

DATE: 3/1/2023

CONTRACT SOLICITATION NOTICE/PROJECT OVERVIEW

MTA-C&D IS NOW ADVERTISING FOR THE FOLLOWING:

SSE EVENT#: 0000428927

OPENING/DUE DATE: 4/5/2023

TYPE OF SOLICITATION: RFP

DOCUMENT AVAILABILITY DATE: 3/1/2023

Contract/Project Title: RK-90 Design-Build Services for FDR Widening to 116th St. and Replacement of Pedestrian Overpass at 120th St.

DESCRIPTION: This Design-Build project will reconfigure the merge between the two southbound lanes of the FDR Drive and the two entrance lanes from the Harlem River Lift Span of the RFK Bridge. Currently these four lanes transition to three lanes through a short, non-standard center-lane merge. This project will carry the four southbound lanes to the 116th Street exit, eliminating the center lane merge and maximizing the weaving distance. RK-90 will add an auxiliary lane to the southbound FDR from the RFK-FDR Ramp merge with the FDR Drive and terminate at the 116th St. Exit Ramp. This lane addition will provide safety improvements and Level of Service upgrades along the FDR Drive, just downstream of the RFK. The RK-90 project serves as an enabling project that will eliminate the current substandard merge where the RFK-FDR Ramp joins the SB FDR Drive and allow future replacement of the original RFK structures. In addition, this project will reduce congestion which backs up the FDR ramp, extends across the HRLS and through the Manhattan Plaza junction. The current congestion not only affects B&T customer safety and travel times, it also hinders construction staging for the future reconstruction of both the RFK-FDR Ramp and Manhattan Plaza. The addition of a fourth southbound auxiliary lane, and associated widening of the southbound FDR Drive, necessitates the replacement of the existing East 120th St. Pedestrian Bridge overpass and access ramps, which currently do not meet ADA criteria. The proposed replacement Pedestrian Bridge will meet ADA and new AASHTO criteria for shared use, and ultimately provide another key entry to the future East River Greenway. The intersection of Paladino Avenue and East 120th Street will be reconstructed in the vicinity of the new pedestrian bridge to establish a connection from the sidewalks along East 120th Street and Paladino Ave to the new pedestrian overpass. The project will include widening and resurfacing of the FDR within the projects limits and all associated lighting, signage, pavement markings and utility relocations such as drainage, water and electric facilities.

Funding; 100% MTA Goals: 15% MBE; 15% WBE; 6% SDVOB Est \$ Range: \$10M – \$50M Contract Term: 18 Months

PLEASE SEE ATTACHED PROECT OVERVIEW FOR ADDITIONAL INFORMATION

(X) PRE-BID CONFERENCE LOCATION: DATE: 3/15/2023 TIME: 10:00AM

Virtual via Microsoft Teams- Please contact the assigned procurement representative at john.weldon@mtacd.org to register

() SITE TOUR LOCATION: DATE: N/A TIME: N/A

FOR MORE INFORMATION, PLEASE CONTACT:

PROCUREMENT REPRESENTATIVE: John R. Weldon

EMAIL: john.weldon@mtacd.org

REQUIREMENTS TO PARTICIPATE

SYSTEM FOR AWARD MANAGEMENT (SAM): VENDORS ARE REQUIRED TO REGISTER WITH SAM, A FEDERAL VENDOR DATABASE USED TO VALIDATE VEDNDOR INFORMATION, BEFORE REQUESTING BID DOCUMENTS. YOU CAN VISIT THEIR WEBSITE AT www.sam.gov TO REGISTER. A DUNS NUMBER IS REQUIRED FOR REGISTRATION.

