

JULY 2025

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

F. Personal Service Contracts

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

- | | | |
|--|-------------|-------------------------------|
| 1. Enstoa, Inc.
18 Months
Contract# 600000000036586 | \$7,257,988 | <i>Staff Summary Attached</i> |
| <p>Contract award for the implementation and integration of a Project Management Information System (“PMIS”) for MTA Construction & Development (“C&D”).</p> | | |
| 1. Various
N/A
Contract# TBD | \$TBD | <i>Staff Summary Attached</i> |
| <p>Retainer agreements with various attorneys and law firms to provide tort litigation services.</p> | | |

Item Number: 1			
Department, Department Head Name: MTA Construction & Development Jamie Torres-Springer, Office of the President			
Internal Approvals			
Order	Approval	Order	Approval
1	Procurement	6	Budgets & Finance Management
2	MTA C&D		
3	MTA IT		
4	Office of Civil Rights		
5	Legal		

SUMMARY INFORMATION	
Vendor Name Enstoa, Inc.	Contract No. 600000000036586
Description Project Management Information System (PMIS) Implementation and Integration Services	
Total Amount: \$7,257,988	
Contract Term (including Options, if any) Base term: August 2025–February 2027 Option Year: March 2027–February 2028	
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Purpose

MTA Headquarters is seeking Board Approval to award a competitively negotiated personal service contract to Enstoa, Inc. (“Enstoa”) for implementation and integration of a Project Management Information System (“PMIS”) for MTA Construction & Development (“C&D”). The base contract term is 18 months with an option to extend for one additional year. The value of the base contract is estimated at \$6,067,905, and the one-year option is priced at \$1,190,083, for an overall total amount of \$7,257,988. The Board is also requested to authorize the MTA Deputy Chief Procurement Officer to approve the exercise of the one-year option pending approval of funding.

Discussion

MTA C&D currently operates multiple disparate legacy systems to manage Capital Program initiatives. These systems include financial Enterprise Resource Planning, document management, scheduling, and Geographic Information System platforms. Each system’s independent operation has resulted in a lack of integration, causing data silos, inefficient processes, increased manual data handling and human errors, and limited reporting capabilities.

In 2023, C&D conducted a comprehensive digitalization study to evaluate its operational framework, identify existing gaps, and outline a future-state vision focused on enhancing efficiency, collaboration, and decision-making through optimized business processes and advanced technology solutions. This initiative, a part of MTA C&D’s Digital Strategy Roadmap, represents a transformative modernization effort encompassing 18 strategic initiatives aimed at leveraging advanced technologies and data-driven approaches. A key component of this roadmap is the implementation of a robust PMIS, which is a critical tool to leverage data to enable informed decision-making, enhance construction project performance, and improve overall collaboration and operational efficiencies. Integrating PMIS with these legacy systems will centralize and modernize how capital projects are planned, executed, and monitored. These services ensure that data flows securely and reliably across systems, enabling real-time visibility into project performance, costs, and risks.

A Request for Proposals (“RFP”) was issued on April 4, 2025, and was requested by 44 vendors. Proposals were received from six firms: Accenture, Enstoa Inc. (“Enstoa”), Turner and Townsend, Mola Group Corp, Red Hill Consulting, and Stellar Services. A Selection Committee (“SC”) consisting of the MTA C&D VP Corporate Controls; Director, AVP Program Coordination; Senior Vice President, AVP Deputy Program Executive; VP Deputy Program Executive; VP Project Performance; and MTA IT Deputy Chief Technology Officer, Corporate Systems Production, was established to review the proposals. The selection criteria, as set forth in the RFP, included Technical Proposal Evaluation; Proposer’s Experience; Past Performance; and Pricing.

Of the six firms, Accenture, Turner and Townsend, and Enstoa Inc. were shortlisted and invited for oral presentations. Following a comprehensive series of discussions, evaluations, and scoring of the vendors' capabilities, the SC unanimously determined that Enstoa was the most technically qualified to perform the work required to implement and integrate the PMIS. Enstoa demonstrated its robust technical expertise and prior experience with similar PMIS implementations through its innovative methodologies tailored to the needs of the project; it has delivered, implemented and sustained PMIS platforms for complex capital program owners at Denver International Airport and Meta. Enstoa's project team members and its subconsultant possess the in-depth knowledge and expertise necessary to perform the required tasks. In the opinion of the SC, Enstoa had a more well-rounded and capable unit compared to other proposers. Additionally, Enstoa's proposed change management team presented a compelling and well-structured approach, demonstrating strength in managing standard PMIS integrations and in developing forward-thinking strategies for artificial intelligence education and implementation. Based on these factors, the SC determined Enstoa as the optimal choice to deliver a comprehensive, future-ready PMIS solution.

Negotiations with Enstoa yielded a 25 percent (or \$2 million) overall reduction from the original proposed amount of \$8,109,577 to \$6,067,905 for the base period, and a 34 percent (or \$609,000) reduction for the option year. These reductions include adjustments to proposed hourly labor rates, removal of overhead from senior roles and a realignment of scope to focus on critical deliverables. Implementation and integration services of PMIS is expected to take place over an 18-month period and is payable in accordance with specific milestones and deliverables established in the contract. One option year is reserved in the event that post-implementation support, additional training, or functionality enhancements are needed. Ten percent of the cost of this contract is for software licensing for Enstoa's Starfish Cloud and Adapters Software used for managing unstructured data. If needed, recurring software licensing and maintenance for these products will be conducted via a separate procurement process using C&D's operating funds. Based on the aforementioned, MTA Procurement, Cost Price, and the Selection Committee found Enstoa's price to be fair and reasonable.

