Reminder - The current CONR-385 and FAR overhead Audit Report must have been submitted to or be on file with NYSDOT, for all team members by the due date of the EOI submission.

This project will follow the department’s Process I consultant selection process. A Process I, requires the consultant to prepare and submit both an electronic EOI and a NYSDOT255C. The electronic EOI is used to gather D/W/MBE credits, workload and last designation information only. The NYSDOT255C is used by a selection committee to score the other selection factors. No Project Inventory will be scored but the Prime must have an active Design Inventory. Engineering firm(s) authorized to perform Engineering Services in the State of New York proposed as the prime must retain at least 55% of this projects work.

1. Project Identification
   Contract: D037792
   PIN: XB19.02.
   Title: Biennial and Interim Bridge Inspection, New York County, Region 11, 2019-21

Notice is hereby given that the New York State Department of Transportation (NYSDOT) is seeking to retain an engineering firm(s) to perform the following: General Bridge Inspection

In the following county(s):
New York County in NYSDOT Region 11

For quality assurance purposes, to address issues of non-compliance with National Bridge Inspection Standards (NBIS) and/or emergency situations, all of which are for health/safety concerns, the designated firm may be required to perform limited inspections in other NYSDOT Regions as directed and approved by the State.

The following items are of specific importance to potential consultant firms:

1. Register using the NYSDOT Consultant Selection System (CSSWeb) application, including the provision of required salary roster information: https://www.dot.ny.gov/main/business-center/consultants/css-web
2. Consistent with Consultant instruction CI 11-04, submit required annual overhead audit performed in accordance with Federal Acquisition Regulation. Refer to CI 11-04 for instructions regarding submission requirements: http://www.dot.ny.gov/main/business-center/consultants/architectural-engineering/consultant-instructions/overhead

2. General Description of Agreement
   Estimated Contract Duration: 01/01/2019 - 05/31/2021

2a. Funding
Expected to be Federally and State funded.
2b. Key Dates
Consultant Start Date -------------- January 01, 2019
Consultant Completion Date ------ May 31, 2021

2c. Electronic EOI
For the purpose of submitting an electronic EOI only, use the KEY PIN value: XB19.02.

The firm has advised all team members that the contracting process will require that they possess an acceptable accounting system capable of segregating contract cost.

Chapter 10 of the Laws of 2006 amends State Finance Law §§ 8 and 163 by requiring: State Contractors to disclose, by employment category, the number of persons employed to provide services under a contract for consultant services, the number of hours worked and the amount paid to the contractor by the State as compensation for work performed by these employees. This will include information on any person working under any subcontracts with the State Contractor.

If designated, firms will submit the following forms:

1. Due at the time of signing the contract: "State Consultant Services - Contractor's Planned Employment from Contract Start Date through the End of the Contract Term" (otherwise called Form A)

2. Due every year the contract is in force, on or before May 15th: "State Consultant Services - Contractor's Annual Employment Report" (otherwise called Form B)

Please note, that in contrast to the information to be included on Form A, which is a one-time report of planned employment data for the entire term of a consulting contract on a projected basis, Form B will be submitted each year the contract is in effect and will capture historical information, detailing actual employment data for the most recently concluded State fiscal year (April 1 - March 31).

For more information and copies of the forms, firms are advised to visit the following OSC web site:
http://www.osc.state.ny.us/procurement/ and/or the following NYSDOT web site links (Business Center Heading):

3. Description of Work
The required services include project coordination/office support, Quality Control, and field services necessary to complete Bridge Inspection, Inventory and Load Rating work (including load testing that may be added, at the Department’s discretion) for structures identified by NYSDOT. Biennial and interim bridge inspection results shall be documented using photographs, sketches and remarks in accordance with the Department’s Bridge Inspection Manual. The Consultant shall be prepared to use the Department’s bridge inspection software to document inspection results. Inspection personnel shall have a working knowledge of MS Windows and shall be familiar with the use of all required software and the operation of all required hardware prior to beginning inspections (Once a contract is executed, the Consultant should request NYSDOT Bridge Inspection Software training for those personnel that have not been previously trained or that need retraining). This software will require the inspection teams and QC engineers to have access to a high-speed internet connection to download and upload information. The Consultant will be responsible to equip each team with the necessary computer hardware and software (notebook computer, digital camera, scanner, cell phone, high speed internet access capability, fax, and Department compatible office suite software, etc.), as tools of the trade, to use the Department supplied bridge inspection software. For structures requiring an inspection, the consultant will be required to update existing inventory records. The consultant will update Level II load rating data using the State’s Bridge Rating (BrR), as directed by the Department, during each general inspection. The Consultant shall be prepared to use and be familiar with the use of Bridge rating prior to beginning inspections. Note that Bridge Rating is considered a tool of the trade.

