

DATE: 04/17/2024

CONTRACT SOLICITATION NOTICE/PROJECT OVERVIEW

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

SSE EVENT#: 0000470433

OPENING/DUE DATE: 06/04/2024

TYPE OF SOLICITATION: RFP

DOCUMENT AVAILABILITY DATE: 04/17/2024

SOLICITATION TITLE: C26202 Design-Build Services for Second Avenue Subway, Phase 2 – Tunneling and Structural Shell

DESCRIPTION: The Metropolitan Transportation Authority (“MTA”), by and through the MTA Construction and Development Company (“MTA C&D”), is conducting a two-step Request for Proposals solicitation, to identify and engage a qualified Design-Builder to provide design-build services under Contract C26202 -- Second Avenue Subway, Phase 2 – Tunneling and Structural Shell. Respondents that are selected by MTA C&D in the first step of the solicitation, the Request for Qualification (“RFQ”) process, will be eligible to participate in the upcoming second step, the Request for Proposals (“RFP”) process. MTA C&D intends to award a design-build contract at the conclusion of the RFP process. This Contract is the second contract of Phase 2 of the Second Avenue Subway Program. This Contract will be for the rehabilitation of certain existing tunnels, the construction of two bored running tunnels and associated cross passages, and for the construction of the structural shells for the 116th Street and 125th Stations. The Contract will be Federally funded. Award of this Contract is subject to funding availability, which requires the implementation of Congestion Pricing.

Funding: 100% FTA Goals:14% DBE Est \$ Range: Over \$100M Contract Term: No greater than 50 months

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

(X) PRE-BID CONFERENCE LOCATION:

DATE: 05/01/2024

TIME: 10:00AM

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

() SITE TOUR LOCATION:

DATE:

TIME:

FOR MORE INFORMATION, PLEASE CONTACT:

PROCUREMENT REPRESENTATIVE: Nicole Chiarelli

EMAIL: nicole.chiarelli@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/VENDOR, TO REGISTER AS A BIDDER*****

Contract No. C26202 Project Overview

1. Introduction to the Project

This Contract is the second contract of Phase 2 of the Second Avenue Subway Program (the “Program”). Phase 1 of the Program extended the Q Line subway service from 63rd Street and Lexington Avenue to 96th Street and 2nd Avenue and has been open to the public since 2017. Phase 2 of the Program will extend the Q Line subway service from near 96th Street to 125th Street and Lexington Avenue. The first contract (C26201) for Phase 2 was awarded in January of 2024 to relocate existing utilities at the site of the future 106th Street Station in order to facilitate the construction of the station.

This Contract will be for the rehabilitation of certain existing tunnels, the construction of two bored running tunnels and associated cross passages, and for the construction of the structural shells for the 116th Street and 125th Stations. The Design-Builder shall be responsible for all aspects of design, engineering, scheduling, coordination, construction, and timely completion of the Contract.

The third contract of Phase 2 (C26203) which will be solicited separately, will be for the construction of the structural shell of the 106th Street Station and for the rehabilitation of a portion of the existing tunnel south of 115th Street. The fourth and final contract of Phase 2 (C26204), also to be solicited separately, will complete the construction of station entrances and ancillary buildings, fit out the new stations and tunnels with architectural finishes and mechanical, electrical, plumbing, vertical circulation elements, and the installation of track, traction power, communication, and signal and train control systems.

2. Contracting Methodology

Following the two-step solicitation process described in Section 1.3 of the RFQ, 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, as well as cost and schedule, will be awarded a fixed lump sum price Contract. 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. Project Scope/Description

This Contract will consist of the following Work:

- **Work Between 115th Street and 120th Street**
 - Rehabilitation of the existing tunnel structure from south of 115th Street to 120th Street, known as Route 132-A, Section 13 (the “Section 13 Tunnel”).
 - Construction of three (3) new cut-and-cover structures providing new connections into the existing Section 13 tunnel.
 - Lowering of the tunnel invert at the north portion of the existing Section 13 Tunnel.
 - Demolition of the northern end of the existing Section 13 Tunnel at 120th Street.
 - Construction of a new cut-and-cover tunnel structure between 119th Street and 120th Street.
 - Construction of a permanent shaft at the ancillary 1 site (northeast corner of 115th Street and Second Avenue)
 - Construction of a permanent shaft at the ancillary 2 site (southwest corner of 120th Street and Second Avenue)
 - Construction of a permanent shaft at the entrance 1 site (northeast corner of 116th Street and Second Avenue)
 - Construction of a permanent shaft at the entrance 2 site (northeast corner of 118th Street and Second Avenue)
- **Work Between 120th Street and 125th Street - Bored Running Tunnels**
 - Construction of two (2) bored running tunnels from 120th Street and 2nd Avenue to a point west of Malcom X Boulevard and 125th Street.

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- Construction of five (5) cross passages between the two running tunnels.
- Work at 125th Street
 - Construction of a new mined cavern for the 125th Street Station.
 - Construction of two (2) permanent shafts at the Ancillary 1 site (southeast corner of 125th Street and Lexington Avenue).
 - Construction of three (3) mined tunnels (T1, T2, and E1) at the Ancillary 1 site connecting the site with the mined cavern.
 - Construction of a permanent shaft at the Ancillary 2 site (southeast corner of 125th Street and Park Avenue).
 - Construction of two (2) mined tunnels (T3 and E3) at the Ancillary 2 site connecting the site with the mined cavern.
 - Construction of two (2) new interlocking mined caverns immediately east and west of the station cavern.
- Work at the Ancillary A Site
 - Construction of a permanent shaft at the ancillary A site (mid-block along 125th Street between Malcom X Boulevard and Adam Clayton Powell Jr. Boulevard).
 - Construction of a permanent mined tunnel and a cross-passage connecting the shaft with the two bored running tunnels.