*******WE CANNOT PROCESS DOCUMENT REQUESTS WITHOUT A MTA BIDDER/SUPPLIER NUMBER. PLEASE ACCESS THE MTA VENDOR PORTAL, WWW.MYMTA.INFO, TO REGISTER AS A BIDDER*******

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Project Overview

1. Introduction to the Project

The Metropolitan Transportation Authority (“MTA”) and Triborough Bridge and Tunnel Authority (TBTA), acting by and through the MTA Construction and Development Company (“MTA C&D”), will be issuing a two-step Request for Proposals (“RFP”), to identify and engage a qualified Design-Builder for Design-Build Services for FDR Widening to 116th St and Replacement of Pedestrian Overpass at 120th St.

2. Contracting Methodology

The Design-Build Contract will be awarded as a fixed lump sum price contract to the proposer that submits the proposal that MTA C&D determines, in its sole discretion, to offer the best value based on an evaluation of qualitative factors, as well as cost and schedule, following the two-step solicitation process. This method of procurement is intended to encourage development of innovative designs, planning and logistics while also optimizing schedule and the sharing of risks related to the work.

3. Elements of the Project Work

This Design-Build project will reconfigure the merge between the two southbound lanes of the FDR Drive and the two entrance lanes from the Harlem River Lift Span of the RFK Bridge. Currently these four lanes transition to three lanes through a short, non-standard center-lane merge. This project will carry the four southbound lanes to the 116th Street exit, eliminating the center lane merge and maximizing the weaving distance.

RK-90 will add an auxiliary lane to the southbound FDR Drive from the RFK-FDR Ramp merge with the SB FDR Drive and terminate at the 116th St. Exit Ramp. This lane addition will provide safety improvements and Level of Service upgrades along the FDR Drive, just downstream of the RFK. The RK-90 project serves as an enabling project that will eliminate the current substandard merge where the RFK-FDR Ramp joins the SB FDR Drive and allow future replacement of the original RFK-FDR Ramp structures. In addition, this project will reduce congestion which backs up the RFK-FDR ramp, extends across the HRLS and through the former Manhattan Plaza. The current congestion not only affects MTA Bridges & Tunnels (MTA B&T) customer safety and travel times, it also hinders construction staging for the future reconstruction of both the RFK-FDR Ramp and Manhattan Plaza.

The addition of a fourth southbound auxiliary lane, and associated widening of the southbound FDR Drive, necessitates the replacement of the existing East 120th St. Pedestrian Bridge Overpass and access ramps, which currently do not meet ADA criteria. The proposed replacement Pedestrian Bridge Overpass will meet ADA and new AASHTO criteria for shared use paths, and ultimately provide another key entry to the future East River Greenway.

The intersection of Paladino Avenue and East 120th Street will be reconstructed in the vicinity of the new pedestrian bridge to establish a connection from the sidewalks along East 120th Street and Paladino Ave to the new pedestrian overpass.

The project will include widening and resurfacing of the FDR within the project’s limits and all associated lighting, signage, guiderail, pavement markings and utility relocations such as drainage, water and electric facilities.

4. Procurement Process

The procurement process will consist of two steps: (i) the Request for Qualifications; and (ii) the Request for Proposals as described in further detail below.

- A. Pursuant to the Request for Qualifications (“RFQ”), MTA C&D will invite entities or groups of entities (“Respondents”) interested in competing to perform the Work to submit Statements of Qualifications (“SOQ”) that detail, among other things, their qualifications and preparedness to formally submit proposals for the Contracts.
- B. MTA C&D will evaluate all SOQs received in accordance with evaluation criteria set out in the RFQ. Based

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on the results of the evaluation, and at its discretion, MTA C&D then expects to select Respondents (the “Shortlisted Respondents”) with the capability, capacity, and experience necessary to undertake and successfully complete the Work as design-builders, to participate in the second step of the process, the Request for Proposals (“RFP”).

