

DATE: 05/05/2022

CONTRACT SOLICITATION NOTICE/PROJECT OVERVIEW

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

SSE EVENT#: 0000394344

OPENING/DUE DATE: 06/15/2022

TYPE OF SOLICITATION: RFP

DOCUMENT AVAILABILITY DATE: 05/05/2022

SOLICITATION TITLE: A-37139 Package 4 - Design-Build Services for ADA Upgrades at Various Stations

DESCRIPTION: MTA Construction & Development Company (“MTA C&D”), acting as an agent of and on behalf of the Metropolitan Transportation Authority (“MTA”), invites interested design-build teams to submit statements of qualifications (“SOQs”) for Contract A37139, Package 4 - Design-Build Services for ADA Upgrades at Various Stations. Shortlisted Respondents that are selected by MTA C&D in the RFQ process will be eligible to participate in the upcoming Request for Proposals for Contract A37139. 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”).

Funding: 100% FTA Goals: 22.5% DBE Est \$ Range: \$100M+ Contract Term: 36 Months

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

(X) PRE-BID CONFERENCE LOCATION:

DATE: 05/19/2022

TIME: 10:00AM

Virtual via Microsoft Teams- reserve by emailing
alexander.wanless@mtacd.org

() SITE TOUR LOCATION:

DATE:

TIME:

FOR MORE INFORMATION, PLEASE CONTACT:

EMAIL: alexander.wanless@mtacd.org

PROCUREMENT REPRESENTATIVE: Alexander Wanless

REQUIREMENTS TO PARTICIPATE

SYSTEM FOR AWARD MANAGEMENT (SAM): VENDORS ARE 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. A37139
Project Overview**

1. Introduction to Package 4 - Design-Build Services for ADA Upgrades at Various Stations

MTA Construction & Development Company (“MTA C&D”), acting as an agent of and on behalf of the Metropolitan Transportation Authority (“MTA”), invites interested design-build teams to submit statements of qualifications (“SOQs”) for Contract A37139, Package 4 - Design-Build Services for ADA Upgrades at Various Stations. Shortlisted Respondents that are selected by MTA C&D in the RFQ process will be eligible to participate in the upcoming Request for Proposals for Contract A37139. 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

- A. As indicated above, the Design-Build Contract will be awarded as a lump sum price design-build contract with certain components of the Work to be paid on a fixed unit price 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 described in the RFQ. Contracting on a design-build basis is intended to encourage development of innovative designs, planning, and logistics while also optimizing the sharing of risk related to the Work.
- B. Furthermore, and without limiting the Design-Builder’s obligation to provide certain original equipment manufacturer (“OEM”) warranties with respect to elevator installation and manufacture, MTA C&D will award the Elevator Maintenance Contract to provide for the long-term maintenance of the newly installed elevators, including rectification of certain issues resulting from installation and manufacture. The Maintenance Contract will be awarded as a long-term, performance payment-based contract to the Elevator Maintainer, on the basis of its affiliation with the Design-Builder’s subcontracted Elevator Installer and/or Elevator Manufacturer. Procurement of the Elevator Maintenance Contract in conjunction with procurement of the Design-Build Contract, and the award of the Elevator Maintenance Contract to an affiliate of the Design-Builder’s Elevator Manufacturer and/or Elevator Installer is intended to ensure consideration of long-term maintenance and life-cycle costs during design and construction. This approach is also intended to optimize pricing and the sharing of risks, including with respect to elevator installation or manufacturer deficiencies.

3. Project Scope/Description

The general Work to be performed at each of the four (4) stations is described briefly below:

BAY RIDGE- 95TH STREET STATION

The Bay Ridge-95th Street Station is located at the intersection of 95th Street and Fourth Avenue in Brooklyn and serves the R train.

The Work at this Station includes:

- Installation of one (1) street-to-mezzanine elevator, one (1) mezzanine-to-platform elevator, and two (2) elevator machine rooms (EMRs) (one EMR per elevator);
- Rehabilitation of five (5) street-to-mezzanine stairs (S1, S2, S3, S4, S5) and one (1) mezzanine-to-platform stair (P1) to comply with ADA regulations and bring to a state of good repair;
- Construction of one (1) new mezzanine-to-platform stair (P3);
- Demolition and removal of one (1) existing mezzanine-to-platform stair (P2);
- Reconstruction of platform edges and installation of tactile tiles and rubbing boards for the full length of the platform;
- Provision of new ADA boarding areas at the platform level;
- Removal of existing railing at the fare array and replacement with new ADA farecard access system (AFAS) gate;

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- Replacement of track plates on Track F2; and
- Construction of new back-of-house spaces (cleaners' room and new toilet) at the mezzanine level.