Subject to the requirements of the RFP, the Design-Builder will be required to provide all planning, design, engineering, and construction services to complete the Work on time and within budget.

4. Procurement Process

As noted above, the procurement process for the Contract consists of two steps: (i) the RFQ and (ii) the RFP, and is describe further below:

- a. This Step 1, the RFQ, invites interested teams (each, a “Respondent”) to submit statements of qualifications (“SOQs”) that detail, among other things, preparedness to formally submit a Proposal (“Proposal”) for the Contract and qualifications to perform the Work.
- b. After receipt of SOQs from Respondents, MTA C&D reserves to right to conduct one-on-one meetings with some or all Respondents to discuss that Respondent’s SOQ. If one-on-one meetings are held with a Respondent, the following rules will apply:
 - i. While MTA C&D intends that the discussions in any one-on-one meeting will be confidential to the meeting participants, MTA C&D reserves the right to share information, comments or feedback received during any one-on-one meeting with other governmental authorities without disclosing the identity of the Respondent(s) that provided such information or comments.
 - ii. All one-on-one meetings, and any other meetings held in accordance with this RFQ, are subject to standard rules of attendance and conduct issued by MTA C&D in advance of such meetings.
 - iii. MTA C&D reserves the right to schedule one-on-one meetings to be held in-person or virtually, including by teleconference or videoconference. MTA C&D may require Respondents to host teleconference or videoconference meetings if it reasonably determines that such arrangement will provide the best outcomes for such meeting.
- c. 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

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Respondents will be eligible to participate in the second step of the procurement process, the Request for Proposals (“RFP”).

- d. 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, other qualitative factors such as design and technical approach will also be considered. Additionally, schedule will be a major determinative element in awarding the Contract.
- e. The RFP will provide specific instructions on the submission requirements, the evaluation factors, and rating guidelines.
- f. 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.
- g. 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. MTA NYC Transit Track Safety Certification is not required for the Site Tours.
- h. 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.

All SOQs shall be submitted electronically to MTA C&D by the SOQ Due Date set forth in Section 1.5 of the RFQ in accordance with the instructions for electronic submittals set forth in Section 9.3.4 and Part C of the RFQ.

5. RFQ Availability

The RFQ documents will be made available to all prospective Respondents on or about April 17, 2024. 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:

- 1. Vendors’ contact information must be updated in the Supplier Portal in order to receive notifications regarding this solicitation.**
- 2. 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.

- a. Threshold Evaluation Criteria

Each Respondent’s SOQ will be evaluated on a pass/fail basis for compliance with the SOQ submittal requirements, including the following:

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- 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.
- iii. **Capacity**: The Respondent has presented evidence that its organization has the legal capacity to enter into and perform the Contract to design and build the Contract 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 Contract and has provided a letter from an eligible Surety to satisfy the financial requirements set forth in Section 9.9. of the RFQ.

b. Substantive Evaluation Criteria:

Each SOQ passing the Threshold Evaluation will undergo a Substantive Evaluation. The Substantive Evaluation will be conducted using the evaluation criteria listed below in descending order of importance.

- i. **Team, Key Personnel and Organization**: The demonstrated qualifications and experience of the proposed Key Personnel; the demonstrated capability and experience of the proposed management team, including the ability to manage all aspects of the Contract and successfully integrate the various Major Participants; organizational capacity to ensure sufficient staffing to perform the design and construction work; successful working relationships of Major Participants on previous projects.
- ii. **Understanding of the Work**: The extent to which a Respondent demonstrates its understanding of and experience with the developing, designing, and constructing similar projects and is able to identify issues, risks, and any challenges associated with the Contract.
- iii. **Prior Design-Build Experience**: The extent and depth of each Major Participant's experience with comparable design-build projects, in terms of value, complexity, or location restraints.
- iv. **Past Performance**: Demonstrated record of performance of all Major Participants including: quality of work product; 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

During the RFQ process, MTA C&D will identify Respondent Teams comprised of design and construction firms, available with demonstrated experience, expertise, capacity, and record of producing quality work on projects similar in nature to the Project.

- a. Objective is to Identify Respondents that include a Lead Contractor and Designer with:

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- i. experience in successfully managing, designing and constructing projects of the size, type and complexity as anticipated for the Contract, including TBM tunneling, mined excavation, cut and cover construction, and structural rehabilitation;
- ii. technical and management experience and expertise to plan, organize and execute the design and construction and assure the quality and safety of the Work;
- iii. qualified key personnel with experience managing and performing work in active rail and transit environments, including without limitation, project managers, designers, safety managers, quality managers, environmental managers and schedulers; and
- iv. a record of completing contracts on time and within budget.

8. General Limitations on Respondent Team Membership

- a. Subject to Section 9 of the RFQ, and in addition to any other restriction or qualification on Respondent team membership and on the inclusion of Major Participants and Key Personnel:
 - 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. non-Major Participant Subcontractors and their Affiliates may participate on more than one (1) respondent team, subject to compliance with Section 5.3 of the RFQ, this Section 8, and Section 10 herein;
 - 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 herein 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 6.4.b of the RFQ.

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

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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 Contract between or among Respondent teams..

- b. 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 Paragraph 9.2 of 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 C26202; 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 the RFQ or the equivalent terms of the RFP.