- C. The second step in the procurement process will involve inviting Shortlisted Respondents to respond to the RFP. Through the evaluation of the proposals submitted in response to the RFP, MTA C&D intends to ultimately select the Shortlisted Respondent(s) whose proposal(s), in MTA C&D’s discretion, represents the best value to MTA C&D based on an evaluation of pricing and qualitative factors. While price will be a factor in the evaluation, design, technical approach, and other qualitative factors will also be considered in determining best value. In particular, schedule will be a substantive determining element in awarding the Contract.
- D. The purpose of the RFP will be to allow MTA C&D to select the design-builder. The RFP will provide specific instructions on what to submit, the evaluation factors, the objectives and requirements for evaluation and the evaluation rating guidelines for the RFP step of the procurement.
- E. During Step 2, MTA C&D may offer a stipend to Shortlisted Respondents that submit proposals responsive to the RFP requirements but are not awarded a contract.
- F. MTA C&D will only consider questions submitted in writing by Proposers regarding this request for SOQs, including requests for clarification and requests to correct errors. Any questions must be submitted via email to the Procurement Representative identified in Page 1 of Contract Solicitation Notice/Project Overview.
- G. CONFLICT OF INTEREST / UNFAIR ADVANTAGE (COI/UA): MTA C&D will rely on the firms to self-identify and notify MTA C&D of a potential conflict of interest or unfair advantage. In general, firms that performed design-related work for a project, including preparation of an RFP, may not be allowed to compete as part of the design-build team for the same project. MTA C&D may make exceptions on a case-by-case basis. If uncertain about whether a conflict or unfair advantage exists, firms should request a determination from MTA C&D, prior to submittal of their SOQ, via email to the Procurement Representative identified in Page 1 of Contract Solicitation Notice/Project Overview.

5. RFQ Availability

The RFQ documents will be made available to all prospective Respondents on or about February 23, 2023. In order to obtain the RFQ documents, prospective Respondents need to complete and submit the Contract Document Order Form to SolicitationDocs@mtacd.org. After the order form is processed, prospective Respondents will be notified and instructed to log in the MTA Vendor Portal, www.mymta.info, and follow the steps outlined in the attached Vendor Guide to Downloading Event Attachment.

IMPORTANT:

- 1) Vendors’ contact information must be updated in the Supplier Portal in order to receive notifications regarding this solicitation.
- 2) New Vendors must register first, in order to log in the MTA Vendor Portal (in the steps below, after selecting Vendor Sign-in & Registration, select New Bidder Registration and follow the onscreen instructions).

6. Evaluation of SOQs

As described in more detail in the RFQ, SOQs will be evaluated to establish a shortlist of qualified Respondents. MTA C&D anticipates using pass/fail process that incorporates qualitative assessments to evaluate the SOQs. Each

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Respondent's SOQ will be evaluated utilizing the following Threshold Evaluation criteria (pass/fail criteria) and Substantive Evaluation criteria for compliance with the SOQ submittal requirements.

A. Threshold Evaluation Criteria

- a. **Completeness:** The SOQ conforms to the RFQ requirements and includes all materials required by the RFQ.
- b. **Timeliness:** The SOQ was submitted on or before the SOQ Due Date and time.
- c. **Capacity:** The Respondent has presented evidence that its organization has the legal capacity to enter into and perform the Design-Build Contract and to design and build the Project and comply with New York licensing requirements.
- d. **Responsibility:** Neither the Respondent nor any Major Participant is currently disqualified, removed, debarred, or suspended from performing or bidding on work for the United States government, any state or territory of the United States, or any New York local government; and demonstrates responsibility based on any publicly available reports and filings, reference checks as applicable, and company or court records or other internal MTA documents that are available to MTA C&D.
- e. **Bonding Capacity:** Respondent has provided a letter from an eligible Surety to satisfy the requirements set forth in Section 9.9 that demonstrates that the Respondent has available bonding capacity at least commensurate with the Work.

