

**DATE: 7/16/2021**

## **CONTRACT SOLICITATION NOTICE/PROJECT OVERVIEW**

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

**SSE EVENT#: 0000360262**

**OPENING/DUE DATE: 08/27/2021**

**TYPE OF SOLICITATION: RFP**

**DOCUMENT AVAILABILITY DATE: 07/16/2021**

**SOLICITATION TITLE: C-48731 Design/Build Services for Structural Improvements on the 8<sup>th</sup> Ave. Line**

**DESCRIPTION:** MTA seeks to retain the services of a qualified design-build team (the "Design-Builder") for design-build services for Contract C48731, which calls for the repair structural elements to achieve a state of good repair, construction of a new tunnel lighting room and accompanying tunnel lighting system, and installation of fiber optic cables on the 8th Avenue Line (the "Work" or the "Project"). MTA C&D intends to award the design-build contract (the "Design-Build Contract") at the conclusion of the RFP process.

The Design-Builder will perform repairs to structural defects along on the 8th Avenue Line on express and local tracks, including repairs to columns, beams, concrete, roofs, walls, and ductbanks, as well as structural steel rehabilitation, and leak mitigation. The Design-Builder will refurbish the existing tunnel lighting room that provides power to lighting system components on two tracks, and construct a new tunnel lighting room on the lower level of the 50th Street Station that will power new lighting system components on two additional tracks within the 8th Avenue tunnel. In addition, the Design-Builder will run, install, and connect fiber optic cables at five locations along the 8th Avenue Line between communications rooms, fan plants, pump rooms, and substations.

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

Funding: 100% FTA      DBE Goals: 22.5%      Est. \$ Range: \$Over \$100M      Contract Term: N/A

**(X) PRE-BID CONFERENCE LOCATION:**

**DATE: 08/05/2021**

**TIME: 10:00AM**

Virtual MicroSoft Teams

**( ) SITE TOUR LOCATION(s):**

**DATE:**

**TIME:**

**FOR MORE INFORMATION, PLEASE CONTACT:**

**PROCUREMENT REPRESENTATIVE: Christina Nickolas**

**EMAIL:  
[christina.nickolas@nyct.com](mailto:christina.nickolas@nyct.com)**

### REQUIREMENTS TO PARTICIPATE

**DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER:** ALL VENDORS MUST HAVE A DUN & BRADSTREET DUNS NUMBER IF THEY WISHTO PARTICIPATE IN THIS PROCUREMENT. VENDORS WHO DO NOT HAVE A DUNS NUMBER CAN REGISTER ONLINE AT [WWW.MYDNB.COM](http://WWW.MYDNB.COM). TO OBTAIN ONE FREE OF CHARGE. YOU MUST STATE THAT THE NUMBER IS REQUIRED FOR SAM (SYSTEM FOR AWARD MANAGEMENT)

**SYSTEM FOR AWARD MANAGEMENT (SAM):** VENDORS ARE ALSO 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](http://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](http://WWW.MYMTA.INFO), TO REGISTER AS A BIDDER\*\*\*\*\***

## **C48731 – Design-Build Services for Structural Improvements on the Eighth Ave Line**

### **1. Introduction to the Structural Improvements on the Eighth Ave Line**

MTA seeks to retain the services of a qualified design-build team (the “Design-Builder”) for design-build services for Contract C48731, which calls for the repair structural elements to achieve a state of good repair, construction of a new tunnel lighting room and accompanying tunnel lighting system, and installation of fiber optic cables on the 8<sup>th</sup> Avenue Line (the “Work” or the “Project”). MTA C&D intends to award the design-build contract (the “Design-Build Contract”) at the conclusion of the RFP process.

### **2. Contracting Methodology**

The Design-Build Contract will be awarded as a fixed lump sum price contract 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. This method of procurement is intended to encourage development of innovative designs, planning and logistics while also optimizing schedule and the sharing of risks related to the Work.

### **3. Project Scope/Description**

The Design-Builder will perform repairs to structural defects along on the 8th Avenue Line on express and local tracks, including repairs to columns, beams, concrete, roofs, walls, and ductbanks, as well as structural steel rehabilitation, and leak mitigation.

The Design-Builder will refurbish the existing tunnel lighting room that provides power to lighting system components on two tracks, and construct a new tunnel lighting room on the lower level of the 50th Street Station that will power new lighting system components on two additional tracks within the 8th Avenue tunnel.

In addition, the Design-Builder will run, install, and connect fiber optic cables at five locations along the 8th Avenue Line between communications rooms, fan plants, pump rooms, and substations.

### **4. Procurement Process**

The procurement process will consist of two steps: (i) the Request for Qualifications; and (ii) the Request for Proposals as described in further detail below.

- A. Pursuant to the Request for Qualifications (“RFQ”), MTA C&D will invite entities or groups of entities (each a “Respondent”) interested in competing to perform the Work to submit statements of qualifications (“SOQs”) that detail, among other things, preparedness to formally submit a proposal (“Proposal”) for the Contract and qualifications to perform the Work..
- B. MTA C&D will evaluate all SOQs received in accordance with the criteria set out in the RFQ. MTA C&D will select 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”).