The field services required from the Consultant includes Work Zone Traffic Control during inspections by the consultant bridge inspection teams. The Department, at its discretion, may also add bridges from other Regions or NYC Counties to the schedule due to emergency circumstances or for QA purposes. There will be NO diving inspections or fathometer work as part of these agreements. Structures requiring underwater scour assessment will have the underwater portion of the structure added to the ongoing diving inspection agreement which is being performed by others.

Firms are required to supply all tools normally used in a routine bridge inspection without direct charge to the project. Typical items include (but are not limited to) cameras, ladders, safety equipment, electronic “D” meters that can read through paint, etc.
Routine vehicles including inspection vans will be reimbursed at an audited mileage or daily usage rate. Successful firms will be responsible for securing any necessary access permits and work zone traffic control during work.

Each member of the selected consultant team must identify at least one base of operations within NYS from which pay rates and travel costs will be calculated. Firms with multiple offices established in NYS will use the office location that is closest to the work site to determine necessary project related travel costs. Firms that do not have offices established in NYS, must locate at least one strategically located base of operations within the contracted region in NYS. Project related travel costs will be determined using either the base of operations or the point of NYS travel origination location closest to the work site. Other costs related to these strategically located bases of operations will not be reimbursed as a direct cost.

4. Guidance
4a. Staffing Requirements

1) **Key staff:** The selection and retention of a consultant will be contingent upon the availability of the following proposed key staff, unless qualified substitutes are approved during negotiation by NYSDOT. Such substitutions will be of equal or greater qualifications as determined by NYSDOT Main Office Bridge Inspection Unit Supervisor. Firms proposing staff at grades higher than job requirements (paragraph 4F.) do so with the understanding fair and reasonable total cost for this contract will be based on the advertised staffing levels.

<table>
<thead>
<tr>
<th>Staffing Role</th>
<th>Qty</th>
<th>Resume Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Manager</td>
<td>1</td>
<td>Yes</td>
</tr>
<tr>
<td>Quality Control Engineer - P.E. Required**</td>
<td>1</td>
<td>Yes</td>
</tr>
<tr>
<td>Load Rating Engineer - P.E. Required**</td>
<td>1</td>
<td>Yes</td>
</tr>
<tr>
<td>Team Leaders - P.E. Required**</td>
<td>4</td>
<td>Yes</td>
</tr>
</tbody>
</table>

** Be currently registered with the New York State Education Department, as a Professional Engineer (P.E.). An out-of-state P.E. registration may be substituted for a New York State P.E. provided that the individual received the P.E. based upon satisfactory completion of a 16-hour written examination, has applied for P.E. registration in New York State, and the New York State Education Department has acknowledged receipt of the individual’s intent to practice in New York under subsection (b) of section 7208 of the Education Law.

2) **Non-key staff, requiring resumes to be submitted:**

<table>
<thead>
<tr>
<th>Staffing Role</th>
<th>Qty</th>
<th>Resume Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistant Team Leaders</td>
<td>4</td>
<td>Yes</td>
</tr>
</tbody>
</table>

4b. Resumes:

1) Resumes must be provided within the NYSDOT255C submission for all Key Staff; and Non-Key Staff requiring resumes to be submitted as listed in 4a. above. Submit resumes ONLY for those individuals to be used on the project.

2) The total number of resumes that may be included in the NYSDOT 255C for this project is: **11**

3) Special format and content requirements of resumes: The resumes shall specify the NYS P.E. number and current registration expiration date or include proof of intent to practice under section 7208(b) of the Education Law if appropriate to the position, educational background, and detailed work experience including names of firms and dates of each pertinent assignment arranged in reverse chronological order.

4) Vagueness or omissions will not be interpreted in the candidate's favor and may result in disapproval. Resumes that are found to be inaccurate will result in disqualification. The following certification shall immediately follow the last entry of the resume and shall be signed and dated by the candidate: "All statements in this resume are true and complete."

4c. Special Project Information for each Region:

Approximate Number of Bridges and Spans, receiving inspection:

<table>
<thead>
<tr>
<th>D Number</th>
<th>Location</th>
<th>Approx. No. Bridges/Spans</th>
<th>Approx. No. Teams Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>D037792</td>
<td>New York County</td>
<td>215 / 3300</td>
<td>4 / Year</td>
</tr>
</tbody>
</table>
4d. **Approximate number of teams required includes subconsultant inspection team(s).**
This is the total number of inspection teams to be submitted and scored, but there may not be enough
work for this number of teams to be full time for the entire contract.

Firms must be prepared to supply additional team(s), if required, to meet inspection schedules established by
NYSDOT.

