NEW YORK STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR PROPOSALS
Statewide Transportation Plan Services
Contract #C037696

Questions and Answers

RFP SCHEDULE:
- RFP Release Date: April 3, 2019
- 1st Round Question Submittal Due: April 10, 2019 by 2:00 PM
- Pre-Proposal Webinar: April 11, 2019 at 10:00 AM
- 1st Round Answers Due: April 15, 2019
- 2nd Round Question Submittal Due: April 22, 2019
- 2nd Round Answers/RFP Mod #1 Due: April 26, 2019
- Proposals Due: May 9, 2019 by 2:00PM Eastern Time

Webinar Q&A and Round One Questions

QUESTIONS RECEIVED BEFORE OR DURING THE WEBINAR:

Question #1: What time on April 22 are the 2nd Round Questions due?
Answer: Questions may be submitted until 11:59 pm on April 22, 2019.

Question #2: The instructions on page iv in the RFP Response Form state that the RFP Response Form be submitted along with the two required Procurement Lobbying Law forms before questions or other communications with the Department regarding this solicitation. Therefore, can the State please clarify that offeror consultants are NOT expected to submit Attachment 5 within the Administrative section of the Cost and Administrative Proposal, as is indicated in the RFP?
Answer: The RFP requests submission of completed Procurement Lobbying Law (PLL) forms before submitting questions to the designated contact person. The RFP requires submission of completed PLL forms in a firm’s Cost and Administrative proposal.

RFP Section 1.2 Project Background
Question #3: Sec 1.2 states the plan will extend to the year 2050. Sec 2.1(1) states the plan will cover a period of at least 20 years. Please confirm that the horizon year is 2050?
Answer: NYSDOT is confirming that the Statewide Transportation Plan shall have a 2050 horizon.

RFP Section 2.2 Contract Objectives
Question #4: RFP Section 2.2, Contract Objectives, page 3: The period of performance of three (3) base years, with two optional one-year term extensions, seems long in relation to the scope of work. Can you confirm that the RFP’s is seeking a schedule over a three-year time frame? Can you provide any clarification on expectations regarding schedule anticipated for completion of tasks and for the final Long-Range Statewide
Transportation Master Plan? And would NYSDOT be open to an accelerated, 2-year schedule?

**Answer:** The RFP states that the base term of the resulting contract will be for three years, or 36 months, during which the selected Consultant’s schedule be performed. Consultants may propose a timeframe that is shorter than 36 months, but should be sure to thoroughly support the proposed schedule and be sure that all aspects of the proposed scope are addressed. The proposed schedule will be considered according to the RFP’s proposal evaluation process.

**Question #5:** Page 3 under Section 2.2 Contract Objections of the RFP, the method of payment is stated as “For labor, a fully-loaded hourly rate reimbursement method shall be employed plus reimbursement for pre-approved, reasonable, acceptable expenses. Fixed fully loaded rates shall be used for all time and material work (reimbursement for expenses limited to standard government reimbursement caps),” but Page 21 under Section 4.4 Cost and Administrative Proposal Submittal of the RFP references the resulting contract’s payment method as being “fixed milestone deliverable based (per Tasks identified in the contract’s Scope of Services).” Can the State clarify what the proposed contract type will be for this impending contract award?

**Answer:** The RFP will be clarified to set the RFP’s payment method to be firm fixed price by task and firm fixed price by total contract.

**RFP Section 3 Scope of Services**

**Question #6:** Regarding Task 1, Subtask 1.1 (page 5), the first entry on the document list references the Draft TAMP. Federal rule requires that states submit their Final TAMP no later than June 30, 2019. What is the status of NYSDOT’s Final TAMP?

**Answer:** The final NYSDOT Transportation Asset Management Plan (TAMP) is scheduled to be completed consistent with federal rules, no later than June 30, 2019.

**Question #7:** Also regarding Task 1, Subtask 1.1 (page 5), entry 8 states “NYSMPO Long Range Plans”; the link is to the website of the NYS Association of MPOs. Is it the intent of this item to have the consultant review the LRTPs of all 14 NYS MPOs?

