NEW YORK STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR PROPOSALS
CADD AND CIVIL ENGINEERING SOFTWARE AND SERVICES FOR NYSDOT
Contract #C037693

RFP Schedule
NYSDOT will attempt to adhere to the following revised schedule with regard to progressing this solicitation:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date/Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>NYS Contract Reporter Announcement</td>
<td>May 20, 2020</td>
</tr>
<tr>
<td><strong>RFP Release Date</strong></td>
<td>May 27, 2020</td>
</tr>
<tr>
<td>Pre-Proposal Webinar</td>
<td>June 3, 2020 at 10:00 AM</td>
</tr>
<tr>
<td>1st Round Question Submittal Due</td>
<td>June 10, 2020 by 2:00 PM</td>
</tr>
<tr>
<td>1st Round Answers Due</td>
<td>June 17, 2020 COB</td>
</tr>
<tr>
<td>2nd Round Question Submittal Due</td>
<td>June 24, 2020 by 2:00 PM</td>
</tr>
<tr>
<td>2nd Round Answers/RFP Mod #1 Due</td>
<td>July 1, 2020 COB</td>
</tr>
<tr>
<td><strong>Proposals Due</strong></td>
<td>July 8, 2020 by 2:00PM Eastern Time</td>
</tr>
<tr>
<td>Proposal Evaluation</td>
<td>July 9-23, 2020</td>
</tr>
<tr>
<td>Demonstration</td>
<td>July 22-23, 2020, 9:00 AM-5:00 PM</td>
</tr>
<tr>
<td>Best and Final Offer Request (Optional)</td>
<td>July 24 Due July 28, 2020</td>
</tr>
<tr>
<td>Best and Final Offer Response Due</td>
<td>July 28, 2020 2:00 PM</td>
</tr>
<tr>
<td>Recommendation &amp; Designation</td>
<td>August 6, 2020</td>
</tr>
<tr>
<td>Final Contract</td>
<td>September 3, 2020</td>
</tr>
<tr>
<td>Contract Award</td>
<td>October 8, 2020</td>
</tr>
<tr>
<td>Notice to Proceed</td>
<td>October 10, 2020</td>
</tr>
</tbody>
</table>

Inquiries
Potential responders are advised that under New York State’s procurement lobbying law (state finance law section 139-j), communications regarding NYSDOT’s RFP #C037693 can be made only to the following designated primary contact person:

Al Hasenkopf, Contract Mgt Specialist II
New York State Department of Transportation
Contract Management
50 Wolf Road, 6th Floor
Albany, NY 12232, USA
E-mail: alfred.hasenkopf@dot.ny.gov
Phone: 518-457-1560
In addition, communications regarding NYSDOT’s RFP #C037693 can also be made to the following designated second contact person:

Patty Kappeller, Contract Mgt Specialist II  
New York State Department of Transportation  
Contract Management  
50 Wolf Road, 6th Floor  
Albany, NY 12232, USA  
E-mail: Patricia.Kappeller@dot.ny.gov  
Phone: 518-457-2600

All questions concerning this solicitation must be directed only to the RFP’s designated Contact Persons. There will be two question and answer rounds. NYSDOT is not obligated to respond to any late questions (questions submitted after the 2nd round question submittal deadline). However, NYSDOT may choose to respond to late questions should doing such be in the best interest of the state. Responses to all questions of a substantive nature, as well as copies of the questions, will be posted to the NYSDOT web site.

**Pre-Proposal Webinar**

NYSDOT will hold a Pre-Proposal Webinar, where remote participation is optional yet recommended. The agenda shall be going over the RFP and its attachments, and highlighting what’s changes since the RFP was first issued. Questions can be submitted in advance as well as electronically via the webinar. The Pre-Proposal Webinar shall be held on June 3, 2020 at 10:00 AM. **To register for the webinar, please contact:** alfred.hasenkopf@dot.ny.gov.

NYSDOT will record the webinar. Answers provided at the webinar shall be recorded; some questions may have to be deferred. Answers to all substantive questions shall be publicly posted onto NYSDOT’s website under this solicitation, and all parties notified via announcement. E-mail notices shall be sent to the e-mail addresses of all parties who officially register their interest in NYSDOT’s RFP #C037693. Only written answers posted on the NYSDOT website will be official. Questions that address possible conflicting information in this RFP will be resolved via formal Modification to this RFP and posted on the NYSDOT website, with all firms expressing interest being notified via e-mail. To be deemed responsive, all firms offering proposals are required to acknowledge receipt of any and all RFP Modifications in writing (by submitting the one-page acknowledgement response form included in the RFP Modification document).

**RFP Modification(s)**

NYSDOT will issue at least one modification to this RFP to release answers to questions and release the list of interested parties. NYSDOT reserves the right to modify conditions or requirements of this RFP with sufficient notice given to all potentially interested parties. All public information releases regarding NYSDOT RFP #C037693 shall be posted to the NYSDOT web site ([https://www.dot.ny.gov/portal/page/portal/doing-business/opportunities/consult-opportunities](https://www.dot.ny.gov/portal/page/portal/doing-business/opportunities/consult-opportunities)). Firms who express interest in this RFP shall receive an e-mail alerting them to each new RFP information release. Firms are advised to also regularly to check for releases of new RFP information. The final Modification will be posted on NYSDOT’s web site not later than ten business days prior to the proposal due date – **acknowledgement of receipt of any and all RFP modifications is a mandatory requirement.** If any additional modification is required
within that ten-day window, the Proposal due date shall be revised such that there will be seven
days from the final Modification to the Proposal due date and all parties shall be notified.

Executive Order 162
In Accordance with New York State Executive Order 162 ‘Equal Employment Opportunity –
Pay Equity’ issued on January 9, 2017, the selected Consultant shall provide workforce
utilization reports in accordance with Article 49 in Attachment 1 RFP Draft Contract.

Title VI Assurance
The New York State Department of Transportation (NYSDOT), in accordance with Title VI of
the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of
Federal Regulations, U.S. Department of Transportation, Subtitle A, Office the Secretary, Part
21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation
and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes, as
amended, issued pursuant to such Act, hereby notifies all who respond to a written NYSDOT
solicitation, request for proposal or invitation for bid that NYSDOT will affirmatively insure that
in any contract entered into pursuant to this advertisement, disadvantaged business enterprises
will be afforded full opportunity to submit bids in response to this invitation and will not be
discriminated against on the grounds of race, color, national origin, sex, age, disability/handicap
and income status in consideration for an award.
**RFP RESPONSE FORM**

**CADD AND CIVIL ENGINEERING SOFTWARE AND SERVICES FOR NYSDOT RFP**

Please review this RFP for Contract #C037693. Please complete the following information and mail, e-mail, or fax to the NYSDOT address shown below, by the earliest practical date.

____________________  WE **DO** INTEND TO SUBMIT A PROPOSAL

____________________  WE **DO NOT** INTEND TO SUBMIT A PROPOSAL FOR THE FOLLOWING REASONS:

Name and Address of Organization (Include Zip Code):

________________________________________________________

________________________________________________________

________________________________________________________

Signature: ___________________________  Date: __________________

Types of Printed Name and Title: ________________________________

Telephone: ___________________________  Fax: __________________

E-Mail Address: _______________________________

RFP Title: ____________________________________________

Please send to:

* E-Mail:  alfred.hasenkopf@dot.ny.gov RE: #C037693

* Regular Mail:  
  New York State Department of Transportation  
  Contract Management Bureau, 6th Floor  
  50 Wolf Road  
  Albany, New York 12232  
  ATTN: Contract #C037693

* Fax: 518-457-2875
NEW YORK STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR PROPOSALS
CADD AND CIVIL ENGINEERING SOFTWARE AND SERVICES FOR NYSDOT
Contract #C037693
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NEW YORK STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR PROPOSALS
CADD AND CIVIL ENGINEERING SOFTWARE AND SERVICES FOR NYSDOT
Contract #C037693

1 INTRODUCTION

1.1 Purpose
NYSDOT is seeking responsive proposals from responsible Consultants capable of providing CADD and civil engineering software and services. One contract will be awarded.

1.2 NYSDOT Organization and Project Background
NYSDOT is comprised of a Main Office in Albany and 11 Regions across New York State (please see Figure 1).

![NYSDOT Regions](image)

Figure 1 – NYSDOT Regions

Each Region has a Regional Office as well as satellite offices (residencies, sub-residencies, etc.) and construction field offices. The majority of the approximately 300 construction field offices are typically short-term (e.g., nine to 24 months) rented locations (store front/building, house, or construction trailer). For the construction field offices, the level of service for networking and internet connectivity can vary greatly depending on the project location. In addition to office work sites, some of NYSDOT’s operations (surveying, inspection, etc.) are conducted in a mobile environment (i.e., working out of a truck or van). See Attachment 9A for additional information.

All historical contracts for CADD solutions and services for NYSDOT have been single source contracts with Bentley Systems Inc.
NYSDOT periodically updates/upgrades the CADD and other software with the intent to stay reasonably current and remain on supported versions. Limits to staying current are: impacts on users, and availability of resources. Refer to RFP Table 1 – NYSDOT Engineering Software for a listing of some of the civil engineering software commonly utilized by NYSDOT.

For internal CADD support and training, NYSDOT has an Engineering Technology Unit (ETU) comprised of 3 to 5 persons, which is currently supplemented by four full-time On-site Consultants provided by the current CADD Consultant. Currently, there are NYSDOT liaisons in each of the NYSDOT Regions to help with the coordination of CADD related efforts. There are some small supplemental CADD support groups for specific program areas, such as the Office of Design, Office of Structures and the Office of Construction.

NYSDOT Customer Base
a. Approximately 2,000 Users statewide utilize CADD / Design software. About half of the users are in Construction.
b. Approximately 3,500 Users (3,000 NYSDOT users and 500 external users) utilize the engineering document management system.

NYSDOT Resource Base
c. There are over 3.2 million files stored within the engineering document management system (over 1.3 million active files & over 1.9 million archived files).

The largest percentages of CADD users work out of the Main Office and the Regional Offices with the highway and structural design functions traditionally accounting for a significant percentage of that CADD usage. However, NYSDOT provides CADD tools and support to all locations (e.g., Regional Offices, field offices, mobile operations, etc.) and to all program areas (e.g., highway design, structures design, construction, surveying & photogrammetry, geotechnical, real estate, planning, maintenance, project management/scheduling, etc.).

For the 2019 construction season, NYSDOT had approximately 500 active capital construction projects ranging in magnitude from $100,000 USD to over $550,000,000 USD. In addition to direct support of these projects NYSDOT also utilizes CADD for other purposes (e.g., standard drawings, real property/right-of-way mapping, etc.).

The majority of CADD usage is during daytime hours, but there is a small percentage of nighttime usage, primarily by construction users, which also is supported. Twenty-four (24) hour user support is not currently provided by NYSDOT, but efforts are made to make general help desk support available during the beginning and/or end of nighttime work shifts.

NYSDOT collaborates and exchanges engineering documents and data with a myriad of other partners such as engineering consultants, construction contractors, and other local municipal, state and federal agencies and authorities. As such, NYSDOT requires a CADD solution that can provide an efficient exchange of files with little to no degradation of data.

1.3 Current NYSDOT Engineering Software
Table 1 provides a list of civil engineering related software products currently utilized by NYSDOT.

