Statewide Drug and Alcohol Testing Services for NYSDOT
Contract #C037712
March 16, 2018

The New York State Department of Transportation (NYSDOT) anticipates the release of a best value Request for Proposals (RFP) to select the services of a responsive and responsible consultant (or team of consultants) to provide statewide drug and alcohol testing services for an already established and highly functional drug and alcohol testing program under a five year-plus-one year contract. **It is expected that the RFP will be released on or about March 21, 2018, with proposals tentatively due April 25, 2018 (all dates subject to change).** If the release of the RFP is delayed for any reason, the due date for proposals will be extended appropriately.

**PRE-PROPOSAL WEBINAR:** A webinar shall be held for interested parties who pre-register. The tentative pre-proposal webinar date is March 28, 2018 at 10:00 AM. All firms interested in remotely participating in this event must register in advance by e-mail: alfred.hasenkopf@dot.ny.gov. Remote participation information will be e-mailed to each party which registers for this event.

**COMPLEXITY:** The level of complexity for this project is moderately complex.

**SINGLE CONTRACT AWARD:** The objective is to retain one responsive and responsible prime contractor under C037712. Teaming arrangements are allowed. Joint Ventures are not allowed.

**MWBE & SDVOB GOALS:** Contract #C037712 will have a 30% combined MWBE goal and a 6% Service-Disabled Veteran-Owned Business Program goal, as a percentage of total contract value over the life of the contract.

**LETTERS OF INTEREST:** Responsive and responsible contractors interested in receiving the RFP should submit a brief, one-page Letter of Interest (LOI) to the e-mail address of the Contact Person 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. 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.

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 [https://www.dot.ny.gov/doing-business/opportunities/consult-ads](https://www.dot.ny.gov/doing-business/opportunities/consult-ads). 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:** Mr. Al Hasenkopf, NYSDOT Contract Management, e-mail: alfred.hasenkopf@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 Contacts. 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 contractor shall sign and e-mail/fax the following forms. These forms are part of and due with the contractors’ 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 Designation Contract Specialist
- The Contract Management Designation Analyst Supervisor
- The Contract Management Civil Rights Unit Supervisor
- The Contract Management Assistant Directors
- The Contract Management 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 Negotiation Contract Management Specialist
- The Contract Management Negotiation Analyst Supervisor
The Contract Management Civil Rights Unit Supervisor
The Contract Management Assistant Directors
The Contract Management 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 contractor 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/about/lob/LEGISLATIVE%20LAW%20ARTICLE%201a.pdf (NY State Lobbying Act)

or contact the designated NYSDOT Contact Person:
Mr. Al Hasenkopf, C037712
NYSDOT Contract Management Bureau
50 Wolf Road, 6th Floor
Albany, New York 12232-0203
E-mail: alfred.hasenkopf@dot.ny.gov
Phone: 518-457-1560