4e. **The following Special Instructions for the NYSDOT255C will apply:**

1) **Item 7, Organizational Chart:** must indicate names, titles, and firm affiliation of all proposed staff members.
Include only those persons to be used on the project. The chart shall show the functional positions of the staff to be
dedicated to the project and shall include:

   a) The bridge inspection teams which will be made available for each project in which the firm is interested.

   b) Identifying each Inspection Team’s make-up (Team Leader and Assistant Team Leader pairings).

   c) The division of work proposed, indicating who will do the quality control.

   d) The organization and staffing proposed for office support activities.

   e) Overall project management and oversight.

2) **Item 8, Resumes:**

   a) All proposed Staff must be current, full-time employees of the firm(s) at the time of response to this announcement.
   Individuals working for more than 1 firm may only have their resume submitted by 1 firm for each advertised project.

   b) Submitted resumes must match those individuals identified in Item 7 (Organizational Chart), by position, to be
   used on the project and not for alternates.

   c) Must include the resume of any proposed Project Manager, Quality Control Engineer(s), Load Rating Engineer
   and the resume for each Team Leader and Assistant Team Leader for every inspection team that is required by this
   advertisement.

3) **Item 9 shall:**

   a) Indicate how the firm proposes to accomplish work zone traffic control (WZTC) either:

      1) In-house with either the prime or subconsultant staff performing the work. Or:

      2) Subcontractor - NYSDOT competitive subcontracting procedures must be used to obtain WZTC services after
         selection.

      3) Explain how the firm intends to use, where cost-effective and appropriate, options such as rope-access
         climbing to minimize lane closures that negatively affect mobility.

   b) Explain how the firm proposes to divide the required tasks between the prime and subconsultant(s) in reference to
   the organizational chart. The text shall relate the functional positions of staff to be dedicated to the project and
   should include:

      1) The number of inspection teams (which the firms presently employ full-time) in comparison to the number
         that must be made available for the project. The firms should explain if they anticipate acquiring additional
         staff to complete the work in the Agreement.

      2) The division of work; which at a minimum must allow for all proposed DBE subconsultant(s) to supply a
         complete inspection team (Team Leader and Assistant Team Leader) for an appropriate portion of the work and
         have their resumes submitted as part of the NYSDOT255C. If the division of work proposed indicates the
         subconsultant will do their own quality control, then the prime must indicate that the subconsultant's Quality
         Control Engineer will provide field and office review and oversight of the subconsultant's bridge inspection
         team’s work and submit an additional resume for that QC Engineer. All Consultants must provide fully
         equipped complete inspection teams (Team Leader and Assistant Team Leader).

      3) A detailed description of the overall project management and project oversight will be accomplished by the
         Prime Consultant. Note that the utilization of subconsultants shall not relieve the Consultant of full
         responsibility for the work to be performed.
4) A narrative demonstrating the Consultant's understanding of the scope of work, the deliverables required and necessary coordination with other municipal agencies (be specific).

4) Item 12, Project Experience:
   a) Reference name and telephone number listed for each project must be correct and working. Failed attempts to reach the individual will not be viewed in the Firm’s favor.
   b) State number of bridges this firm inspected under this project.
   c) If this firm was the prime, state number of inspection teams this firm supervised
   d) State the number of inspection teams this firm provided.

4e. Special Instructions to all Prime consultants:
All Firms submitting on more than one General Bridge Inspection contract are required to submit a preference form stating the priority order in which they wish to be designated. The form can be found on the Departments Web Site under Detailed Advertisements, and once completed, uploaded through CSS Web as an “Other” Process I submission document.

4f. Proofs of Authority
When a firm is short-listed in the electronic selection process, the Proofs of Authority from the New York State Education Department and the Department of State, authorizing professional services for the Prime Consultant and all Team partners, must be downloaded from the appropriate websites with copies provided. If a Proof of Authority does not exist, the firm must provide a written explanation. For further details, refer to the short-list submittal instructions on the NYSDOT website: https://www.dot.ny.gov/main/business-center/consultants/general-info/non-electronic-consultant-selection-(process-1)

4g. Special Items:
The Consultant shall not propose Staff for the position of Team Leader if:
1) that Staff is currently working on another NYSDOT contract, or
2) that Staff was scored as a Team Leader on another NYSDOT contract, and where that contract will have remaining work scheduled after February 1, 2019.

In order to propose a Team Leader who is working on a contract that will have remaining work after February 1, 2019, the Consultant must request and receive written approval from the Main Office Bridge Inspection Unit Supervisor stating that the Team Leader will be available. All questions relating to Team Leader availability and requests for release must be addressed through the point of contact listed at the bottom of this advertisement to the Main Office Bridge Inspection Unit Supervisor.

All requests for release MUST be approved prior to listing the individual(s) concerned as Team Leader in an Expression of Interest to this advertisement. Any request received within 7 days of the E-EOI due date may not be considered. E-EOI due date and time will NOT be extended to meet this requirement. Individuals working for more than 1 firm may only have their resume submitted by 1 firm for each advertised project.

