

DATE: 05/23/2022

CONTRACT SOLICITATION NOTICE/PROJECT OVERVIEW

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

SSE EVENT#: 0000396264

OPENING/DUE DATE: 07/13/2022

TYPE OF SOLICITATION: RFP

DOCUMENT AVAILABILITY DATE: 05/23/2022

SOLICITATION TITLE: A37693 Design-Build Services for Circulation Improvements at Grand Central – 42nd Street Station

DESCRIPTION: The 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 A37693, Design-Build Services for Circulation Improvements at Grand Central – 42nd Street Station. Grand Central Terminal serves as a transportation hub for New York City and connects the Metro-North Railroad and New York City Transit (“NYCT”) systems. The Grand Central - 42nd Street Station (the “Station”) is located adjacent to Grand Central Terminal, underground at East 42nd Street and Park Avenue in the Borough of Manhattan. The Station serves the 4, 5, 6 trains on the Lexington Avenue Line, the 7 train on the Flushing Line, and the S train, the 42nd Street Shuttle. Currently there is a below-ground sloped passageway that connects the 4, 5, and 6 trains to the 7 train. There are also two existing stairways within the passageway to access the 7 train platform. This Project will provide circulation improvements to better accommodate existing and anticipated increased passenger flow. The Work under this Contract includes the construction of a new passageway that connects to the existing passageway, a new stairway, and the widening of the two existing stairways, which will provide greater ingress and egress capacity for passengers accessing and exiting the platform level.

Funding: 100% FTA
Months

Goals: 22.5% DBE

Est \$ Range: Over \$50M -\$100M

Contract Term: 24

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

(X) PRE-BID CONFERENCE LOCATION:

DATE: 06/02/2022

TIME: 10:00AM

Virtual via Microsoft Teams- please contact the procurement rep at alexander.wanless@mtacd.org to register

() SITE TOUR LOCATION:

DATE:

TIME:

FOR MORE INFORMATION, PLEASE CONTACT:

PROCUREMENT REPRESENTATIVE: Alexander Wanless

EMAIL: alexander.wanless@mtacd.org

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. A37693
Project Overview**

1. Introduction to Design-Build Services for Circulation Improvements at the Grand Central – 42nd Street Station

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 A37693, Design-Build Services for Circulation Improvements at the Grand Central – 42nd Street Station. Respondents (defined below) that are selected by MTA C&D in the RFQ process will be eligible to participate in the upcoming Request for Proposals (“RFP”). MTA C&D intends to award a 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 lump sum contract with certain components of the Work to be paid on fixed unit price. 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, including cost and schedule, following the two-step procurement process described in Section 1.3. 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.

3. Project Scope/Description

Grand Central Terminal serves as a transportation hub for New York City and connects the Metro-North Railroad and New York City Transit (“NYCT”) systems. The Grand Central - 42nd Street Station (the “Station”) is located adjacent to Grand Central Terminal, underground at East 42nd Street and Park Avenue in the Borough of Manhattan. The Station serves the 4, 5, 6 trains on the Lexington Avenue Line, the 7 train on the Flushing Line, and the S train, the 42nd Street Shuttle.

Currently there is a below-ground sloped passageway that connects the 4, 5, and 6 trains to the 7 train. There are also two existing stairways within the passageway to access the 7 train platform.

This Project will provide circulation improvements to better accommodate existing and anticipated increased passenger flow.

The Work under this Contract includes the construction of a new passageway that connects to the existing passageway, a new stairway, and the widening of the two existing stairways, which will provide greater ingress and egress capacity for passengers accessing and exiting the platform level.

New Passageway and New Stairs: The Work to construct the new passageway will involve extensive rock excavation and tunneling below street level along 42nd Street in an area with substantial pedestrian and vehicular traffic and existing businesses. The Work includes:

- Excavate and tunnel through rock along 42nd Street to construct a new passageway;
- Remove the existing wall where the existing passageway terminates and modify the overhead steel framing to connect the new and existing passageways;
- Provide new floor, wall, and ceiling finishes in the new passageway to match the existing passageway;
- Construct new stairway connecting the new passageway to the subway platform level of the 7 train, moving elements, such as lighting, signage, electrical, and communications equipment as required.
- Equip new passageway and new stairs with new lighting, closed circuit television (CCTV) cameras, and help point telephones.
- Repair the walls and arched ceiling along the length of the Station Platform, including sealing cracks, sealing leaks, repairing concrete spalls, and painting concrete surfaces.

Widening of Existing Stairways: The Work to widen the two existing stairways will include:

- Demolition and construction of the existing stairway to widen the stairwell;
- Replacing the concrete stair treads, risers, handrails, landings; and curb plates;
- Providing new handrails and guardrails for each stair;

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- Providing new finishes to match existing facilities; and
- Providing new lighting and signage.

