

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION (on behalf of the)
NEW YORK METROPOLITAN TRANSPORTATION COUNCIL**

REQUEST FOR PROPOSALS

RFP #PSA5 ‘CONSULTANT PLANNING SERVICE AGREEMENT for NYMTC’

**NYS Contract Reporter Announcement
NYSDOT Website Announcement
NYMTC Website Announcement**

December 1, 2021

The New York Metropolitan Transportation Council (NYMTC), through contracts held by its host, the New York State Department of Transportation (NYSDOT), seeks to retain multiple responsive, responsible, and fully qualified Consultants via a multiple award best value RFP to provide full, capable teams of personnel to complete all project scopes of services contained in the following Lots under a five-year, FHWA-funded term agreement(s):

Lot 1: Programs and Grants Support – to provide one continuous, long term in-house contractor to augment NYMTC staff to provide programs and grants support.

Lot 2: Data Collection, Monitoring and Analysis – to provide periodic, on-call support services from a consultant team comprised of a flexible pool of staff resources with varying levels of expertise and experience for data collection, monitoring and analysis.

Lot 3: Geographic Information System (GIS) Support - to provide one continuous, long term in-house contractor to augment NYMTC staff to provide support for GIS services.

Lot 4: Public Involvement, Outreach and Engagement Support – to provide an on-call team with varying levels of expertise and experience to provide public involvement, outreach and engagement support on an as-needed basis.

Lot 5: Model Support, Updates and Enhancements - to provide two continuous, long-term in-house contractors to augment NYMTC staff for model support, updates and enhancements to NYMTC’s models and post-processor software as well as an on-call team to provide ongoing technical assistance, procedures modifications and model extensions, testing and model user support.

Lot 6: Transportation Conformity Determination Support – to provide one continuous, long-term in-house contractor to support the required transportation conformity determinations, as well as a flexible pool of on-call staff resources to support and supplement the in-house contractor services, as needed.

Contracts will be separately awarded to each firm based on best value received for each Lot. If a firm is awarded more than one Lot, then each awarded Lot shall be rolled into individually awarded contracts by firm; if a firm is awarded all Lots, then each awarded Lot shall be rolled into one awarded contract. The estimated contract start date is June 2022. While there are no civil rights goals associated with this procurement, NYSDOT and NYMTC encourage the participation of qualified DBE prime consultants for this contract opportunity.

Once available, a full description of the advertisement (RFP) for this project and its requirements will be posted to NYMTC's and NYSDOT's respective websites at:

1. <https://www.nymtc.org/UTILITY-MENU/Doing-Business/Current-RFPs>
2. <https://www.nysdot.gov/business>, select 'Ads' or 'Consulting Service Opportunities'.

Official Designated Contact Persons:

- NYMTC: Seitu Allen Seitu.Allen@dot.ny.gov (212-383-1885)
- NYSDOT: Patty Kappeller Patricia.Kappeller@dot.ny.gov (518-457-2600)

Under the requirements of the State Procurement Act all communications regarding advertised projects are to be channeled through the Official 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.

NYS Procurement Lobbying Law Compliance for RFP #PSA5

NYSDOT Guidelines and Procedures:

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.

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/main/business-center/consultants/forms-publications-and-instructions> then scroll down to 'Compliance Procurement Lobbying Law'.

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 NYSDOT Contract Management Specialist
2. The Designated NYMTC Contact Person
3. The NYSDOT Contract Management Specialist's Supervisor
4. A NYSDOT Contract Management Assistant Director
5. The NYSDOT 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 NYSDOT Contract Management Specialist
2. The Designated NYMTC Contact Person
3. The NYSDOT Contract Management Specialist's Supervisor
4. A NYSDOT Contract Management Assistant Director
5. The NYSDOT Director of Contract Management
6. The NYSDOT Consultant Job Manager
7. The NYSDOT Consultant Job Manager's Immediate Supervisor
8. 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 Contact Person:

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