<p>| Table 1 | NYSDOT Engineering Software |</p>
<table>
<thead>
<tr>
<th>Function</th>
<th>Software</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drafting</td>
<td>Bentley MicroStation (SS4 &amp; SS10)</td>
</tr>
<tr>
<td>3D design &amp; modeling</td>
<td>Bentley InRoads (SS2, SS4 &amp; SS10); Concept Station; Context Capture</td>
</tr>
<tr>
<td>Project document management</td>
<td>Bentley ProjectWise (SS4)</td>
</tr>
<tr>
<td>Plan production/documentation</td>
<td>Bentley InterPlot (multiple products)</td>
</tr>
<tr>
<td>Estimating</td>
<td>Microsoft Excel; Parametric Technology Mathcad; AASHTOWare Project Estimator</td>
</tr>
<tr>
<td>Survey data processing &amp; COGO</td>
<td>Bentley InRoads Survey</td>
</tr>
<tr>
<td>Survey data import &amp; manipulation</td>
<td>Leica Geo Office; Trimble Business Center; Leica Infinity; Leica Microsurvey</td>
</tr>
<tr>
<td>Photogrammetric data processing</td>
<td>Hexagon Geospatial ImageStation OrthoPro; Hexagon Geospatial ImageStation Stereo Display</td>
</tr>
<tr>
<td>Raster processing</td>
<td>Hexagon ERDAS Imagine; OrthoPro; PixellQue; ArcMap</td>
</tr>
<tr>
<td>Point cloud</td>
<td>Bentley Descartes &amp; Point Cloud; Certainty3D TopoDOT; Leica Cyclone; Leica CloudWorx; Hexagon ERDAS Imagine</td>
</tr>
<tr>
<td>Coordinate reprojection</td>
<td>Bentley Map; ArcMap; Hexagon ERDAS Imagine</td>
</tr>
<tr>
<td>Vehicle turning movement analysis</td>
<td>Savoy Computing (AutoDesk) AutoTrack</td>
</tr>
<tr>
<td>Highway capacity analysis</td>
<td>McTrans HCS; Akcelik &amp; Associates SIDRA</td>
</tr>
<tr>
<td>Traffic simulation &amp; analysis</td>
<td>Trafficware Synchro; PTV Vissim</td>
</tr>
<tr>
<td>Sign face layout design</td>
<td>Transoft Solutions GuidSign</td>
</tr>
<tr>
<td>Storm sewer design &amp; analysis</td>
<td>Bentley InRoads Storm &amp; Sanitary</td>
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<tr>
<td>Hydrologic river analysis</td>
<td>US Army Corps of Engineers HEC-RAS; Aquaveo</td>
</tr>
<tr>
<td>Culvert hydraulic analysis</td>
<td>FHWA HY-8</td>
</tr>
<tr>
<td>Drainage design &amp; flood computation</td>
<td>FHWA HYDRAIN</td>
</tr>
<tr>
<td>Hydrology &amp; runoff calculations</td>
<td>FHWA Hydraulic Toolbox; HydroCAD; WMS10.0; SMS 12.0; SCUPPER; TR55; TR20; EPA SWMM</td>
</tr>
<tr>
<td>Bridge structural analysis</td>
<td>Bentley STAAD.Pro</td>
</tr>
<tr>
<td>&amp; finite element analysis</td>
<td>Bridge superstructure and concrete superstructure design &amp; analysis</td>
</tr>
<tr>
<td>Bridge abutment design &amp; analysis</td>
<td>MathCAD</td>
</tr>
<tr>
<td>Bridge superstructure design</td>
<td>MERLIN-DASH; AASHTOWare; Bridge Design &amp; Bridge Rating; MDX; LEAP Bridge Concrete</td>
</tr>
<tr>
<td>Bridge design &amp; load rating</td>
<td>AASHTOWare Bridge Design &amp; Bridge Rating</td>
</tr>
<tr>
<td>Bridge seismic analysis</td>
<td>SEISAB</td>
</tr>
<tr>
<td>Culvert design</td>
<td>ET Culvert</td>
</tr>
<tr>
<td>Steel reinforcement estimating</td>
<td>NYSDOT Bar List Program</td>
</tr>
<tr>
<td>Traffic signal pole design</td>
<td>NYSDOT Span Wire Analysis Program</td>
</tr>
<tr>
<td>Site design</td>
<td>Bentley InRoads Site</td>
</tr>
<tr>
<td>Rail design</td>
<td>Bentley Rail Track</td>
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<tr>
<td>Geotechnical data management</td>
<td>Bentley gINT</td>
</tr>
<tr>
<td>Geographical data management</td>
<td>Esri ArcGIS</td>
</tr>
<tr>
<td>Project scheduling &amp; management</td>
<td>Prima veen Enterprise/P6</td>
</tr>
<tr>
<td>Bridge asset management</td>
<td>AgileAssets Road &amp; Bridge Solution Set</td>
</tr>
<tr>
<td>Construction contract management</td>
<td>AASHTOWare Project (SiteManager); AASHTOWare Project Preconstruction</td>
</tr>
</tbody>
</table>

### 1.4 Current State ProjectWise Context Diagram

The current CADD ProjectWise document management user interaction diagram is presented below in Figure 2.
Current State ProjectWise Context Diagram

Figure 2
Current NYSDOT User Information:

INTERNAL USERS:

**Office of Design – Main Office**
- Design Documents/Studies/Reports/Correspondence:
  - Microsoft Word, Microsoft Outlook, Adobe Acrobat, Text files
- Estimate files: Excel, Trns*port Estimator
- Presentations: Microsoft PowerPoint
- CADD & Design Files –
  - Microstation, InRoads, Storm & Sanitary, Quantity Manager, Microsoft Access
- Project Plan Sheets –
  - Microstation, Interplot Organizer, Adobe Acrobat
- Project pictures/images – jpegs, tifs

**Regional Design** – *(Refer to Office of Design – Main Office)*

**Photogrammetry / Survey** –
- Photogrammetric Basemapping – Microstation, InRoads
- Survey – InRoads, Text files, Field book files, jpegs, tifs & .POD files

**Environmental** –
- Studies/Checklists/Reports/Correspondence – Microsoft Word, Adobe Acrobat, Text files
- Pictures/Images – jpegs, tifs

**Landscape** –
- CADD & Design Files –
  - Microstation, InRoads
- Project Plan Sheets –
  - Microstation, Interplot Organizer, Adobe Acrobat
- Studies/Checklists/Reports/Correspondence - Microsoft Word, Adobe Acrobat, Text files
- Project pictures/images – jpegs, tifs

**Geotechnical** –
- Documents/Reports/Correspondence:
  - Microsoft Word, Microsoft Outlook, Adobe Acrobat, Text files
- Boring Logs Data – Microstation, Microsoft Outlook, Adobe Acrobat
- CADD & Design Files – Microstation
- Project Plan Sheets – Microstation, Interplot Organizer, Adobe Acrobat
- Project pictures/images – jpegs, tifs

**ROW Mapping** –
- Documents/Reports/Correspondence:
  - Microsoft Word, Microsoft Outlook, Adobe Acrobat, Text files
- CADD & Design Files –
  - Microstation, InRoads
- Project Plan Sheets –
  - Microstation, Interplot Organizer, Adobe Acrobat
- Project pictures/images – jpegs, tifs
*Structures Design – (Refer to Office of Design – Main Office)*
Estimate/Work ups – MathCAD files

*Utilities –*
Documents/Reports/Correspondence:
- Microsoft Word, Microsoft Outlook, Adobe Acrobat, Text files
  Project pictures/images – jpegs, tifs

*Materials Bureau –*
Documents/Studies/Reports/Correspondence:
- Microsoft Word, Microsoft Outlook, Adobe Acrobat, Text files
  CADD Files – Microstation
  Project pictures/images – jpegs, tifs

*Local Programs Bureau –*
Policy/Documents/Reports/Correspondence:
- Microsoft Word, Microsoft Outlook, Adobe Acrobat, Text files

*Office of Construction – NYS Network*
Documents/Reports/Correspondence/Field Revisions/Change Orders:
- Microsoft Word, Microsoft Outlook, Adobe Acrobat, Text files
  CADD & Design Files (Field Changes, As-Builts) –
  - Microstation, InRoads, Storm & Sanitary, Quantity Manager, Microsoft Access
  Project Plan Sheets (As-Builts) –
  - Microstation, Interplot Organizer, Adobe Acrobat
  Project pictures/images – jpegs, tifs

*Legal Services -*
Reviews documents signed-off by Engineers

*Traffic & Safety –*
Traffic & Safety studies, reports, etc.

*Planning –*
Planning, Reports, & Reviews

EXTERNAL USERS: (via ProjectWise Web Client):

*Office of Construction – Field Offices - On CSMIN Network - (Refer to Office of Construction – NYS Network)*

*Federal Highway Administration (FHWA) –*
Provides review and approvals for federally funded projects.

*Consultant Design Firms*
Design Documents/Studies/Reports/Correspondence:
- Microsoft Word, Microsoft Outlook, Adobe Acrobat, Text files
  Estimate files: Excel, Trns*port Estimator
Presentations: Microsoft PowerPoint
CADD & Design Files:
  Microstation, InRoads
Project Plan Sheets:
  Microstation, Adobe Acrobat
Project pictures/images – jpegs, tifs

Contractors/Fabricators -
Documents/Reports/Correspondence:
  Microsoft Word, Microsoft Outlook, Adobe Acrobat, Text files
CADD (Fabrication Details) – Microstation

1.5 Current Computing Environment
Most of the computers used for CADD are owned and supported by NYSDOT; however, some
computers and peripherals are also leased. CADD users utilize computers with varied
specifications and capabilities. Computers operate on a Windows/PC operating system.
NYSDOT’s current higher performance computers (e.g., Dell Optiplex 9020 with 64 bit, Intel
Core i7-4790, 3.6GHz, 16 GB RAM) are generally assigned to the CADD users with the higher
computing needs (e.g., 3D modeling). However, drafting and certain other engineering functions
must also still be supported on lower performance computers (e.g., Dell Optiplex GX620 & HP
Probook 6470b Notebook). It is NYSDOT’s intent to maintain computer systems that are within
the recommended system guidelines for the utilized software. Mobile computer needs have
historically been addressed through the use of laptop computers, however solutions operated
from other types of mobile devices (tablets, smart phones, etc.) in addition to laptop and desktop
devices are desirable. NYSDOT has implemented virtual desktop infrastructure (VDI).

A distribution solution, Microsoft System Center Configuration Manager (SCCM), is used to
provide data packages to the majority of the NYSDOT CADD users. The vast majority of data
storage is done on internal servers (internal to NYSDOT and/or New York State). NYSDOT
utilizes a New York State centralized data storage center for a significant portion of its data
storage needs. CADD resource and settings files are available to external partners (e.g., other
agencies, Consultants or Contractors) as a download from the NYSDOT website.
NYSDOT and ITS are in the process of ordering upgraded computer hardware. The tables below
present the latest order information.