B. Substantive Evaluation Criteria

i. **Team, Key Personnel, and Organization:**

- a. the demonstrated qualifications and experience of the proposed Key Personnel;
- b. the demonstrated capability and experience of the proposed management team, including the ability to manage all aspects of the Design-Build Contract and successfully integrate the various Major Participants; and
- c. organizational capacity to ensure sufficient staffing to perform the design and construction work.

ii. **Understanding of and Preliminary Approach to the Work:** The extent to which a Respondent demonstrates an understanding of, and approach to, the development, design, and construction of the Project including unique issues, specific risks, and any challenges associated with the Project.

iii. **Prior Experience:** The extent and depth of each Major Participant's experience with projects of a similar size, type, and complexity, including the Reference Projects.

iv. **Past Performance:** Demonstrated record of performance of all Major Participants including:

- i. completion of contracts on schedule;
- ii. quality of work product; and
- iii. completion within budget.

v. **Diversity Compliance:** Respondent's record of successful MWBE, DBE, or SDVOB usage on past and current projects, and organizational commitment as demonstrated by policies, internal structures, and practices.

7. Experience and Performance of Respondent Teams

A. During the RFQ process, MTA C&D will identify Respondents that include Design-Build team with:

- i. experience in successfully managing, designing and constructing projects of similar size, type and complexity as described in this document;
- ii. a record of completing contracts on time and within budget;

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- iii. technical and management experience and expertise to plan, organize and execute the design and construction and assure the quality and safety of the Work; and
 - iv. qualified key personnel with experience managing and performing work on bridge rehabilitation, including without limitation, project managers, construction managers, design consultants, safety managers and schedulers.
- B. The background and experience for the Design-Build teams are expected to be as follows:
- i. significant bridge rehabilitation experience.
 - ii. experience within the last five (5) years of successfully performing as a prime or general contractor or lead designer on multiple construction projects of size, type and complexity similar to the Contracts, which will each be in excess of \$25 million;
 - iii. experienced in all aspects of the Project including but not limited to the structural, electrical systems, and civil discipline.
 - iv. sufficient organizational structure, management resources, equipment, and labor, including an appropriate construction/design management team to be assigned to the Contract(s), to assure MTA C&D that the Contract(s) will be properly coordinated and managed and will be completed on schedule.

8. General Limitations on Respondent Team Membership

- A. Subject to Section 9 below and in addition to any other restriction or qualification on Respondent team membership and on the inclusion of Major Participants and Key Personnel (as defined in the RFQ) set forth in the RFQ:
- a. with the exception of the Designer or their Affiliates:
 - i. no Major Participant shall participate on more than one (1) Respondent team;
 - ii. no Affiliate of any Major Participant shall participate on another Respondent's team;
 - iii. Affiliated entities shall not participate on separate Respondent teams;
 - iv. no firm that employs one or more of the individuals named as Key Personnel on one (1) Respondent team may serve any role on another Respondent team; and
 - v. no individuals serving a Key Personnel role on one (1) Respondent team may serve any role on another Respondent team.
 - b. Respondents and Major Participants that are not selected as a Shortlisted Respondent are not restricted under this Section 8 from participation solely on the basis of having been a member of such unsuccessful Respondent team.

9. Proposed Engagements with Duplicate Major Participants

- 1. Each Respondent may only identify and propose a single entity for each category of Major Participant in its SOQ, for which purposes a Joint Venture will be considered to be a single entity.
- 2. Notwithstanding the foregoing restriction, a Respondent may include in its SOQ two (2) proposed Designers as alternatives.

10. Limitations on Exclusivity

Designers or their Affiliates, which are not prohibited from participating on more than one (1) Respondent team under Section 8, may participate on more than one (1) Respondent team subject to compliance with the following requirements in order to protect the integrity of the procurement process:

The engagement of a Designer or any of their Affiliates by two (2) or more Respondent teams shall be subject to:

- i. the disclosure to all relevant Respondent teams that such entities and personnel are engaged by another Respondent team;

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ii. the institution of Information Barriers acceptable to MTA C&D; and the prohibition of any such entity and their personnel sharing information (or being asked by a Respondent team to share information) regarding the procurement, and the Design-Build Contract.

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