All personnel assigned to the contract shall (1) satisfy the requirements shown in the NYSDOT Bridge Inspection Manual and (2) the minimum educational and experience requirements for their positions as described in the Section 165.5 of the Uniform Code of Bridge Inspection.

NYSDOT’s estimate of a fair and reasonable total cost for this contract will be based on these appropriate staffing levels:

<table>
<thead>
<tr>
<th>Position</th>
<th>Level</th>
<th>Type of Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Manager</td>
<td>VI</td>
<td>ASCE</td>
</tr>
<tr>
<td>QC Engineer</td>
<td>V</td>
<td>ASCE</td>
</tr>
<tr>
<td>Load Rating Engineer</td>
<td>IV</td>
<td>ASCE</td>
</tr>
<tr>
<td>Team Leader</td>
<td>IV</td>
<td>ASCE</td>
</tr>
<tr>
<td>Assistant Team Leader</td>
<td>II/III</td>
<td>ASCE</td>
</tr>
</tbody>
</table>

In order to encourage efficiency and provide the firm(s) selected for this contract with management flexibility, the firm(s) may propose any staff (of any ASCE or NICET grades) with appropriate experience and qualifications. Overall success in cost negotiations will permit the firm(s’) proposed staffing grade levels and salaries to be incorporated into the contract documents.
APPROVAL
Upon designation, the proposed firms shall submit a copy of the current resume and professional registration or college diploma, as appropriate, of candidates for the following positions for approval by NYSDOT:

- PROJECT MANAGER
- QUALITY CONTROL ENGINEER
- LOAD RATING ENGINEER
- TEAM LEADERS
- ASSISTANT TEAM LEADERS

Special format and content requirements of resumes: The resumes shall specify the NYS P.E. number and current registration expiration date or include proof of intent to practice under section 7208(b) of the Education Law if appropriate to the position, educational background, and detailed work experience including names of firms and dates of each pertinent assignment arranged in reverse chronological order. The work experience description shall explain specific duties and responsibilities pertaining to each assignment and months of qualifying experience shall be broken out. The activities must be specific to the candidate and not merely a statement of the assignment’s scope. Vagueness or omissions will not be interpreted in the candidate's favor and may result in disapproval. Resumes that are found to be inaccurate will result in disqualification.

A person shall not be used in a position requiring resume approval until approval of that resume has been issued by NYSDOT Main Office Bridge Inspection Unit. Continuance of such approval will be contingent upon satisfactory performance throughout the life of the contract. No substitution of personnel may be made without the prior written approval of NYSDOT Main Office Bridge Inspection Unit Supervisor.

5. Cost and Complexity
Since the inventory will not be scored, there is no cost and complexity for scoring.

6. Contract Implementation Schedule
By responding to this advertisement, the Consultant is committing to and will be expected to meet the following schedule. Days are calendar days. (This is a projected schedule that may be revised based on the needs of the State).

If designated:

<table>
<thead>
<tr>
<th>Event</th>
<th>Days from Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scope of services meeting</td>
<td>7</td>
</tr>
<tr>
<td>First proposal due</td>
<td>14</td>
</tr>
<tr>
<td>Final proposal due</td>
<td>35</td>
</tr>
<tr>
<td>Completion of financial negotiation</td>
<td>51</td>
</tr>
</tbody>
</table>

7. Advertisement Data
Key Contract Number: D037792
Key Pin: XB19.02
Submission Due Date: June 27, 2018 by 12:00 noon

Submit the following items by the due date: Utilizing the Electronic Consultant Selection System web (CSSWeb) application, upload / submit the following information in the requested format:

1) Section I, NYSDOT 255C - (as one separate PDF file): Do not include any embedded links of any kind, or graphics in the NYSDOT255C except as needed for the Org Chart - Item 7. Include Attachments (if required) to the NYSDOT255C after the signature certification pages.
2) Section II, CONR386 Current Workload Disclosure Form. Must be submitted by the Prime and include all team members - prime, joint venture partner and subconsultants. PDF format.
3) Section III, Disadvantaged/Minority/Women's Business Owned Certifications form(s). PDF format.
4) Section IV, (as one separate PDF file): Proofs of Authority (include all ALL team members). PDF format.
5) Section V, Quality Control Checklist. PDF format.
8) The Vendor Assurance of No Conflict of Interest or Detrimental Effect attestation is to be filled out by both Primes and subconsultants and submitted with the proposing firm’s Expression of Interest (EOI) along with the CONR 386. PDF format. [https://www.dot.ny.gov/main/business-center/consultants/forms-publications-and-instructions](https://www.dot.ny.gov/main/business-center/consultants/forms-publications-and-instructions) See announcement posted to the NYSDOT website for further information.