<table>
<thead>
<tr>
<th>Drafting CADD PC</th>
<th>Revised: 12-4-2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Processor</td>
<td></td>
</tr>
<tr>
<td>Brand</td>
<td>Intel.</td>
</tr>
<tr>
<td>Chip</td>
<td>Intel Core i7 9800x (8 core, 3.8 Ghz)</td>
</tr>
<tr>
<td># of Cores</td>
<td>8 Core</td>
</tr>
<tr>
<td># of Threads</td>
<td>16 Threads</td>
</tr>
<tr>
<td>Clock Speed</td>
<td>3.8 GHz (or higher) Base frequency/speed per core.</td>
</tr>
<tr>
<td>Cache</td>
<td>16.5 MB</td>
</tr>
<tr>
<td>GPU/Graphics Card</td>
<td>NVIDIA Quadro P2000 5GB GDDR5</td>
</tr>
<tr>
<td>Memory/RAM</td>
<td>32GB DDR4</td>
</tr>
<tr>
<td>Hard Drive</td>
<td>1.5 TB total</td>
</tr>
</tbody>
</table>
### Storage Capacity
- 500 GB SSD and 1 TB Hard Drive

### Optical Drive
- Yes

### Media Card Reader
- Yes

### Operating System
- Windows 10 64-bit.

### Modeling CADD PC
- Revised: 12-4-2019

<table>
<thead>
<tr>
<th>Processor Brand</th>
<th>Intel.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chip</td>
<td>Intel Core i7 9800x (8 core, 3.8 Ghz)</td>
</tr>
<tr>
<td># of Cores</td>
<td>8 Core</td>
</tr>
<tr>
<td># of Threads</td>
<td>16 Threads</td>
</tr>
<tr>
<td>Clock Speed</td>
<td>3.8 GHz (or higher) Base frequency/speed per core.</td>
</tr>
<tr>
<td>Cache</td>
<td>16.5 MB</td>
</tr>
<tr>
<td>GPU/Graphics Card</td>
<td>NVIDIA Quadro P4000 8GB GDDR5</td>
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<tr>
<td>Memory/RAM</td>
<td>32GB DDR4</td>
</tr>
<tr>
<td>Hard Drive</td>
<td>1.5 TB total</td>
</tr>
<tr>
<td>Storage Capacity</td>
<td>500 GB SSD and 1 TB Hard Drive</td>
</tr>
<tr>
<td>Optical Drive</td>
<td>Yes</td>
</tr>
<tr>
<td>Media Card Reader</td>
<td>Yes</td>
</tr>
<tr>
<td>Operating System</td>
<td>Windows 10 64-bit.</td>
</tr>
</tbody>
</table>

## 2 PROJECT AND CONTRACT OBJECTIVES

### 2.1 Project Objectives

NYSDOT is seeking responsive proposals for responsible CADD and Civil Engineering Software and Services vendors. Proposals shall address the project objectives listed below.

1. **Licensing.** See Attachment 9; see Attachment 1 (RFP draft contract, article 55). Unrestricted access to all offered software shall be provided to all NYSDOT users for the life of the contract (and any executed contract term extensions).

2. **Offers Supportable Current Technologies.** NYSDOT seeks to select a proposal which presents NYSDOT with an opportunity to operate and conduct business at a supportable level via a best value offer.

3. **Offers Effective Implementation:**
   a. **Initial Roll-Out.** See Attachment 12.
   b. **Support and Training:** See Attachment 12.
   c. **Document and File Management:** See Attachment 10.
   d. **Cloud Services:** See Attachment 12.

### 2.2 Contract Objectives

1. **Contract Award/Consulting Arrangements:** One contract may be awarded via this RFP. The selected Consultant shall provide software and services under Contract #C037693, and shall do so in a seamless and coordinated manner should the Prime Consultant find it necessary to partner with other firms to be responsive. Subconsulting is permitted; however, joint ventures specifically created for this contract are NOT permitted.
2. For all offerors to accept the RFP’s Draft Contract Terms and Conditions (Attachment 1) as is, after haven been given ample opportunity to review and ask questions regarding the RFP’s draft contract’s terms and conditions prior to the submission of proposals.

3. Contract Term: The base term of the contract will be five years with five optional one-year extensions. A contract year may be from July 1st to June 30th.

4. Primary methods of payment shall include the following:
   a. All-inclusive monthly license fee payments based on monitored actual daily usage;
   b. Price for use of each license gets set for each year of the contract’s five-year base term
   c. Fixed monthly payment for Services (e.g., On-Site Consultants)
   d. Negotiated reimbursement for all Work Orders

5. Best Value Selection: To select a responsive and responsible Consultant using NYSDOT’s Best Value method based on a thorough examination of proposals submitted in response to the RFP.

6. Fair and Equitable treatment of all firms participating in this competitive consultant selection process.

3. SCOPE OF SERVICES

3.1 General Requirements

Through this procurement, NYSDOT seeks to acquire CADD and Civil Engineering Software and Services with Consultant support to deliver the RFP’s functional requirements. The successful Consultant must be an experienced organization capable of supporting all proposed software throughout the term of the Contract.

Present a complete, detailed Scope of Services which describes all services to be provided under the resulting contract to meet and deliver the RFP’s requirements. Describe how your proposed scope of services meets the Project’s objectives. Fully explain your scope of services. The proposer is encouraged to provide detailed information as long as it will aid in the review and assessment of Proposals.

Via responses to RFP Section 3 and RFP Attachments 9, 9A, 10, 12 and 12A, the selected Consultant shall provide the following:
   1. Software Licenses
   2. Project Management
   3. Scope of Services

3.2 Licensing

See Attachment 9 and Attachment 1 (Article 55). NYSDOT requires a software license solution for up to ten years (five-year base term with five one-year “options”) for licensing requirements. As the end of the contract nears, NYSDOT may, at its discretion and based on license prices set for the contract’s final year, purchase a limited number of irrevocable, perpetual licenses with no maintenance and with no support.
3.3 Functional Requirements
See Attachment 10. NYSDOT requires that the delivered CADD platform be configurable (i.e., can be adapted to meet changing business needs as well as NYS ITS Technical and Security Policies and Standards with minimal custom changes to the underlying software programming code) so that NYSDOT staff can create or configure System forms, workflows, business processes, business rules, and reports without impacting the underlying software code. The System will enable upgrades of current systems and shall provide all required functionality.

3.4 IT Technical Requirements
See Attachment 12A. The proposed solution must employ proven hardware and software technology via an experienced Consultant who meets all NYS ITS data, technical, and system security requirements, meets or exceeds defined performance standards. The proposed solution must use the supported enterprise shared service platforms and components. All builds and configurations must comply with NYS Office of Information Technology Policies, Standards, and Best Practice Guidelines (https://its.ny.gov/tables/technologypolicyindex). The Consultant is required to adhere to the New York State Project Management Guidebook Release 2 for its project management methodology. The New York State Project Management Guidebook Release 2 can be obtained from: http://www.cio.ny.gov/pmmp/guidebook2/index.htm. In its performance of the project, the selected Consultant shall be responsible for complying with New York State Enterprise Information Security Office (EISO). In addition, the work of the selected Consultant must be compliant with the following:
   1. NYS ITS Policies: https://its.ny.gov/tables/technologypolicyindex

3.5 NYSDOT/ITS Responsibilities
NYSDOT will appoint a Project Manager who will serve as the single point of contact for the selected Consultant. The NYSDOT Project manager will lead and coordinate the effort for NYSDOT and manage the Consultant’s service delivery to NYSDOT. The NYSDOT Project Manager will be solely responsible for decisions related to the acceptance and approval of all deliverables provided by the Consultant and for ensuring required NYSDOT resources are available in a timely manner, which is subject to changing priorities.

During the life of the project, NYSDOT management will review deliverables and evaluate them for completeness, clarity, adherence to generally recognized standards, and compliance with NYSDOT’s intent as conveyed in this RFP and contained in the resulting contract. A deliverable, phase, or milestone will not be considered complete until sign-off has been given by NYSDOT. NYSDOT will only render payment for services and deliverables it accepts.

The New York State Office of Information Technology Services (ITS) will also appoint its own Project Manager, who will coordinate all IT aspects regarding delivery of the CADD project. Once the delivered CADD Software has been accepted and is in implementation, ITS will also be responsible for day-to-day IT operations of the CADD Software.

3.6 Consultant Responsibilities
While under Contract #C037693, the selected Consultant shall be responsible for providing all required CADD and Civil Engineering Software and Services and while meeting the objectives
and requirements as stated in this RFP. The selected Consultant shall provide the requested services to meet the requirements specified in the RFP. The Consultant shall perform all activities and tasks required to achieve the objectives, functions, and outputs in a manner that meets all project and contract objectives. All software and services provided under the resulting contract shall be consistent with State and Federal laws and regulations and shall be appropriate and acceptable to NYSDOT’s management.

Each interested Consultant must become familiar with all RFP’s requirements. The main body of the RFP as well as its attachments provide details on specific functional requirements (Attachment 10), non-functional requirements (Attachment 12A) and all other RFP service requirements, consultant requirements and responsibilities, and other critical information needed for Consultants to submit responsive proposals. Consultants are solely responsible for meeting all the requirements in this RFP prior to proposal submission. The asking of written questions before the deadline for submitting proposals is encouraged.

Submission of a proposal is an affirmation by the Consultant that its organization complies with all requirements and specifications set forth in this RFP and that its organization can deliver the requested CADD project while performing the services required in a manner consistent with the requirements and terms of this RFP and under the resulting contract.

The selected Consultant shall commit fully qualified professional resources to all phases of the project. NYSDOT reserves the right to approve the replacement of key personnel (project leadership; who may have responsibility with the project) as well as all proposed Consultant personnel.

The Consultant is required to assign a single Project Manager to the project. The Consultant’s Project Manager will act as the single point of contact with NYSDOT and will have full authority over all vendor resources assigned to the project. On-site attendance by the Project Manager and other key personnel may periodically be required. Off-site participation is allowed as long as service delivery is not impaired.

The selected Consultant shall be responsible for delivering all functional requirements specified in Attachment 10 via the approach detailed in the RFP’s attachments. Questions (prior to the submission of proposals) seeking clarification regarding these requirements are encouraged. Licensing requirements are presented in Attachment 9. See Attachment 9A regarding use of software which presents the following Use of Software requirements:

- Interoperability of Consultant’s Proposed Software
- Data/File Conversion
- Data Governance
- On and Off Network Coverage Solutions

3.7 Work Orders

Per the contract, NYSDOT may request additional services consistent with what this RFP requires; NYSDOT may also require adjustments to the project, again consistent with the RFP. An orderly change control process shall be utilized. A request for additional services or project adjustments shall be accomplished via the contract’s work order process. An agreed-upon scope, schedule, and budget, as applicable, shall be established. Work Order costs will be based on agreed-upon labor hours using set contract rates and expense estimates by category of various required additional services. Work orders may be processed on an as-needed basis throughout the contract year. The Work Order process is defined below.
Work Order Process. Upon NYSDOT’s submission of a work order request, the Consultant shall develop a draft Project Description for each Work Order request. Multiple iterations may be necessary and there will be active communication with NYSDOT throughout the process. The process to execute a Work Order will include (at minimum):

- Formal request for additional services or project adjustment;
- Justification for adding future services and/or future software/functionality consistent with what this RFP is requiring but unforeseeable at this time;
- Scope - A description and scope for the work order;
- Schedule – A timeframe for the implementation of the work order, including tasks, milestones, resources, and deliverables;
- Resources - A description of the resources necessary to implement the work order; utilization of the resources – by labor hours – shall be indicated on the work order schedule;
- Cost - A description of the acceptable itemized costs associated with implementing the work order (cost to be negotiated);
- Deliverables - A description of the deliverables provided as part of work order implementation; timing of the deliverables shall be indicated on the work order schedule.

Work Order Approval. A final draft work order project will be submitted for approval to the NYSDOT Project Manager (and ITS Project Manager, as applicable), subject to any internal governance processes. Upon approval, NYSDOT will issue a final Work Order, and provide formal authorization for the Consultant to proceed to implement the Work Order. In the event a work order requires additional scope and/or funding, a supplemental agreement to the Contract will be processed.

