



Date : August 18, 2009

Last revised on

Revisions:

This project will follow the department's electronic consultant selection process (Process II)

1. Project Identification

Contract # D030844

Pin: 080821

Title: PIN 0808.21 Highway Runoff Mitigation

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: Design Services - Highway

Work phases included:

V - VI

In the following counties:

NASSAU	in Region	10
SUFFOLK	in Region	10

2. General Description of Agreement

Estimated Contract Duration

22 Months

2a. Funding

Expected to be State funded.

2b. Key

Construction Letting Date -----		
Consultant Start Date -----	JUNE	06, 2010
Consultant Completion Date -----	APRIL	05, 2012
Anticipated design approval Date -	JULY	09, 2007
Anticipated PS&E date -----	OCTOBER	13, 2011

2c. Electronic EOI

For the purpose of submitting an electronic EOI only, use the KEY PIN value 080821

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.



Date : August 18, 2009

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:

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)

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)

For more information and copies of the forms, firms are advised to visit the following OSC web site:

<http://www.osc.state.ny.us/agencies/gbull/g-226.htm> or the following NYSDOT web site links (under the Business Center Heading):

<http://www.nysdot.gov/portal/page/portal/main/business-center/consultants/architectural-engineering/consultant-instructions> and
<http://www.nysdot.gov/portal/page/portal/main/business-center/consultants/forms-publications-and-instructions>

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).

Special Notes

All contracts that are funded in whole or part by the American Recovery and Reinvestment Act of 2009 (ARRA) are subject to several additional Federal and State reporting and procedural requirements. All prospective team members should review Consultant Instruction 09-04, "Requirements for Contracts Funded by the American Recovery and Reinvestment Act (ARRA)" to familiarize themselves with the various requirements associated with ARRA funded projects.

By responding to a solicitation for a contracting opportunity that may include ARRA funds, the individual members of the prospective consultant teams are explicitly stating that they accept all of the reporting and procedural requirements associated with that opportunity, and will comply with those requirements from the date of the contract award or Notice to Proceed until acceptance and completion of the contract.

3. Description of Work

Restore the structural integrity of debilitated drainage structures/pipes, improve debilitated drainage systems, improve quality of highway runoff to adjacent surface waters.

4. Guidance

4a. Staffing Requirements

Key staff: The selection and retention of a Consultant will be contingent on the availability of the key staff, unless substitutes are approved by NYSDOT.



Date : August 18, 2009

Staffing Role		Resume Required
Lead Staff Person - Highway Design	N/A	Yes
Project Manager	N/A	Yes

Non-key staff requiring resumes to be submitted:

Staffing Role		Resume Required
Lead Staff Person - Environmental	N/A	Yes

Non-key staff not requiring a resume to be submitted:

Staffing Role		Resume Required
Lead Staff Person - CADD		No

Additional Staffing Notes:

Key Staff Resume also required for: Environmental Engineer - storm water management control plans

4b. Resumes

Resumes must be provided within the NYSDOT 255 submission for all Key Staff; and Non-Key Staff requiring resumes to be submitted as listed in 4a. above.

The total number of resumes that may be included in the NYSDOT 255 for this project is 4.

4c. 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 Joint Venture 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 shortlist submittal instructions on the NYSDOT website: [https://www.nysdot.gov/portal/page/portal/main/business-center/consultants/general-info/electronic-consultant-selection-\(process-2\)](https://www.nysdot.gov/portal/page/portal/main/business-center/consultants/general-info/electronic-consultant-selection-(process-2))

4d. Required Certifications / Training / Qualifications

No additional certifications, training, nor qualifications required.



Date : August 18, 2009

5. Cost and Complexity

Work Class: Highway

Anticipated overall level of complexity for this project: Routine

Estimated highway/appurtenances construction cost: \$5,140,000.00

Highway/Appurtenances complexity: Routine

6. Selection 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).

Upon notification of being shortlisted:

Provide NYSDOT 255 with attachments, days from shortlist notification --- 10

If designated:

Scope of services meeting, days from designation ----- 7

First proposal due, days from designation ----- 21

Final proposal due, days from designation ----- 35

Completion of financial negotiation, days from designation ----- 51

7. Advertisement Data

Key Contract Number: D030844

Key Pin: 080821

Submission Due Date: 09/08/2009 by noon

Submit the following four (4) Items by the Due Date: 09/08/2009 by noon

- 1) Electronic Expression of Interest (E-EOI) must be submitted electronically: utilizing the Electronic Consultant Selection System web application (PDF).
- 2) Section B, CONR386 Current Workload Disclosure Form for each firm included on the team (must be submitted in PDF format by the Prime and include all team members - prime, joint venture partner and subconsultants): utilizing the Electronic Consultant Selection System web application.
- 3) The Attached Offerer's Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b): utilizing the Electronic Consultant Selection System web application (must be submitted in PDF format



Date : August 18, 2009

- 4) The Attached Offerer Disclosure of Prior Non-Responsibility Determinations form (must be submitted in PDF format for the Prime): utilizing the Electronic Consultant Selection System web application.

FAILURE TO SUBMIT ALL OF THE ABOVE MATERIAL UTILIZING THE ELECTRONIC CONSULTANT SELECTION SYSTEM WEB APPLICATION, WHEN IT IS DUE, MAY RESULT IN YOUR DISQUALIFICATION.

