RFP Question & Answers
CONSULTANT PLANNING SERVICES FOR NYMTC
Contracts No.: C000785 (through C000789)

Questions Received at Pre-Proposal Conference Held January 18, 2012

Q1. For the hypothetical scenario, do we use the hours included in the last page of the RFP, identified as “HYPOTHETICAL SCENARIO TASK ASSIGNMENT STAFFING STAFF AUGMENTATION FOR REGIONAL TRANSPORTATION PLAN UPDATE; (Sample); Consultant Name: ABC Consultants, Inc.”

A1. No. Please make an estimate for the hypothetical scenario based on a best estimate of what the hypothetical scenario task assignment calls for.

Q2. What will be the make-up of the Technical Evaluation Committee? Will it include NYSDOT staff?

A2. The Technical Evaluation Committee will be made up of NYMTC staff. NYSDOT Contract Management oversees the Technical Evaluation Committee’s work. NYSDOT will hold the contracts on behalf of NYMTC.

Questions Received Prior to Pre-Proposal Conference Held January 18, 2012
And Covered in PowerPoint Presentation

Q3. On page 4 of the RFP under D Minimum RFP Responsiveness Requirements it calls out Offeror’s Proposal Traceability to Requirements. Can you please provide an example of what you are looking for us to provide. It’s only referenced in this one spot.

A3. An example is attached. The RFP requires that responding firms prepare and submit a Requirements Traceability Matrix to increase the efficacy of the proposal evaluation process. A well-indexed proposal facilitates the ability of the Technical Evaluation Committee to determine the degree of responsiveness of a firm’s proposal to the specifications contained within the RFP.

Q4. On page 17 of the RFP is says that the proposal can be no more than 250 pages. Is this referring to the Part I Technical & Management proposal only? Also what is included in the 250 pages: title page, cover letter, table of contents, tab dividers, forms, resumes? With that if the pages are double-sided: does 1 piece of paper count as 1 page?

A4. The 250 page limit is a requirement instructing proposers to do their best to be concise. The 250 page limit refers to the Part I Technical and Management proposal only; it does not pertain to the Part II Cost and Contract proposal. It is not a hard limit; firms which exceed the 250 Part I page limit run the risk of having their technical proposal
Q5. On page 17 of the RFP it says the font needs to be 12, but many other places it says 11 or larger. Please clarify what font size you are looking for.

A5. 12 point font is preferred for main body text, 11 font is also acceptable, especially in tables or charts.

Q6. On page 19 under Cover letter for the Cost and Contract Submittal is says, “copy of Part 1 Letter”. Are you looking for us to provide all the information that we need to include in the Technical Cover letter in the cost letter?

A6. It is simplest to just include a copy of a firm’s cover letter in both Part I and Part II submissions. If there is something you only wish to disclose only in the Part II Cost Submittal, you may have a separate letter. The Technical Evaluation Committee gets to see the Part I cover letter.

Q7. On page 20 of the RFP it says that exceptions to the contract need to be included in the cover letter. Should we include any contact exceptions we might have only in the Cost proposal cover letter?

A7. You may use the same letter for both or you may, if you desire, provide a separate Cost Submittal cover letter with the draft contract exceptions.

Q8. On page 21 of the RFP it discusses the SFS Vendor ID number (new). Where do Consultants get this new SFS Vendor ID number? Also is it required for all the subconsultants to have this SFS Vendor ID number?

A8. NYSDOT and NYMTC can assist with sponsoring Consultants for the new Statewide Financial System (SFS) vendor ID number. Each legal entity doing business with New York State as of April 1, 2012 will be required to have their own SFS number. NYSDOT and NYMTC will endeavor to sponsor and provide SFS numbers for Consultants that are currently in the state’s records in the near future. However, if you do not have the SFS number by the time you prepare your proposal you may write: “application in process”. Any New York state agency can sponsor a request for a new SFS number, so once a firm has their SFS number they are good to go.

Q9. On page 25 and in Attachment 11, there is information about the Hypothetical Scenario, but it’s unclear where our response to the Hypothetical Scenario should be provided in our proposal. Should our response to the Hypothetical Scenario be bound separately, or should it be included in the Technical and Management Proposal? If our response to the Hypothetical Scenario is to go in the Technical and Management Proposal would it fall under the 250 page limit?
A9. It is preferred that firms submit a separately bound Hypothetical Scenario response submission to accompany the main Part I Technical proposal. Incorporating your Hypothetical Scenario response within the Part I Technical Proposal is also acceptable, provided it is identified in the Traceability Matrix and separated with a labeled tab divider (it could be an appendix). It should be approximately 15 pages, and include resume excerpts for key staff for directly related experience. Page limits are advisory requests, not requirements; however, we request your best efforts to be concise.

Questions Received After Pre-Proposal Conference Held January 18, 2012

Q10. The RFP states that not to exceed rates will be established in the Master Contract. Are those rates individual (fully loaded) rates or are they maximum labor category rates that represent a maximum rate for all individuals that qualify under a particular labor category?

