the prime consultant is a DBE, this does not count toward meeting the DBE goal. DBE subcontractors are required to meet the 18% DBE subcontractor goal.

Question #38: And, if DBE contractors are required, to what figure is the 18% to be applied? The 18% for the portion of the cost proposal for deliverable is straightforward. But how is the 18% to be calculated for the hourly rate tasks where the total amount is not known? For example, if the 18% is to be applied to the number of hours, that figure will not be known until the project is well underway and the level of effort and number of reviews is determined. In this situation, there would be no way to determine the level of effort available for subcontractors.

Answer #38: The 18% DBE amount will be based on the total contract value of your proposal. bid, which includes the sum of the fixed Deliverables, and your estimate of the cost of the deliverables which are hourly based.

Question #39: What is the budget for this Project?

Answer #39: We expect the proposing consultants to give a proposal cost based on what they think it will cost to deliver the tasks in the Scope of Services.

Question #40: p. 23 – Can a DBE firm proposing as a Prime, self satisfy the DBE goal of 18%?

Answer #40: No. On page 24 of the RFP, 5th paragraph, it states that “Additionally, any Prime Consultant certified as a DBE who submits a proposal is not relieved from seeking participation of certified DBEs for sub-contracting services in this solicitation.”

Question #41: p17. Technical and Management proposal in a MS Word 2007 compatible format. Does the proposal actually need to be in Word or is a pdf format acceptable?

Answer #41: For the CD/thumb drive, we require that the Technical and Management proposal be in MS Word 2007 format as it states on page 17, Section 4.2 of the RFP. We also require six printed and hard bound copies with tabbed sections.

Question #42: P.16, #6. Technical and Cost proposals in separate 3-ring binders. Are we allowed to spiral bind proposals vs. 3-ring binders?
Answer #42: No, we need the Technical and Cost proposals in separate 3-ring binders.

Question #43: RE: Contract Objectives - Page 2.: Please provide examples of "teaming arrangements," other than sub-consulting, that are allowed since "joint ventures' are not.

Answer #43: It is up to the proposing consultant to present a teaming arrangement.

Question #44: Re: Task 1: The use of 10 pilot sites for testing and refining processes is mentioned. Will the consultant be allowed the discretion of selecting those sites?

Answer #44: The pilot sites will be established by NYSDOT in coordination with the contractor.

Question #45: Re: Task 2: Document Library: Is the current document library electronic? If not, how are current document library materials stored?

Answer #45: Document material is currently stored on NYSDOT’s network server and hard copy.

Question #46: Re: Task 9: Are there specifications for development of the web-based portal? If not, will the consultant be required to develop the specifications, and what would the lead time be for design, development and implementation of the web-based portal?

Answer #46: There are no specifications or timeline beyond the description written in TASK 9. Whether developing rather than a subscription SaaS solution (See Modification 2, Question 8 and the response), NYSDOT is relying on bidders to propose the best solution that meets the specifications in a timely manner. See the answers for Questions #13 and #25.

Question #47: Per Page 2 of the RFP, based on the 209 subrecipient entities we will be scoring, as well as based on (up to) 75 site reviews per year, would NYSDOT expect us to include the managing and maintaining of the scores on the dashboard of the system that we are developing?

Answer #47: Yes.

Question #48: Does NYSDOT currently have contractor support for the assessment and audit of the Sub-recipients?

Answer #48: No.

Question #49: Is Grants Monitoring currently centralized? If not, who has the ultimate responsibility for the oversight?
Answer #49: The NYSDOT Public Transportation Bureau is responsible for the majority of the grants. NYSDOT Statewide Planning Bureau manages the metropolitan planning and NYSDOT Rail Safety manages the Rail Safety grant.

Question #50: What Grants System does NYSDOT currently have in place for monitoring its grants program?

Answer #50: NYSDOT uses a combination of MS Access, Word, and Excel files to manage their FTA grants. Drawdowns are managed in MS Access, Excel and in the Pin head database which interacts with the Statewide Financial System (SFS) – a Peoplesoft application.

Question #51: Can you advise on the page limit for both proposals? (Technical & Management and Cost) a. Does NYSDOT have a preference on the font type?

Answer #51: There is not a page limit for the proposal. In Section 4, Proposal Submission Format and Contents, page 16, number 4, it states, “Proposals should strive to consistently use 12 point font size. Smaller font sizes are allowed in footnotes or table headers but not the text itself.”

Question #52: Would NYSDOT consider personnel with years of DOT compliance monitoring experience rather than FTA?

Answer #52: Yes.

Question #53: Can you clarify which FTA grants are being monitored. In the announcement of the RFP there is a reference to FTA grants 5310, 5311, 5316 and 5317. However in the RFP’s Introduction and Purpose they reference additional FTA grants 5303 and 5304.

Answer #53: Sections 5303 and 5304 are correctly referenced as part of the oversight program in the Introduction and Purpose section.

Question #54: Attachment 12 requires a listing of personnel assigned to this contract with proposed level of effort for each task up to a total of 100 percent. There is a paragraph on page 21 of the proposal under the header, Staffing Level Penalties, that states, “The personnel (as identified in Attachment 12, provided) proposed by the designated Consultant are an important factor in the evaluation of its proposal. Thus, the Department expects that the personnel proposed will be available at the start of the contract term. As a result, any personnel proposed by the designated Consultant that does not perform the required work under the contract for the initial 30 calendar days after the effective date of the Notice to Proceed will at NYSDOT’s discretion, result in a $10,000 charge per personnel title.)”
a) Please clarify that this applies to all personnel, as opposed to key personnel, as some tasks may not begin within the first 30 days of the notice to proceed, and therefore, some of the staff listed on Attachment 12 may not be required to perform work.

b) Consequently, the instructions to Attachment 7 states that, “…All proposed personnel identified in Attachment 12 are defined as Key Personnel for this project.” Please confirm, that it is the intent that NYSDOT requires the consultant to classify all staff listed on Attachment 12 as Key Personnel and therefore, Attachment 7 is to be completed for all personnel listed on Attachment 12.

Answer #54:
   a. This applies to all Key Personnel listed in Attachment 12. Additional clarification will be forthcoming in a future Modification.
   b. Yes, Attachment 7 refers to the Key Personnel as all personnel that are listed in Attachment 12.

Question #55: Please confirm that all subconsultants (including DBEs) will be required to meet the insurance requirements and levels of coverage as detailed in the sample contract in Attachment 1 of the RFP.

Answer #55: Yes, all subconsultants (including DBEs) will be required to meet the insurance requirements and levels of coverage as detailed in the sample contract in Attachment 1 of the RFP.

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

Please acknowledge receipt of RFP Modification #3 on Attachment 13 Form AOR of the RFP upon proposal submittal.