NEW YORK STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR PROPOSALS
Due Diligence Impact Studies
And
Project Labor Agreement Services for NYSDOT
Contract #C037703

NYS Contract Reporter Announcement
NYSDOT Website Announcement

July 18, 2017

The New York State Department of Transportation (NYSDOT) hereby announces the anticipated release of a best value Request for Proposals (RFP) to retain a responsive, qualified and responsible Consultant (or Team of Consultants) under an FHWA-funded term agreement to provide Due Diligence Impact Studies and Project Labor Agreement Services to support NYSDOT capital construction and design-build projects.

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 Persons 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, as well as the contract title and number being responded to. Notice will be e-mailed to all parties submitting a LOI announcing the release of the RFP. When ready, the RFP will be posted to NYSDOT’s website (https://www.nysdot.gov/business, select ‘Consulting Service Opportunities’) and will contain all the information necessary for firms to submit a complete proposal. **It is expected that the RFP will be released on or after August 2, 2017.** If the release of the RFP is delayed for any reason, the due date for proposals will be extended appropriately. **The anticipated due date of the receipt of proposals is September 6, 2017. Please note all dates subject to change.**

The base term of this term agreement may be for up to 60 months commencing from the contract start date. The DBE participation goal for this solicitation may be 11 percent.

NYSDOT Contact Persons: Mr. Al Hasenkopf at: alfred.hasenkopf@dot.ny.gov
Mr. Al Hasenkopf, CMS II
New York State Department of Transportation
Contract Management Bureau, 6th Floor
50 Wolf Road
Albany, NY 12232

**NYS Procurement Lobbying Law Compliance for Contract #C037703**

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

**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 applicable Contract Management staff (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.


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

1. The NYSDOT Contract Management designation analyst
2. The NYSDOT Contract Management designation analyst supervisor
3. The NYSDOT Contract Management Assistant Directors
4. The NYSDOT Contract Management Director

These are some communications exempted from this restriction:

1. Participation in a pre-proposal conference
2. Submittal of written questions when written responses will be provided to all offerers
3. 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 the following primary negotiation contacts. The designated contacts include:

1. The NYSDOT Contract Management negotiation analyst
2. The NYSDOT Contract Management negotiation analyst supervisor
3. The NYSDOT Contract Management Assistant Directors
4. The NYSDOT Contract Management Director
5. The Consultant Management Bureau consultant job manager
6. The Consultant Management Bureau consultant job manager’s immediate supervisor
7. 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.state.ny.us/aboutogs/regulations/advisoryCouncil/Faq.htm (Advisory Council FAQs)
http://www.nylobby.state.ny.us/lobbying.html (New York State Lobbying Act)
http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html