A10. The RFP’s Project and Contract Objectives states that:
PAYMENT METHOD: Task Assignments via mini-bid requests with lump-sum budgets with milestone payment schedules to deliver the services offered in the selected mini-bid response. All consultant labor shall be governed by fully loaded, not-to-exceed, hourly rates per each selected consultant’s master contract. Rates shall be proposed only for the first year. Rates for years four through five of the contract may be adjusted per the rule contained in Article 5, Item III of the RFP’s draft contract (Attachment 2): “The agreed-upon rates for the first contract year of this AGREEMENT may be adjusted for the second, third, fourth and fifth contract years. Rates for the second, third, fourth and fifth contract years may be adjusted annually by the lower of either the percent change for the Producer Price Index – Architectural, Engineering and Related Services (Series ID: PCU5413-5413--) for the most recent 12 month period as calculated by the U.S. Department of Labor – Bureau of Labor Statistics, or 1.5 percent, subject to current market conditions.”).

Further, Attachment 5 of the RFP states that:
The offeror’s Salary Schedule (Attachment 5) shall list all proposed descriptive job titles for the staff to be assigned to this project and their current and projected loaded specific hourly rate for the first contract year (July 1, 2012 to June 30, 2013). The rates proposed shall be not-to-be-exceeded rates. In addition to salary rates, your Salary Schedule shall also identify the associated overhead with each title (office vs. field) and your firm’s fee. Submit separate Attachment 5’s: one for all field work and one for all consultant-home based work.

And Attachment 5 also states that:
Further, for all job titles EXCEPT Consultant Project Manager and Consultant Task Administrator, a job title series of I, II and III is allowed (i.e., Transportation Planner I, Transportation Planner II, and Transportation Planner III) to distinguish between entry level, intermediate level and senior level personnel (in terms of education, work experience, supervision, etc.). Furthermore, should a Consultant NOT propose a rate for any of the job titles listed in Attachment 5, to maintain a level evaluative field, the highest job title rate shall be assumed when evaluating your cost proposal.

So, the RFP instructs respondents to present not-to-exceed rates for all proposed consultant personnel, to establish a rate schedule in the Master Contracts. These rates shall be fully-loaded individual rates for all named consultant personnel; they can be fully-loaded maximum labor rates for any un-named consultant personnel (by title); they can be fully-loaded maximum labor rates for any un-named consultant personnel (by un-named labor category [a labor category for which no named consultant personnel are proposed]). Responding firms shall indicate the number of consultant personnel proposed for any un-named labor category.

Q11. Can the Master Contract rates be adjusted to actual if the offeror’s annual salary increases occur between the proposal due date and award date?

A11. No, the Master Contract rates can not be adjusted to actual if the proposer’s annual salary increases occur between the proposal due date and award date. The proposed rates are firm offers good for 365 days, and cannot change for the first contract year. Proposed rates may only be adjusted for contract years two through five. Firms are encouraged to propose competitive rates.

Q12. Article 11, Insurance contains types and limits of required insurance. We anticipate that smaller subconsultants and disadvantaged business enterprises in particular will not be able to meet these requirements. Based on the flow-down provisions of Article 23, please advise as to whether subconsultants are required to maintain the same insurance at the same limits as the prime and/or whether the prime may seek a waiver for a particular subconsultant.

A12. Article 11 of the draft contract in RFP’s Attachment 2 shall be modified to lower the professional liability coverage limits from in excess of $5 million to in excess of $1 million (RFP replacement page 45 included in RFP Modification #1). NYSDOT prefers to have the same insurance requirements for ALL potential prime consultants and all subconsultants.

Q13. In the event that the offeror determines to submit exceptions in its cover letter, would it be acceptable to edit the Acceptance of Contract certification to read as follows?

…except as set forth in the cover letter, certify that I have read and accept all Terms and Conditions contained in the draft Contract,
including Appendix A, which is included as Attachment #3 correspond accordingly to this Request for Proposals.

A13. **RFP Section IV, C, 4 Contract Section, states that:**

Completed **Attachment 1**, which shall specify the proposer’s acceptance of the terms and conditions contained in the draft Contract enclosed as **Attachment 3** to this solicitation (Prime Consultant only). The Prime Consultant shall specifically state its acceptance of all Terms and Conditions of the draft Agreement contained in **Attachment 3** of this Request for Proposals. Offerors should complete and submit the “Consultant Information and Certifications Form,” included as **Attachment 1** to this RFP, to indicate their acceptance of all of the terms and conditions contained in the draft Agreement. 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. **Should any firm take an exception to any of the draft contract’s terms and conditions, the proper placement of such is in the firm’s cover letter. NYSDOT will not entertain exceptions brought to its attention after the proposal due date or during contract negotiations.**

Therefore, for the purposes of receiving responses to the RFP for contract #C000785, NYSDOT will not allow any changes or alterations to RFP Attachment 1. **RFP Attachment 1 shall be used ‘as is’ and a firm altering Attachment 1 runs the risk of being deemed non-responsive.**

Q14. NYSDOT stated at the Pre-Proposal Conference that the RFP may be amended to account for a contract with rates only for the first contract year and if NYMTC issues a task assignment request with a duration longer than 12 months. Can this be clarified?

**A14. Modification #1 will revise the RFP by adding language to capture what NYSDOT/NYMTC said at the Pre-Proposal Conference about a contract with rates only for one year and if NYMTC requests a Tier II task assignment of duration longer than 12 months. The RFP is being revised via the issuance of three replacement pages to state that should NYMTC request a Tier II task assignment of duration longer than 12 months, then firms shall assume no rate adjustments for proposed consultant personnel for the second year (and third, and fourth, etc.) of the contract. This new rule may add complexity to managing NYMTC’s PSA3 contracts (for each of the up-to five selected firms.**