

DATE: 07/14/2021

CONTRACT SOLICITATION NOTICE/PROJECT OVERVIEW

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

SSE EVENT#: 0000359505

OPENING/DUE DATE: 08/25/2021

TYPE OF SOLICITATION: RFP

DOCUMENT AVAILABILITY DATE: 07/14/2021

SOLICITATION TITLE: A37145 Design-Build Services for Accessibility Upgrades at the Borough Hall Station

DESCRIPTION: The Metropolitan Transportation Authority (“MTA”), by and through the MTA Construction and Development Company (“MTA C&D”), will be issuing a two-step Request for Proposals (“RFP”), in order to identify and engage a qualified Design-Builder for ADA improvements at the Borough Hall Station, including elevator installation and ADA path-of-travel improvements, and associated state of good repair work. In the first step, MTA C&D will issue a Request for Qualifications (“RFQ”) seeking respondents who are qualified and prepared in all respects to perform the work on schedule and within budget. In the second step, MTA C&D will issue an RFP for the contract to the respondents determined by MTA C&D to be qualified in the first step. Respondents with current contracts to perform work on MTA projects must be in good standing and satisfactorily progressing the work on such contracts to be deemed qualified to participate in the solicitation for the Contract. It is anticipated that the contract will be funded in whole or in part by Federal grants.

Funding: 100% Capital Goals: 22.5% DBE Est \$ Range: Over \$100M Contract Term: 30 Months

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

(X) PRE-BID CONFERENCE LOCATION:	DATE: 07/30/2021	TIME: 10:00AM
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There will be an informational meeting for this procurement to be held on July 30, 2021 at 10:00am. See Paragraph 5 on the attached Project Overview for information on how to obtain the RFQ documents

() SITE TOUR LOCATION:	DATE:	TIME:
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FOR MORE INFORMATION, PLEASE CONTACT:

PROCUREMENT REPRESENTATIVE: Remy Martin

EMAIL:
remy.martin@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.MYDNC.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 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, TO REGISTER AS A BIDDER*******

**Contract No. A37145
Project Overview**

1. Introduction to Accessibility Upgrades at the Borough Hall Station

MTA seeks to retain the services of a qualified design-build team (the “Design-Builder”) to perform the design and construction Work for Contract A37145, which calls for ADA improvements at the Borough Hall Station, including elevator installation and ADA path-of-travel improvements, and associated state of good repair work (the “Project” or the “Work”). The Design-Builder will be responsible for all aspects of design, engineering, scheduling, coordination, construction, and timely completion of the Project. For certainty, MTA C&D intends to award two related contracts at the conclusion of the RFP process, (i) the design-build contract (the “Design-Build Contract”) with the Design-Builder and (ii) an elevator maintenance contract (the “Maintenance Contract”) with the Elevator Maintainer on the basis of its affiliation with the Design-Builder’s subcontracted Elevator Installer and/or Elevator Manufacturer (collectively, the “Contracts”).

2. Contracting Methodology

The Design-Build Contract will be awarded as a fixed lump sum price design-build contract with certain components of the Work to be paid on a unit price basis. The Award will be made 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, as well as 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 Contract will add one (1) street-to-mezzanine elevator, one (1) mezzanine-to-northbound platform elevator, and one (1) mezzanine-to-southbound platform elevator, the addition of ADA boarding areas, and full platform edge reconstruction to serve the northbound and southbound 4 and 5 trains at the Borough Hall Station. The Work will also include state-of-good-repair improvements at the Station including repairs to the floors, walls, roof and ventilator structures.

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 (“Respondents”) 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 this RFQ. Based on its evaluation, 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, design, technical approach and other qualitative factors will also be considered. 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.

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- 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 14, 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 "Order Now" 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.