3.8 Key Personnel Staffing Obligations

NYSDOT reserves the right to approve the Consultant's assignment of key personnel to this Project and to reject personnel deemed unsatisfactory by NYSDOT. The Department expects all proposed personnel will be provided as timely as possible after the Notice To Proceed (NTP); in no such event shall proposing personnel exceed forty (40) business days. All replacement key personnel shall have comparable or higher technical quality at same or lower cost.

Unless pre-approved in writing by NYSDOT, the Consultant shall not remove or reassign any of the key personnel until such time as the key personnel have reasonably completed all of their planned and assigned responsibilities in connection with performance of the Consultant's obligations under this Contract. The Consultant agrees that the continuity of key personnel is critical and agrees to the continuity of key personnel. Removal of key personnel without written consent of NYSDOT may be considered by the State to be a material breach of the Contract. The prohibition against removal or reassignment shall not apply where key personnel must be replaced for reasons beyond the reasonable control of the Consultant including but not limited to illness, disability, resignation or termination of the key personnel's employment.

3.9 Reporting Requirements

Tracking and reporting mechanisms shall be implemented and maintained throughout the duration of the Contract; such mechanisms shall allow for data and information to be provided to NYSDOT regarding various aspects, accounting, and progress of areas of interest related to the Project. Such areas of interest include, but are not limited to, software usage hours, license use history, cloud service accounting, On-site Consultant staff work hours and progress reports, User
training history, etc. This applies to all products and services, including those provided by subcontract. Reports and data shall be made readily available upon request. An interface for NYSDOT to directly and easily access tracking and report information is required.

The Consultant shall provide upon request, and in general keep NYSDOT informed of, news and developments that are relevant to the breadth of topics addressed under this Contract (e.g., upcoming new products/versions, noteworthy efforts or resources developed by/for other customers of the Consultant and Subconsultants, status of all subcontracts, relevant staffing changes, industry trends, etc.).

The Consultant shall not require any extensive time or resource-consuming reporting and accounting efforts from NYSDOT (e.g., for license management and usage tracking).

**Schedule of Reporting.** The selected Consultant shall provide the NYSDOT Project Manager with reports on a regular basis (e.g., written, E-Mail, available on-demand through an application/online resource, etc.). At minimum, the reports shall be delivered or made available on the following schedule and include:

1. **Monthly Report:**
   a. Due on the first business day of the following month
   b. On-site Consultants Billing Report (hours, expenses)
   c. License Management Reports
   d. Application Usage Reports (by users, # of hours, etc.)
   e. Cloud Service Usage & Accounting
   f. Training Logs (by users, by topic, etc.)
   g. Technical Assistance Report (escalated maintenance and support issues)
   h. Recommendations regarding newer or future relevant areas of pursuit

2. **Quarterly Report**
   a. Due fifteen (15) days after close of each quarter
   b. Action Items Completed, Pending, Overdue
   c. Work Order Status & Accounting Reports

3. **Summary of Work Orders**
4. **Calendar of Software Updates, Service Pack roll-out (patches and upgrades), etc.**
5. **Training Schedule**
6. **Budget Forecast**
7. **Analysis of Deficiencies with Suggested Measures to Correct**

All records/reports shall be in Word, Excel, PDF or another format acceptable to NYSDOT. Documents shall be available when requested by NYSDOT or automatically shared with NYSDOT in electronic format via E-Mail, managed file transfer (for larger sized documents), on-demand reporting interface, or other agreed upon method. Should NYSDOT want to review records pertaining to this Contract maintained at the Consultant’s office(s), NYSDOT shall be given access to those files upon reasonable notice.

The Consultant shall maintain all records at a location accessible by NYSDOT staff or in an electronic format acceptable to NYSDOT. Per the Contract, all data and records produced under this Contract are property of NYSDOT. Should the work between NYSDOT and the selected
Consultant be terminated, all records shall be turned over to NYSDOT or its designated recipient.

4 PROPOSAL SUBMISSION FORMAT AND CONTENTS

Proposals must be electronically submitted via e-mail. Send a second e-mail (with no attachments) to inform NYSDOT of your intent to electronically submit your proposal. NYSDOT will acknowledge receipt of both e-mails. Should NYSDOT be unable to receive your proposal via e-mail due to file size restrictions, then an acceptable files transfer method must be used; NYSDOT will acknowledge receipt of proposals submitted via an alternative file transfer method. Proposals must also be electronically submitted via mailed thumbdrive.

For the purposes of evaluation, each proposal must be submitted in two separate parts: the Technical and Management proposal and the Cost and Administrative Proposal. Each part of the proposal must be complete in order that the evaluation of both parts can be accomplished independently and concurrently and the Technical and Management submittal can be evaluated strictly on the basis of its merits. **Cost information is not to be included in the Technical submittal.** Web links, photographs, and illustrations (except for the organizational chart) are not to be included unless specifically required. Any referenced information found via web link must include very specific navigational directions to reach the referenced information. **DO NOT SUBMIT HARDCOPY.**

Your proposal should follow the format listed below.

**Scanned Signatures.** Original wet signatures are not required. NYSDOT is accepting scanned signatures.

4.1 Minimum RFP Responsiveness Requirements

NYSDOT prefers concise and succinct proposals with supporting details and additional information backing up significant statements and offers. The Firm may include such additional information or data as long as such meets all of the project’s objectives or provides additional information in support of completing an RFP attachment.

Any Firm that does not provide all the material identified in RFP Tables 2 and 3 by the proposal submission deadline may be determined to be non-responsive.

4.2 Technical and Management Proposal Submittal

Submittal of a responsive and complete Technical and Management proposal shall contain the following:

<table>
<thead>
<tr>
<th>Table 2</th>
<th>Technical and Management Proposal Submittal Checklist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Packaging Requirements:</td>
<td></td>
</tr>
<tr>
<td>☐</td>
<td>A complete softcopy mailed on a labelled thumbdrive. A complete softcopy e-mailed to <a href="mailto:alfred.hasenkopf@dot.ny.gov">alfred.hasenkopf@dot.ny.gov</a>. All copies must be in MS Office 2016 compatible formats (Word and PDF formats).</td>
</tr>
<tr>
<td>☐</td>
<td>E-mail Subject: “C037693 CADD RFP Technical &amp; Management Proposal”. Include electronic signature block of authorized officer.</td>
</tr>
</tbody>
</table>

Technical & Management Proposal Submission Requirements:
Title Page: lists name, address and phone number of the proposer, and the name, title, address, email, and telephone number of person(s) with official authority to negotiate, bind the company to a contract, and who may be contacted during the procurement process. The title page should also list the RFP Title and Contract #C037693 and also identify ‘Technical & Management Proposal’.

<table>
<thead>
<tr>
<th>Table 2: Technical &amp; Management Proposal Submittal Checklist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signed Cover Letter on official business letterhead (see below for details)</td>
</tr>
<tr>
<td>Table of Contents identifying each major section and page numbers</td>
</tr>
<tr>
<td>Complete and submit Attachment 9 License Requirements</td>
</tr>
<tr>
<td>Complete and Submit Attachment 9A Use of Software</td>
</tr>
<tr>
<td>Complete and Submit Attachment 10 Functional Requirements</td>
</tr>
<tr>
<td>Complete and Submit Attachment 11 Firm Experience</td>
</tr>
<tr>
<td>Complete and Submit Attachment 11A Key Personnel Experience</td>
</tr>
<tr>
<td>Complete and Submit Attachment 12 Project Management, Approach and Scope of Services</td>
</tr>
<tr>
<td>Complete and submit Attachment 12A ITS Project Requirements</td>
</tr>
<tr>
<td>Provide any additional Company and Product Literature. Provide any applicable, relevant brochures, white papers, technical specifications, etc., as supplemental information to help illustrate your company’s capabilities, products, and offerings (product/service tiers, licensing options, etc.). Documentation should not exceed one hundred (100) double sided pages. These additional documents can either lie in between the covers of your technical proposal or be separate documents (if separate, please include RFP title identifier on each). Please make sure all additional documentation is referenced in your Table of Contents.</td>
</tr>
</tbody>
</table>

To assist you to prepare responsive proposals, the RFP offers the following additional information regarding each Technical and Management proposal section.

**Title Page.** Title Page lists name, address and phone number of the proposer, and the name, title, address, email, and telephone number of person(s) with official authority to negotiate, bind the company to a contract, and who may be contacted during the procurement process. The title page should also list the RFP Title and Contract #C037693 and also identify Technical & Management Proposal.

**Cover Letter.** The Cover Letter shall include following information regarding the consultant’s official representative for its proposal:
1. Name, title and e-mail address of consultant’s official representative
2. Name and address of company
3. Telephone and Fax numbers
4. Be on official business letterhead and accompany each volume
5. The signature of an official authorized to bind the consultant to all contract provisions
6. A statement that, if awarded the contract, the consultant will comply with all the requirements set forth in the RFP
7. Provide a brief description of the proposed approach, work effort, resulting product. Confidential and proprietary information should also be identified and addressed in this section (include a table)
8. A statement that all proposed key personnel will be provided once NYSDOT issues a notice to proceed
9. If there are multiple offices of the Consultant, indicate which one will be primarily responsible for the contract and indicate which other offices are also involved.
10. The full, legal names of all Subconsultants involved in your response
11. Not exceed two pages

**FOIL Cover Letter Note:** NYSDOT will protect confidential and proprietary information from disclosure to the extent permitted by the Freedom of Information Law (“FOIL”), Article 6 of the Public Officers Law. If an offeror believes information included in their proposal is confidential and proprietary, they should identify those page(s) of their proposal which contain such information as “confidential and proprietary”. Additionally, offerors need to explain the reason(s) why this information should be considered exempt from public disclosure under FOIL. This information shall be provided in the Cover Letter (addressing the FOIL requirements may lead to additional pages in your Cover Letter).

Any claims of confidential and proprietary information should also be identified and addressed in this section. NYSDOT may protect confidential and proprietary information from disclosure to the extent permitted by the Freedom of Information Law (“FOIL”), Article 6 of the Public Officers Law, provided that NYSDOT agrees beforehand to shield the release of proposed information. If a proposer believes information included in their proposal is confidential and proprietary, they should identify those page(s) of their proposal which contain such information as “confidential and proprietary”. Labeling all pages as “confidential” or “proprietary” is unacceptable – such proposals will not be accepted unless the proposer re-labels their proposal to only identify what specific material to shield from public scrutiny. All proposers shall explain the material and substantive reason(s) why this information should be considered exempt from public disclosure under FOIL. The identification of pages and the reasons for exemption should be included in the Executive Summary of your proposal. NYSDOT reserves the right to only consider those FOIL exemption requests for which public release of such information would truly be injurious to a firm. The State will only consider those items confidential and proprietary which it agrees are confidential and proprietary based on the proof provided by the consultant and responses to the State’s questions regarding any such claims.

