

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

REQUEST FOR PROPOSALS

NYMTC UPWP Web Application Project

Contract No.C000797

NYS Contract Reporter Announcement

NYSDOT Website Announcement

December 7, 2020

The New York Metropolitan Transportation Council (NYMTC), via its host, the New York State Department of Transportation (NYSDOT), anticipates the release of a Non-Architectural/Non-Engineering (Non-A/E) Request for Proposals (RFP) to seek software and services from a responsive and responsible Consultant (or team of consultants) for development, testing, training, support and maintenance of the Unified Planning Work Program (UPWP) Web Application under Contract #C000797.

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 Designated 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 e-mail announcing the release of the RFP will be sent to all parties submitting a LOI. When ready, the RFP will be posted to the NYMTC and NYSDOT respective 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 December 7, 2020.** If the release of the RFP is delayed for any reason, the due date for proposals will be extended appropriately. A pre-proposal webinar has been scheduled for **December 21, 2020** at 10:30 A.M., to be conducted via WebEx. **The anticipated due date of the receipt of proposals is January 29, 2020.**

The base term of this contract will be for up to 60 months commencing from the contract start date. Additional term extensions are authorized, depending upon need, availability of funding and performance. The resulting contract will be a lump sum milestone-type payment contract. For planning purposes, it is anticipated that the level of complexity for this project is moderately complex. The DBE participation goal for this solicitation is 10 percent of total project budget. 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: <https://www.nymtc.org/UTILITY-MENU/Doing-Business/Current-RFPs> and will also be posted to NYSDOT's website at: <https://www.nysdot.gov/business>, select 'Ads' or 'Consulting Service Opportunities'.

Official Designated Contact Persons:

- NYMTC: Mr. Seitu Allen seitu.allen@dot.ny.gov (212-383-1885)
- NYSDOT: Mr. Al Hasenkopf alfred.hasenkopf@dot.ny.gov (518-457-1560)

NYS Procurement Lobbying Law Compliance for Contract #C000797

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 Contacts). 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.

- **“Offerer’s Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (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 Contacts). 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 Consultant’s page at NYSDOT’s “Doing Business With DOT” web site: <https://www.dot.ny.gov/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 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**

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 **
- The NYMTC Contract 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 More Information on this Law: Please visit the NY State Joint Commission on Public Ethics website via: <http://www.jcope.ny.gov/>.