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 manage and train a team that shall evaluate right of way asset performance and conditions, in accordance with the Maintenance Quality Assurance (MQA) guidelines, on designated roadways, and to provide reports on these analyses for the Maintenance Division’s MQA program. The Proposer shall be responsible for the development of scoresheets for each residency and regional summary reports. The Proposer shall demonstrate a clear understanding of the MQA process and the ability to provide technicians with the appropriate skills and qualifications to perform the MQA services and be available at all times during the annual assessment period. It is anticipated that the RFP will be released on January 27, 2020. If the release of the RFP is delayed for any reason, the due date for proposals will be extended accordingly.

The Proposal due date for this RFP is February 20, 2020. This date is subject to change.

Responsive and responsible consultants interested in receiving notification of the RFP release should submit a brief, one-page Letter of Interest (LOI) to Debra.Ernye@dot.ny.gov. The LOI should include, at a minimum: the firm name, address, contact person name, email address, phone number. An email announcing the release of the RFP will be sent to all parties submitting an LOI.

The base term or duration of this contract will be for one (1) year commencing upon final approval by the NYS Office of the State Comptroller (OSC). The contract may be extended for up to four (4) additional one-year periods, upon written agreement of both parties and final approval of the OSC, and FHWA, if applicable.

SINGLE CONTRACT AWARD: The objective is to retain one responsive and responsible prime Contractor under Contract #C037689. Teaming arrangements are allowed. Joint Ventures are not allowed.

For a full description of the project and requirements, please visit the NYSDOT website at: https://www.dot.ny.gov/business or https://www.dot.ny.gov/doing-business/opportunities/consult-ads (available after release of the RFP).

DESIGNATED CONTACT PERSON: Debra Ernye, NYSDOT Contract Management Bureau, e-mail: Debra.Ernye@dot.ny.gov. Under the requirements of NYS Finance Law, all communication regarding advertised projects are to be channeled through the NYSDOT Office of Contract Management Designated Contact Person. Until a contract is approved by the NYS Office of the State Comptroller, contact with any other NYSDOT employee concerning this project should not be made unless otherwise directed by the NYSDOT Office of 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: These forms are part of and due with the contractors’ proposals. The contractor shall sign and e-mail/fax the following forms:

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.jcope.ny.gov/

or contact the designated NYSDOT Contact Person:
Debra Ernye, C037689
NYSDOT Contract Management Bureau
50 Wolf Road, 6th Floor
Albany, New York 12232-0203
E-mail: Debra.Ernye@dot.ny.gov
Phone: 518-457-8751