**4.3 Cost and Administrative Proposal Submittal**
Submittal of a responsive and complete Cost and Administrative proposal shall contain the following:

**Table 3**

<table>
<thead>
<tr>
<th>Cost and Administrative Proposal Submittal Checklist</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Packaging Requirements:</strong></td>
</tr>
<tr>
<td>☐ ☐ A complete softcopy mailed on a labelled thumbdrive. A complete softcopy e-mailed to <a href="mailto:alfred.hasenkopf@dot.ny.gov">alfred.hasenkopf@dot.ny.gov</a>. All copies must be in MS Office 2016 compatible formats (Word/Excel and PDF formats).</td>
</tr>
<tr>
<td>☐ E-mail Subject: “C037693 CADD RFP Cost and Administrative Proposal”. Include electronic signature block of authorized officer.</td>
</tr>
<tr>
<td><strong>Cost Proposal: Cost Section Submission Requirements:</strong></td>
</tr>
<tr>
<td>☐ Include Table 3: Cost &amp; Administrative Proposal Submittal Checklist</td>
</tr>
<tr>
<td>☐ ☐ Include a copy of the Cover Letter (same as provided in the Technical Proposal)</td>
</tr>
<tr>
<td>☐ ☐ Include completed Attachment 13 Cost Proposal</td>
</tr>
<tr>
<td><strong>Cost Proposal: Administrative Section Submission Requirements:</strong></td>
</tr>
<tr>
<td>☐ Include completed Attachment 4 Acknowledgement of Receipt (Form OAR) of all RFP Modifications (MANDATORY REQUIREMENT)</td>
</tr>
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<td>□</td>
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</tbody>
</table>

To assist you to prepare responsive proposals, the RFP offers the following additional information regarding Cost and Administrative proposal preparation.

**Proposal Submission Checklist.** The above checklist should be completed, included in your cost proposal, and should illustrate that all required items are provided. Identify any additional information provided. An explanation should be provided for any deliberately missing items. Depending on the missing items, a proposal may be deemed an incomplete Proposal and be grounds for removal from consideration.

**Cost Proposal Section**
Submit a Cost Proposal following all instructions provided in **Attachment 13**.

**Attachment 13** is an Excel spreadsheet/workbook which contains tabs wherein each tab presents a major contributor to the contract’s total estimated cost over the base five-year term. Each exhibit tab presents an exhibit which will be included in Schedule B of the resulting contract. Instructions are presented at the bottom of each tab/spreadsheet, and a general list of instructions is presented up front.

NYSDOT reserves the right to clarify any aspects of a bidder’s cost proposal, including through a best and final offer request. During contract negotiations with the selected Consultant, NYSDOT reserves the right to petition for revisions to proposed fees, costs and rates.

**Total Cost Summary (Exhibit 1; Attachment 13, ‘Cost Summary’ tab).** Complete and submit **Exhibit 1** which presents a summary of all proposed costs by cost category, with each cost category automatically carried over from each respective tab section of the spreadsheet. Based on the confirmed cost of the selected Consultant’s Exhibit 1, C037693’s total contract value shall be initially established for Year One, then grow annually via formal supplemental agreement as funds are added to pay for each contract year’s planned obligations (including possible additional costs for Work Orders).

**Software License Costs (Exhibit 2; Attachment 13, ‘Software Cost’ tab).** Complete and submit **Exhibit 2** per the instructions and rules as defined in Exhibit 2.

**On-Site Support Costs (Exhibit 3; Attachment 13, ‘On-Site Support Cost’ tab).** Complete and submit **Exhibit 3** with your proposed cost for the five (5) required On-Site Consultants. NYSDOT reserves the right to add or subtract on-site support personnel over the life of the contract.
Proposals shall be based on providing five (5) On-Site Support Consultants for each Contract year. Proposals shall assume each On-Site Consultant is working at the top hourly pay rate for up to 1800 hours per contract year (assume 150 hours per On-Site Consultant per month for 12 months). On-site Consultants are required to report on-site within forty (40) business days of the Contract Notice to Proceed (NTP) date. NYSDOT may add a $20,000 annual budget to reimburse for any directed On-Site Consultant travel and other related expenses. During the duration of the Contract, NYSDOT may adjust the annual travel budget based on usage history.

Cost of Services (Exhibit 4; Attachment 13, ‘Cost of Additional Services’ tab). Complete and submit Exhibit 4. Cost of labor and associated expenses of any Additional Services may be added annually to Exhibit 4.

Hourly Rates (Exhibit 5; Attachment 13, ‘Hourly Rates’ tab). Complete and submit Exhibit 5. The RFP requires all proposers to submit labor rates for each proposed Key Personnel for each of the contract’s five-year base term. These rates shall be used, in part, to establish the labor costs for additional Work Orders, to be added via contract amendment.

Rate increases from year to year shall not exceed two percent (2%). Beyond contract year five, year-to-year rate adjustments shall be limited to the lower of either the Producer Price Index (PPI) as published by the U.S. Department of Labor, Bureau of Labor Statistics, or two percent (2.0%), subject to current market conditions. The rate adjustment will be effective on the month the contract’s term begins and shall be calculated using the Index from the previous fourth month (using Series ID PCU5413--5413--Architectural, engineering, and related services; for reference: http://data.bls.gov/timeseries/PCU5413--5413--?data_tool=XGtable). If at any time the above Index Series ID is discontinued or becomes unavailable, the State reserves the right to implement a comparable Index. If the actual start of the Contract is substantially different than the above estimated date, then the effective date for the rate adjustment will be similarly changed by written supplemental agreement. The State reserves the right to negotiate an alternative rate adjustment than stated above for the additional extension periods, providing such is in the state’s best interest.

Travel Costs. After Notice to Proceed is granted, project-related travel shall only be a permissible contract charge only when directed by NYSDOT. All costs associated with directed travel shall not be included in your proposal; instead costs for directed travel may be budgeted into the contract annually. Commuting travel costs are not allowed. Travel, meals and lodging reimbursements shall be limited to the prevailing maximum rates established by the NY State Comptroller. The latest state and nationwide maximum reimbursement rates are available at the following Web site: http://www.gsa.gov/.

Work Order Budget. An initial Year One Work Order budget of up to $100,000 may be added to the selected Consultant’s cost proposal. Implementation of this budget shall be governed by the contract’s Work Order process. Cost of labor for all Work Order services shall be estimated and reimbursed using Attachment 13 rate schedule (Exhibit 5). The daily, monthly or annual rate may be utilized at the discretion of NYSDOT.

Payment Process. The Consultant will designate a Billing Representative who will be responsible for resolving any invoicing issues during the term of the contract. Payment for services provided under the
agreement resulting from this RFP will be provided monthly and shall remain fixed for the duration of the agreement unless changed by an executed contract amendment.

Requests for payments shall be made by the designated Consultant on standard payment request forms (FIN 421). Use proper procedure for billing each deliverable: Submit a draft billing to NYSDOT’s assigned Project Manager via the following sample electronic billing: https://www.dot.ny.gov/main/business-center/consultants/forms-publications-and-instructions. The sample spreadsheet contains all of the proper, required billing forms, as well as a sample billing. The Project Manager will respond via E-Mail either with comments/corrections or with an approval to submit the final billing via signed hardcopy (which may be waived and substituted with scanned signed copy). The last and final payment will become due and payable within thirty (30) days after delivery of the final deliverable(s).

Pricing shall remain firm for the duration of the Contract. Three hundred sixty-five (365) days prior to expiration of initial five-year contract term, the Consultant will provide pricing for optional years beyond the Contract term to the State, per the State’s direction.

All vendors are directed to register with the New York State Office of the State Comptroller to receive electronic payments per the Governor’s Directive.

4.4 Cost Proposal: Administrative Section
The second section of your Cost Proposal shall be the Administrative Section, consisting of completed RFP Attachments 4 through 8. Additional supporting information is presented below.

Attachment 4 Acknowledgement of Receipt (Form OAR; Mandatory Requirement)
Complete and submit Attachment 4, which will be administratively evaluated during the procurement process. It is a mandatory RFP requirement that all proposers acknowledge receipt of each RFP Modification released. Do not include any released RFP Announcements.

Attachment 5 PLL Forms (Mandatory Requirement)
The Cost Proposal shall include a completed Attachment 5 Procurement Lobbying Law (PLL) Compliance Forms (Offerer’s Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b) and Offerer Disclosure of Prior Non-Responsibility Determinations). These forms are required with the RFP Response Form or if you do not submit an RFP Response Form then the PLL forms are required with the Proposal. These forms are also available at: https://www.dot.ny.gov/main/business-center/consultants/forms-publications-and-instructions (Compliance Procurement Lobbying Law). Note: Failure to submit the completed PLL forms with your proposal will result in elimination from consideration for contract award.

Attachment 6 Prime Consultant Information & Certifications (Mandatory Requirement)
Offerors shall complete and submit RFP Attachment 6 which will be administratively evaluated during the procurement process. To indicate consultant’s acceptance of all of the terms and conditions contained in the RFP’s draft Contract (Attachment 1) and to certify RFP requirements, consultant shall sign Attachment 6 and present requested information about the proposing Prime Consultant, as required by Attachment 6. Attachment 6 also requires the signature of an official authorized to bind the offeror to all of its provisions, a statement certifying that the proposal shall remain valid for at least 180 days, and a statement that, if awarded the contract, the offeror will comply with all the requirements of the RFP including its
Altering this form without the prior expressed written approval of the New York State Department of Transportation is prohibited and may lead to the proposal being deemed non-responsive and subsequently dismissed. **After proposal submission, no exceptions to any of the RFP’s draft contract’s terms and conditions will be entertained by NYSDOT.** Conditional bids will be deemed non-responsive. Failure to accept the RFP’s draft contract is an automatic condition of non-award. Firms are encouraged to fully examine the RFP’s draft contract. Firms have the opportunity to submit qualified questions regarding the RFP’s draft contract before proposal submission. NYSDOT will carefully examine questions posed regarding the RFP’s draft contract, with the notion of entertaining only those changes to the RFP’s draft contract which are in the State’s best interest.

**Attachment 6A Subconsultant Information**
Offerors shall complete and submit one RFP Attachment 6A which will present requested information about the proposed Subconsultant and be administratively evaluated during the procurement process.

**Attachment 7 Certification of Non-Collusive Bidding (Mandatory Requirement)**
Offerors shall complete and submit Attachment 7 which will be administratively evaluated during the procurement process. All Bidders must submit an attestation that there was no collusion with other bidders. Firms shall also identify any partnerships or corporations to which they belong.

**Attachment 8 Vendor Assurance of No Conflict of Interest or Detrimental Effect (Mandatory Requirement)**
Offerors shall complete and submit Attachment 8 which will be administratively evaluated during the procurement process.

### 4.5 Proposal Submission
Your proposal must electronically be received by NYSDOT in Contract Management Bureau’s 50 Wolf Road, 6th floor, Albany, New York 12232 address by 2:00 PM on July 8, 2020. NYSDOT will acknowledge receipt of your e-mailed proposal.

## 5 PROPOSAL EVALUATION PROCESS

### 5.1 Pre-Screening of Proposals/Administrative Proposal Section Evaluation

**Proposal Due Date.** All proposals must be electronically delivered to NYSDOT Contract Management by 2:00 PM on July 8, 2020. Any proposals received after that time/date shall be deemed to be non-responsive and not evaluated.

**Proposal Opening, Log-in and Certification.** Proposals received on or prior to the due date and time will be opened, inventoried for completeness, certified, and logged-in (per Tables 5 and 6 in RFP Section 5).