NORTHERN BOULEVARD STATION

The Northern Boulevard Station is located at the intersection of Northern Boulevard and Broadway in Queens and serves the M train on weekdays, the R train at all times except nights, and the E train at night.

The Work at this Station includes:

- Installation of two (2) street-to-platform elevators and two (2) EMRs (one EMR per elevator);
- Rehabilitation of two (2) street-to-mezzanine stairs (S3, S4) and two (2) mezzanine-to-platform stairs (P3A/B, P4A/B) to comply with ADA regulations and bring to a state of good repair;
- Removal of existing railing at the fare array and replacement with new AFAS gate;
- Replacement of track plates on Track D1;
- Reconstruction of platform edges and installation of tactile tiles and rubbing boards for the full length of the platform;
- Provision of new ADA boarding areas at the platform level;

137TH STREET STATION

The 137th Street Station is located at the intersection of 137th Street and Broadway in Manhattan and serves the 1 train.

The Work at this Station includes:

- Installation of two (2) street-to-platform elevators and two (2) EMRs (one EMR per elevator);
- Demolition of two (2) existing street-to-mezzanine stairs (S3/M3, S4/M4) and reconstruction of a new larger and wider stair (S3) in a new location connecting the street to mezzanine;
- Removal of existing railing at the fare array and replacement with new AFAS gate;
- Reconstruction of platform edges and installation of tactile tiles and rubbing boards for the full length of the platform;
- Provision of new ADA boarding areas at the platform level;
- Demolition of existing back-of-house storage room and reconstruction of the storage room in a new location;
- Miscellaneous structural steel and concrete repairs at the platform level.

PARKCHESTER-E. 177 ST. STATION

The Parkchester-E. 177th Street Station is located above Hugh J. Grant Circle in the Parkchester neighborhood of the Bronx, where East 177th Street, Metropolitan Avenue, and Westchester Avenue intersect. The Station serves the 6 train.

The Work at this Station includes:

- Expansion of the station at the street level into the Hugh J. Grant Circle;
- Expansion of the control area at the mezzanine level;
- Installation of two (2) new 3-stop elevators from street to mezzanine to platform and two (2) EMRs (one EMR per elevator);
- Demolition of existing street-to-mezzanine escalator (E111) and installation of new street-to-mezzanine escalator in new location;
- Demolition of existing escalator machine room and reconstruction of new escalator machine room in new location;
- Installation of four (4) new street-to-mezzanine stairs;
- Demolition of four (4) existing mezzanine-to-platform stairs (P1, P2, P3, P4);
- Reconstruction of two (2) new mezzanine-to-platform stairs (P3, P4) in existing stair footprints and construction of four (4) new stairs from the expanded mezzanine to the platform level;

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- Removal of existing fare array, reinstallation of existing fare array at a new location, and installation of new turnstiles and AFAS gates;
- Relocation of existing agent booth at the street level;
- Provision of new ADA boarding areas, reconstruction of platform edges at the ADA boarding areas, and installation of tactile tiles and rubbing boards at the ADA boarding areas;
- Replacement of portions of the existing canopies to accommodate new stairs and/or elevators;
- Replacement of track plates at P2, P3, and middle track;
- Restoration of the plaza where existing pavers are impacted by the installation of the new elevators or stairs in accordance with the requirements of NYC Department of Parks & Recreation.

4. Procurement Process

The procurement process for Contract A37139 consists of two steps: (i) the Request for Qualifications and (ii) the Request for Proposals, as described in further detail below:

- a. The RFQ, invites interested teams (each, a “Respondent”) to submit SOQs that detail, among other things, preparedness to formally submit a proposal (“Proposal”) for the Contracts 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. 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. 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.

All SOQs shall be submitted electronically to MTA C&D by the SOQ deadline set forth in the RFQ in accordance with the instructions for electronic submittals set forth in the RFQ.

5. RFQ Availability

The RFQ documents will be made available to all prospective Respondents on or about **May 4, 2022**. 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.

