

NYS Contract Reporter Announcement
NYSDOT Website Announcement
REVISED
Advanced Traffic Management System (ATMS) Services
Contract # C030789
May 23, 2012

The New York State Department of Transportation (NYSDOT) anticipates the release of a Request for Proposals (RFP) seeking the services of a responsive and responsible consultant to provide phased, statewide Advanced Traffic Management System (ATMS) services. ATMS services shall start at the Region 3 and Region 8 Traffic Management Centers (TMC) then be expanded to additional TMCs through a phased approach.

It is expected that the RFP will be released on or after June 6, 2012, with proposals tentatively due July 31, 2012 (Subject To Change). If the release of the RFP is delayed for any reason, the due date for proposals will be extended appropriately. NYSDOT is re-announcing the anticipated ATMS RFP release again given the length of time since this announcement first appeared on March 6, 2012.

PRE-PROPOSAL CONFERENCE: A pre-proposal conference will be held with the location, time and date to be announced. Participation may be in person or via conference call.

CONTRACT TERM: The base term of this contract will be for sixty (60) months commencing from the contract start date with no contract extensions. The level of complexity for this project is moderately complex.

SINGLE CONTRACT AWARD: The objective is to retain one responsive and responsible prime consultant under Contract #C030789 (or a team of Consultants).

DBE GOAL: The DBE subconsultant participation contract goal for this solicitation is **5 percent** of total contract value over the five year life of the contract.

TECHNCIAL DEMONSTRATIONS: Vendor demonstrations shall be held.

LETTERS OF INTEREST: Responsive and responsible consultants interested in receiving the RFP should submit a brief, one-page Letter of Interest (LOI) to the e-mail address of the Contact Person listed below. The LOI should include, at a minimum, the firm name, address, e-mail address, and phone number of a contact person at your firm. A letter announcing the release of the RFP will be mailed to all parties submitting a LOI. When ready, the RFP will be posted to the NYSDOT website and will contain all the information necessary for firms to submit a complete proposal.

For a full description of the project and requirements, please visit the NYSDOT website at: <https://www.dot.ny.gov/business> or <https://www.dot.ny.gov/doing-business/opportunities/consult-ads>. An e-mail shall be sent to all parties who register in advance that the RFP has been posted to NYSDOT's website and is now ready for downloading.

DESIGNATED CONTACT PERSON: Mr. Al Hasenkopf, NYSDOT Contract Management, e-mail: ahasenkopf@dot.state.ny.us. Under the requirements of the State Procurement Act, all communications regarding advertised projects are to be channeled through NYSDOT Contract Management's Designated Contacts. Until a contract is approved by the State Comptroller, contact with any other NYSDOT employee concerning this project should not be made unless otherwise directed by NYSDOT Contract Management. Communications made contrary to this policy and deemed an attempt to influence the outcome, may result in disqualification.

Procurement Lobbying Law Compliance

Required Forms: The consultant shall sign and e-mail/fax the following forms. These forms are part of and due with the consultants' proposals.

- a) **“Offerer’s Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)”**
- b) **“Offerer Disclosure of Prior Non-Responsibility Determinations”.**

NYSDOT Guidelines and Procedures

Under the requirements of the State Procurement Act all communications regarding advertised projects are to be channeled through NYSDOT Contract Management (*Designated Contacts). Until a designation is made, communication with any other NYSDOT employee concerning this project that is determined to be an attempt to influence the procurement may result in disqualification.

Refer to “NYSDOT PROCUREMENT LOBBYING LAW GUIDELINES AND PROCEDURES” – see the Consultant’s page at NYSDOT’s “Doing Business With DOT” web site: <https://www.dot.ny.gov/portal/page/portal/main/business-center/consultants/non-architectural-engineering>

Contacts Prior to Designation:

Any communications involving an attempt to influence the procurement are only permitted with the following Designated Contact Persons:

- The Contract Management Designation Contract Analyst
- The Contract Management Designation Analyst Supervisor
- The Contract Management Civil Rights Unit Supervisor
- The Contract Management Assistant Directors
- The Contract Management Director

These are some communications exempted from this restriction:

- Participation in a pre-proposal conference
- Submittal of written questions when written responses will be provided to all offerers
- Protests, complaints of improper conduct or misrepresentation

If any other NYSDOT employee is contacted and they believe a reasonable person would infer that the communication was intended to influence the procurement, the contact must be reported by the NYSDOT employee. If the Department determines an impermissible contact was made, that offerer cannot be awarded the contract. A second violation would lead to a four-year bar on the award of public contracts to the offerer.

Contacts after designation

NYSDOT identifies its primary negotiation contacts. The designated contacts include:

- The Contract Management Negotiation Contract Analyst
- The Contract Management Negotiation Analyst Supervisor
- The Contract Management Civil Rights Unit Supervisor
- The Contract Management Assistant Directors
- The Contract Management Director
- The Consultant Management Bureau consultant job manager
- The Consultant Management Bureau consultant job manager's immediate supervisor
- Individual(s) that the Department may identify at or after designation

The law does not limit who may be contacted during the negotiation process. However, if any NYSDOT employee is contacted and they believe a reasonable person would infer that the communication was intended to influence the procurement, the contact must be reported by the NYSDOT employee.

Information Required from Offerers that contact NYSDOT staff, prior to contract approval by the Office of the State Comptroller:

The individuals contacting NYSDOT should refer and shall be prepared to provide the following information, either by e-mail or fax as directed by NYSDOT. Person's name, firm person works for, address of employer, telephone number, occupation, firm they are representing, and whether owner, employee, retained by or designated by the firm to appear before or contact the NYSDOT.

Applicability to an executed contract

Restrictions similar to those described above apply to approval or denial of an assignment, amendment (other than amendments that are authorized and payable under the terms of the procurement contract as it was finally awarded or approved by the comptroller, as applicable), renewal or extension of a procurement contract, or any other material change in the procurement contract resulting in a financial benefit to the offerer. The staff noted above as well as the project manager and consultant manager are considered designated contact persons. The Department may identify other contact persons for each of these processes.

Rules and Regulations and More Information on this Law, Please Visit:

<http://www.ogs.ny.gov/aboutOgs/regulations/defaultAdvisoryCouncil.html> (Advisory Council FAQs)

<http://www.jcope.ny.gov/>

<http://www.jcope.ny.gov/law/lob/guidelines.html> (New York State Lobbying Act)

or contact the designated NYSDOT Contact Person:

Mr. Al Hasenkopf

NYSDOT Contract Management

50 Wolf Road, 6th Floor

Albany, New York 12232-0203

E-mail: ahasenkopf@dot.state.ny.us