

DATE: 12/20/2023

CONTRACT SOLICITATION NOTICE/PROJECT OVERVIEW

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

SSE EVENT#: 0000452627

OPENING/DUE DATE: 02/06/2024

TYPE OF SOLICITATION: RFP

DOCUMENT AVAILABILITY DATE: 12/20/2023

SOLICITATION TITLE: 1000189246 Design-Build Services for Metro-North ADA Improvements at Three Bronx Stations – Harlem Line

DESCRIPTION: The Metropolitan Transportation Authority (“MTA”), by and through the MTA Construction and Development Company (“MTA C&D”), will be issuing a two-step Request for Proposals (“RFP”), in order to identify and engage a qualified Design-Builder to provide design-build services for Americans with Disabilities Act (ADA) Station improvements at three (3) Harlem Line stations in the Bronx. In the first step, MTA C&D will issue a Request for Qualifications (“RFQ”) seeking Respondents who are qualified and prepared in all respects to perform the work on schedule and within budget. In the second step, MTA C&D will issue an RFP for the contract to the Respondents determined by MTA C&D to be qualified in the first step. Respondents with current contracts to perform work on MTA projects must be in good standing and satisfactorily progressing the work on such contracts to be deemed qualified to participate in the solicitation for the Contract. It is anticipated that the Contract will be in whole or in part funded by New York State.

Funding: 100% MTA Goals: 15% MBE;15% WBE; 6% SDVOB Est \$ Range: \$50M - \$100M
 Contract Term: 990 Calendar Days

*****PLEASE SEE THE ATTACHED PROJECT OVERVIEW FOR ADDITIONAL INFORMATION*****

(X) PRE-BID CONFERENCE LOCATION:

DATE: 01/09/2024

TIME: 10:00AM

Virtual via Microsoft Teams - please email christopher.james2@mtacd.org,
 Attn: Christopher James, identifying the name of the firm, the name(s) of the representative(s) from the firm who will be attending along with their e-mail address(es) and telephone number(s).

() SITE TOUR LOCATION:

DATE:

TIME:

FOR MORE INFORMATION, PLEASE CONTACT:

PROCUREMENT REPRESENTATIVE: Christopher James

EMAIL: christopher.james2@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*******

**Contract No. 1000189246
Project Overview**

1. Introduction to the Project

Contract 1000189246 will provide for design-build services for Americans with Disabilities Act (ADA) Station improvements at three (3) Harlem Line stations in the Bronx. The stations are Williams Bridge, Woodlawn, and Botanical Garden.

2. Contracting Methodology

The Design-Build Contract will be awarded as a lump sum price design-build contract with certain components of the Work to be paid on a fixed unit price to the Shortlisted Respondent, in its capacity as a Proposer under the RFP, 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, including cost and schedule, following the two-step solicitation process. Contracting on a design-build basis is intended to encourage development of innovative designs, planning, and logistics while also optimizing the sharing of risk related to the Work.

3. Background information and Project Scope/Description

Metropolitan Transportation Authority Construction & Development (MTA C&D) in conjunction with Metro-North Railroad (MNR) plans to secure the services of a Design-Builder for Americans with Disabilities Act (ADA) Station improvements at three (3) Harlem Line stations in the Bronx. The stations are Williams Bridge, Woodlawn, and Botanical Garden.

Williams Bridge Station is located below the intersection of East Gun Hill Road and Webster Avenue in the Bronx, NY, and is adjacent to the Bronx River Parkway. The station consists of two platforms, inbound (west side of the Harlem Line) and outbound (east side of the Harlem Line). Both platforms are accessible only from the East Gun Hill Road bridge. The existing station contains a partial canopy on the inbound platform, and a shelter shed on the outbound platform.

