

Staff Summary

Schedule C: Competitive Requests for Proposals (Award of Purchase and Public Works Contracts)

Item Number 1																																									
Department, Department Head Name: Delivery, MNR, Ziona Rubin, Vice President																																									
Board Reviews																																									
Order	To	Date	Approval	Info	Other																																				
1	Capital Program Committee	10/28/24	X																																						
2	Board	10/30/24	X																																						
Internal Approvals																																									
Order	Approval	Order	Approval																																						
X	Deputy Chief, Development	X	Executive Vice President & General Counsel																																						
X	Deputy Chief, Delivery	X	President																																						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">SUMMARY INFORMATION</th> </tr> <tr> <td style="width: 70%;">Vendor Name</td> <td>Contract Number</td> </tr> <tr> <td>MLJ Contracting Corp.</td> <td>1000189246</td> </tr> <tr> <td colspan="2">Description</td> </tr> <tr> <td colspan="2">Design-Build Services for Metro-North ADA Improvements at Three Bronx Stations – Harlem Line</td> </tr> <tr> <td colspan="2">Total Amount</td> </tr> <tr> <td>1. Design-Build Contract:</td> <td>\$118,000,000</td> </tr> <tr> <td>2. Stipend Payments:</td> <td>\$300,000</td> </tr> <tr> <td colspan="2">Contract Term (including Options, if any)</td> </tr> <tr> <td colspan="2">930 Calendar Days</td> </tr> <tr> <td>Option(s) included in Total Amount?</td> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</td> </tr> <tr> <td>Renewal?</td> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</td> </tr> <tr> <td colspan="2">Procurement Type</td> </tr> <tr> <td colspan="2"><input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive</td> </tr> <tr> <td colspan="2">Solicitation Type</td> </tr> <tr> <td colspan="2"><input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:</td> </tr> <tr> <td colspan="2">Funding Source</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:</td> </tr> </table>						SUMMARY INFORMATION		Vendor Name	Contract Number	MLJ Contracting Corp.	1000189246	Description		Design-Build Services for Metro-North ADA Improvements at Three Bronx Stations – Harlem Line		Total Amount		1. Design-Build Contract:	\$118,000,000	2. Stipend Payments:	\$300,000	Contract Term (including Options, if any)		930 Calendar Days		Option(s) included in Total Amount?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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:		Funding Source		<input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
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ACTION/RECOMMENDATION

MTA Construction & Development (“C&D”) requests Board approval to award to MLJ Contracting Corp (“MLJ”) a publicly advertised and competitively solicited contract for Design-Build services for Americans with Disabilities Act (“ADA”) station improvements at three Metro-North Railroad (“MNR”) Harlem Line stations in the Bronx in the amount of \$118,000,000 and a duration of 930 Calendar Days. In accordance with MTA policy regarding the use of design-build contracts, and to enhance competition and defray proposal costs, the solicitation included a stipend of \$100,000 to be paid to each unsuccessful proposer whose proposal met defined proposal standards. Accordingly, approval is also requested to pay stipends totaling \$300,000 to the three unsuccessful proposers.

DISCUSSION

This Contract is one of a series of ADA projects supporting the MTA’s commitment to make stations accessible. The Contract provides for ADA Upgrades at the Williamsbridge, Woodlawn, and Botanical Garden stations on MNR’s Harlem Line. The work includes installation of new elevators, staircases, and ramps at Williamsbridge and Woodlawn stations; new staircases and ramps as well as rehabilitation of existing elevators and an overpass at Botanical Garden station; and full platform replacements, new customer information displays, public address, and security systems at all three stations.

A two-step procurement process was conducted for this Contract. In Step 1, a Request for Qualifications was advertised resulting in the submission of ten Statements of Qualifications, which were then evaluated against pre-established Threshold Criteria (addressing completeness, timeliness, capacity, responsibility, and financial capability) and Substantive Evaluation Criteria (addressing team, key personnel and organization, project approach, prior design-build experience, past performance, and diversity compliance). Based on these criteria, the following four firms were selected to receive the Request for Proposal (“RFP”) in Step 2:

- Citnalta Construction Corp. (“Citnalta”)
- ECCO III Enterprises, Inc. (“ECCO III”)
- MLJ
- Scalandre-Gramercy II, a Joint Venture (“SGJV”)

In response to the RFP, Citnalta, ECCO III, MLJ, and SGJV submitted technical and price proposals. The selection committee, consisting of representatives from C&D Delivery, MNR Stations Operations & Analysis, Development, and Contracts, reviewed the technical proposals and attended the oral presentations of each of the four teams. The selection committee evaluated the technical proposals using the following preestablished selection criteria: design and construction, schedule, management plan, experience, record of performance, safety and quality, diversity practices, and other relevant matters. The selection committee determined that each of the four proposers submitted technical proposals that were responsive. The selection committee thereafter opened the price proposals which were as follows: Citnalta \$131,824,000; ECCO III \$179,554,000; MLJ \$129,400,000; and SGJV \$167,777,713.

After reviewing the price proposals, the selection committee invited Citnalta and MLJ for negotiations. The selection committee removed ECCO III and SGJV from consideration because their price proposals were outside of the competitive range and technical approaches provided minimal or no schedule savings. Negotiations with the two remaining proposers included detailed discussions to identify the major cost drivers in their proposals, as well as their proposed design and construction approach. Both Citnalta and MLJ were invited to submit revised cost proposals based on those discussions. After evaluating revised proposals, the selection committee removed Citnalta from further consideration because Citnalta did not offer significant savings in price, schedule nor track outages as compared to MLJ. MLJ was asked to submit a Best and Final Offer ("BAFO"). MLJ submitted its BAFO in the amount of \$118,000,000.

The selection committee unanimously recommended MLJ for award. The selection committee determined that MLJ offered the best overall value considering the quality of its technical proposal, price, and schedule savings. MLJ was the highest ranked technically. MLJ demonstrated a strong understanding of all components of the scope of work as established in its technical approach, including efficient sequencing of track activities resulting in a schedule that is 60 days shorter than the maximum duration permitted under the Contract. Its technical proposal also includes a significant reduction in Railroad-supplied services (track outages). These proposed reductions will result in savings to the MTA of as much as \$1,372,000 and reduce impact to the public. Additionally, MLJ's proposed key personnel have successfully completed Design-Build ADA projects of similar scope and magnitude. MLJ's BAFO of \$118,000,000 is deemed to be fair and reasonable.

DBE/MBE/WBE/SDVOB INFORMATION

The MTA Department of Diversity and Civil Rights has established an MBE goal of 15%, WBE goal of 15%, and SDVOB goal of 6% for the Contract. Although this is a design-build contract with some undefined scope, MLJ is committed to meet the required goal requirements and its utilization plan is under review. MLJ has achieved its DBE/MBE/WBE goals on recently completed MTA contracts.

IMPACT ON FUNDING

Funding for the Contract, and stipends for the three unsuccessful proposers, are included in the MNR portion of the MTA's 2020-2024 Capital Program.

ALTERNATIVES

None recommended. Currently, MTA lacks available in-house technical personnel to perform the scope of work associated with this Contract.