

DATE: 8/2/24

CONTRACT SOLICITATION NOTICE/PROJECT OVERVIEW

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

SSE EVENT#: 0000471956

OPENING/DUE DATE: 9/10/24

TYPE OF SOLICITATION: RFP

DOCUMENT AVAILABILITY DATE: 8/2/24

SOLICITATION TITLE: A37811 Design-Build Services for ADA Upgrades Package 7: Accessibility Upgrades at 2 Stations in the City of New York

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 to for ADA upgrades at two (2) MTA Stations in accordance with ADA Accessibility Guidelines, including but not limited to installing new elevators. In addition, and as part of the procurement for the Contract, the MTA intends to enter into a separate contract to provide for the long-term maintenance of new elevators. Respondents that are selected 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 Proposal (“RFP”) process. MTA C&D intends to award a design-build contract and a maintenance contract at the end of the RFP process. It is anticipated that the Contract will be in whole or in part Federally funded.

Funding: 100% FTA Goals: DBE: 22.50% Est \$ Range: Over \$100M
 Contract Term: 1643 Calendar Days

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

(X) PRE-BID CONFERENCE LOCATION: **DATE: 8/15/24** **TIME: 10:00AM**
 Virtual via Microsoft Teams- Please contact alexander.wanless@mtacd.org to register

() SITE TOUR LOCATION: **DATE:** **TIME:**

FOR MORE INFORMATION, PLEASE CONTACT:

PROCUREMENT REPRESENTATIVE: Alexander Wanless **EMAIL:** alexander.wanless@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. A37811
Project Overview**

1. Introduction to the Project

Contract A37811 will provide for design-build services for ADA Upgrades Package 7: Accessibility Upgrades at 2 Stations in the City of New York.

2. Contracting Methodology

Following the two-step solicitation process described in Section 1.3 of the RFQ, 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 described in Section 1.3 of the RFQ. 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.

Furthermore, and without limiting the Design-Builder’s obligation to provide certain original equipment manufacturer (“OEM”) warranties with respect to elevator installation and manufacture, MTA C&D will award the Elevator Maintenance Contract to provide for the long-term maintenance of the newly installed elevators, including rectification of certain issues resulting from installation and manufacture. The Maintenance Contract will be awarded as a long-term, performance payment-based contract to the Elevator Maintainer, on the basis of its affiliation with the Design-Builder’s subcontracted Elevator Installer and/or Elevator Manufacturer. Procurement of the Elevator Maintenance Contract in conjunction with procurement of the Design-Build Contract, and the award of the Elevator Maintenance Contract to an affiliate of the Design-Builder’s Elevator Manufacturer and/or Elevator Installer is intended to ensure consideration of long-term maintenance and life-cycle costs during design and construction. This approach is also intended to optimize pricing and the sharing of risks, including with respect to elevator installation or manufacturer deficiencies.

3. Background information and Project Scope/Description

The Work of Contract A37811 will provide NYCT passengers reliable ADA access to platform level at two (2) NYCT stations, one (1) underground and one (1) elevated. In addition, the Project requires a separate long-term elevator maintenance contract to provide for long-term reliable maintenance of the new elevators.

The two (2) stations, and the general Work to be performed at each station, are briefly described below:

Station	Station Type	MR# (Station No.)	Borough	Line	Train	No. of Prop. Elevator(s)	No. of New Stairs	No. of New Control Areas
167 Street	Underground	218	BX	IND-Concourse	B,D	2	0	0
Kingsbridge Road	Elevated	381	BX	IRT-Jerome	4	2	2	2

167TH STREET STATION

The 167th Street Station on the IND line in the Bronx provides service to the B and D train line. It is an underground station with a Northbound (NB) and Southbound (SB) platform. The station is served by six (6) entrances: four (4) at 167th Street and Grand Concourse and two (2) at McClellan Street and Grand Concourse. The entrances at 167th Street connect to a mezzanine level, where the fare control area is located. The McClellan Street entrances lead directly from the street level to the fare control area on the platform level. Four (4) stairs accessing the underpass at 167th Street to a lower mezzanine and then to the platform are abandoned.