Woodlawn Station is located at East 233rd Street near Webster Avenue in the Bronx, NY. North of the station is Woodlawn Junction (CP212), where the New Haven Line diverges from the Harlem Line. The station consists of two platforms, inbound (west side of the Harlem Line) and outbound (east side of the Harlem Line). The outbound platform is accessible only from East 233rd Street, while the inbound platform is accessible from both East 233rd Street and the adjacent parking lot. The existing station has shelter sheds on both platforms.

Botanical Garden Station is located adjacent to the New York Botanical Garden on East 200th Street. The station was constructed in the 1890s. The station consists of two platforms, inbound (west side of the Harlem Line) and outbound (east side of the Harlem Line). The existing station includes a historic wood canopy structure located on the outbound platform that leads to a kiss-and-ride drop-off area. There is an existing shelter on the inbound platform and two (2) community gardens adjacent to the inbound platform. There is a pedestrian overpass connecting the platforms, with staircases and non-compliant elevators connecting the platforms to the overpass.

The Williams Bridge and Woodlawn Stations are complete replacements. The scope of work (SOW) for these stations includes, but is not limited to, full replacement of both platforms with the incorporation of a snow melt system, piers, and foundations; full stairway replacement on both platforms; new elevators and at each platform (total of four elevators); platform extensions; and station upgrades consistent with the Metro North Railroad Station Standards & Guidelines (2020).

The Botanical Garden Station will be a state of good repair project. The SOW for this station includes, but is not limited to, structural repairs to both platforms, including full replacement of select piers and platform sections; ADA upgrades to stairs, ramps, and walkways; a full replacement of the historic wood canopy;

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new inbound canopy shelters and ADA ramps; and station upgrades consistent with MNR's Station Standards & Guidelines.

The project will require work to be performed concurrently at all three stations. Project oversight, material supply chain management, and management of resources will be critical to the success of the project. Performing work on the railroad Right of Way will be required. The work shall not impact the safe operation of the railroad. Long-term, continuous track outages will be provided to support the project. Each station and platform shall remain boardable for the full duration of the project. Innovative construction phasing will be required to maintain service at each platform. This may include the use of partial platform closures, temporary platforms, temporary staircases, and temporary ramps. Each of the three stations have unique challenges related to construction access. Coordination with outside agencies including NYC Parks, NYCDOT, Con Edison, and NYCDEP will be necessary.

4. Procurement Process

- a) The procurement process for Contract 1000189246 consists of two steps: (i) the Request for Qualifications and (ii) the Request for Proposals, as described in further detail below:
 - i) This Step 1, the RFQ, invites interested teams (each, a "Respondent") to submit SOQs that detail, among other things, their qualifications, capability, capacity, and experience to perform the Work.
 - ii) MTA C&D will evaluate all SOQs received in accordance with the criteria set out in this RFQ. Based on its evaluation, MTA C&D will select up to four (4) Respondents (the "Shortlisted Respondents") that it has deemed, in its sole discretion, to possess the capability, capacity, and experience necessary to undertake and successfully complete the Work. Only the Shortlisted Respondents will be eligible to participate in the second step of the procurement process, the Request for Proposals ("RFP").
 - iii) In Step 2, MTA C&D will issue the RFP to invite the Shortlisted Respondents as proposers ("Proposers") to submit Proposals. MTA C&D will evaluate each Proposal received in accordance with the RFP requirements and select the Proposal that, in MTA C&D's sole discretion, represents the best value to MTA C&D. While price will be a factor in the evaluation, design, technical approach, and other qualitative factors will also be considered. Schedule will be a major determinative element in awarding the Design-Build Contract.
 - iv) The RFP will provide specific instructions on the submission requirements and the evaluation factors for the Proposals.
 - v) Prior to issuing the RFP, MTA C&D may, in its discretion, issue a draft of the RFP to the Shortlisted Respondents to solicit feedback. MTA C&D reserves the right to conduct one-on-one discussions with each Shortlisted Respondent to obtain such feedback.
 - vi) During Step 2, the Shortlisted Respondents may be given the opportunity to attend a Site Tour at the location(s) where the Work will be performed. Where track access is necessary, all attendees will be required to have MTA NYC Transit Track Safety Certification and possess a valid course completion card. The Shortlisted Respondents are responsible for ensuring that its designated attendees have current NYC Track Safety Certifications including, where necessary, scheduling attendance at track training classes sufficiently in advance of the Site Tour to ensure certification.
 - vii) During Step 2, MTA C&D will offer a stipend to Shortlisted Respondents that submit Proposals that are responsive to the RFP requirements but are not awarded the Contract.