Type of DMWBE Credit: M/WBE

D/M/WBE Credit Cap: 18%

Number of Required DMWBE Alternatives: 1

Small Firm Credit: None

Electronic Inventory used: Design

Special Note

Type of D/M/WBE Credit: M/WBE

• When claiming M/WBE Credit, Prime Firms are responsible for ensuring all of their proposed M/WBE sub-consultants are currently certified thru the NY Loves MWBE Directory for claiming M/WBE credit (www.nylovesmwbe.ny.gov) for the type work they are being proposed to perform. Claiming M/WBE credit for a non-certified firm at the time of E-EOI submission may be grounds for a non-responsibility determination.

www.nylovesmwbe.ny.gov

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

Consistent with the established scoring methodologies, for the purpose of estimating distances to the Project Site and the NYSDOT Regional Office, each team member must use one of their own registered offices as the Functional Office at which the Project Manager (or the person in charge of the subconsultants activities in the case of a subconsultant) is available on essentially a daily basis for direct and visual supervision of the firms staff that is providing the key elements of its assigned activities. The Functional Office must be currently in use and have been in existence for at least 3 months prior to its use for scoring purposes (or clearly demonstrated to be a relocation of a previously existing office meeting that same criteria), accessible to the public and staffed with a complement of full time employees.

Reimbursement for project related travel expenses will be determined consistent with the Program Area's current policies for the work activities being performed.

Distance to the Project Site should be measured from each Firm's Functional Office to:

250 Veterans Memorial Highway, Hauppauge, NY 11788

Distance to the NYSDOT Regional Office should be measured from each Firm's Functional Office to:

Region Office R10 : 250 Veterans Memorial Hwy, Hauppauge, NY 11788



Date : August 18, 2009

Distance must be measured in kilometers as you would drive a car -- not a straight line measurement. We require accurate numbers, either an actual odometer reading, through use of a map drawn to scale or a reputable database of distances. (Distance is subject to verification by NYSDOT.)

9. Evaluation Factors and Weights

Step 1 - automated shortlisting (all firms are scored)

Step 2 - committee review (only shortlisted firms are scored)

Step 1 Weight	Step 2 Weight	Factor
		1. Prior Experience
55%	15%	A. Firm in general
0%	55%	B. Staff
5%	2%	C. With NYSDOT
		2. Organizational capability for this type of work
19%	5%	A. Prior NYSDOT performance ratings
		B. Workload/Capacity
3%	7%	(1). Project type workload with NYSDOT vs. capacity
3%	7%	(2). Total remaining workload with NYSDOT
		3. Logistics & Familiarity
15%	4%	A. Logistics
0%	5%	B. Familiarity with the area
		4. Other Factors
100%	100%	Total

List all the M & E Series Sub-Factor Tasks and associated %s

Breakout for Prior Experience (Firm and NYSDOT) Above (1A. & 1C)

80%	M07. Final Design (Highway)
5%	M09. Design Survey & Mapping
5%	E08. Wetlands Study
10%	E12. Storm Water Management

It is expected that the Prime Firm will be assigned All Tasks unless otherwise noted below under Notes and a weight of "0" means that factor/task is given no weight but the work is expected to be included in the project and must be assigned to at least one Team Member

9a. 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 = 5.5% (x D/M/WBE % of participation)
- 3) Workload with the Division = 4.5% (x D/M/WBE % of participation)



Date : August 18, 2009

9b. Last Designation Factor (subtracted from overall score)

Last Designation Factor Weight 4%

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

Please Note: See CI 06-07, effective October 31, 2006, Title "CONR-385 required prior to selection for Engineering Services Work" and CI 07-02 effective October 5, 2007, Title "Requirements for submission of a FAR Overhead Audit". See our website for more details: <https://www.nysdot.gov/portal/page/portal/main/business-center/consultants/architectural-engineering/consultant-instructions> (Consultant Instructions)

o To qualify to perform surveying services, all firms must have an officer of the firm and other survey personnel licensed by the State Department of Education.

o If you are included on another firm's proposal for more than 18% of the work, you may not include that firm on your proposal.

o 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.

NYSDOT Administrative Procedure for Protest of Designation for Professional Consultant Services and Architectural/Engineering Claim of Misrepresentation Against Another Party

"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.nysdot.gov/main/business-center/consultants/consultants-repository/misrep_protest.pdf

11b. Submitting the NYSDOT255

The **NYSDOT255** shall be submitted as a single electronic document in Adobe Acrobat (.PDF) format. Do not embed or affix any links, or include any graphics, except as needed for the organizational chart (item 7); or as may be requested by NYSDOT.

11c. Compliance Procurement Lobbying Law

11c1. Required Form: "Permissible Contacts Certification Form"

- 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

11c2. 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.nysdot.gov/portal/page/portal/main/business-center/consultants/general-info> (General Info)



Date : August 18, 2009

11c3. 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 Analyst
The Contract Management Designation Analyst 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 Analyst
The Contract Management Negotiation Analyst Supervisor
The Contract Management Assistant Directors
The Contract Management Director
The Consultant Job Manager
The Contract Management Civil Rights Unit Supervisor
The Contract Management Administrative Staff
The Consultant Job Manager's immediate Supervisor

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.



Date : August 18, 2009

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.

11c4. Rules and regulations and more information on this law, please visit:

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

For more information, go to NYSDOT's web site at <http://www.nysdot.gov>
or contact: * Scott Nussbaum
NYSDOT Contract Management Bureau
50 Wolf Road, 1st Floor
Albany, New York 12232-0203
E-mail: snussbaum@dot.state.ny.us
(518) 457-2600