9) PREFERENCE FORM for MULTIPLE DESIGNATIONS – Biennial and Interim Inspection Contracts 2019-2021, the form can be found on the Departments Web Site under Detailed Advertisements, and once completed, uploaded through CSS Web in PDF format as an “Other” Process I submission document. The current CONR-385 and FAR overhead Audit Report must have been submitted to or be on file with NYSDOT, for all team members by the due date of the EOI submission.

**FAILURE TO SUBMIT ALL OF THE ABOVE MATERIAL, WHEN IT IS DUE, MAY RESULT IN YOUR SUBMISSION TO BE FOUND NON-RESPONSIVE**

- **Type of D/M/WBE Credit:** DBE
- **D/M/WBE Credit Cap:** 20%
- **Number of Required D/M/WBE Alternates:** 2 Distinct Alternates for each proposed DBE
- **Small Firm Credit:** None
- **Electronic Inventory used:** No Project Inventory will be scored but the Prime must have an active Design Inventory.

When claiming DBE Credit, prime firms are responsible for ensuring all of their proposed DBE subconsultants are currently certified through NYS Unified Certification Program (NYSUCP) DBE Directory [https://nysucp.newnycontracts.com](https://nysucp.newnycontracts.com) for DBE credit) for the type of work they are being proposed to perform. Claiming DBE credit for a non-certified firm at the time of E-EOI submission may be grounds for a non-responsibility determination. The prime firm is responsible for meeting the DBE commitment.

8. **Measuring Distance to the Project Site and the Regional/Functional Office**

This factor will not be scored. When submitting their E-EOI all firms should enter a value of 1 for the distance to both the Regional Office and Project Site.

9. **Evaluation Factors and Weights**

<table>
<thead>
<tr>
<th>Factor</th>
<th>Weight (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Experience</td>
<td></td>
</tr>
<tr>
<td>A. Firm In General</td>
<td></td>
</tr>
<tr>
<td>(1) Consultant Team’s Bridge Inspection Experience</td>
<td>20</td>
</tr>
<tr>
<td>B. Proposed Staff</td>
<td></td>
</tr>
<tr>
<td>(1) Project Manager’s Bridge Inspection Experience</td>
<td>9</td>
</tr>
<tr>
<td>(2) Quality Control Engineer’s Bridge Inspection Experience</td>
<td>20</td>
</tr>
<tr>
<td>(3) Load Rating Engineer’s Bridge Design and Evaluation Experience</td>
<td>9</td>
</tr>
<tr>
<td>(4) Team Leader’s Bridge Inspection Experience</td>
<td>20</td>
</tr>
<tr>
<td>Organizational Capability for this type of work:</td>
<td></td>
</tr>
<tr>
<td>A. NYSDOT Performance (Team Score) Values - Bridge Inspection</td>
<td>7</td>
</tr>
<tr>
<td>B. Workload</td>
<td></td>
</tr>
<tr>
<td>(1) Total Remaining Division Workload - (&quot;Other&quot;) Bridge Inspection (as of 2/1/2019)</td>
<td>6</td>
</tr>
<tr>
<td>(2) Total Remaining Workload with NYSDOT (as of 7/15/2018)</td>
<td>6</td>
</tr>
<tr>
<td>Logistics</td>
<td></td>
</tr>
<tr>
<td>A. Familiarity - Key Staff’s Bridge Inspection Experience</td>
<td>3</td>
</tr>
</tbody>
</table>
9a. Evaluation Scoring Criteria

Definitions and Criteria:

1) **General Bridge Inspection**: (As defined in Section 165.4(a) of the Uniform Code of Bridge Inspection.) A general inspection is the regularly scheduled inspection which each bridge receives throughout its life and which focuses on bridge condition, ability to function, safety and maintenance issues, and produces the basic statistical data necessary to understand, study, monitor and manage all bridges subject to the Code.

2) **In-Depth Bridge Inspection**: (As defined in Section 165.4(c) of the Uniform Code of Bridge Inspection.) An in-depth inspection is a comprehensive detailed inspection of an entire bridge which frequently incorporates destructive, as well as, non-destructive inspection techniques. It is more complete and more intensive than a general inspection and the results of such an inspection can be used to satisfy the Code requirement for a general inspection.

3) **East River/Historic East River Bridges**: only includes the Brooklyn, Manhattan, Williamsburg or Queensboro Bridges.

4) **Long Span Bridge**: Only includes bridges where the clear span between the main span piers is 750 ft. or more (other than the East River Bridges).

All evaluation factors scores (except Factor 2A.) will generally be based on the following:

Information provided in the NYSDOT255C (to include Sections 7, 8, 9, 12 and any pertinent NYSDOT Performance Evaluations as it relates to the following criteria:

- The contract was at least 12 months in duration.
- The contract was for a General Bridge Inspection, or an In-Depth Bridge Inspection for which the field inspections were completed within the last ten years.

