

**NEW YORK STATE
DEPARTMENT OF AGRICULTURE AND MARKETS
REQUEST FOR PROPOSALS**

**A Comprehensive Statewide Strategy for the Management of
Invasive Species in New York State**

QUESTIONS AND ANSWERS

May 5, 2009

Please note: As required in the RFP, a signed copy of this document must be included with a bidder's proposal.

Signature _____

Name _____

Organization _____

The following questions have been submitted to the Department regarding the March 16, 2009, Request for Proposals (RFP) for a Comprehensive Statewide Strategy for the Management of Invasive Species in New York State. Some questions were slightly revised to provide greater clarification.

All questions were submitted in writing to the Department's Invasive Species Coordinator after the announcement of the RFP and prior to the deadline at 4:30 pm, April 28, 2009.

Q1: With regard to bidder qualifications, do "...previous projects of comparable complexity..." need to address invasive species (pg. 7 of 43, Bidder Qualifications)?

A1: No, the previous project experience does not need to specifically address invasive species. We are looking for a contractor that has the capability to conduct a complex project in general. Although experience with a project related to invasive species is desirable, it is not required.

Q2: For the required stakeholder/agency staff interviews, are face-to-face interview preferred over telephone correspondence (pg. 4 of 43, section A.4.)?

A2: We prefer significant one-on-one interaction with the agency staff and other stakeholders. This will ensure that the contractor is getting undivided attention and the best information from the right individuals at those agencies. Although the one-on-one conversations are the main component of information gathering, other types of interactions, such as telephone and e-mail communications, are also encouraged and expected.

Q3: Is there any significance to the timing of the release of the RFP or to the delivery of the final product (i.e. final report)?

A3: This project has been in the planning stage since the '06-'07 NYS fiscal year. Since that time, numerous efforts have been started, independent of the comprehensive management plan. Ideally, the comprehensive plan may have been the best guide for these efforts but, in the absence of a plan, they were initiated. These ongoing efforts should be addressed in the comprehensive plan. And, depending upon specific outcomes, the plan may well impact the ultimate direction of these ongoing activities.

Funding was the primary factor in the timing of advertisement of the RFP. Otherwise, there is no significant event or date related to the release of the RFP or delivery of the final report.

Q4: Is the deliverable a strategy for development of a management plan, rather than the management plan itself (pg. 6 of 43, Section F)?

A4: Correct. This is a large and complex project and we are looking for the framework of the statewide invasive species management plan. At the conclusion of the project, the Invasive Species Council will reassess whether additional work may be necessary and whether funding is available to undertake an additional phase in the statewide management plan.

The state agency staff involved with administering this contract will be assisting and guiding the selected contractor through the process, providing a smooth transfer of information, and moving in the right direction toward a successful final product.

Q5: What roles have the trade organizations played in the invasive species issues, and have they been supportive of the efforts? Have any stakeholders been actively opposed to the efforts or expressed major concerns?

A5: The trade organizations have been integral partners in the Invasive Species Task Force and Advisory Committee. They continue to play an active role in many invasive species issues. These organizations have been generally supportive of our efforts to develop a comprehensive invasive species management plan. The hope is that the plan will provide these organizations with more certainty regarding invasive species prevention and control as it relates to their industries. They understand the importance of participating in and understanding the ramifications of a plan that has the potential to affect their constituents and their livelihoods.

Generally there has not been active opposition or major concerns expressed from the stakeholders. Some groups do have concerns related to another Title 17 statutory requirement to assess non-native invasive species (AKA - the “four-tier system”), which includes recommendations for the listing of prohibited, regulated and unregulated species. The trade groups are justifiably concerned about ensuring that their needs are met throughout that process.

Q6: How much have you looked outside New York State for invasive species management plan models?

A6: We are aware of the other states with comprehensive invasive species management plans and we encourage the selected contractor to look at those other models. We expect that the best result for New York State will be something unique that may include a combination of components from other plans. We have looked closely at the federal invasive species management model and at certain topical aspects of other state models.

Q7: What does “PRISM” stands for?

A7: “PRISM” stands for “Partnership for Regional Invasive Species Management”. There are currently eight PRISM organizations across the state that include members from numerous stakeholder groups – state, federal and local agencies, non-governmental organizations, academic institutions, trade organizations, private citizens, etc. These groups conduct activities such as invasive species prevention, detection, management, and education and outreach. Interaction with PRISM organizations and leaders will be an important part of the information gathering required for this project.

Q8: Would the bidders' oral presentations take place in June 2009 (pg. 8 of 43, "Oral Presentation")?

A8: The number of eligible bidders, the timing required to score the proposals and the array of composite scores will determine if oral presentations by bidders is required. If held, the oral presentations would likely be conducted before the end of June 2009.

Q9: Does the NYS Department of Agriculture and Markets intend to go forward with the procurement process for this RFP if there are less than four (4) eligible bidders?

A9: Yes, the NYS Department of Agriculture and Markets will proceed with this procurement, even if there are less than four (4) bidders.

Q10: The required Certification pursuant to NYS Tax Law Section 5-A requires "certain contractors" with New York State to certify to the Tax Department that they are registered to collect New York State and local sales and compensating use taxes, if they made sales delivered by any means to locations within NYS of tangible personal property or taxable services having a cumulative value in excess of \$300,000 measured over a specified period. Because this award has a maximum value of \$100,000, and we are not based in NYS and have no further business with NYS, what is the preferred method for addressing this certification (page 11 of 43, Certification Pursuant to New York State Tax Law Section 5-A)?

A10: Since the proposed contract will not have a value in excess of \$100,000 it is not covered by Tax Law section 5-a, and no forms will be required.

Q11: If we plan to submit this proposal with a partner, and a representative from our organization attended the mandatory meeting, are we required to be the prime contractor or may our partner (a NYS-based organization) submit as the prime contractor?

A11: To be eligible to bid on this RFP, attendance at the mandatory pre-bid conference was required. A representative of the bidding entity must have been present at the pre-bid conference.

Q12: Our organization is registered as a charity in NYS. Will we need to register as a foreign corporation doing business in NYS?

A12: If your not-for-profit organization is doing no other "business" in New York State, a single contract such as this would not require your foreign corporation to qualify to do business in New York State.

Q13: An in-depth survey of the Task Force agencies was conducted in the past. This would be a useful resource for this project. Are these questionnaires and the raw results available and can they be used by the selected contractor?

A13: Yes, these results are filed here at the Agriculture & Markets office and will be made available to the selected contractor for use in developing the Comprehensive Statewide Strategy for Management of Invasive Species in New York.