

THE SENATE
STATE OF NEW YORK



TIMOTHY M. KENNEDY
SENATOR, 58TH DISTRICT

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November 14, 2012

Barbara J. Fiala
Commissioner of Motor Vehicles
NYSDMV
6 Empire State Plaza
Albany, NY 12228

Dear Commissioner Fiala:

We are writing today to express our serious concerns over a contract the Department of Motor Vehicles tentatively awarded for the production of driver's licenses. According to published reports, this \$88.5 million contract to CBN Secure Technology of Ottawa comes in at a substantially higher cost than the current contract – about \$38 million more, to be exact.

There is always cause for concern whenever costs for necessary services rise so dramatically during these times of fiscally strained budgets and statewide economic recovery. That is why we request you provide an explanation into your reasons for awarding this new contract at significantly higher cost. New York State taxpayers deserve answers when it comes to your decisions regarding the expenditure of their hard-earned tax dollars.

We understand that this contract may have been awarded based upon best-value determinations. It's important to justify to taxpayers the reasons why this higher-cost contract was determined to be the best value for their money.

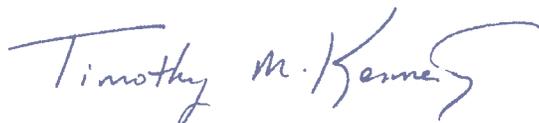
Our concerns don't end with cost alone. We are also troubled by the allegations of unfair advantage, lack of RFP clarity and bid mishandling. We are confident the DMV maintained the utmost fairness and propriety in reviewing and awarding this contract. However, if the allegations are proven legitimate, we urge the DMV to rebid the contract.

Finally, it should be a priority for New York State to award contracts to companies and firms located within our state and nation. We feel state contracts make the largest economic impact when they go to companies that employ New Yorkers and call our state and nation home. The location of the bidders – in this contract and in all state contracts – should be a consideration when determining best value. When none of the bidding companies are located in New York State, we encourage you to consider U.S. companies.



Thank you for your ongoing service to the State of New York. We look forward to continuing to work with you to ensure New York State's taxpayers have safe roads to drive on and an efficient and responsive DMV to rely on.

Sincerely,

Handwritten signature of Timothy M. Kennedy in blue ink.

Timothy M. Kennedy
NYS Senator, 58th District

Handwritten signature of Sean M. Ryan in blue ink.

Sean Ryan
NYS Assemblyman, 144th District

cc: NYS Comptroller Thomas DiNapoli