The New York State Department of Transportation (NYSDOT) anticipates the release of a Non-Engineering Request for Proposals (RFP) seeking the services of a responsive and responsible consultant to complete a Bridge Replacement Planning Study to identify the most suitable location for a replacement structure of the existing NYS Route 12E structure over the Black River in Brownsville, NY. PLEASE NOTE: This Contract does not require the use of a professional firm or legal entity, by law, to practice professional engineering or survey services.

It is anticipated that the RFP will be released on or after May 30, 2017, with proposals tentatively due July 5, 2017. If the release of the RFP is delayed for any reason, the due date for proposals will be extended appropriately.

A brief summary of the services to be provided in the Bridge Replacement Planning Study includes, but will not be limited to:

- A Public Involvement Plan (PIP) including how the Consultant plans to engage the public/stakeholders and resulting meetings.
- Data Collection/Development – The Consultant shall reach out to stakeholders to obtain planning study data as well as perform an O&D Study in the Village of Brownsville.
- Develop Alternative Crossing Locations – The Consultant shall evaluate the existing crossing location, develop and evaluate 5 new crossing locations and develop a matrix to rank the 6 crossing locations.
- Reports – The Consultant shall provide NYSDOT with reports on a scheduled basis which includes planning study information for the recommendation of the proposed bridge location.

LETTERS OF INTEREST: Responsive and responsible consultants interested in receiving the RFP should submit a brief, one-page Letter of Interest (LOI) to Micheleen.Gregware@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. A letter announcing the release of the RFP will be mailed 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.

CONTRACT TERM: The base term of this contract will be for twelve (12) months. The contract may be extended for up to twelve (12) additional months upon written agreement of both parties and approval by the NYS Office of the State Comptroller and FHWA, if applicable. The level of complexity for this project is moderately complex.

SINGLE CONTRACT AWARD: The objective is to retain one responsive, responsible, experienced and knowledgeable prime consultant (or a team of Consultants) under Contract #C037623.

Disadvantaged Business Enterprise Participation (DBE): The DBE subconsultant participation contract goal for this solicitation is **11 percent** of total contract value over the base term of the contract and any modifications to extend the contract term.

Once the RFP gets released and for a full description of the project and requirements, please visit the NYSDOT website at: [https://www.dot.ny.gov/business](https://www.dot.ny.gov/business) or
An e-mail shall be sent to all parties who register in advance that the RFP has been posted to NYSDOT’s website and is now ready for downloading.

DESIGNATED CONTACT PERSON: Micheleen Gregware, NYSDOT Contract Management, e-mail: Micheleen.Gregware@dot.ny.gov. Under the requirements of the State Procurement Act, all communications regarding advertised projects are to be channeled through NYSDOT Contract Management’s Designated 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.

**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 (*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 Management 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
- 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 Management 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.

Rules and Regulations and More Information on this Law, Please Visit:
http://www.ogs.ny.gov/aboutOgs/regulations/defaultAdvisoryCouncil.html (Advisory Council FAQs)
http://www.jcope.ny.gov/
http://www.jcope.ny.gov/law/lob/guidelines.html (New York State Lobbying Act)

or contact the designated NYSDOT Contact Person:
Micheleen Gregware, C037623
NYSDOT Contract Management
50 Wolf Road, 6th Floor
Albany, New York 12232-0203
E-mail: Micheleen.Gregware@dot.ny.gov