May 19, 2017

SUBJECT: MODIFICATION NO. 1 TO REQUEST FOR PROPOSALS – JOB ORDER CONTRACTING (JOC) SYSTEM SERVICES FOR NYSDOT, CONTRACT #C037621

Dear Interested Party:

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

1. In the RFP Table of Contents, Section 6.3, Technical and Management (40%) and Section 6.5, Cost (50%) should read Section 6.3, Technical and Management (50%) and Section 6.5, Cost (40%).

2. New Attachment 14: Questions and Answers, is being incorporated into the RFP.

No other provision of the solicitation is otherwise changed or modified. Direct all questions in writing via e-mail to: Micheleen.Gregware@dot.ny.gov.

A one-page MANDATORY ACKNOWLEDGEMENT reply form for the Job Order Contracting (JOC) System Services for NYSDOT RFP C037621 is also attached. Please acknowledge receipt of this correspondence per the instructions given below. Thank you.

Attachments
* MANDATORY *

ACKNOWLEDGEMENT OF RECEIPT
RFP MODIFICATION No. 1

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR PROPOSALS (RFP)

Job Order Contracting (JOC) System Services for NYSDOT
Contract #C037621

An authorized representative of your firm or organization must acknowledge receipt and acceptance of this Modification No. 1 by signing and returning **ONLY THIS ONE PAGE** of this Modification to the undersigned via inclusion in the Contract Section of your firm’s Part II Cost and Contract Proposal to NYSDOT.

**ACKNOWLEDGED AND ACCEPTED:**

BY: ______________________________
NAME: ___________________________
TITLE: ___________________________
FIRM: ___________________________

**NYS DEPARTMENT OF TRANSPORTATION:**

BY: original signed by: Micheleen Gregware, for
WILLIAM A. HOWE
Director, NYSDOT Contract Management Bureau
Attachment 14

Questions and Answers

**Question 1:** Is NYSDOT open to other types of systems? A system where you host on Terminal server, or we provide the software via terminal server?

**Answer 1:** No. The services being procured is a web-based system. NYSDOT is not open to entertaining bids for other hosting systems.

**Question 2:** Cost Proposal Mark up understanding. If we Put Rate 20% so, totally come up ×10000000, like this amount. Or, only 20% profit for complete the award amount. Gradually come up next amount.

**Answer 2:** In accordance with the NOTES Section of the Cost Proposal, firms are instructed to present a fixed percentage usage fee for the first $10M in JOC Contracts and a fixed percentage usage fee for the balance of JOC Contracts issued for each year of the contract.

**Question 3:** and any Contractor Submit bid need enclosed any bid bond.

**Answer 3:** The RFP does not require a Proposer to submit a bid bond with its’ proposal.

**Question 4:** after opening bid, can you informed us bid Result?

**Answer 4:** Results of the procurement will be posted on the NYSDOT website at the conclusion of the Best Value process.

**Question 5:** we not found job description? can you inform bid page and number.

**Answer 5:** Section 4 of the RFP titled “Scope of Services” is a breakdown of the services we are seeking to obtain., however, the entire RFP contains pertinent information regarding these services.

**Question 6:** we have a experience but we have no same nature of work award. So, if, we submit bid can you accept our bid if we stood lowest.

**Answer 6:** NYSDOT will accept proposals that meet minimum RFP responsiveness.

**Question 7:** Three weeks ago I had a similar bid request for DDC in NYC in Long Island City - is that part of the same RFP or is this totally different?

**Answer 7:** This RFP is independent of any other RFP for these services.
Question 8: What is the budget amount and hour allocated for this project?

Answer 8: It is NYSDOT’s practice not to release information regarding a project’s budget and time allocated for Best Value procurements.

Question 9: Section 5, Proposal Format and Contents Requirements, states that web links, photographs, and illustrations are not to be included unless specifically required. Does this prohibit proposer from including charts and other illustrations that demonstrate the unit price book, system development and training throughout the Part I Submittal?

Answer 9: No. Proposers will be allowed to demonstrate weblinks, photographs and illustrations during the Technical Demonstration.

Question 10: Section 5 also requires the Part I submittal consist of single sided pages, yet 5.1 states the cover letter must not exceed one (1) double-sided page. Does this indicate the cover letter may be two pages in the submittal?

Answer 10: The cover letter can be 2 pages in length, but submitted on a single page.

Question 11: Section 2.1 requires 24% M/WBE participation for this solicitation. Proposer’s proprietary software and data, and ongoing support are provided entirely within house resources and there are no subcontracting opportunities available under the scope of work as set forth in the RFP. Proposer’s JOC system will enable NYS DOT to implement and track M/WBE participation goals for the JOC construction contracts and monitor M/WBE goals program wide. Will NYS DOT allow proposers to submit a request for waiver of the M/WBE goals for this solicitation in place of Attachment 6?

Answer 11: A proposer must demonstrate a Good Faith Effort (GFE) to utilize M/WBE firms, however, a waiver can be submitted, with detailed documentation, if a Proposer can demonstrate that the software, data and ongoing support they are proposing is proprietary.

Question 12: Section 2.2 requires 6% SDVOB participation for this solicitation. Proposer’s proprietary software and data, and ongoing support are provided entirely within house resources and there are no subcontracting opportunities available under the scope of work as set forth in the RFP. Proposer’s JOC system will enable NYS DOT to implement and track SDVOB participation goals for the JOC construction contracts and monitor SDVOB goals program wide. Will NYS DOT allow proposers to submit a request for waiver of the SDVOB goals for this solicitation in place of Attachment 7?

Answer 12: A proposer must demonstrate a Good Faith Effort to utilize SDVOB firms, however, a waiver can be submitted, with detailed documentation, if a Proposer can demonstrate that the software, data and ongoing support they are proposing is proprietary.
**Question 13:** Section 4.3.2 requires the “development, installation and testing” of the JOC system and a web-based management and information system on both NYSDOT and Contractor hardware systems. A web-based system does not require installation and testing on hardware systems as it is accessible via login from any internet-enabled device. Proposer seeks clarification that NYSDOT seeks a web-based information management application and not an installed software application.

**Answer 13:** Yes. NYSDOT seeks a web based management application, therefore no installation is needed. However, the system we are seeking must be accessible via any internet-enabled device.

**Question 14:** Section 5.2.2 states that “[n]o exceptions to any of the draft contract’s terms and conditions will be entertained by NYSDOT.” However, several provisions within the draft Agreement of Attachment 1 are not applicable to this engagement, or are in conflict with the licensing of proprietary software and data as shown in Article 23 of the draft Agreement. Proposer requests that NYSDOT enable proposers to include contract exceptions within the proposal, or confirm that the final terms and conditions of any contract resulting from this solicitation will be as negotiated between NYSDOT and the successful proposer.

**Answer 14:** No Exception to the contract terms and conditions will be considered. NYSDOT reserves all rights to the terms and conditions as provided in Attachment 1, Draft Contract. During the contract finalization stage, NYSDOT may however consider a limited number of minor clarifications to resolve any ambiguities if they are in the best interest of the State.