The New York State Department of Transportation (NYSDOT) anticipates the release of a Request for Proposals (RFP) seeking the services of a qualified and experienced Operation Management Consultant for the provision of managing, operating and maintaining the Department’s two (2) Wastewater Treatment Plants (WWTP) and four (4) Water Treatment Systems (WTS) located in various locations in NYSDOT’s Region 8 (Hudson Valley area) in a manner that is compliant with all applicable permits and regulations.

**It is expected that the RFP will be released on or before May 30, 2018, with proposals tentatively due July 9, 2018.** If the release of the RFP is delayed for any reason, the due date for receipt of proposals will be extended appropriately.

**PRE-PROPOSAL CONFERENCE:** To assist firms in preparing Proposals in response to this solicitation a pre-proposal conference will be held with the location, time and date to be announced. A general review of the RFP will occur and general questions regarding this solicitation may be answered. Specific questions must be sent, in writing, to the designated contact by the date questions are due, as specified in the RFP.

**MANDATORY FACILITY INSPECTION (SITE VISIT):** A mandatory facility inspection (site visit) will be held with the time and date to be announced. Proposers who intend on submitting a proposal must be present and sign-in at each facility. An announcement regarding the schedule and detail will be sent to all firms who submit a Letter of Interest (LOI) for this project.

**CONTRACT TERM:** The base term of this contract will be for 36 months commencing on January 1, 2019 and ending on December 31, 2021. The contract may be extended for up to two (2) additional 1-year periods.

**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 must include, at a minimum, the firm name, address, e-mail address, and phone number of a contact person at your firm. An email announcing the release of the RFP will be sent 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. Please visit the NYSDOT website at: [https://www.dot.ny.gov/doing-business/opportunities/consult-ads](https://www.dot.ny.gov/doing-business/opportunities/consult-ads) for a full description of the project and requirements.

**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 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 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 Designation Contract Specialist
- The Contract Management Designation Contract Specialist 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 Specialist
- The Contract Management Negotiation Contract Specialist 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 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://ogs.ny.gov/ACPL](http://ogs.ny.gov/ACPL)
[http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/MtgReportTable.htm](http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/MtgReportTable.htm)

or contact the designated NYSDOT Contact Person:

Micheleen.Gregware, Contract #C037687  
NYSDOT Contract Management  
50 Wolf Road, 6th Floor  
Albany, New York 12232-0203  
E-mail: [Micheleen.Gregware@dot.ny.gov](mailto:Micheleen.Gregware@dot.ny.gov)  
Ph: (518) 485-8620