**Complete Proposal.** It is NYSDOT’s sole discretionary determination as to whether a proposal is complete per RFP Tables 5 and 6. Firms may receive clarification questions/requests based upon the response completeness checks, with any requested clarification information due back to NYSDOT in the timeliest manner possible. Proposals which do not meet the Minimum RFP Responsiveness requirements may be deemed incomplete and non-responsive. Proposals deemed to be non-responsive shall be removed from further consideration.
Minimum Proposal Responsiveness Requirements. Any proposal which does not include all of the following by the RFP deadline may be deemed non-responsive. Any proposals deemed non-responsive shall be removed from further consideration (prior to the technical evaluation of proposals):

1. Complete Technical and Management proposal submission (Table 2)
2. Complete Cost and Administrative proposal submission (Table 3)
3. Acknowledged receipt of any and all RFP Modifications (Attachment 4 Form OAR)
4. Submission of acceptable Procurement Lobbying Law compliance forms (Attachment 5)
5. Acceptance of RFP’s draft contract’s terms and conditions (Attachment 6)
6. Certification of Non-Collusive Bidding (Attachment 7)
7. Vendor Assurance of No Conflict of Interest or Detrimental Effect (Attachment 8)

Attachment 6 Prime Consultant Information & Certifications. NYSDOT shall review all submitted information for completeness and correctness. Each proposer must acknowledge all required certifications. Each proposer must accept all of the RFP’s draft contract’s terms and conditions. Failure to acknowledge all required certifications and accept all of the RFP’s draft contract’s terms and conditions shall be grounds for proposal dismissal.

Verifiable Statements: NYSDOT has the right to request authentication of any certifications or statements of ability and capacity to meet and provide the requirements outlined in this RFP. If requested, failure to provide acceptable supporting documentation or references in a timely manner (30 days) to verify any statements or certifications is grounds for removal from further consideration.

Attachments 4, 5, 6A, 7 and 8. NYSDOT shall review all submitted information for completeness and correctness.

5.2 Evaluation Category Weight Distribution

Proposals will be evaluated using NYSDOT’s Best Value method based upon a 10,000 total point scale. Each proposal shall be evaluated based on its merits in response to the RFP. The Technical and Management portion will be evaluated and numerically point scored and will represent 8,000 points of the total Best Value score for the proposal. The cost portion of the Cost and Administrative proposal will be evaluated and numerically point scored and will represent 2,000 points of the total Best Value score for the proposal. The RFP’s proposal evaluation categories and associated weights are as follows:

Table 4

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<thead>
<tr>
<th>Evaluation Factors and Weights</th>
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<tr>
<td><strong>CATEGORY</strong></td>
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<td><strong>POINTS</strong></td>
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<td>Licensing</td>
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<td>Attachment 9 Licensing</td>
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<td>Attachment 9A Use of Software</td>
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<td>Functional Requirements (FR; Attachment 10)</td>
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<td>FR 1 Drafting</td>
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<td>FR 2. Highway 3D Design &amp; Modeling</td>
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<tr>
<td>FR3 Conceptual Design</td>
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<td>FR4 Site Design</td>
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<tr>
<td>FR5 Rail Design</td>
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<tr>
<td>FR6 Visualization</td>
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</table>
5.4 Technical & Management Proposal Evaluation (Up to 8000 Points)

Technical evaluation of proposals will be accomplished by Evaluators, who will evaluate and score each proposal individually. Each Evaluator shall measure the degree of responsiveness of each Proposal’s responses to the RFP’s requirements via an examination of the written proposal, possible reference checks, and, to verify the offer, a product demonstration. Evaluators may generate clarification questions to be posed during the product demonstrations. Reference checks (to verify offered experience) may be considered in this RFP’s evaluation process. References shall not be separately scored. There will be no shortlisting of proposals. Per RFP Attachment 10, all vendors submitting responsive proposals shall present their products via a demonstration, which shall be evaluated as an integral part of overall technical proposal evaluation (a continuation of preliminary written technical proposal evaluation findings and scores). Evaluators have the authority to identify additional functional requirements which vendors must demonstrate. Any additional clarification information received during the demonstrations shall be considered.

5.5 Cost Proposal Evaluation (Up to 2000 Points)

Cost proposals shall be reviewed, evaluated and scored for all proposals once NYSDOT concludes proposals meet the RFP’s minimum response requirements. Cost proposals shall be evaluated and point-scored with up to 2000 best value points available. Initial cost scores shall be developed and used to identify initial Best Value scores. NYSDOT may seek cost proposal clarification at that time. The RFP’s cost score derivation rules follow.
SERVICE COST SCORE: The cost proposal with the lowest total cost to deliver all requested RFP #C037693 services (RFP Attachment 13 Exhibit 1) shall receive a Total Service Cost score of 1950 points. Proposals with higher Total Service Costs shall receive proportionately lower Total Service Cost scores.

RATE COST SCORE: All proposed Consultant hourly labor rates (RFP Attachment 13, Exhibit 5) shall be evaluated for reasonableness against a Hypothetical Work Order request with uniform pre-defined hours by all RFP role categories. Pre-assigned hours times each title’s rate shall derive cost for elemental work; each element work cost shall be summed to derive total Hypothetical Work Order cost for each year, with Hypothetical Work Order costs then summed for all five years. The cost proposal with the lowest Hypothetical Work Order cost shall receive a Rate Cost score of 50 points. Proposals offering higher total Hypothetical Work Orders cost shall receive a proportionally lower Rate Cost score. NYSDOT may address rates after consultant selection and prior to contract award.

FINAL COST SCORE: Final Proposal Cost scores shall be the sum of the Total Service Cost scores plus the Hypothetical Work Order Rate Cost score.

Final cost scores (which are relative to the field of consultants competing for contract award) are subject to change depending upon whether cost proposal clarifications responses, Best and Final Offer responses (if invoked), proposal withdrawals, or pass/fail dismissals lead to proposed cost changes. Cost scoring results shall be used to determine which proposals are susceptible to contract award (a best value determination). A final cost score shall be calculated once all cost proposal evaluation has been completed.

Should any firm withdraw their proposal during the proposal evaluation process, NYSDOT will remove that firm’s technical and cost information from the Best Value evaluation documentation and shall recalculate the remaining field’s technical and cost scores (without the withdrawn firm’s information).

5.6 Best & Final Offer (BAFO; Optional) & Proposal Withdrawal

The Department reserves the right to request Best and Final Offers from firms submitting responsive proposals. Any Best and Final Offer request may ask additional further clarifying technical and/or cost proposal questions of firms to further clarify their submitted proposals. NYSDOT also may request a cost only BAFO. Should NYSDOT opt to request BAFOs, all proposing (prime) firms will receive a BAFO request. Responding firms will be allowed to submit a Best and Final Offer (technical and/or cost); firms may opt to not submit a BAFO. Evaluators will be allowed to revise their Technical and Management proposal scores based on consideration of any new or changed Technical proposal information contained in any Best and Final Offer. If changes to a firm’s Technical Proposal lead to corresponding, necessary revisions to their Cost Proposal (or should a firm opt to clarify their cost proposal) or should the Department opt to request cost-only BAFOs, the Department’s Contract Management representative shall make the necessary, appropriate adjustments to that firm’s cost proposal evaluation. NYSDOT reserves the right to request a second BAFO should doing so be in the State’s best interest.

Should any firm withdraw their proposal after a possible BAFO request, NYSDOT will remove that firm’s technical and cost information from the Best Value evaluation documentation and shall recalculate the remaining field’s technical and cost scores (without the withdrawn firm’s information).
5.7 Final Best Value Evaluation

After evaluation of all technical information submitted by competing consultants, the final technical proposal scores shall be the average weighted technical proposal score (out of 8000 points). Cost proposals have previously been evaluated and the resulting cost scores assigned by the RFP’s cost proposal scoring rule with the most attractive cost proposal receiving 2000 points. Final cost scoring results will be added to the final average weighted technical proposal score to generate a tentative final best value score. Firms competing for contract award shall be ranked in Final Best Value score order (highest to lowest).

_Tie-Breaking Rule_: Should any of the tentative final Best Value Scores of one or more proposals competing for the contract award lie within Eighty (80) points of each other, then State Finance Law Section 163(10)(a) shall be used to settle any ties.

Once all possible score ties have cleared, NYSDOT will determine the Final Best Value Score, where after the proposal with the highest Final Best Value score shall be recommended to NYSDOT Executive Management for contract award for contract #C037693.

5.8 Consultant Selection Recommendation & Tentative Contract Award

A consultant selection and designation memo shall be prepared and forwarded to the applicable NYSDOT Executive Manager(s) with an accompanying proposal evaluation process results report. The memo shall recommend selection of the top-ranked Best Value Consultant for tentative contract award of C037693 to NYSDOT Executive Management. The Executive Manager will be asked to concur with the final conclusion of the proposal evaluation process - a recommendation for the tentative contract awards for the Department - and designate the highest ranked Best Value consultant based upon the above results.

Should negotiations with the top-ranked Best Value Consultant fail to produce agreed-upon contracts, then NYSDOT Executive Management will designate and award contract #C037693 to the next highest-ranked Best Value Consultant. The Department will then enter into negotiations with the second-highest rated Consultant. This process may repeat itself until acceptable contracts are consummated. The consultant designation becomes final after the NYS Office of the State Comptroller approves Contract #C037693.

The designation shall be publicly posted. Once the public has been notified of the solicitation’s results, negotiations with the selected Consultant can commence. The final contract is subject to approval by NYSDOT, the Attorney General, and the Office of the State Comptroller, and is not binding until such approval is received.

At the conclusion of the proposal evaluation process, an announcement of NYSDOT’s designation(s) will be posted the ‘Consulting Services’ listing on NYSDOT’s website via: https://www.dot.ny.gov/business. All proposers will be notified in writing regarding the results from the solicitation. All non-designated firms will be offered an opportunity to request a debriefing.

It is expressly understood that this RFP does not commit NYSDOT to award a contract, to pay any costs incurred in the preparation of a proposal to this request, or to procure or contract services or supplies. Further, NYSDOT shall have no obligation or liability whatsoever to the vendor selected as a result of this solicitation, unless and until a contract satisfactory to NYSDOT is approved and executed by the vendor and all necessary State officials.
5.9 Protest Procedure
The New York State Department of Transportation (NYSDOT) has established a protest procedure to be utilized when an interested party challenges a Non-Engineering consultant designation by NYSDOT. The complete procedure can be accessed via: https://www.dot.ny.gov/main/business-center/consultants/general-info.

6. ADMINISTRATIVE SPECIFICATIONS

6.1 State’s Rights
All Proposals, upon submission to NYSDOT, shall become its property for use as deemed appropriate. By submitting a Proposal, the Consultant covenants not to make any claim for or have any right to damages because of any misinterpretation or misunderstanding of the specification, or because of any misinformation or lack of information. With regard to Proposal submitted, NYSDOT asserts the following prerogatives with regard to Proposals submitted:

1. To accept or reject any or all Proposals in whole or in part;
2. To accept or reject separable portions of proposals;
3. To correct any arithmetic errors in any or all Proposals;
4. To change the Proposal’s due date upon appropriate notification to interested Firms;
5. To cancel this RFP with sufficient notice;
6. To eliminate any mandatory RFP requirement or specification unmet by all Offerors in the evaluation of received Proposals;
7. To adopt any or all of a successful Offeror’s Proposal;
8. To negotiate modifications to the scope, milestone payment schedule and total cost, and Contract terms and conditions with the selected Offeror prior to Contract award only if it is in the best interest of the State to do so;
9. To disqualify an Offeror from receiving the award if such Offeror, or anyone in the Offeror’s employ, has previously failed to perform satisfactorily in connection with public bidding or Contracts;
10. To revise/amend any provision of this RFP by written notification to Offerors, prior to Proposal submission;
11. To eliminate any requirement that is found to be unmet by all Offerors;
12. To make inquiries, by means it may choose, into the Offeror’s background or statements made in the Proposal to determine the truth and accuracy of all statements made therein;
13. To select and award the Contract to the Offeror whose Proposal represents the best value to NYSDOT;
14. Should NYSDOT determine that the negotiations with the selected Offeror will not result in a Contract, to begin Contract negotiations with the next-best-value Offeror(s) responsive to this RFP — without again requesting Proposals;
15. If NYSDOT terminates the contract — without again requesting proposals, to begin contract negotiations with the next-best-value offeror; and
16. Any Contract entered into pursuant to an award of this solicitation shall contain a provision which grants the option to extend the terms and conditions of such Contract to
any other New York state agency, public benefit corporation or state-chartered authority. However, any response to this solicitation shall be based solely on the purpose of this solicitation and shall not factor in the possibility that this Contract may, in the future, be applicable to other state agencies. Please be advised that any award made pursuant to this solicitation shall be based on the specific requirements of this solicitation only.