**Answer:** Yes. The proposed Plan is statewide and multimodal in scope. As part of this project, it is expected that the successful consultant will review and consider the planning and programming factors related to transportation across all MPOs in New York State.

**Question #8:** Regarding Task 2, Subtask 2.2 (page 8), does NYSDOT have an accepted source for demographic and/or economic data?

**Answer:** NYSDOT does not require that specific sources be used for demographic and economic data. NYSDOT uses a variety of publicly available data sources supplemented with purchases of proprietary data.

Public data sources used by NYSDOT include:

- US Census, including the decennial Census and American Community Survey (ACS).
- AASHTO Census Transportation Planning Products (CTPP).
- FHWA National Household Travel Survey (NYSDOT has purchased add-on samples).
Proprietary data purchased by NYS DOT include:


  Proprietary data purchased by NYS DOT include:

  - IHS Markit, Inflation Outlook. Delivered semi-annually, 2Q & 4Q.
    - Provides discussion of outlook, assumptions and recent developments in US economy.
  - IHS Markit, Pricing & Purchasing Service: Highway & Street Construction Cost Forecast. Delivered semi-annually, 2Q & 4Q.
    - Provides long-term (40 year) forecast of wages and material components for highway & street construction.
  - IHS Markit, Pricing & Purchasing Service: Railroad Construction Cost Forecast. Delivered semi-annually, 2Q & 4Q.
    - Provides long-term (40 year) forecast of wages and material components for railroad construction.
    - Contains long-term (40 year) forecasts of population, housing, employment, income and expenditures at the state level.
    - Contains long-term (40 year) forecasts of population, housing, employment, income and expenditures at the county level.
    - Freight movement data by commodity group and mode attributed to the county, state, and national geographies. Contains confidential waybill data.

If additional proprietary data sources are required to perform a task, potential respondents should define such sources and associated costs in the submitted proposal.

**Question #9:** What is the expected percent of the overall level-of-effort for each of the four tasks?

**Answer:** NYSDOT is relying on your best estimate to determine an overall level of effort for the RFP’s required task work.

**RFP Section 4 Proposal Submission Format and Contents**

**Question #10:** Can you please confirm that the checklist provided on page 13 of the RFP should be included in lieu of a regular proposal cover page?

**Answer:** The RFP will be amended to require inclusion of a cover page for both technical and cost submissions.

**Question #11:** Please clarify the number of company references that are required. In Attachment 11, the Company References instructions state “up to two past relevant company projects.” However, on page 15 of the RFP in the second-to-last paragraph, it states “Provide the names, address and phone numbers of at least three transportation agencies or companies.”?

**Answer:** The RFP will be clarified to indicate that at least two firm references are required.

**Question #12:** RFP Section 4.3, page 17, the last sentence of the Subconsultants paragraph states “Provide the names and details of each proposed Subconsultants, reporting the following information.” Please provide what was meant to be included as “the following information?”
Answer: The phrase “reporting the following information” is being removed from this section of the RFP.

Question #13: RFP Section 4.3, page 17, under the section “Project Plan, Scope of Services and Schedule,” RFP instructions state: “Present, as the first part of your Technical and Management Proposal, a separate narrative section in your proposal which describes your proposed Project and Project Management approaches.” Can you please clarify whether this narrative should be included as the first section of the proposal or as the first part the “Project Plan, Scope of Services and Schedule” section of the proposal?
Answer: The RFP is seeking presentation of your approach as a separate feature of your proposed Project Plan, Scope of Services and Schedule.

Question #14: Can the State confirm that Attachments 4 and 6–13 are the only attachments required to be submitted with this proposal? Attachments 1–2 are not present in the evaluation criteria or proposal instructions, Attachment 3 states that it should not be submitted with the proposal, and Attachment 5 must be submitted prior to submitting questions or other communications with the Department regarding the solicitation?
Answer: RFP Table 2 has been clarified to indicate that submission of RFP Attachments 1, 2 and 3 are not required as part of a submission. Attachments 1 and 2 has been amended to clarify accordingly. Attachment 5 must be submitted in your Cost and Administrative proposal.

