



MTA Headquarters Procurements

Lisette Camilo, Chief Administrative Officer/Interim Chief Procurement Officer

PROCUREMENTS

The Procurement Agenda this month includes 1 action for a proposed estimated expenditure of \$5.0 M.

Subject Request for Authorization to Award Various Procurements					
Department MTA Procurement					
Department Head Name Lisette Camilo					
Department Head Signature <i>Lisette Camilo</i>					
Project Manager Name Rose Davis					
Board Action					
Order	To	Date	Approval	Info	Other
1	Committee	06/24/24			
2	Board	06/26/24			

June 21, 2024			
Internal Approvals			
	Approval		Approval
	CAO		
	Legal		
	CFO		

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval

PURPOSE
To obtain approval of the Board to award various contracts and purchase orders, and to inform the MTA Headquarters Committee of these procurement actions.

DISCUSSION
MTA Headquarters proposes to award Noncompetitive procurements in the following categories: None

MTA Headquarters proposes to award Competitive procurements in the following categories:			
<u>Schedules Requiring Majority Vote:</u>		<u># of Actions</u>	<u>\$ Amount</u>
Schedule H: Modifications to Personal/Miscellaneous Service Contracts		1	\$ 5.0 M
MTA Headquarters proposes to award Ratifications in the following categories: None			
		TOTAL	1 \$ 5.0 M

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.

JUNE 2024

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

H. Modifications to Personal Service Contracts and Miscellaneous Service Contracts Awarded as Contracts for Services

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

- | | | | |
|----|-------------------------------------|--------------------|--------------------------------------|
| 1. | TDX Construction Corporation | \$5,000,000 | <i>Staff Summary Attached</i> |
| | 6.5 years | | |
| | Contract #s 10200-01.6 | | |
- Contract for Small Business Mentoring Program management; modification to extend the contract for six months and add funding in the amount of \$5 million.

Item Number: 1

Vendor Name (Location) TDX Construction Corporation (Purchase, New York)
Description: Small Business Mentoring Program Management
Contract Term (including Options, if any) March 1, 2018–September 30, 2024
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: Modification
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:
Requesting Department: MTA Procurement, Lisette Camilo, Acting CPO

Contract Number 10200-01	AWO/Mod. # 6
Original Amount:	\$ 43,058,640
Prior Modifications:	\$ 0
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 43,048,640
This Request:	5,000,000
% of This Request to Current Amount:	11.6%
% of Modifications (including This Request) to Original Amount:	11.6%

Discussion:

MTA Headquarters is seeking Board approval to extend the miscellaneous service contract awarded to TDX Construction Corporation (“TDX”) for management of the MTA Small Business Development Program (“SBDP”) for a period of up to six months (through March 31, 2025) and add funding in the amount of \$5 million. Under this contract TDX provides the Authority with services relating to the management of the SBDP. The purpose of the SBDP is to identify and qualify firms for enrollment into the MTA Small Business Mentorship Program (“SBMP”). Under the SBMP, which is managed by MTA Construction and Development, qualified organizations are trained and assisted in competing for larger and more complex MTA construction management projects.

The base contract was awarded in February 2018 in the amount of \$43,058,640. To date, there has been a total of five modifications: Mods. 1 and 2 were to adjust the contract language and overhead rates; Mods. 3 and 4 were to exercise Option Years 1–3; and Mod. 5 was to extend the contract for seven months beyond the Option years.

The purpose of the requested funding and extension are to (1) ensure that the mentoring program continues during the current Request for Proposal (“RFP”) process (concludes in Q3/Q4 2024) to award a replacement contract; and (2) provide ample transitioning time for vendors and ongoing projects currently managed by the incumbent, TDX, should a new vendor be selected. The amount of additional funding requested is based on the current rate of spend as well as the expectation that TDX will be utilized at a lesser service rate during any necessary contract transition period.

This RFP is unique because it combines, for the first time, SBMP and SBDP in one solicitation. Proposals have been received and are currently under review. It is expected that an award will be recommended to the Board in Q3/Q4 2024.

The price structure under the current contract was deemed fair and reasonable when awarded and will remain unchanged during the proposed extension. The total estimated cost of this extension is consistent with the rate of spend from previous years. Based on the foregoing, pricing for this extension is deemed fair and reasonable.

The MTA’s Cybersecurity Requirements were previously agreed to by TDX added to the contract via Mod. 5.

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

Impact on Funding

The Small Business Mentoring Project is funded by the MTA’s Capital Budget.