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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 Lead Contractors and Designers with:
 - i. experience in successfully managing, designing and constructing projects of the size, type and complexity as reflected in the scope of Work and anticipated for the Project;
 - ii. a record of completing contracts on time and within budget;
 - iii. technical and management experience and expertise to plan, organize and execute the design and construction and assure the quality and safety of the Work;
 - iv. qualified key personnel with experience managing and performing work in active rail and transit station environments, including without limitation, project manager, design manager, quality manager, general superintendent, safety manager, quality managers, and schedulers.
- B. During the RFQ process, MTA C&D will identify Respondents that include an Elevator Manufacturer and Elevator Installer and affiliated potential Elevator Maintainer (up to four of each type of entity) with:
 - i. experience in successfully manufacturing, installing, and maintaining elevators in the quantities, with such performance and technical specifications, for such purposes, and in the environments similar to those reflected in the scope of Work and anticipated for the Project, including in active rail and transit stations;
 - ii. a record of completing contracts (including, as applicable, as prime or subcontractors) on time and within budget;
 - iii. experience in and a record of proving long term OEM and installation warranties, maintenance, and support to project owners;
 - iv. technical and management experience and expertise to plan, organize and execute the relevant parts of the Work and assure the quality and safety of the Work; and
 - v. qualified key personnel with experience managing and performing work in the environments similar to those reflected in the scope of Work, including active rail stations.
- C. 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:
 - i. Project delivery using design-build contracting; and
 - ii. Experience in railroad and transit infrastructure construction; or

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- iii. Project delivery in a major metropolitan area within North America.
- D. The background and experience for each of the Elevator Manufacturers, and Elevator on at least two (2), but no more than four (4), Reference Projects of similar size, type, and complexity in excess of \$5 million or more than three elevators shall be demonstrated with:
 - i. Experience in manufacturing and installing heavy-duty transportation system elevators; and
 - ii. Experience providing long term OEM and installation warranties and support to project owners.
- E. The background and experience for each Elevator Maintainer on at least two (2), but no more than four (4), Reference Projects shall be demonstrated with:
 - i. Maintenance of heavy-duty transportation system elevators; and
 - ii. Maintain activities in a major metropolitan area within North America; and
 - iii. Experience providing maintenance services that include services equivalent to OEM and installation warranties and ongoing installer and/or manufacturer support to project owners.

8. General Limitations on Respondent Team Membership

- a. Subject to Section 6.3 in the RFQ, 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, Elevator Manufacturer, Elevator Installer, Elevator Maintainer, or their Affiliates:
 - A. no Major Participant shall participate on more than one (1) Respondent team;
 - B. no Affiliate of any Major Participant shall participate on another Respondent's team;
 - C. Affiliated entities shall not participate on separate Respondent teams;
 - D. 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
- b. Respondents and Major Participants that are not selected as a Shortlisted Respondent are not restricted under Section 6.2 of the RFQ, 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

Elevator Installers, Elevator Manufacturers, Elevator Maintainers, Designers, or their Affiliates, which are not prohibited from participating on more than one (1) Respondent team under Section 6.2 of the RFQ, 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:

- a. Respondents may not team with or engage any Elevator Installer, Elevator Manufacturer, or Elevator Maintainer during this procurement if such teaming is conditioned on that entity or its Affiliates being on a Respondent's team on an exclusive basis.
- b. The engagement of an Elevator Installer, Elevator Manufacturer, Elevator Maintainer, 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, the Design-Build Contract, and the Maintenance Contract between or among Respondent teams.

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- c. 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 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 A37145; 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.

- d. If a Respondent elects to non-exclusively engage up to four (4) Elevator Manufacturers, Elevator Installers, or Elevator Maintainers for its SOQ, MTA C&D will evaluate each independently and may approve any or all of the proposed Elevator Manufacturers, Elevator Installers, or Elevator Maintainers that meet the requirements set forth herein to qualify as Major Participants for purposes of the RFP. If a Shortlisted Respondent has more than one (1) approved Elevator Manufacturer, Elevator Installer, or Elevator Maintainer as a Major Participant, pursuant to Section 6.5.e, after shortlisting, such Shortlisted Respondent or Proposer must finalize the engagement of one (1), but not more than one (1), Elevator Manufacturer, Elevator Installer, or Elevator Maintainer prior to submission of a Proposal in response to the RFP through an Organizational Change either under the terms of this RFQ or the equivalent terms of the RFP.