- C. 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, other qualitative factors such as design and technical approach will also be considered. Additionally, schedule will be a major determinative element in awarding the Design-Build Contract.
- D. The RFP will provide specific instructions on the submission requirements, the evaluation factors, and rating guidelines.
- E. 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.
- F. 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.

## **5. RFQ Availability**

The RFQ documents will be made available to all prospective Respondents on or about July 16 2021. In order to obtain the RFQ documents, prospective Respondents need to complete and submit the order form available on the MTA’s website by clicking the Document Order Form link.

Vendors’ contact information must be updated in the Supplier Portal in order to receive notifications regarding this solicitation. New Vendors must register first in order to log into the MTA Vendor Portal. To do so, after selecting Vendor Sign-in & Registration, select New Bidder Registration and follow the on-screen instructions.

## **6. Evaluation of SOQs**

As described in more detail in the RFQ, SOQs will be evaluated utilizing a two-step process. The first step will be a pass/fail evaluation of threshold criteria (the “Threshold Evaluation”) followed by a qualitative evaluation based on technical factors (“Substantive Evaluation”).

MTA C&D will first evaluate each SOQ based on the following pass/fail criteria:

1. Completeness: The SOQ conforms to the RFQ requirements and includes all materials required by the RFQ.
2. Timeliness: The SOQ was submitted on or before the SOQ Due Date.
3. 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 Project and comply with New York licensing requirements.
4. 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.

5. 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 the RFQ.

SOQs must satisfy each of the pass/fail criterion, subject to MTA C&D's reserved rights set forth in the RFQ, to advance to the Substantive Evaluation. SOQs not satisfying each pass/fail criterion will be excluded from further consideration and those Respondents will be so notified.

Each SOQ passing the Threshold Evaluation will undergo a Substantive Evaluation. The Substantive Evaluation will be conducted using the technical criteria listed below in descending order of importance:

1. Team, Key Personnel, and Organization: The demonstrated qualifications and experience of the proposed Key Personnel; the demonstrated capability and experience of the proposed management team, including the ability to manage all aspects of the Contract and successfully integrate the various Major Participants; organizational capacity to ensure sufficient staffing to perform the design and construction work; successful working relationships of Major Participants on previous projects.
2. 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.
3. Prior Experience: The extent and depth of the Respondent's experience with comparable design-build projects and transit projects for each Major Participant.
4. Past Performance: Demonstrated record of performance of all Major Participants including: completion of contracts on schedule; quality of work product; completion within budget; good standing and adequate progression of work on current MTA projects (if any); 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.
5. 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

Subject to MTA C&D's reservation of rights set forth in the RFQ, MTA C&D anticipates selecting as Shortlisted Respondents those Respondents that have submitted SOQs that (i) have satisfied all pass/fail criteria; and (ii) are determined to be the most technically qualified based on the Substantive Evaluation.

## **7. Experience and Performance of Respondent Teams**

- A. During the RFQ process, MTA C&D will identify Respondents, that include a Lead Contractor, and Designer, with:
  - experience in successfully managing, designing, and constructing projects of size, type and complexity as reflected in the scope of work;
  - a record of completing contracts on time and within budget;
  - technical and management experience and expertise to plan, organize and execute the design and construction and assure the quality and safety of the Work; and



## Construction & Development

- qualified key personnel with experience managing and performing work in active rail and transit station environment, including without limitation, to project managers, construction managers, design consultants, safety managers, quality managers, and schedulers.

- B. The background and experience for the Lead Contractor and Lead Designer shall be demonstrated on at least two (2), but no more than four (4), Reference Projects of similar size, type, and complexity in excess of \$20 million with:
- project delivery using design-build contracting; and
  - experience in railroad and transit infrastructure construction; or
  - project delivery in a major metropolitan area within North America.

### 8. General Limitations on Respondent Team Membership

- A. Subject to Section 9 below, 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 Designer:
- no Major Participant shall participate on more than one (1) Respondent team;
  - no Affiliate of any Major Participant shall participate on another Respondent's team;
  - Affiliated entities shall not participate on separate Respondent teams;
  - no firm that employs one or more of the individuals named as Key Personnel on one (1) Respondent team may serve any role on another Respondent team; and
  - 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 this Section 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. Limitations on Exclusivity

Designers, or their Affiliates, which are not prohibited from participating on more than one (1) Respondent team under Section 8, 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:

- The engagement of a Designer 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 and the Design-Build Contract.
- 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 Paragraph 9.2. However, if MTA C&D determines that such arrangement does not represent a true Joint

 **Construction & Development**

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 C48731; 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 this RFQ or the equivalent terms of the RFP. In addition, Shortlisted Respondents and Proposers will be permitted, at their own initiative, to finalize the engagement of one (1) Designer, but not both Designers with the revised engagement documented as an Organizational Change either under the terms of this RFQ or the equivalent terms of the RFP.