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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 (“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:

- A. **Completeness**: The SOQ conforms to the RFQ requirements and includes all materials required by the RFQ.
- B. **Timeliness**: The SOQ was submitted on or before the SOQ Due Date.
- C. **Capacity**: The Respondent has presented evidence that its organization has the legal capacity to enter into and perform the Design-Build Contract and to design and build the Project and comply with New York licensing requirements.
- D. **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.
- E. **Bonding Capacity**: Respondent has provided a letter from an eligible Surety to satisfy the requirements set forth in the RFQ that demonstrates that the Respondent has available bonding capacity at least commensurate with the Work.

Each SOQ received will be reviewed for each of the criterion set forth above. SOQs must satisfy each of the pass/fail criterion, subject to MTA C&D’s reserved rights described 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. MTA C&D may also exclude from consideration any Respondent whose SOQ contains a material misrepresentation.

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

- A. **Team, Key Personnel, and Organization**:
 - a. the demonstrated qualifications and experience of the proposed Key Personnel;
 - b. the demonstrated capability and experience of the proposed management team, including the ability to manage all aspects of the Design-Build Contract and successfully integrate the various Major Participants;
 - c. organizational capacity to ensure sufficient staffing to perform the design and construction work;
 - d. successful working relationships of Key Personnel and Major Participants on previous projects.
- B. **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,

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specific risks, and any challenges associated with the Project, and maintenance of the new Elevators.

- C. **Prior Experience**: The extent and depth of each Major Participant's experience with projects of a similar size, type, and complexity, including the Reference Projects.
- D. **Past Performance**: Demonstrated record of performance of all Major Participants including:
 - a. completion of contracts on schedule;
 - b. quality of work product;
 - c. completion within budget;
 - d. good standing and adequate progression of work;
 - e. 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);
 - f. record of terminations for cause and defaults;
 - g. disciplinary action, including suspension;
 - h. safety record;
 - i. client references; and
 - j. awards, citations and commendations.
- E. **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.

7. Exercise of Discretion in Evaluation Process

- A. The evaluation of SOQs will be conducted at the discretion of MTA C&D, with assistance from such professional and other advisors as MTA C&D may designate.
- B. Notwithstanding the criteria identified above, MTA C&D may, in its sole discretion, select Shortlisted Respondents based on its assessment of the best interests of the Contract, the MTA, and its stakeholders.
- C. MTA C&D may, in its sole discretion, waive technical irregularities in the form of the SOQ that do not, in MTA C&D's discretion, alter the quality or quantity of the information provided.
- D. Interviews are not anticipated at this time. Notwithstanding, MTA C&D may, in its sole discretion, conduct interviews during the RFQ phase. If MTA C&D elects to conduct interviews, Respondents shall be notified in writing. MTA C&D may also verify information presented in the SOQ with other parties, such as other parties to design-build construction projects in which a Respondent participated, and contact the firm and personnel references supplied by the Respondent as well as any other professional references not listed.
- E. Unless expressly permitted by this RFQ,
 - a. any failure to fully disclose requested information;
 - b. any incomplete, inaccurate, materially misleading or non-responsive submissions; or
 - c. any conditional or qualified submissions (i.e., "to our knowledge," "to the extent of available information," "such information is not readily available," "such information is not maintained in the manner requested," etc.) to requests or questions posed, may, in the sole discretion of MTA C&D, lead to: (1) a "fail" determination for the Threshold Evaluation; (2)

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disqualification of a Respondent and/or a relevant Major Participant from the procurement process; and/or (3) a reduced rating for the Substantive Evaluation.

8. Experience and Performance of Respondent Teams

- a. To identify the best responsible Respondent team, comprised of design and construction firms, elevator manufacturers, elevator installers, elevator maintainers, and escalator manufacturers available with demonstrated experience, expertise, capacity, skill, and integrity, and record of successfully designing, completing, and maintaining projects similar in nature to the Project.
- b. To identify Respondents that include a Lead Contractor and Designer with:
 - i. experience in successfully managing, designing and constructing projects of similar size, type and complexity as reflected in the scope of Work and anticipated for the Project (whether such projects have been completed or are ongoing);
 - 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. organizational capacity to perform the Work; and
 - v. qualified key personnel with experience managing and performing work in active rail and transit station environments, including without limitation, project managers, construction managers, design consultants, safety managers, quality managers and schedulers.
- c. To identify Respondents that include an Elevator Manufacturer, Elevator Installer, affiliated Elevator Maintainer, and Escalator Manufacturer 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. experience in achieving expected levels of maintainability and life cycle performance and satisfaction of handback requirements in similar projects;
 - iii. a record of completing contracts (including, as applicable, as prime or subcontractors) on time and within budget;
 - iv. experience in and a record of providing long term OEM and installation warranties, maintenance, and support to project owners;
 - v. 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
 - vi. 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.
- d. Requirements and information to be submitted in Section 3 of the SOQ:
 - i. Provide a brief narrative of the relevant background and experience for the Lead Contractor, the Designer, the Elevator Manufacturer(s), the Elevator Installer(s) and Elevator Maintainer(s) (limit two pages per entity (with Joint Ventures treated as a single entity in this instance)). If the Respondent elects to engage more than one (1) Designer, Elevator Manufacturer, Elevator Installer or Elevator Maintainer, such