4. Procurement Process

The procurement process for Contract A37693 consists of two steps: (i) the Request for Qualifications and (ii) the Request for Proposals, as described in further detail below:

- a. This Step 1, the RFQ, invites interested teams (each, a “Respondent”) to submit SOQs that detail, among other things, their qualifications, capability, capacity, and experience 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 and the evaluation factors for the Proposals.
- 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.

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 23, 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.

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”).

- A. MTA C&D is using a two-step process to evaluate SOQs submitted by Respondents. The first step is a pass/fail evaluation of threshold criteria (the “Threshold Evaluation”). The second step is a qualitative evaluation based on technical factors (“the Substantive Evaluation”).
- B. MTA C&D will create a shortlist of qualified Respondents (“Shortlisted Respondents”) with the general capability (technical, financial and management), capacity and experience necessary to

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undertake and successfully complete the Work. Only those Shortlisted Respondents will be eligible to submit a Proposal in response to the RFP.

- C. MTA C&D may allow certain deficiencies in the SOQs relating to the factors set out in the RFQ to be corrected through clarifications as described in the RFQ, or otherwise through its exercise of its reserved rights under this RFQ, but it will have no obligation to do so.

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

The Threshold Evaluation

- 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 and time.
- 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

The Substantive Evaluation

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.

Substantive Evaluation Criteria.

- A. **Major Participants**: The Respondent will be evaluated on the qualifications, capability and experience of its Major Participants and the overall strength of its team, including the Lead Contractor, the Designer, and any Named Subcontractors. Each Major Participant's prior experience with projects of a similar size, type and complexity will be evaluated
- B. **Personnel and Organizational Capacity**: The demonstrated qualifications and experience of the proposed Key Personnel, the experience of the proposed management team, including the ability to manage all aspects of the Design-Build Contract and successfully integrate the various Major

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Participants; and organizational capacity to ensure sufficient staffing to perform the design and construction work.

- C. **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.
- D. **Prior Experience**: The extent and depth of each Major Participant's experience with comparable design-build projects and work with tunneling and excavation projects.
- E. **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; 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.
- F. **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) 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. Objectives

- a. To identify the best design and construction firms available with demonstrated experience, expertise, capacity, and record of producing quality work on projects similar in nature to the Project.

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- b. To identify Respondents that include a Lead Contractor and Designer with:
- i. experience, individually and collectively, 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. experience, individually and collectively, in successfully executing tunnel excavation/boring projects, including rock excavation and tunnel design;
 - iii. experience in working on projects in high-traffic areas, in close proximity to other contractors, and with multiple stakeholders;
 - iv. a record of completing contracts on time and within budget;
 - v. technical and management experience and expertise to plan, organize and execute the design and construction and assure the quality and safety of the Work;
 - vi. organizational capacity to perform the Work; and
 - vii. 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.

B. Requirements and information to be submitted in Section 3 of the SOQ:

- a. Provide a brief narrative of the relevant background and experience for the Lead Contractor and the Designer (limit two pages per entity). The following should be included in each summary:
- i. relevant experience of successfully performing work as a prime or general contractor or Designer for the design and construction of projects of the size, type and complexity as reflected in the scope of Work and anticipated for the Project, particularly prior excavation or tunneling projects;
 - ii. record of completing contracts on time and within budget;
 - iii. qualified Key Personnel with experience related to rock excavation and tunnel design/construction and performing work in active rail or transit stations and in dense vehicular/pedestrian areas;
 - iv. sufficient organizational structure, management resources, equipment, and labor, including an appropriate construction/design management team to be assigned to the Design-Build Contract, and the ability to assure MTA C&D that the Design-Build Contract will be properly coordinated and managed and will be completed on schedule.
- b. Attach completed Form 2 and other relevant documentation (additional pages may be added if necessary) for the Lead Contractor and the Designer, demonstrating each entity's experience on at least one (1) excavation or tunneling project and either two (2) or three (3) Reference Projects involving the following:
1. project delivery using design-build contracting;
 2. experience in transportation infrastructure design and construction; and/or
 3. project delivery in a major metropolitan area within North America.

Three (3) or four (4) Reference Projects shall be submitted on behalf of the Lead Contractor and three (3) or four (4) Reference Projects will be submitted on behalf of the Designer.

- c. Attach Completed Form 3, Safety Questionnaire, for the Lead Contractor 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 the RFQ.

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- C. 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 describe such conflict or potential conflict in accordance with the requirements in 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 Designer 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
 - 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 RFQ from participation 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. Designers or their Affiliates, which are not prohibited from participating on more than one (1) Respondent team under 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 a 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.