Also, in addition to being evaluated against the above criteria each contract will also be evaluated as it relates to one of the following criteria:

- The contract was for any of the four Historic East River Bridges.
- The contract was for General Bridge Inspection, or an In-Depth Bridge Inspection, and the contract included the inspection of at least 200 bridges or 300 spans.
- The contract was for the General Bridge Inspection, or an In-Depth Bridge Inspection of a Long Span bridge other than the East River bridges and it included ALL main and approach spans and required a minimum of 4,000 hours of direct technical labor.
- If the contract was for the General Bridge Inspection, or an In-Depth Bridge Inspection of a suspension bridge other than the East River bridges for which the inspection of the Main spans (from anchorage to anchorage) required a minimum of 4,000 hours of direct technical labor.
- The contract was for General Bridge Inspection of a single bridge requiring 4,000 hours of direct technical labor.

9b. Evaluation Factors:

Factor 1.A.(1) Consultant Team’s Bridge Inspection and Management Experience

In addition to describing the team’s bridge inspection experience, the offering team should also describe any pertinent management work experience. This experience would include, but not be limited to: project management, quality control, logistical support, billing, load rating and other such activities (the activities required for a Bridge Inspection contract beyond supplying an inspection team or part of the inspection team). This should include time frames and extent of work. **Firms should demonstrate this understanding in their Organization Chart, Resumes, and descriptions of project experience.**

Factor 1.B.(1): Project Manager’s Bridge Inspection experience

This factor is evaluated based on the information provided in the NYSDOT255C in Sections 8 and 9 and any pertinent NYSDOT Performance Evaluations as it relates to the following criteria:

- The Project Manager’s Bridge Inspection Experience was for a General Bridge Inspection, or an In-Depth Bridge Inspection for which the field inspections were completed within the last ten years.
Factor 1.B.(2): Quality Control Engineer’s Bridge Inspection experience
This factor is evaluated based on the information provided in the NYSDOT255C in Sections 8 and 9 and any pertinent NYSDOT Performance Evaluations as it relates to the following criteria:

- The Quality Control Engineer’s Bridge Inspection Experience was for a General Bridge Inspection, or an In-Depth Bridge Inspection for which the field inspections were completed within the last ten years.

Factor 1.B.(3): Load Rating Engineer’s Bridge Design and Evaluation Experience
This factor is evaluated based on the information provided in the NYSDOT255C in Sections 8 and 9 and any pertinent NYSDOT Performance Evaluations as it relates to the following criteria:

- The Load Rating Engineer’s Bridge Evaluation Experience was for a General Bridge Inspection, or an In-Depth Bridge Inspection for which the field inspections were completed within the last ten years. Bridge evaluation/load rating (VIRTIS and/or BLRS) experience will also be considered for bridge load rating work that was not performed as part of a bridge inspection contract.

Factor 1.B.(4): Team Leader’s Bridge Inspection Experience
This factor is evaluated based on the information provided in the NYSDOT255C in Sections 8 and 9 and any pertinent NYSDOT Performance Evaluations as it relates to the following criteria:

- The Team Leader’s Bridge Inspection Experience was for a General Bridge Inspection, or an In-Depth Bridge Inspection for which the field inspections were completed within the last ten years.

Factor 2.A.: NYSDOT Performance (Team Score) Values - Bridge Inspection
This factor is evaluated based on the information provided in the NYSDOT255C in Sections 7, 8, 9 and 12 and any pertinent NYSDOT Performance Evaluations as it relates to the following criteria:

- This factor’s score combines relevant performance evaluation scores for NYSDOT Bridge Inspection projects
- Proposed firms without Prior NYSDOT Bridge Inspection performance ratings will be considered as having a score of 5 for their relevant performance evaluation scores

Factor 2B1: Total Remaining Division Workload - Bridge Inspection (as of 2/1/2019)
This factor is evaluated based on the information provided in Electronic Expression of Interest (E-EOI).

Factor 2B2: Total Remaining Workload with NYSDOT (as of 7/15/2018)
This factor is evaluated based on the information provided in Electronic Expression of Interest (E-EOI).

Factor 3A: Familiarity
This factor is evaluated based on the information provided in the NYSDOT255C in Sections 8, 9 and any pertinent NYSDOT Performance Evaluations as it relates to the following criteria:

- Key staff’s familiarity with General Bridge Inspection, or an In-Depth Bridge Inspection and working in the NYSDOT Regions where the work is involved

9c. D/M/WBE Factors (added to overall score)
1) Percentage of participation assigned to D/M/WBE subs = 10% (x D/M/WBE % of participation)
2) Experience and prior NYSDOT performance = 0% (x D/M/WBE % of participation)
3) Workload with the Division (Bridge Inspection - as of 2/1/19) = 3.0% (x D/M/WBE % of participation)

9d. Last Designation Factor (subtracted from overall score)
Last Designation Factor Weight: 0%

Special Notes: Last Designation factor is not being used for Electronic Scoring purposes. All firms should refer to Section 11, General Information, for last designation information relative to final selection.