6.2 Proposing Former NYSDOT Employees
It is the Consultant’s responsibility to ensure they propose staff that is eligible to work on the proposed Project. It is an individual’s responsibility to comply with the Public Officer’s Law.

The following procedure applies if either of the following criteria is met:
- It is two (2) years or less between the date that the individual is proposed and the individual’s date of separation from the State.
- The individual proposed has worked on the Project while employed by NYSDOT regardless of how long ago they left NYSDOT.

Procedure:
1. Before the Consultant proposes an individual, the individual must obtain an opinion from the New York State Joint Commission on Public Ethics (http://www.jcope.ny.gov/) that approves their participation in the Project as they are proposed.
2. A copy of this opinion must be on file in the Consultant’s office and available for review by NYSDOT if requested.
3. Failure to obtain New York State Joint Commission on Public Ethics (http://www.jcope.ny.gov/) approval for an individual’s participation in a Project may jeopardize the Firm’s designation for that Project.

6.3 Cost Liability
NYSDOT is not responsible or liable for any costs incurred by any Bidder prior to the signing of a Contract.

6.4 Information for the Selected Consultant

6.4.1 Vendor Responsibility
In accordance with the NYS Finance Law, NYSDOT will only make Contract award to Vendors that are determined to be responsive and responsible. All selected Offerors of Contracts valued at one hundred thousand dollars ($100,000 USD) or more will be required to submit a Vendor Responsibility Questionnaire through the Office of the State Comptroller website via http://www.osc.state.ny.us/vendrep/index.htm before negotiation of a Contract. Offerors must certify the accuracy of the information they provide in the questionnaire. In addition, any Subconsultant providing services valued at one hundred thousand dollars ($100,000 USD) or more is required to submit Vendor Responsibility Questionnaire through the Office of the State Comptroller website.

6.4.2 Registration with NYSDOT
Firms entering into Contracts with the New York State Department of Transportation (NYSDOT) as prime Consultants, joint venture partners, Subcontractors, or subconsultants, are required to electronically register their firm using the Consultant Selection System web application (CSSWeb). All Firms entering into Non-Architectural/Non-Engineering agreements are required to create and register an account to:
1) Create and assign Consultant Identification Numbers (CINs) for each office registered by the firm; and
2) Provide general firm information including, but not limited to: legal firm name; Federal Identification Number (FEIN); ownership type; DBE, MBE and/or WBE status; firm principals; and office(s) address information.

All Firms participating in a potential agreement (negotiations) must be registered electronically with NYSDOT prior to that agreement being forwarded to the Office of the State Comptroller for approval. Registered Firms are responsible for verifying and updating their registration information for the duration of the agreement.


Questions regarding the CSSWeb application and Firm registration should be directed to the CSSWeb Administrator by E-Mail at css@dot.state.ny.us or by telephone at 518-457-2600.

6.4.3 Registration with Statewide Financial System (SFS)
Should this solicitation lead to a designation, the Prime Consultant will be required to electronically register with the Statewide Financial System (SFS) - if not already registered. NYSDOT will initiate the registration process in the SFS application and then contact the Prime Consultant to provide them with further direction for completion of the registration process. The result of this process is an established SFS vendor number assigned to the Prime Consultant. If a Firm has already registered in SFS in connection with another procurement effort, it will likely not need to re-register for this opportunity. However, an SFS vendor number is Firm name specific. Since many Firms have different variations of their business identities, Firms will be required to register in the name of the business entity that NYSDOT is doing business with.

6.4.4 Consultant Employment Disclosure Requirements of this Project
To become familiar with Consultant Employment Disclosure requirements, which went into effect June 19, 2006, go to the Office of the State Comptroller’s (OSC) website (http://www.osc.state.ny.us/procurement/consultantdisclosure.doc). Upon Contract signature, the Consultant selected for this solicitation shall be required to complete and submit Form A (“State Consultant Services – Contractor’s Planned Employment”) which can be found on the OSC website. For each contract year thereafter, the Consultant shall complete and submit Form B (“State Consultant Services Contractor’s Annual Employment Report”). Copies of the completed Form B shall be submitted to the Office of the State Comptroller, the Department of Civil Service, and the Department of Transportation on or before May 15th of each year the Contract is in effect.

6.4.5 Insurance Requirement of this Project
Please carefully read the terms and conditions of the draft Contract appended as Attachment 1 – Draft Contract of this RFP. Your attention is drawn to the insurance requirements for this Project that are contained in Article 12 of the draft Contract. These insurances are mandatory for the Firm selected as a result of this solicitation and will not be waived.

6.4.6 Contractor Tax Certification
Per Section 5-a of the NYS Tax Law, all Vendors selected for Contracts in excess of one hundred thousand dollars ($100,000 USD) for the sale of goods or services must complete and
submit Forms ST-220-TD and ST-220-CA (Contractor Certifications) prior to negotiation of a Contract with State agencies. Firms should make themselves familiar with these forms by visiting the following websites:

http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf (Form ST-220-CA) and
http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf (Form ST-220-TD)

6.4.7 Executive Order 177
In accordance with Executive Order No. 177, the selected Consultant shall be is required to certify via completion and submission of Attachment 3 EO177 Certification that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law. Do not submit Attachment 3 in your proposal – for informational purposes only; only for the selected Consultant.

7. ATTACHMENTS
Attachment 1. Draft Contract (OnLine)
### FORM A

**State Consultant Services – Contractor’s Planned Employment**

**From Contract Start Date Through The End Of The Contract Term**

<table>
<thead>
<tr>
<th>O*Net Employment Category &amp; ONET Employment Category Name</th>
<th>Number of Employees</th>
<th>Number of hours to be worked</th>
<th>Amount Payable Under the Contract</th>
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Grand Total: 0

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Name of person who prepared this report:

Title:

Preparer’s Signature:

Date Prepared: / / 

(Use additional pages, if necessary)
State Consultant Services
Contractor’s Annual Employment Report
Report Period: April 1, to March 31,

Contracting State Agency Name: NYSDOT  
Agency Code: 3900283

Contract Number: C037693

Contract Term: to / / 

Contractor Name: 
Contractor Address: 
Description of Services Being Provided: CADD and Civil Engineering Software and Services for NYSDOT

Scope of Contract (Choose one that best fits):
- Analysis
- Evaluation
- Research
- Training
- Data Processing
- Computer Programming
- Other IT consulting
- Engineering
- Architect Services
- Surveying
- Environmental Services
- Health Services
- Mental Health Services
- Accounting
- Auditing
- Paralegal
- Legal
- Other Consulting

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Total this page 0 0 $ 0.00

Grand Total

Name of person who prepared this report:
Preparer’s Signature: ______________________________
Title: ____________________________ Phone #: ____________________________
Date Prepared: / / 

Use additional pages if necessary)
Attachment 3. Executive Order 177 Certification

This Certification must be completed and returned with the executed contract documents.

Executive Order 177 Certification
Contract #C037693

The New York State Human Rights Law, Article 15 of the Executive Law, prohibits discrimination and harassment based on age, race, creed, color, national origin, sex, pregnancy or pregnancy-related conditions, sexual orientation, gender identity, disability, marital status, familial status, domestic violence victim status, prior arrest or conviction record, military status or predisposing genetic characteristics.

The Human Rights Law may also require reasonable accommodation for persons with disabilities and pregnancy-related conditions. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. The Human Rights Law may also require reasonable accommodation in employment on the basis of Sabbath observance or religious practices.

Generally, the Human Rights Law applies to:

- all employers of four or more people, employment agencies, labor organizations and apprenticeship training programs in all instances of discrimination or harassment;
- employers with fewer than four employees in all cases involving sexual harassment; and,
- any employer of domestic workers in cases involving sexual harassment or harassment based on gender, race, religion or national origin.

In accordance with Executive Order No. 177, the Proposer/Bidder hereby certifies that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law.

Executive Order No. 177 and this certification do not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

Vendor: ______________________________________
By [signature]: ___________________________________
Name [print]: ____________________________________
Title: _____________________________________________
Date: ____________  __ , 20__
ACKNOWLEDGMENT OF RECEIPT OF 
RFP, MODIFICATIONS AND RESPONSES TO QUESTIONS

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<th>NAME OF PROPOSER:</th>
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We hereby acknowledge receipt of the *CADD and Civil Engineering Software and Services for NYSDOT* (Contract #C037693) Request for Proposals, dated May 27, 2020 and all subsequent RFP Modifications issued by NYSDOT, as listed below. Do not include any RFP Announcements.

Add additional lines below, if needed.

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SIGNED: ____________________________

(Signature)

DATE: ____________________________

NAME: ____________________________

(Print name)

TITLE: ____________________________
Offerer’s Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)

Offerer affirms that it understands and agrees to comply with the procedures of the Government Entity relative to permissible Contracts as required by State Finance Laws §139-j (3) and §139-j (6) (b).

Contract No. **C037693**

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Offerer Disclosure of Prior Non-Responsibility Determinations

| Name of Individual or Entity Seeking to Enter into the Procurement Contract: |
| Address: |
| Name and Title of Person Submitting this Form: |
| Contract Procurement Number: C037693 |
| Date: |

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle): No Yes

   If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle): No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle): No Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.

   Governmental Entity: ___________________________________________
   Date of Finding of Non-responsibility: ____________________________
   Basis of Finding of Non-responsibility: ____________________________

   (Add additional pages as necessary.)

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle): No Yes

6. If yes, please provide details below.

   Governmental Entity: ___________________________________________
   Date of Finding of Non-responsibility: ____________________________
   Basis of Finding of Non-responsibility: ____________________________

   (Add additional pages as necessary.)

Offerer certifies that all information provided to the Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate.

By: ___________________________ Date: ____________________________

Name: ___________________________ Signature: ___________________________

Title: ___________________________
Procurement Lobbying Law Compliance Form Information

**Required Forms:** The consultant shall sign and e-mail/fax the two PLL forms listed below. These forms are part of and due with a submitted proposal.