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The Work at this station includes:

- Installation of two (2), two-stop elevators, leading directly from the street level to platform level.
- Relocation of street utilities, bus stop, furniture and bus shelter.
- Adjustment of street lanes and sidewalk widths with new curb bump outs and new curb cuts construction.
- Construction of new Elevator Machine Rooms (EMR) or Elevator Control Rooms (ECR), as applicable, and an Electrical Panel Room (EPR) at the platform level.
- Reconfiguration of existing fare control lines to accommodate ADA requirements and equipment.
- Installation of new fire standpipe system for the entire station and construction of a fire standpipe closet at platform level.
- Upgrading HVAC system in the main communications room and providing new mechanical room to support the additional equipment, with all the required electrical, mechanical, and communications equipment.
- Installation of new fire alarm system for the entire station.
- Installation of new communications and mechanical equipment in communications rooms for elevator system integration.
- Installation of all electrical, mechanical, communications system and equipment required to support the new elevators.

KINGSBRIDGE ROAD STATION:

Kingsbridge Road Station on the IRT Line in the Bronx provides service to the 4-train line. It is an elevated station with Northbound (NB) and Southbound (SB) platforms. Four (4) street stairs on Jerome Avenue meet at a mezzanine level, which accommodates station department facilities and the existing control area. Four (4) stairs connect the mezzanine level to the NB and SB platforms.

The Work at this station includes:

- Installation of two (2), two-stop elevators, direct from street level to the platform level.
- Construction of new fare control areas on both the NB and SB platforms.
- Adjustment of Street lanes and sidewalk widths adjustment with new curb bump outs and new curb cuts construction.
- Relocation of street utilities, furniture, screens, newsstand, and trees.
- Construction of new street to platform stairs with canopy adjacent to each elevator
- Construction of new EMRs/ECRs, EPRs and additional station department facilities to support the new control areas.
- Power upgrade and construction of new Electrical Distribution Room (EDR), and reconfiguring the layout of existing mezzanine rooms to accommodate new EDR.
- Modification of platform edges, and replacement of platform edge rubbing boards and tactile strip at ADA boarding area.
- Installation of new communications and mechanical equipment in communications rooms for elevator system integration.
- Installation of new fire alarm system for the entire station.
- Replacement of a portion of a track.

4. Procurement Process

- a) The procurement process for Contract A37811 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.

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- ii) MTA C&D will evaluate all SOQs received in accordance with the criteria set out in the 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.
- b) All SOQs shall be submitted electronically to MTA C&D by the SOQ Due Date and 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 August 2, 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/vendor, 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/vendor, selecting Vendor Sign-in & Registration, select New Bidder Registration and then follow the on-screen instructions.

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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 Contract, to design and build the Contract and to 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 Section 9.9 of 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 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: 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.

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7. Experience and Performance of Respondent Teams

- a) During the RFQ process, MTA C&D will identify Respondent Teams comprised of design and construction firms, elevator manufacturers, elevator installers, and elevator maintainers, 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. technical and management experience and expertise to plan, organize and execute the design and construction and assure the quality and safety of the Work;
 - C. organizational capacity to perform the Work; and
 - D. qualified Key Personnel and Value-Added Personnel identified in Section 9.10 of the RFQ 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), Elevator Installer(s), and Elevator Maintainer(s) with:
 - A. Experience in successfully manufacturing, installing, and maintaining 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, including in active rail and transit stations;
 - B. experience in achieving expected levels of maintainability and life cycle performance and satisfaction of handback requirements in similar projects;
 - C. experience in and a record of providing long term original equipment manufacturer (“OEM”) and installation warranties, maintenance, and support to project owners;
 - 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, including active rail and transit station environments.

8. General Limitations on Respondent Team Membership

- a) Subject to Section 6.3 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. With the exception of the Elevator Manufacturer, the Elevator Installer, and the Elevator Maintainer:
 - A. no Major Participant, including its affiliates, may participate on more than one (1) Respondent team;
 - B. non-Major Participant Subcontractors and their Affiliates may participate on more than one (1) Respondent team, subject to compliance with Section 5.3, Section 6.2, and Section 6.4 of the RFQ;
 - C. no firm that employs one or more of the individuals named as Key Personnel on one Respondent team may serve any role on another Respondent team; and

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- D. 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 Section 6.2 of 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 up to four (4) proposed Elevator Manufacturers, up to four (4) proposed Elevator Installers, and/or up to four (4) proposed Elevator Maintainers as alternatives. Such arrangements will be subject to Section 6.4 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 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 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 Section 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 A37811; 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 the 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

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documented as an Organizational Change either under the terms of the RFQ or the equivalent terms of the RFP.

- c) Elevator Installers, Elevator Manufacturers, Elevator Maintainers, or their Affiliates, 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.
- d) The engagement of an Elevator Installer, Elevator Manufacturer, Elevator Maintainer, 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;
 - 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.
- e) If a Respondent elects to non-exclusively engage multiple Elevator Manufacturers, Elevator Installers, or Elevator Maintainers, 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.