The New York State Department of Transportation (NYSDOT) has released a Request for Proposals (RFP) seeking the services of a highly qualified and experienced Consultant to collect data related to all horizontal curves located on the NYSDOT State highway system, and provide NYSDOT with all curve-related data as well as recommendations to bring all horizontal curve warning signs into compliance with the 2009 Manual on Uniform Traffic Control Devices (MUTCD). The NYSDOT highway system includes approximately 16,550 centerline miles and 5,000 ramps of NYSDOT-owned and/or maintained Interstate, US, NY, and Parkways routes, from beginning to end.

The base term of this contract will be for 12 months commencing on March 1, 2019 or upon NYS Office of the State Comptroller (OSC) approval, whichever occurs first. and ending one year thereafter. The contract may be extended for an additional 1-year period. Proposals are due on November 8, 2018 by 12 noon Eastern Standard Time. This procurement is not subject to any Civil Rights goals.

Consultant firms interested in responding to the RFP must complete and submit the RFP Response Form in the RFP to Micheleen.Gregware@dot.ny.gov. The RFP has been posted to the NYSDOT website and contains all information necessary for firms to submit a complete response. Please visit the NYSDOT website at: 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://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/Faq.htm (Advisory Council FAQs)
http://jcope.ny.gov/law/lob/lobbying2.html
http://ogs.ny.gov/ACPL
http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/MtgReportTable.htm

or contact the designated NYSDOT Contact Person:

Micheleen.Gregware, Contract #C037719
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50 Wolf Road, 6th Floor
Albany, New York 12232-0203
E-mail: Micheleen.Gregware@dot.ny.gov
Ph: (518) 485-8620