

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232
www.nysdot.gov

JOAN McDONALD
ACTING COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

February 9, 2011

Ms. Carmen Maldonado, Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street – 11th floor
Albany, NY 12236

Subject: Audit Report 2009-S-66
*Contracts for Personal and Miscellaneous
Services*

Dear Ms. Maldonado:

As required by Section 170 of the Executive Law, the New York State Department of Transportation (NYSDOT) offers the following 90-day update on actions taken to implement the subject audit's recommendations:

Recommendation 1: Communicate to appropriate staff the requirement to support Service Contracts with written justifications of the need for the service, the appropriate level of service, and the need to contract out.

NYSDOT Report Response: NYSDOT believes its justifications have been adequate in the past, but staff agree to reinforce the recommended requirement with agency managers and to have contracts staff ensure that such justifications are provided as necessary.

90-day Update: This recommendation has been implemented. All Division Directors and Regional Directors received an e-mail on January 19, 2011 reminding them of the need to adhere to the referenced requirement. Contract Management Bureau staff are ensuring that requests for services include an appropriate justification.

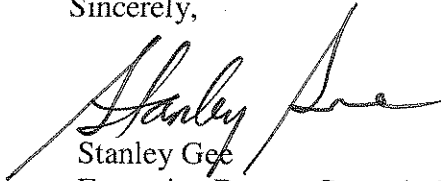
Recommendation 2: Instruct managers to reassess all Service Contracts periodically to identify opportunities to suspend, eliminate, reduce, or bring them in-house, and to document their determinations.

NYSDOT Report Response: NYSDOT agrees to implement this recommendation. The requirements established by the Division of the Budget in Bulletins B-1184 and B-1187 require contract assessments and the Department is following those mandates.

90-day Update: This recommendation has been implemented. All Division Directors and Regional Directors received an e-mail on January 19, 2011, reminding them to periodically reassess their Service Contracts to ensure they are still necessary and affordable within NYSDOT's budget.

If you require any additional information, please contact Bill Howe, Director of Contract Management, at (518) 457-1563.

Sincerely,

A handwritten signature in black ink, appearing to read "Stanley Gee", is written over a horizontal line.

Stanley Gee
Executive Deputy Commissioner

cc: Honorable Andrew Cuomo, Governor of the State of New York
Honorable Thomas P. DiNapoli, State Comptroller
Honorable Dean G. Skelos, President Pro Tempore
Honorable Dean G. Skelos, Senate Majority Leader
Honorable John Sampson, Senate Minority Leader
Honorable Sheldon Silver, Assembly Speaker
Honorable Ronald Canestrari, Assembly Majority Leader
Honorable Brian M. Kolb, Assembly Minority Leader
Honorable John A. DeFrancisco, Chairman, Senate Finance Committee
Honorable Carl Kruger, Ranking Minority Member, Senate Finance Committee
Honorable Herman D. Farrell, Jr., Chairman, Assembly Ways and Means Committee
Honorable James Hayes, Ranking Minority Member, Assembly Ways and Means Committee
Mr. Michael Novakowski, Division of the Budget