



# Long Island Rail Road Procurements

**Richard Mack**, MTA Assistant Deputy Chief Contracts Officer – LIRR Procurements



## PROCUREMENTS

The Procurement Agenda this month includes 2 actions for a proposed estimated expenditure of \$732.0M.

|   |           |             |                 |             |              |
|---|-----------|-------------|-----------------|-------------|--------------|
| <b>Subject</b> Request for Authorization to Award Various Procurements  |           |             |                 |             |              |
| <b>Department</b> LIRR Procurement  |           |             |                 |             |              |
| <b>Department Head Name</b> Richard Mack  |           |             |                 |             |              |
| <b>Department Head Signature</b><br> |           |             |                 |             |              |
| <b>Project Manager Name</b> Rose Davis  |           |             |                 |             |              |
| <b>Board Action</b>   |           |             |                 |             |              |
| <b>Order</b>  | <b>To</b> | <b>Date</b> | <b>Approval</b> | <b>Info</b> | <b>Other</b> |
| 1   | Committee | 02/26/24    |                 |             |              |
| 2   | Board     | 02/28/24    |                 |             |              |
|   |           |             |                 |             |              |

|                                  |                       |  |   |
|----------------------------------|-----------------------|--|---|
| February 23, 2024                |                       |  |   |
| <b>Department</b>                |                       |  |   |
| <b>Department Head Name</b>      |                       |  |   |
| <b>Department Head Signature</b> |                       |  |   |
| <b>Internal Approvals</b>        |                       |  |   |
|                                  | <b>Approval</b>       |  | <b>Approval</b>   |
| 1                                | Acting SVP Operations |  |  |
| 2                                | Acting President      |  |  |
|                                  |                       |  |   |

|                                   |                 |              |                 |              |                 |              |                 |
|-----------------------------------|-----------------|--------------|-----------------|--------------|-----------------|--------------|-----------------|
| <b>Internal Approvals (cont.)</b> |                 |              |                 |              |                 |              |                 |
| <b>Order</b>                      | <b>Approval</b> | <b>Order</b> | <b>Approval</b> | <b>Order</b> | <b>Approval</b> | <b>Order</b> | <b>Approval</b> |
|                                   |                 |              |                 |              |                 |              |                 |

**PURPOSE**  
To obtain approval of the Board to award various contracts and purchase orders, and to inform the Long Island Rail Road Committee of these procurement actions.

**DISCUSSION**  
LIRR proposes to award Noncompetitive procurements in the following categories:  
Procurements Requiring Two-Thirds Vote:

|  | <u># of Actions</u> | <u>\$ Amount</u>  |
|--|---------------------|-------------------|
| Schedule A: Noncompetitive Purchases and Public Work Contracts | 2                   | \$ 732.0 M        |
| <b>SUBTOTAL</b>  | <b>2</b>            | <b>\$ 732.0 M</b> |

LIRR proposes to award Competitive procurements in the following categories: None  
LIRR proposes to award Ratifications in the following categories: None

|              |          |                   |
|--------------|----------|-------------------|
| <b>TOTAL</b> | <b>2</b> | <b>\$ 732.0 M</b> |
|--------------|----------|-------------------|

**COMPETITIVE BIDDING REQUIREMENTS:** The procurement actions in Schedules A, B, C, and D are subject to the competitive bidding requirements of PAL 1209 or 1265-a relating to contracts for the purchase of goods or public work. Procurement actions in the remaining Schedules are not subject to these requirements.

**BUDGET IMPACT:** The purchases/contracts will result in obligating funds in the amounts listed. Funds are available in the current operating/capital budgets for this purpose.

**RECOMMENDATION:** That the purchases/contracts be approved as proposed. (Items are included in the resolution of approval at the beginning of the Procurement Section.)