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Respondent shall submit one (1) page per entity (with Joint Ventures treated as a single entity in this instance). Highlight the following in each narrative (as applicable):

- ii. relevant experience of successfully performing as a prime or key subcontractor on multiple elevator manufacturing, installation and maintenance projects or engagements of similar size, type and complexity to the Project (which may include current as well as recently completed projects or engagements);
 - iii. relevant resources and experience to provide long term OEM and installation warranties, maintenance, and support to project owners; and
 - iv. sufficient organizational structure, management resources, equipment and labor.
- e. Attach completed Form 2 and other relevant documentation for:
- i. the Lead Contractor and the Designer (if a joint venture, for both of the entities separately and together, if the joint venture has worked together previously), experience on at least two (2) but no more than four (4) Reference Projects demonstrating:
 - 1. project delivery using design-build contracting or project delivery in a major metropolitan area within North America; and
 - 2. experience in ADA compliance, vertical transportation, or elevator design or experience in railroad and transit infrastructure construction.
 - 3. Experience with design-build contracting and with ADA, vertical transportation, or elevator projects is preferred.
 - ii. each Elevator Manufacturer, experience on at least two (2) (but no more than four (4) Reference Projects) demonstrating experience in manufacturing heavy-duty transportation system, airport, or equivalent elevators.
 - iii. each Elevator Installer and/or Elevator Maintainer, experience on at least two (2) (and, with respect to KPI or other performance-based contracts with respect to the level of service at such Reference Projects, at least one (1)) but no more than four (4) Reference Projects, involving each of the following:
 - 1. experience installing and maintaining heavy-duty transportation-system, airport or equivalent elevators (as applicable);
 - 2. experience providing long term OEM and installation warranties and support to project owners; and
 - 3. experience providing maintenance services that include services equivalent to OEM and installation warranties and ongoing installer and/or manufacturer support to project owners.
 - iv. Each Escalator Manufacturer (if being identified in the SOQ), experience on at least one (1) (but no more than three (3) Reference Projects) demonstrating experience in manufacturing heavy-duty transportation system, airport, or equivalent escalators.
- f. Attach completed Form 3, Safety Questionnaire, for the Lead Contractor and each Elevator Installer with respect to the Reference Projects listed on Form 2, and a completed Form 3 for the Project Manager, the Construction Manager, and the Safety Manager, whose positions are set forth in Section 9.10.2.a of the RFQ.

If a conflict of interest or potential conflict of interest requires disclosure under the terms of the RFQ and was not disclosed in or prior to submission of the RFQ, the Respondent shall specifically

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describe such conflict or potential conflict in accordance with the requirements in Section 7 of the RFQ and, if applicable, submit a copy of MTA C&D's response in regard to the same.

9. General Limitations on Respondent Team Membership

- A. Subject to 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:
 - a. with the exception of the Elevator Manufacturer, the Elevator Installer, the Elevator Maintainer, the Escalator Manufacturer, and the Designer:
 - 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
 - E. 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 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.

10. Limitations on Exclusivity

- A. Elevator Installers, Elevator Manufacturers, Elevator Maintainers, Escalator Manufacturers, Escalator Installers, Designers, or their Affiliates, which are not prohibited from participating on more than one (1) Respondent team in 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:
- 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:
 - a. the disclosure to all relevant Respondent teams that such entities and personnel are engaged by another Respondent team;
 - b. the institution of Information Barriers acceptable to MTA C&D; and
 - c. 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.
- C. The engagement of an Elevator Installer, Elevator Manufacturer, Elevator Maintainer, Escalator Manufacturer, 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.
- D. If a Respondent elects to non-exclusively engage multiple Elevator Manufacturers, Elevator Installers, Elevator Maintainers, or Escalator Manufacturers, such Shortlisted Respondent or

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Proposer must finalize the engagement of one (1), but not more than one (1), of each entity and identify the selected entity in its Proposal.