



# Long Island Rail Road Procurements

Jacqueline Waddell, Acting Assistant Deputy Chief Procurement Officer – LIRR Procurement

## PROCUREMENTS

The Procurement Agenda this month includes 1 action for a proposed estimated expenditure of \$1.3M.

<b>Subject</b> Request for Authorization to Award Various Procurements					
<b>Department</b> LIRR Procurement					
<b>Department Head Name</b> Jacqueline Waddell					
<b>Department Head Signature</b>					
<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	11/18/2024			
2	Board	11/20/2024			

November 14, 2024			
<b>Department</b>			
<b>Department Head Name</b>			
<b>Department Head Signature</b>			
<b>Internal Approvals</b>			
	<b>Approval</b>		<b>Approval</b>
1	VP, General Counsel & Secretary	4	SVP Operations
2	VP & CFO	5	Executive VP
3	SVP Engineering	6	President

<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 Long Island Rail Road Committee of these procurement actions.

**DISCUSSION**  
**LIRR proposes to award Noncompetitive procurements in the following categories: None**

**LIRR proposes to award Competitive procurements in the following categories:**

<u>Procurements Requiring Two-Thirds Vote:</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule C: Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)	1	\$ 1.3 M
<b>SUBTOTAL</b>	<b>1</b>	<b>\$ 1.3 M</b>

**LIRR proposes to award Ratifications in the following categories: None**

<b>TOTAL</b>	<b>1</b>	<b>\$ 1.3 M</b>
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**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.

**NOVEMBER 2024**

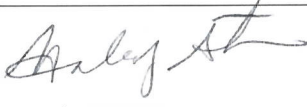
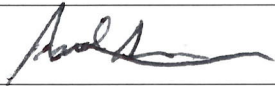
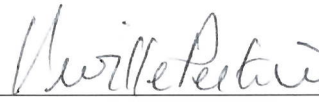

**LIST OF COMPETITIVE ITEMS FOR BOARD APPROVAL**

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

**C. Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)**  
(Staff Summaries required for items estimated to be greater than \$1,000,000.)

1. **Loduca Associates, Inc.** **\$1,298,000** *Staff Summary Attached*  
**300 Calendar Days**  
**Contract # 217815**  
Award of a contract for the partial demolition of a LIRR Building (Alphapointe).

# Staff Summary

<b>Item Number: 1</b>	
<b>Department:</b> Procurement & Logistics, Jacqueline Waddell	
<b>Internal Approvals</b>	
<b>Order</b>	<b>Approval</b>
1	LIRR General Counsel & Secretary 
2	VP – Maintenance of Way 
3	VP – Capital Program Delivery & Oversight 
4	President 

<b>SUMMARY INFORMATION</b>	
<b>Vendor Name</b> Loduca Associates, Inc.	<b>Contract No.</b> 217815
<b>Description</b> Partial Demolition of LIRR Building (Alphapointe)	
<b>Total Amount:</b> \$1,298,000	
<b>Contract Term (including Options, if any)</b> 300 Calendar Days	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
<b>Funding Source</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

**Purpose**

Long Island Rail Road (“LIRR”) seeks MTA Board approval to award a public works contract to Loduca Associates, Inc. (“Loduca”) for the Partial Building Demolition of the LIRR section of the building located at 87-46 123rd Street, Richmond Hill, New York, in the estimated amount of \$1,298,000. The contract was competitively solicited through a Request for Proposals (“RFPs”) process and is for a duration of 300 calendar days. LIRR owns the section of the building where the demolition will take place, with Alphapointe Inc. (“Alphapointe”) owning the remaining section. LIRR no longer has use for the section of the building scheduled for demolition. Alphapointe is a not-for-profit organization that has continued to serve people who are blind or have low vision since 1911. The exterior wall of the LIRR-owned property was inspected and found to be deteriorating with the potential for falling debris. Loduca will perform demolition of the LIRR-owned section of the existing occupied building known as the Alphapointe Building.

**Discussion**

Under this contract, Loduca will perform the construction work necessary while minimizing any disruptions to the remaining sections of the building, as there is a shared wall between LIRR and Alphapointe. Loduca will supply all labor, parts, material, equipment, supervision to perform the work, which includes survey, mobilization, demolition, removal, and clean-up of debris, and restoration of the shared wall of the adjacent space. Loduca will remove the exterior walls of the LIRR portion of the building and convert the existing interior wall to an exterior wall. The Alphapointe portion of the building is to remain intact and unharmed.

The RFP was publicly advertised in the *New York State Contract Reporter* and *New York Daily News* and posted on the MTA website. Based on the recommendation of the project team, the RFP was also sent directly to four firms known to perform this type of work in the industry.

A mandatory site tour was held and attended by eight prospective proposers. At the request of other prospective proposers, a second site tour was held to provide additional firms the opportunity to view the site.

Proposals were received from two vendors: Loduca and Gramercy Group Inc. (“Gramercy”).

The LIRR Selection Committee (“SC”), comprised of representatives from LIRR Facilities Engineering, Railroad Program Support, and Structures departments evaluated the technical proposals submitted by Loduca and Gramercy using the preestablished selection criteria as set forth in the RFP, which included: the contractor’s qualifications, technical approach, and experience in meeting the requirements. The SC made the decision to move forward with both firms by inviting them to Oral Presentations. After evaluating both proposals and finding both proposers to be technically qualified to perform the work, the SC opened the price proposals. Loduca’s initial proposal was \$1,391,440; Gramercy’s initial proposal was \$2,489,000.

# Staff Summary

Both firms were invited to discuss their cost proposal and to negotiate items within their proposal. During the extensive price discussions, LIRR sought cost reductions for certain portions of the proposal that the negotiation team found to be too high.

Best and Final Offers (“BAFOs”) were requested and received. Loduca submitted its BAFO at \$1,298,000, Gramercy submitted its BAFO at \$2,856,000. Loduca’s offer represents a cost avoidance of approximately 7 percent (\$93,440) from its initial offer of \$1,391,440. While both firms are technically qualified, based on the review of the technical and cost proposals and Loduca’s thorough understanding of all components of the scope of work in its technical approach, the SC determined that Loduca’s proposal provides the best value to the MTA, unanimously recommending them for award. Loduca has been awarded various MTA construction contracts and its performance has been satisfactory.

The contract resulting from this procurement has been evaluated to determine the necessity and appropriate scope of cybersecurity requirements, including any requirements under federal, state and local law and regulations. Applicable cybersecurity requirements have been included in the contract terms and conditions.

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

## D/M/WBE Information

The MTA Department of Diversity and Civil Rights (“DDCR”) has established a 15 percent MBE, 15percent WBE, and 6 percent SDVOB goals for this contract. Loduca is committed to meet the required goal requirements and their utilization plan is under review. DDCR has also confirmed that Loduca has achieved its MWDBE/SDVOB goals on recently completed MTA contracts.

## Impact on Funding

Funding for this project is included in the LIRR’s Operating Budget.

## Alternatives

None recommended. LIRR lacks available in-house technical personnel to perform the scope of work associated with this contract.

## Recommendations

It is recommended that the MTA Board approve the award of Contract No. 217815 to Loduca in the amount of \$1,298,000 for the Partial Demolition of LIRR Building (Alphapointe).