10. Joint Ventures
Joint Ventures shall not be proposed due to the scope of the work and the size of the agreement.

11. General Information
11a. Process, Policies and Conventions
The New York State Department of Transportation (NYSDOT), in accordance with Title VI of the Civil Rights Act of 1964,
It is the policy of New York State to encourage the use of New York State subcontractors and suppliers to promote the participation of minority and women-owned businesses and service-disabled veteran-owned businesses, where possible, in the procurement of goods and services. Information concerning the availability of New York State M/WBE and SDVOB subcontractors and suppliers is available from the NYS Department of Economic Development and the NYS Office of General Services respectively.


Failure to have this information in place at the time of EOI submission may result in the team being found non-responsive.

1. To qualify to perform surveying services, all firms must be duly authorized to provide those services by the State Department of Education. Refer to CI 93-10: https://www.dot.ny.gov/main/business-center/consultants/architectural-engineering/consultant-instructions/business-practices

2. All business entities legally permitted to provide professional geology services in New York State are required to obtain a “Certificate of Authorization to Provide Professional Geology Services in New York State” from the State Education Department according to section 7210 of Education Law.

3. 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.


5. The New York State Department of Transportation (NYSDOT) has an administrative procedure for protest established which may be utilized by an interested party in challenging an Architectural/Engineering consultant designation made by NYSDOT. The complete procedure can be accessed via: www.dot.ny.gov/main/business-center/consultants/consultants-repository/misrep_protest.pdf

6. All proposers are afforded an opportunity to receive a debriefing. Arrangements for a debriefing must be requested through the Contract Management Bureau at (518) 457-2600

7. If you are included on another firm's proposal for more than 20% of the work, you may not include that firm on your proposal. Should this infraction occur one team must withdraw; firms will be contacted to resolve the situation. If not resolved by the firms, NYSDOT will reject both firms' proposals. A redistribution of the offered percent of work will not be accepted as a means of resolution after the proposal due date.

8. Designated Prime consultants and Joint Ventures must be able to demonstrate proof of coverage or exemption for Workers Compensation and Disability Benefits prior to the execution of the resulting contract. An ACORD Form is not an acceptable document for proof of this coverage.

9. Under normal situations the following process is used:
   a) Winning Teams are selected first.
   b) Successive inspections are not to be performed by the same Team Leader.
   c) Firms submitting EOIs for more than one of these opportunities must submit a preference form stating the priority order in which they wish to be designated.
d) A firm can be on more than one winning team, but a firm's participation cannot exceed 100% of the work on all their General Bridge Inspection, and Bridge Diving Inspection and Fathometer Survey advertisement contracts advertised in the same calendar year for similar services.

e) As a subconsultant, firms are limited to a cumulative total of 60% of the work on all of their General Bridge Inspection contracts advertised in the same calendar year for similar services.

f) Subconsultant assignments as an alternate will be eliminated first, followed by the subconsultant’s least preferred choices where they were not an alternate.

g) Once a prime receives a designation for a General Bridge Inspection contract advertised this calendar year, the Department adjusts the prime's last designation factor by minus 2 points. This will affect that firm's score and relative position in any subsequent selection for similar agreements of this type (i.e., Large Culvert Inspections, Overhead Sign Structure Inspections, etc.) advertised in the same calendar year.

11b. Compliance Procurement Lobbying Law

11b1. Required Form: "Permissible Contacts Certification Form"
   a) Offerer's Affirmation of Understanding and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)
   b) Offerer Disclosure of Prior Non-Responsibility Determinations

11b2. NYSDOT Guidelines and Procedures
   Under the requirements of the State Procurement Act all communications regarding advertised projects are to be channeled through the Contract Management Bureau (*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 NYSDOT web site: [https://www.dot.ny.gov/portal/page/portal/main/business-center/consultants/general-info](https://www.dot.ny.gov/portal/page/portal/main/business-center/consultants/general-info)

11b3. Summary of the policy and prohibitions regarding permissible contacts
   **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 Specialist
   - The Contract Management Designation Specialist Supervisor
   - The Contract Management Assistant Directors
   - The Contract Management Director
   - The Contract Management Civil Rights Unit Supervisor
   - The Contract Management Administrative Staff

   These are some communications exempted from this restriction:
   - Participation in a pre-proposal conference
   - 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 Specialist
   - The Contract Management Negotiation Specialist Supervisor
   - The Contract Management Assistant Directors
   - The Consultant Job Manager
   - The 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.

