


# **New York City Transit Procurements**

**Louis Montanti**, MTA Deputy Chief Procurement Officer – Procurement Operations

## PROCUREMENTS

The Procurement Agenda this month includes 4 actions for a proposed estimated expenditure of \$20.9M.

<b>Subject</b> Request for Authorization to Award Various Procurements					
<b>Department</b> MTA Procurement					
<b>Department Head Name</b> Lisette Camilo					
<b>Department Head Signature</b> <i>Lisette Camilo</i>					
<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	10/28/2024			
2	Board	10/30/2024			

October 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>
	President NYCT	X	Pres. MTA Bus/SVP DOB
	Deputy CFO	X	VP Paratransit
X	Law	X	Diversity/Civil Rights

<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 NYC Transit Committee of these procurement actions.

**DISCUSSION**  
 NYC Transit proposes to award Noncompetitive procurements in the following categories: None  
 NYC Transit proposes to award Competitive procurements in the following categories: None  
 NYC Transit proposes to award Ratifications in the following categories:  
Schedules Requiring Two-Thirds Vote:  
 Schedule D: Ratification of Completed Procurement Actions

	4	\$	20.9 M
<b>TOTAL</b>	4	\$	20.9 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.

**OCTOBER 2024**

**LIST OF RATIFICATIONS FOR BOARD APPROVAL**

***Procurements Requiring Two-Thirds Vote:***

**D. Ratification of Completed Procurement Actions**

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

1. Corporate Transportation Group, Ltd.	\$3,389,014	<i>Staff Summary Attached</i>
2. OAS, Inc.	\$4,878,364	↓
3. WAYE, LLC	\$11,419,136	↓
4. Unified Dispatch LLC	\$1,178,505	↓

**Contract Terms: Each up to three years**

**Contract #s 6%28439 / 6%31682 / 6%34004 / 6%34603**

Contracts for the procurement of all technology and related services necessary for continuity of Paratransit service; Ratification of an Immediate Operating Need.

**Schedule D: Ratification of Completed Procurement Actions**



**Item Numbers: 1–4**

<b>Vendor Names (Locations)</b> Corporate Transportation Group, Ltd. (Brooklyn, New York) OAS, Inc. (Brooklyn, New York) WAYE, LLC (Woodinville, Washington) Unified Dispatch LLC (Los Angeles, California)	<b>Contract Number</b> 6%28439 6%31682 6%34004 6%34603	<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Description</b> Procurement actions for continuity of Paratransit service for scheduling, dispatching, AVL, and IVR in response to an Immediate Operating Need	<b>Total Amount: \$20,865,019</b> CTG: \$3,389,014 OAS: \$4,878,364 WAYE: \$11,419,136 UDI: \$1,178,505	
<b>Contract Terms (including Options, if any)</b> Each up to three years (varied start dates)	<b>Funding Source</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	<b>Requesting Department:</b> Department of Paratransit, Rachel Cohen	
<b>Procurement Type</b> <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Noncompetitive		
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: ION		

**Discussion:**

It is requested that the Board ratify the declaration of an Immediate Operating Need (“ION”) approved by the Deputy Chief Procurement Officer, MTA Procurement, waiving competitive bidding pursuant to Article III, Paragraph A, of the All-Agency Procurement Guidelines and Public Authorities Law 1209, subsection 9(a) and approve (1) the award of three modifications to contract 6%28439 with Corporate Transportation Group Ltd (“CTG”) in the estimated amount of \$3,389,014; and (2) the awards of three new contracts: No. 6%31682 to OAS, Inc. (“OAS”) in the estimated amount of \$4,878,364; No. 6%34004 to WAYE LLC (“WAYE”) in the estimated amount of \$11,419,136; and No. 6%34603 to Unified Dispatch LLC (“UDI”) in the estimated amount of \$1,178,505 for a total estimated award amount of \$20,865,019. Each of these awards were made at various points in time since the ION was declared in March 2023, and each have a base contract term of approximately three years, without options.

The ION authorized the procurement of all technology and related services necessary for continuity of service pursuant to the January 2023 termination for cause of contract W-32564 to provide Real-Time Scheduling and Computer-Aided Dispatch (“RTS/CAD”) systems, as well as hardware and software for Automatic Vehicle Location Monitoring (“AVLM”) and Interactive Voice Response (“IVR”) systems for Paratransit’s Access-A-Ride (“AAR”) operations. It should be noted that a competitive solicitation for the replacement of the RTS/CAD/AVLM systems is underway.