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- b) All SOQs shall be submitted electronically to MTA C&D by the SOQ Due Date set forth in the RFQ in accordance with the instructions for electronic submittals set forth in the RFQ.

5. RFQ Availability

The RFQ documents will be made available to all prospective Respondents on or about December 20, 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 download the RFQ documents.

IMPORTANT:

Vendors' contact information must be updated in the Supplier Portal in order to receive notifications regarding this solicitation.

New Vendors must first complete the registration process in order to obtain the RFQ documents. To register log in the MTA Vendor Portal, www.mymta.info, selecting Vendor Sign-in & Registration, select New Bidder Registration and then follow the on-screen instructions.

6. Evaluation of SOQs

As described in more detail in the RFQ, SOQs will be evaluated to establish a shortlist of qualified Respondents. Each Respondent's SOQ will be evaluated on a pass/fail basis for compliance with the SOQ submittal requirements, including:

a) Threshold Evaluation Criteria

- i) **Completeness**: The SOQ conforms to the RFQ requirements and includes all materials required by the RFQ.
- ii) **Timeliness**: The SOQ was submitted on or before the SOQ Due Date and time.
- iii) **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.
- iv) **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.
- v) **Financial Capability**: Respondent has demonstrated financial strength sufficient to complete the Project and has provided a letter from an eligible Surety to satisfy the financial requirements set forth in the RFQ.

b) Substantive Evaluation Criteria.

- i) **Team, Key Personnel and Organization**: The demonstrated qualifications and experience of the proposed Key Personnel, the 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 organizational capacity to ensure sufficient staffing to perform the design and

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construction work. Additionally, the Respondent will be evaluated on the benefits of any value-added positions and the strength of the individuals proposed for those positions.

- ii) **Project Approach**: 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, and maintenance of the new elevators.
- iii) **Prior Design-Build Experience**: The extent and depth of each Major Participant's experience with comparable projects.
- iv) **Past Performance**: Demonstrated record of performance of all Major Participants including: completion of contracts on schedule; quality of work product; completion within budget; good standing and adequate progression of work; claims history including number of claims submitted that were ultimately disallowed or significantly reduced, number of disputes submitted to formal dispute resolution and disposition of such actions, claims brought against the firm under the False Claims Act; record of terminations for cause and defaults; disciplinary action, including suspension; safety record; client references; and awards, citations and commendations.
- 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 Respondent Teams comprised of the best design and construction firms available with demonstrated experience, expertise, capacity, and record of producing quality work on projects similar in nature to the Project.
 - i) To identify Respondents that include a Lead Contractor and Designer with:
 - A. experience, individually and collectively, in successfully managing, designing and constructing projects of the size, type and complexity as reflected in the scope of Work and anticipated for the Project;
 - B. a record of completing contracts on time and within budget;
 - C. 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
 - D. qualified Key Personnel with experience managing and performing work in active rail and transit station environments, including without limitation, project managers, construction managers, design consultants, safety managers, quality managers and schedulers.
 - ii) To identify Respondents that include Elevator Manufacturer(s) and Elevator Installer(s) with:
 - A. experience in successfully manufacturing and installing elevators in the quantities, with such performance and technical specifications, for such purposes, and in the environments similar to those reflected in the scope of Work and anticipated for the Project.
 - B. a record of completing contracts (including, as applicable, as prime or subcontractors) on time and within budget;
 - C. experience in and a record of providing original equipment manufacturer ("OEM") and installation warranties, and support to project owners;

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- D. technical and management experience and expertise to plan, organize and execute the relevant parts of the Work and assure the quality and safety of the Work; and
- E. qualified key personnel with experience managing and performing work in the environments similar to those reflected in the scope of Work.