## **BOARD RESOLUTION**

**WHEREAS**, in accordance with Sections 1265-a and 1209 of the Public Authorities Law and the All-Agency General Contract Procurement Guidelines, the Board authorizes the award of certain noncompetitive purchase and public work contracts, and the solicitation and award of requests for proposals regarding purchase and public work contracts; and

**WHEREAS**, in accordance with the All-Agency Service Contract Procurement Guidelines and General Contract Procurement Guidelines the Board authorizes the award of certain noncompetitive miscellaneous service and miscellaneous procurement contracts, certain change orders to purchase, public work, and miscellaneous service and miscellaneous procurement contracts, and

**WHEREAS**, in accordance with Section 2879 of the Public Authorities Law and the All-Agency Service Contract Procurement Guidelines, the Board authorizes the award of certain service contracts and certain change orders to service contracts.

NOW, the Board resolves as follows:

1. As to each purchase and public work contract set forth in annexed Schedule A, the Board declares competitive bidding to be impractical or inappropriate for the reasons specified therein and authorizes the execution of each such contract.
2. As to each request for proposals (for purchase and public work contracts) set forth in Schedule B for which authorization to solicit proposals is requested, for the reasons specified therein, the Board declares competitive bidding to be impractical or inappropriate, declares it is in the public interest to solicit competitive request for proposals, and authorizes the solicitation of such proposals.
3. As to each request for proposals (for purchase and public work contracts) set forth in Schedule C for which a recommendation is made to award the contract, the Board authorizes the execution of said contract.
4. As to each action set forth in Schedule D, the Board declares competitive bidding impractical or inappropriate for the reasons specified therein and ratifies each action for which ratification is requested.
5. The Board authorizes the execution of each of the following for which Board authorization is required: (i) the miscellaneous procurement contracts set forth in Schedule E; (ii) the personal service contracts set forth in Schedule F; (iii) the miscellaneous service contracts set forth in Schedule G; (iv) the modifications to personal/miscellaneous service contracts set forth in Schedule H; (v) the contract modifications to purchase and public work contracts set forth in Schedule I; and (vi) the modifications to miscellaneous procurement contracts set forth in Schedule J.
6. The Board ratifies each action taken set forth in Schedule K for which ratification is requested.

**FEBRUARY 2024**

**LIST OF NONCOMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**

**Procurements Requiring Two-Thirds Vote:**

**A. Noncompetitive Purchases and Public Work Contracts**

(Staff Summaries required for items estimated to be greater than \$1,000,000.)

1. **Mitsubishi Electric Power Products, Inc.**                      **\$589,651,280**                      *Staff Summary Attached*  
10 years  
Contract # 0000015994  
Award of an Original Equipment Manufacturers purchase agreement for M7 Propulsion System Equipment Upgrade Overhaul and Bench Test Equipment.
  
2. **Mitsubishi Electric Power Products, Inc.**                      **\$142,325,007**                      *Staff Summary Attached*  
5 years  
Contract # 0000016001  
Award of a five-year contract for heating, ventilation, and air conditioning (HVAC), and propulsion replacement parts utilized on the LIRR's M-7 electric railcars, MNR's M-7 and M-8 electric railcars, and NYC Transit subway cars.



## Schedule A: Noncompetitive Purchases and Public Works

The estimated amount anticipated to be expended over the 10-year purchase agreements term by LIRR is \$462,836,036, and MNR is \$126,815,244.

In connection with a previous contract awarded to MEPPi, MEPPi was found to be responsible notwithstanding significant adverse information (“SAI”) pursuant to the All-Agency Responsibility Guidelines and such responsibility finding was approved by the MTA Managing Director in consultation with the MTA General Counsel in February 2019. No new SAI has been found relating to MEPPi and MEPPi has been found to be responsible.

The contract resulting from this procurement has been evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. Any applicable cybersecurity requirements, to the extent required, have been included in the contract terms and conditions.

MEPPi has certified that pursuant to EO 16, it is not doing business in Russia.

This contract is subject to review and approval of the Office of the New York State Comptroller (“OSC”) and award will not be made prior to OSC approval.

### **M/W/SVDOB Information**

MTA Department of Diversity and Civil Rights assigned zero goals for this procurement.

### **Impact on Funding**

This contract is funded by the MTA-Maintenance of Equipment Department’s Operating Budget.





## **Schedule A: Noncompetitive Purchases and Public Works**

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