

December 2024

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

*Procurements Requiring Majority Vote:*

**G. Miscellaneous Service Contracts**

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

- |  |               |                               |
|--|---------------|-------------------------------|
| 1. McKissack – WSP JV  | \$112,699,501 | <i>Staff Summary Attached</i> |
| Seven years  |               |                               |
| Contract # 0000015949  |               |                               |
| Contract award for the management of the MTA’s Small Business Development and Mentoring Program. |               |                               |

## Schedule G: Miscellaneous Service Contracts

Item Number: 1

<b>Vendor Name (Location)</b> McKissack – WSP JV (New York, New York)	<b>Contract Number</b> 0000015949	<b>Renewal?</b> <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Description</b> Small-Business Development & Mentoring Program Consultant	<b>Total Estimated Amount:</b> <b>\$112,699,501</b>	
<b>Contract Term (including Options, if any):</b> Seven years	<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" 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> MTA Construction & Development MTA Department of Diversity & Civil Rights	
<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: Sole-Source		

### Discussion:

MTA Headquarters is requesting Board approval to award a competitively negotiated estimated quantity miscellaneous service contract to McKissack-WSP JV (“McKissack-WSP”) for the management of the MTA’s Small Business Development and Mentoring Program (“SBDMP”) in the total estimated amount of \$112,699,501, for a term of seven years.

The MTA developed and implemented the SBDMP with the goal of increasing small business participation on public works contracts with the MTA. Through this program, small businesses are prospected, qualified, and enrolled to receive guidance on estimating, project scheduling, Quality Assurance/Quality Control plans and bidding strategies. This program is conducted in accordance with New York statute and the MTA policy encouraging growth of small businesses and is intended to expand the pool of qualified and diverse contractors who compete for MTA business and to enhance the ability of these firms to successfully compete for the MTA’s public work contracts.

This contract will be the first that the MTA has solicited for, and awarded, both the Small Business Development Program and the SBDMP via a single Request for Proposals (“RFP”). McKissack-WSP will manage both programs and work in conjunction with MTA agency project managers to provide mentoring services through all phases of construction, as well as bank loan repayment administration, payment tracking, and attending project meetings. Each MTA agency will be responsible for selecting projects estimated up to \$3 million, for which only firms participating in the SBDMP will be allowed to bid. The awarded firm will then receive the guidance necessary from McKissack-WSP to ensure successful completion of the identified project.

The RFP was publicly advertised and issued directly to 27 firms Procurement identified as prospective proposers. Of the 41 firms that attended the pre-proposal conference, four submitted proposals: McKissack-WSP; a joint venture led by Gannett Fleming; a joint venture between STV and Velez; and TDX Construction Corp (“TDX”), the incumbent. The proposals were evaluated based on: (1) the proposer’s capabilities to manage multiple construction projects and mentor firms that may do the same; (2) the proposer’s experience providing development and mentoring services; (3) the proposer’s direct experience with the MTA or similar organizations; (4) total cost of service; (5) responsiveness to the RFP and its requirements, and; (6) proposer’s status as a New York State–certified Minority/Women-owned or Service-Disabled Veteran-owned Business.

After evaluating the proposals, the Selection Committee (“SC”), composed of individuals from MTA Construction & Development and MTA Department of Diversity & Civil Rights (“DDCR”), recommended that all four proposers be invited for oral presentations. Upon conclusion of these presentations, the SC unanimously agreed that of the four proposers, McKissack-WSP was the most technically qualified to perform the work at the required level and elevate the SBMP program by implementing new industry-leading processes and technologies. The SC therefore recommended Procurement enter into negotiations with McKissack-WSP.

McKissack-WSP’s original cost proposal for a five-year base term with two 1-year options was \$136,818,238, not including firm escalations for the two option years, which at the time were unresolved. Negotiations included discussions with McKissack-WSP that resulted in a total reduction of \$24,118,737, or 17.63 percent compared to McKissack-WSP’s initial cost proposal. McKissack-WSP’s BAFO of \$112,699,501 is on average \$25,535,967, or 18.47 percent, less than the cost proposals submitted by the other three proposers who responded to this RFP, including that of TDX, the incumbent.

Based on the foregoing, McKissack-WSP’s BAFO provided the lowest cost with the best possible value to the MTA; it is considered fair and reasonable.

## Schedule G: Miscellaneous Service Contracts

The contract has been evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state and local law and regulations. Any applicable cybersecurity requirements, to the extent required, shall be included in the contract terms and conditions prior to award.

McKissack-WSP has certified that pursuant to EO 16, they are not doing business in Russia.

While the MTA has not previously done business with this specific joint venture, both McKissack and WSP USA have held various contracts for the MTA and performed to expectation. McKissack recently completed a long-term contract as an Independent Engineer Consultant with their performance deemed satisfactory. WSP currently holds a handful of agreements for various construction/architecture consulting related tasks and has performed well.

### **M/W/DBE Information**

DDCR has assigned goals of 15 percent MBE, 15 percent WBE, and 6 percent SDVOB for this procurement. McKissack-WSP has submitted a utilization plan to achieve the assigned MWBE and SDVOB goals. McKissack-WSP has not recently completed any MTA contracts; therefore, no assessment of their MWDBE performance is available at this time.

### **Impact on Funding**

Funding will be made available from the Capital Program.

### **Alternatives**

Perform all services in-house: This alternative is not practical. The Authority does not have the resources or the trained personnel capable of performing construction mentoring and management services.