Question #15: The State specifies that one electronic copy of the Technical and Management Proposal and the Cost and Administrative proposals must be submitted “on a thumb drive or similar device...” (pages 13 and 18). Will the State accept Compact Disc (CD) copies as a “similar device”?
Answer: The ‘or similar device; statement has been removed from these two sections of the RFP. Please submit the electronic copy on a thumbdrive.

Question #16: The State requests “five (5) printed bound complete hard copies...plus one complete copy on a thumb drive or similar device” (page 13). Can it be assumed that the State expects one original printed copy (with original signatures), and four additional printed copies?
Answer: Tables 1 and 2 are being clarified to require that one original printed copy must be an original (contain original signatures)

Question #17: Can a Consultant apply G&A to travel costs if it’s in accordance with their normal disclosed accounting practices?
Answer: General & Administrative expenses (G&A) accounting is only allowed under a firm’s overhead. G&A is not a separate allowable travel expense.

Question #18: Are any federal funds involved in this project? Can the State release the estimated budget for this project?
Answer: Yes, federal funds will be used for this project. The proposer should include a budget that will ensure delivery of all requested services required in the RFP.

RFP Attachment 1 Draft Contract
Question #19: Will the State be willing to consider and negotiate modifications to Article 11 of the Draft Contract so that the Consultant’s indemnification obligation is predicated on a negligence standard? Would the State be amenable to any proposed revisions by a Consultant to Article 11 Consultant Liability of the Attachment 1: Draft Contract? Specifically, would it be possible to revise Article 11 so that the indemnification is mutual and/or include Limitation of Liability language that caps Consultant liability at the total value of the contract award?

Answer: NYSDOT cannot accept modifications to Article 11 of the RFP’s draft contract.

Question #20: Regarding Article 12 of the Draft Contract, please confirm that the State will be willing to consider non-ISO forms so long as the form provides equivalent coverage to that required by the Contract?

Answer: The State cannot accept non-ISO forms regarding providing acceptable proof of insurance.

Question #21: Will the State be willing to consider and negotiate modifications to data and intellectual property related terms in the Draft Contract (in particular, Articles 14 and 22) to facilitate the potential use of proprietary and confidential data?

Answer: The State cannot accept any modifications that would materially affect the terms of the Draft Contract.

RFP Attachment 11 Firm Experience

Question #22: Will NYSDOT provide an updated version of Attachment 11? The version included with the RFP contains references to drug and alcohol testing services?

Answer: RFP Attachment 11 is being amended to remove all references to drug and alcohol testing.

Question #23: The second box in Attachment 11 asks bidders to provide a description of “prior experience in delivery of drug and alcohol testing services.” The second sentence on the attachment states: “Direct, prior experience regarding the delivery of drug and alcohol testing services is highly desirable.” And under “Requirement Description: Company Experience,” there are two similar references. Could NYSDOT please clarify its expectations for the description of the consultant’s previous experience on Attachment 11 under the heading “Requirement Description: Company Experience”? Can you also please confirm that bidders do not have to provide a description of prior experience delivering drug and alcohol testing services?

Answer: Yes. RFP Attachment 11 is being amended to remove all references to drug and alcohol testing.

Question #24: Can NYSDOT clarify that Attachment 11 Firm Experience is the primary or sole place where bidders should discuss their relevant experience in the proposal?

Answer: If relevant and succinct, discussion of a firm’s experience can occur in a cover letter, and as applicable, to bolster scope of service statements.

RFP Attachment 12 Key Personnel Experience

Question #25: Can the State please clarify that the only page limit existing in the RFP is related to resumes, which must be no more than four (4) double-side pages per individual?
**Answer:** NYSDOT is confirming the four-page limit for resumes. In addition, Tables 1 and 2 are being amended to require a three-page limit to the cover letter.

**Question #26:** Where is the “applicable section” on Attachment 12 that the Project Manager must complete and submit?

**Answer:** Attachment 12 is being amended to remove reference to: ‘the applicable section of”.