8. General Limitations on Respondent Team Membership

- a) Subject to the Limitations on Exclusivity set forth in Section 10 below, and in addition to any other restriction or qualification on Respondent team membership and on the inclusion of Major Participants and Key Personnel:
 - i) with the exception of the Elevator Manufacturer and the Elevator Installer:
 - A. no Major Participant shall participate on more than one (1) Respondent team;
 - B. no Affiliate of any Major Participant shall participate on another Respondent's team;
 - C. non-Major Participant Subcontractors and their Affiliates may participate on more than one (1) respondent team, subject to compliance with the RFQ;
 - D. 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
 - E. 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 the RFQ from participation solely on the basis of having been a member of such unsuccessful Respondent team. Following the public announcement identifying the Shortlisted Respondents, members of each unsuccessful Respondent team (including Major Participants) may seek to join the team of a Shortlisted Respondents, subject to the restrictions set forth herein.

9. Proposed Engagements with Duplicate Major Participants

- a) Each Respondent shall identify and propose a single entity for each Major Participant in its SOQ, for which purposes a Joint Venture will be considered to be a single entity.
- b) Notwithstanding the foregoing restriction, a Respondent may include in its SOQ two (2) proposed Designers as alternatives. Such arrangements will be subject to the restrictions set forth in section 10 below.

10. Limitations on Exclusivity

- a) Non-Major Participants, Subcontractors, and other Persons which are not prohibited from participating on more than one (1) Respondent team under Section 6.2 of the RFQ, 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:
 - i) Respondents may not team with or engage an entity if such teaming is conditioned on that entity or its Affiliates being on a Respondent's team on an exclusive basis.
 - ii) Any otherwise permitted engagement of a Person 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; (ii) the institution of Information Barriers acceptable to MTA C&D; and (iii) the prohibition of any such entity and their personnel sharing information (or being

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asked by a Respondent team to share information) regarding the procurement and the Design-Build Contract between or among Respondent teams.

- a) The engagement of an Elevator Installer and Elevator Manufacturer 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;
 - II. the institution of Information Barriers acceptable to MTA C&D; and
 - III. 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.
- b) The engagement of an Elevator Installer and Elevator Manufacturer 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; (ii) the institution of Information Barriers acceptable to MTA C&D; and (iii) the prohibition of any such entity and their personnel sharing information (or being asked by a Respondent team to share information) regarding the procurement, the Design-Build Contract, and the Maintenance Contract between or among Respondent teams.
- c) If a Respondent elects to non-exclusively engage two (2) Designers for its SOQ, MTA C&D will treat such Designers as a Joint Venture in accordance with the RFQ. However, if MTA C&D determines that such arrangement does not represent a true Joint Venture and is not in the best interests of the RFQ and/or performance of the Work, MTA C&D may, in its discretion, require the Respondent to: (i) demonstrate that such arrangement reflects a true Joint Venture arrangement appropriate for Contract 1000189246; and/or (ii) finalize the engagement of one (1) but not both Designers with the revised engagement documented as an Organizational Change either under the terms of this RFQ or the equivalent terms of the RFP. In addition, Shortlisted Respondents and Proposers will be entitled, at their own initiative, to finalize the engagement of one (1) Designer, but not both Designers with the revised engagement documented as an Organizational Change either under the terms of this RFQ or the equivalent terms of the RFP.
- d) If a Respondent elects to non-exclusively engage multiple Elevator Manufacturers and Elevator Installers, such Shortlisted Respondent or Proposer must finalize the engagement of one (1), but not more than one (1), of each entity and identify the selected entity in its Proposal.