

NEW YORK STATE DEPARTMENT OF TRANSPORTATION (on behalf of the)
NEW YORK METROPOLITAN TRANSPORTATION COUNCIL
REQUEST FOR PROPOSALS #C000PSA4

CONSULTANT PLANNING SERVICE AGREEMENTS (PSA4) for NYMTC

NYS Contract Reporter Announcement
NYSDOT Website Announcement

November 23, 2016

The New York Metropolitan Transportation Council (NYMTC), through resulting contracts held by its host, the New York State Department of Transportation (NYSDOT), seeks to retain the top three responsive, responsible and fully qualified Planning Service Consultants (or three Teams of Planning Service Consultants) under an FHWA-funded, FTA-funded and potentially New York State-funded planning services term agreements.

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 Persons 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, as well as the contract title and number being responded to. An electronic letter announcing the release of the RFP will be e-mailed to all parties submitting a LOI. When ready, the RFP will be posted to the NYMTC and NYSDOT websites and will contain all the information necessary for firms to submit a complete proposal. **It is expected that the RFP will be released on or after November 23, 2016.** If the release of the RFP is delayed for any reason, the due date for proposals will be extended appropriately. A pre-proposal conference will be scheduled for **December 8, 2016** at 10:30 A.M., at NYMTC's office at 199 Water Street, 22nd Floor, New York, NY. **The anticipated due date of the receipt of proposals is January 18, 2017.**

The base term of this contract will be for up to 60 months commencing from the contract start date.

The DBE participation goal for this solicitation is 10 percent. While not indicative of a proposer's individual merit (technical excellence, proposer's ability, experience, etc.), NYMTC and NYSDOT encourage the participation of certified disadvantaged business enterprises (DBEs) in this solicitation. Level of DBE participation will be relevant to the process of selecting proposals that will best achieve the overall goals of NYMTC and NYSDOT.

A more detailed notice regarding this project has been posted onto NYSDOT's website (listed below). Once available, a full description of the advertisement (RFP) for this project and its requirements will be posted to NYMTC's website at: <http://www.nymtc.org/files.cfm?thecategory=Request+for+Proposals> and will also be posted to NYSDOT's website at: <https://www.nysdot.gov/business>, select 'Consulting Service Opportunities'.

Official Contact Persons:

NYMTC: Mr. Ismet Apdiroglu at: 212.383.2414 or ismet.apdiroglu@dot.ny.gov

NYSDOT: Mr. Al Hasenkopf at: alfred.hasenkopf@dot.ny.gov

NYS Procurement Lobbying Law Compliance for Contract #C000PSA4

NYSDOT Policy Summation:

Under the requirements of the State Procurement Act, all communications regarding advertised projects are to be channeled through the applicable Contract Management staff (*Designated NYSDOT Contract Management, or to the **NYMTC Designated Contracts). Until a contract is approved by the State Comptroller, contact with any other NYSDOT or NYMTC employee concerning this project should not be made unless otherwise directed by the NYSDOT Contract Management. Communications made contrary to this policy and deemed an attempt to influence the outcome, may result in disqualification.

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 applicable Contract Management staff (*Designated NYSDOT Contacts or to the **NYMTC Designated Contracts). Until a designation is made, communication with any other NYSDOT or NYMTC 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 following NYSDOT web site:

<https://www.nysdot.gov/portal/page/portal/main/business-center/consultants/non-architectural-engineering/active-solicitations>

Contacts Prior To Designation:

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

- The NYSDOT Contract Management designation analyst *
- The NYSDOT Contract Management designation analyst supervisor *
- The NYSDOT Contract Management Assistant Directors *
- The NYSDOT Contract Management Director *
- The NYMTC Contract Liaison and Assistant**
- The NYMTC Project Manager **

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 or NYMTC 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/NYMTC 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 and NYMTC identify the primary negotiation contacts. The designated contacts include:

- The NYSDOT Contract Management negotiation analyst *
- The NYSDOT Contract Management negotiation analyst supervisor *
- The NYSDOT Contract Management Assistant Directors *
- The NYSDOT Contract Management Director *
- The Consultant Management Bureau consultant job manager *
- The Consultant Management Bureau consultant job manager's immediate supervisor *
- The NYMTC Contract Liaison and Assistant **
- The NYMTC Project Manager **
- Individual(s) that the Department or NYMTC may identify at or after designation

The law does not limit who may be contacted during the negotiation process. However, if any NYSDOT or NYMTC 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/NYMTC employee.

Information Required from Offerers that Contact NYSDOT/NYMTC staff, Prior to Contract Approval by the Office of the State Comptroller:

The individuals contacting NYSDOT or NYMTC should refer and shall be prepared to provide the following information, either by e-mail or fax as directed by NYSDOT or NYMTC.

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 NYSDOT or NYMTC.

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 or NYMTC may identify other contact persons for each of these processes.

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

<http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/Faq.htm> (Advisory Council FAQs)

<http://www.nylobby.state.ny.us/>

<http://www.nylobby.state.ny.us/lobbying.html> (New York State Lobbying Act)

<http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html>