RTS/CAD, AVLM, IVR, and related technology are critical for the provision of paratransit transportation service and for MTA NYC Transit, as paratransit service is federally mandated in accordance with the Americans with Disabilities Act of 1990 (“ADA”), providing origin-to-destination, demand-response, shared ride transportation for individuals with disabilities that cannot use fixed-route public buses and subways. NYC Transit’s Department of Paratransit (“Paratransit”) operates within the ADA regulations (49 C.F.R. Section 37). These technology systems are imperative to Paratransit operations to maintain continuity of service and compliance with the federally mandated regulations, as the then-existing Contractor had failed to deliver.

**CTG Resiliency**

CTG’s Broker Car Service contract was modified to develop a backup (or “resiliency”) plan to the then-existing AVLM software system. The plan served as a safety net in response to the ongoing complications with the then-existing contractor. The modifications included the development and deployment of CTG’s AVLM software, which included a driver’s application for routing directions and communicating with dispatch, as well as additional ongoing maintenance (through December 31, 2025). CTG had the expertise to implement this software on short notice, as it had already developed similar software for its Broker service. The two subsequent modifications implemented and/or expanded the scope of the resiliency plan upon termination of contract W-32564.

**AVLM Hardware**

OAS, subcontractor to the previous technology system contract, was awarded a contract to provide the AVLM hardware (i.e., tablets) that replaced the prior contractor’s proprietary Mobile Data Terminals (“MDTs”); the new AVLM hardware interfaces with CTG’s AVLM software. The contract included the purchase, installation, and maintenance of the AVLM hardware. OAS was the subcontractor for contract W-23564 responsible for installation and maintenance of MDTs, and was thus familiar with NYC Transit Paratransit personnel, the Primary Carrier contractors, and the vehicles in which the hardware is installed.

**Scheduling Engine Software**

WAYE was awarded a contract to provide the scheduling engine software to run in parallel with the existing ADEPT scheduling engine, to which NYC Transit continues to hold a perpetual license to operate. WAYE's engine software serves as an ultimate backup in the event the ADEPT scheduling system fails (ADEPT is more than 25 years old and antiquated) in addition to improving the productivity of current trip scheduling.

**IVR System**

UDI, also a subcontractor to the previous technology system contract, was awarded a contract to provide Interactive Voice Response ("IVR") service, support, and maintenance for Paratransit. UDI's IVR system enables automatic calls to customers and provides survey data and other reporting functions. UDI's system is designed to be suited to paratransit customers and offers AAR customer access to live operators in the Command Center.

Pricing for the respective modifications and contracts was negotiated independently, and Procurement deemed pricing to be fair and reasonable. The MTA Cost Price Analysis Unit reviewed and concurred with these determinations.

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

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

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

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

The modifications awarded to CTG resulting from this ION were evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. CTG has certified compliance with the MTA's cybersecurity requirements.

The contract awarded to OAS resulting from this ION was evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. OAS has certified compliance with the MTA's cybersecurity requirements.

The contract awarded to WAYE resulting from this ION was evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. Cybersecurity language as agreed to by WAYE and the Authority has been included in the contract terms and conditions.

The contract awarded to UDI resulting from this ION was evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. Cybersecurity language as agreed to by UDI and the Authority has been included in the contract terms and conditions.

**M/W/DBE Information**

Pursuant to the ION, these interim solution contracts were exempt from the requirement to establish M/WBE goals. It should be noted that the Department of Diversity and Civil Rights had established zero percent M/WBE and zero percent SDVOB goals in the original technology procurement W-32564 due to the lack of qualified M/WBE and SDVOB firms to provide the services.

**Impact on Funding**

The funding for these awards is available in the Department of Paratransit's Operating Budget under RC No. 3042, Function No. 120, with Account No. 709102.

**Alternatives**

None. These four contract awards are interim solutions required for the continuity of Paratransit operations.

**Recommendation**

It is recommended that the Board ratify the awards made to CTG, OAS, WAYE, and UDI in the total estimated amount of \$20,865,019 for the continuity of paratransit technology services until the replacement of the Paratransit enterprise technology system is awarded.