1. **Offerer’s Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)**
2. **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. 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:

1. The Designated Contract Management Specialist
2. The Contract Management Specialist’s Supervisor
3. A Contract Management Assistant Director
4. The Director of Contract Management

These are some communications exempted from this restriction:

1. Participation in a pre-proposal conference/webinar
2. Submittal of written questions when written responses will be provided to all offerers
3. 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:

1. The Designated Contract Management Specialist
2. The Contract Management Specialist’s Supervisor
3. A Contract Management Assistant Director
4. The Director of Contract Management
5. The NYSDOT Consultant Job Manager
6. The NYSDOT Consultant Job Manager’s Immediate Supervisor
7. Any individual(s) that NYSDOT 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:** If you require more information regarding the rules and regulations pertaining to NYS’s Procurement Lobbying Law, please visit: https://ogs.ny.gov/acpl, http://www.jcope.ny.gov/, or please contact the designated NYSDOT Contract Person:

Mr. Al Hasenkopf, C037693
NYSDOT Contract Management
50 Wolf Road, 6th Floor
Albany, New York 12232-0203
E-mail: alfred.hasenkopf@dot.ny.gov
Phone: 518-457-1560
Attachment 6. Prime Consultant Information and Certifications

CONTRACT NUMBER:  C037693
PROJECT TITLE:  CADD AND CIVIL ENGINEERING SOFTWARE AND SERVICES FOR NYSDOT

I.  CONSULTANT INFORMATION

FIRM NAME:  ________________________________________________________________
ADDRESS:  _______________________________________________________________
CITY:  __________________________ STATE:  ______________
ZIP CODE:  ___________ - __________
TELEPHONE #: (_____) _____ - _______ FAX#: (_____) _____ - _______
E-MAIL ADDRESS:  _______________________________________________________
CONTACT PERSON:  _______________________________________________________

  Consultant's Federal Identification Number (FIN):  ___________________________
  Consultant's Consultant Identification Number (CIN):  _________________________
  Consultant’s SFS Vendor Identification Number:  _____________________________

• Please indicate below the name, title, address, and telephone/fax numbers of the person who prepared this proposal, as well as any other individual(s) with authority to negotiate and contractually bind the offeror and also who may be contacted during the period of proposal evaluation:

  Preparer’s Name/Title:  ________________________________________________
  Address:  _____________________________________________________________
  Telephone #:  ________________ FAX #:  ________________ E-Mail  ____________

  Other Authorized Individual(s):
  Name/Title  ___________________________________________________________
  Address:  _____________________________________________________________
  Telephone #:  ________________ FAX #:  ________________ E-Mail  ____________

Add additional pages if necessary.
II. PRIME CONSULTANT CERTIFICATIONS

By signing below, I, ________________________________ (NAME), authorized individual of ________________________________ (FIRM), make the following certifications regarding the subject proposal:

- **365-Day Firm Offer:** This proposal is a firm offer for a 365-day (or more) period from the date of submission.

- **Former NYSDOT Employee:** The firm has read and will follow the procedure outlined in **RFP Section 6.2** if it proposes the services of a former NYSDOT employee(s).

- **Vendor Responsibility:** In accordance with New York State law, if selected for contract award, the firm will complete and submit the required Vendor Responsibility questionnaire through the Office of the State Comptroller VendRep system, which is accessible via: http://www.osc.state.ny.us/vendrep/index.htm. Vendors must certify the accuracy of the information they provide in the questionnaire and must file their VRQ within 10 days of notification of designation. NYSDOT cannot sign a contract if a firm’s vendor responsibility certification is more than 12 months old.

- **ST-220:** If selected for contract award greater than $100,000, the firm will complete and submit the required Forms ST-220-TD and ST-220-CA during negotiations with NYSDOT. The ST-220 forms with instructions are downloadable from the following websites: http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf (Form ST-220-CA) http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf (Form ST-220-TD)

- **Warranties and Representations:** The Consultant certifies that:
  1. The Consultant shall perform all services in accordance with high professional standards in the industry.
  2. The Consultant shall use adequate numbers of qualified individuals with suitable training, education, experience, and skill to perform the services.
  3. The Consultant shall use its best efforts to use efficiently any resources or services necessary to provide the services that are separately chargeable to the State.
  4. The Consultant shall use its best efforts to perform the services in the most cost effective manner consistent with the required level of quality and performance.
  5. The Consultant shall perform the services in a manner that does not infringe the proprietary rights of any third party.
  6. The Consultant shall perform the services in a manner that complies with all applicable laws and regulations.
  7. The Consultant has duly authorized the execution, delivery, and performance of the Contract.
  8. The Consultant has not provided any gifts, payments, or other inducements to any officer, employee, or agent of the State.
  9. Submission of a proposal is an affirmation by the Consultant that its organization complies with all requirements and specifications set forth in this RFP and that its organization can deliver the requested CADD project while performing the services required in a manner consistent with the requirements and terms of this RFP and under the resulting contract.
  10. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
11. If any funds other than federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

12. As of January 1, 2019, bidders on New York State procurements subject to competitive bidding are required to submit a Certification on Sexual Harassment in bids. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace, and provides annual sexual harassment prevention training to all its employees. Such policy shall, at a minimum, meet the requirements of Section 201-g of the Labor Law.

13. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. Section 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure. The undersigned certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Section 3801, et seq., are applicable thereto.

Signature: ___________________________________ Date: ________________

Name (Spelled Out): ____________________________ Title: ______________________

III. ACCEPTANCE OF AGREEMENT

By signing below, I, ____________________________, authorized individual (NAME)
of ____________________________ hereby ACCEPT all terms and conditions (FIRM)
contained in the Draft Contract (including Appendix A), which is included as Attachment 1 to this Request for Proposals.

Signature: _________________________________

(NAME OF ACCEPTOR)
Attachment 6A. SubConsultant Information

(Please Fill Out One of these Forms for EACH Proposed Sub-Consultant)

**CONTRACT NUMBER:**  C037693

**PROJECT TITLE:**  CADD AND CIVIL ENGINEERING SOFTWARE AND SERVICES FOR NYSDOT

---

**I. SUBCONSULTANT INFORMATION**

**FIRM NAME:**  

**ADDRESS:**  

**CITY:**  

**STATE:**  

**ZIP CODE:**  __ __ __ __ __ - __ __ __ __

**TELEPHONE #:**  (_____) _____ - __________  

**FAX#:**  (_____) _____ - __________

**E-MAIL ADDRESS:**  

**CONTACT PERSON:**  

Consultant’s Federal Identification Number (FIN):  

Consultant’s Consultant Identification Number (CIN):  

Consultant’s SFS Vendor Identification Number:  

- Please indicate below the name, title, address, and telephone/fax numbers of the person who prepared this proposal, as well as any other individual(s) with authority to negotiate and contractually bind the offeror and also who may be contacted during the period of proposal evaluation:

  **Preparer’s Name/Title:**  
  **Address:**  
  **Telephone #:**  ___________  **FAX #:**  ___________  **E-Mail**  ___________

  **Other Authorized Individual(s):**

  **Name/Title**  
  **Address:**  
  **Telephone #:**  ___________  **FAX #:**  ___________  **E-Mail**  ___________

Add additional pages if necessary.
SECTION 139-D. Statement of Non-Collusion in bids to the State:

BY SUBMISSION OF THIS BID, BIDDER AND EACH PERSON SIGNING ON BEHALF OF BIDDER CERTIFIES, AND IN THE CASE OF JOINT BID, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATION, UNDER PENALTY OF PERJURY, THAT TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF:

[1] The prices of this bid have been arrived at independently, without collusion, consultation, communication, or agreement, for the purposes of restricting competition, as to any matter relating to such prices with any other Bidder or with any competitor;

[2] Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any other Bidder or to any competitor; and

[3] No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

A BID SHALL NOT BE CONSIDERED FOR AWARD NOR SHALL ANY AWARD BE MADE WHERE [1], [2], [3] ABOVE HAVE NOT BEEN COMPLIED WITH; PROVIDED HOWEVER, THAT IF IN ANY CASE THE BIDDER(S) CANNOT MAKE THE FOREGOING CERTIFICATION, THE BIDDER SHALL SO STATE AND SHALL FURNISH BELOW A SIGNED STATEMENT WHICH SETS FORTH IN DETAIL THE REASONS THEREFORE:

[AFFIX ADDENDUM TO THIS PAGE IF SPACE IS REQUIRED FOR STATEMENT.]

Subscribed to under penalty of perjury under the laws of the State of New York, this ________ day of ____________, 20____ as the act and deed of said corporation of partnership.
**NON-COLLUSIVE BIDDING CERTIFICATION REQUIRED BY SECTION 139-D OF THE STATE FINANCE LAW**

**IF BIDDER(S) (ARE) A PARTNERSHIP, COMPLETE THE FOLLOWING:**

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**IF BIDDER(S) (ARE) A CORPORATION, COMPLETE THE FOLLOWING:**

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NON-COLLUSIVE BIDDING CERTIFICATION REQUIRED BY
SECTION 139-D OF THE STATE FINANCE LAW

Identifying Data

Potential Consultant: ______________________________________________________________

Address: _______________________________________________________________________

Street
____________________________________________________________________________

City, Town, etc.

Telephone: ________________ Title: __________________________

If applicable, Responsible Corporate Officer

Name: ________________________ Title: __________________________

Signature: _____________________

Joint or combined bids by companies or firms must be certified on behalf of each participant.

Legal name of person, firm or corporation

By: __________________________

Name

Title

Address: _____________________

Street

____________________________

City State

____________________________

City State
Attachment 8. Vendor Assurance of No Conflict of Interest or Detrimental Effect

The Firm offering to provide services pursuant to this RFP, as a contractor, joint venture contractor, subcontractor, or consultant, attests that its performance of the services outlined in this RFP/Contract does not and will not create a conflict of interest with nor position the Firm to breach any other contract currently in force with the State of New York.

Furthermore, the Firm attests that it will not act in any manner that is detrimental to any State project on which the Firm is rendering services. Specifically, the Firm attests that:

1. The fulfillment of obligations by the Firm, as proposed in the response, does not violate any existing contracts or agreements between the Firm and the State;

2. The fulfillment of obligations by the Firm, as proposed in the response, does not and will not create any conflict of interest, or perception thereof, with any current role or responsibility that the Firm has with regard to any existing contracts or agreements between the Firm and the State;

3. The fulfillment of obligations by the Firm, as proposed in the response, does not and will not compromise the Firm’s ability to carry out its obligations under any existing contracts between the Firm and the State;

4. The fulfillment of any other contractual obligations that the Firm has with the State will not affect or influence its ability to perform under any contract with the State resulting from this RFP;

5. During the negotiation and execution of any contract resulting from this RFP, the Firm will not knowingly take any action or make any decision which creates a potential for conflict of interest or might cause a detrimental impact to the State as a whole including, but not limited to, any action or decision to divert resources from one State project to another;

6. In fulfilling obligations under each of its State contracts, including any contract which results from this RFP, the Firm will act in accordance with the terms of each of its State contracts and will not knowingly take any action or make any decision which might cause a detrimental impact to the State as a whole including, but not limited to, any action or decision to divert resources from one State project to another;

7. No former officer or employee of the State who is now employed by the Firm, nor any former officer or employee of the Firm who is now employed by the State, has played a role with regard to the administration of this contract procurement in a manner that may violate section 73(8)(a) of the State Ethics Law; and

8. The Firm has not and shall not offer to any employee, member or director of the State any gift, whether in the form of money, service, loan, travel, entertainment,
hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence said employee, member or director, or could reasonably be expected to influence said employee, member or director, in the performance of the official duty of said employee, member or director or was intended as a reward for any official action on the part of said employee, member or director.

9. Firms responding to this RFP should note that the State recognizes that conflicts may occur in the future because a Firm may have existing or new relationships. The State will review the nature of any such new relationship and reserves the right to terminate the contract for cause if, in its judgment, a real or potential conflict of interest cannot be cured.

Name, Title: ____________________________________________

Signature: Date:

Firm Name: ____________________________________________

This form must be signed by an authorized executive or legal representative.
ONLINE ATTACHMENTS:

Attachment 9. Licensing Requirements (OnLine)

Attachment 9A. Use of Software (OnLine)

Attachment 10. Functional Requirements (OnLine)

Attachment 11. Firm Experience (OnLine)

Attachment 11A. Key Personnel Experience (OnLine)

Attachment 12. Scope of Service Requirements (OnLine)

Attachment 12A. ITS Project Requirements (OnLine)

Attachment 13. Cost Proposal (OnLine)