11b4. Rules and regulations and more information on this law, please visit: http://www.ogs.ny.gov/aboutOgs/regulations/defaultAdvisoryCouncil.html and/or http://www.jcope.ny.gov/

12. Iran Divestment Act
As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. This act may be viewed in entirety at http://www.ogs.ny.gov/about/regs/docs/ida2012.pdf. Pursuant to SFL § 165-a(3)(b), the Commissioner of the Office of General Services (OGS) has developed and maintains a list (prohibited entities list) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law).

The list may be found on the OGS website at: http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that, it will not utilize, on such Contract, any subcontractor that is identified on the prohibited entities list.

Additionally, any Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should the New York State Department of Transportation (NYSDOT) receive information that a Bidder/Contractor (or any assignee) is in violation of the above-referenced certification, NYSDOT will offer the Bidder/Contractor (or any assignee) an opportunity to respond. If the Bidder/Contractor (or any assignee) fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then NYSDOT shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

NYSDOT reserves the right to reject any bid or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

13. Conflicts of Interest for Design-Build Contracts
Please refer to Title 23 Section 636.116 of the Code of Federal Regulations, as quoted in full below. Consultants and subconsultants who perform design-related work on a project may not be allowed to compete as part of a design-build team for the same project. The Department will make such determinations on a case by case basis. Consultants should request a determination from the Department whenever a decision is made to progress a contract as design-build and the consultant is interested in proposing as part of a design-build team.

23 CFR 636.116 - What organizational conflict of interest requirements apply to design-build projects?

A. State statutes or policies concerning organizational conflict of interest should be specified or referenced in the design-build RFQ or RFP document as well as any contract for engineering services, inspection or technical support in the administration of the design-build contract. All design-build solicitations should address the following situations as appropriate:

1) Consultants and/or sub-consultants who assist the owner in the preparation of a RFP document will not be allowed.
to participate as an offerer or join a team submitting a proposal in response to the RFP. However, a contracting agency may determine there is not an organizational conflict of interest for a consultant or sub-consultant where:

i. The role of the consultant or sub-consultant was limited to provision of preliminary design, reports, or similar "low-level" documents that will be incorporated into the RFP, and did not include assistance in development of instructions to offerers or evaluation criteria, or

ii. Where all documents and reports delivered to the agency by the consultant or sub-consultant are made available to all offerers.

2) All solicitations for design-build contracts, including related contracts for inspection, administration or auditing services, must include a provision which:

i. Directs offerers attention to this subpart;

ii. States the nature of the potential conflict as seen by the owner;

iii. States the nature of the proposed restraint or restrictions (and duration) upon future contracting activities, if appropriate;

iv. Depending on the nature of the acquisition, states whether or not the terms of any proposed clause and the application of this subpart to the contract are subject to negotiation; and

v. Requires offerers to provide information concerning potential organizational conflicts of interest in their proposals. The apparent successful offerers must disclose all relevant facts concerning any past, present or currently planned interests which may present an organizational conflict of interest. Such firms must state how their interests, or those of their chief executives, directors, key project personnel, or any proposed consultant, contractor or subcontractor may result, or could be viewed as, an organizational conflict of interest. The information may be in the form of a disclosure statement or a certification.

3) Based upon a review of the information submitted, the owner should make a written determination of whether the offerer’s interests create an actual or potential organizational conflict of interest and identify any actions that must be taken to avoid, neutralize, or mitigate such conflict. The owner should award the contract to the apparent successful offerer unless an organizational conflict of interest is determined to exist that cannot be avoided, neutralized, or mitigated.

B. The organizational conflict of interest provisions in this subpart provide minimum standards for STDs to identify mitigate or eliminate apparent or actual organizational conflicts of interest. To the extent that State-developed organizational conflict of interest standards are more stringent than that contained in this subpart, the State standards prevail.

C. If the NEPA process has been completed prior to issuing the RFP, the contracting agency may allow a consultant or subconsultant who prepared the NEPA document to submit a proposal in response to the RFP.

D. If the NEPA process has not been completed prior to issuing the RFP, the contracting agency may allow a subconsultant to the preparer of the NEPA document to participate as an offerer or join a team submitting a proposal in response to the RFP only if the contracting agency releases such subconsultant from further responsibilities with respect to the preparation of the NEPA document.

14. Public Officers Law
Contractors, consultants, vendors, subconsultants and subcontractors may hire former State Agency or Authority employees. However, as a general rule and in accordance with New York State Public Officers Law, former employees of the State Agency or Authority may neither appear nor practice before the State Agency or Authority, nor receive compensation for services rendered on a matter before the State Agency or Authority, for a period of two years following their separation from State Agency or Authority service.

In addition, former State Agency or Authority employees are subject to a “lifetime bar” from appearing before the State Agency or Authority or receiving compensation for services regarding any transaction in which they personally participated or which was under their active consideration during their tenure with the State Agency or Authority.
For more information, go to NYSDOT's web site at: https://www.dot.ny.gov/index

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