This 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, will be included in the contract terms and conditions.

Enstoa has certified that pursuant to EO16, it is not doing business in Russia.

M/W/DBE Information

M/W/DBE Information DDCR has assigned goals of 15 percent MBE, 15 percent WBE, and 6 percent SDVOB for this procurement. All proposers have submitted a utilization plan to achieve the assigned MWBE and SDVOB goals.

Impact on Funding

This contract is funded by the MTA C&D Capital Budget.

Alternatives

Perform services in-house: This alternative is not feasible since MTA IT and C&D have neither the bandwidth nor the experience in Project Management Information Systems Implementation and Integration Services.

Do not approve award: If the award for integration services is not approved, these systems will operate as standalone, severely limiting its effectiveness. Project teams will continue to rely on manual data entry and parallel processes, resulting in inefficiencies, increased risk of data errors, and limited reporting capabilities. Without integration, the PMIS cannot support full program oversight or generate accurate, consolidated data needed for internal decision-making and external reporting, including funding agencies and oversight bodies.

Staff Summary

Item Number				SUMMARY INFORMATION	
Department, Department Head Name:				Vendor Name	
MTA Law Department Paige Graves, General Counsel				Multiple	
Internal Approvals				Contract No.	
				TBD	
Order	Approval	Order	Approval	Description	
1 X	Finance			Torts Litigation Services for the MTA and its Subsidiaries and Affiliated Agencies	
2 X	Board			Total Amount:	
3 X	Procurement			TBD	
4	Office of General Counsel			Contract Term (including Options, if any)	
5	CFO			N/A	
				Option(s) included in Total Amount?	
				<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
				Renewal?	
				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
				Procurement Type	
				<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
				Solicitation Type	
				<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: New York State Ride	
				Funding Source	
				<input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Purpose/Recommendation

To obtain Board approval for the MTA, on behalf of itself and its affiliates and subsidiaries, to enter into retainer agreements with the attorneys and law firms identified in Attachment A to provide tort litigation services. These firms will provide such services at rates specified in the retainer agreements on an as-needed basis. Such rates shall be fixed for three years and thereafter may be increased as reasonable and appropriate in the determination of the MTA General Counsel.

Discussion

The current approved panel for outside counsel for tort litigation matters was approved by the Board in 2003. Therefore, it is necessary to establish a new panel.

Pursuant to the Request for Proposals ("RFP"), the MTA sought proposals from law firms and attorneys interested in providing tort litigation services. To better evaluate each firm's capabilities and capacity and to establish appropriate compensation for different types of tort litigation services, the RFP divided tort litigation services into two groups: (1) pre-trial and trial matters and (2) appellate matters. Each firm had to indicate whether it was proposing to perform one or both groups of services. The two groups were further subdivided into three categories:

- 1. Ordinary**, meaning claims and lawsuits involving incidents of slips, trips, and falls; vehicular and bus accidents, and subway incidents, or related appeals.
- 2. Complex**, meaning defending claims based on New York State Labor Law Sections 240 and 241; or bringing actions against third parties such as medical malpractice claims against a plaintiff's treating physicians; bringing declaratory actions and other actions to enforce the MTA Agencies' contractual and/or common law rights to defense and indemnification from third parties; or bringing declaratory or other actions involving insurance coverage disputes, or related appeals.
- 3. Special Circumstance**, meaning tasks or matters determined by MTA Agencies to be outside the scope of the Ordinary or Complex, or related appeals.

Staff Summary

The RFP specified maximum flat fee rates applicable to certain Ordinary Pre-Trial/Trial tasks, and maximum hourly rates for partners, associates and paralegals for all of the other services. The maximum hourly rates differ for the two groups and for each category in each group, except that the maximum rate for Special Circumstances is 80 percent of the firm's customary rates, but in no event lower than the firm's rates for Complex services.

The RFP was advertised in the *NYS Contract Reporter*, *NY Law Journal*, *Daily News*, and *Minority Commerce Weekly*. In addition, notices of the RFP were sent to the law firms that have been providing tort litigation services to the MTA as well as other firms known to perform torts litigation in New York City.

A total of 80 proposals were received for one or more groups of services and categories thereof, including ten from M/WBE certified firms. The proposals were reviewed by a Selection Committee comprised of the MTA General Counsel, the New York City Transit General Counsel, and the Deputy General Counsel for Torts. The RFP criteria used to evaluate the proposals were: (1) the quality and responsiveness of the proposal; (2) the qualifications and experience of the firm and of the attorneys designed by the firm for the proposed services, including their capacity; (3) the firm's policies and practices with respect to ensuring the delivery of quality and cost-effective services, and ethics and conflict of interest compliance; (4) the proposed flat fees and hourly rates; (5) the value of alternative fee proposals, if any; and (6) M/WBE or SDVOB status.

Retainers for legal services will indicate which group or groups and categories of services are covered by the retainer. However, it is requested that the Board's authorization for award hereunder include authorization for the use of any firm for a group or category of tort litigation service not included in the retainer initially awarded to such firm, and the use of any successor firm in the event of a firm merger or acquisition, all subject to the approval of the MTA General Counsel.

A total of 67 attorneys and law firms were selected, including nine M/WBE certified firms.

M/WBE/SDVOB Information

The retainer agreements do not contain any specific numerical goals for the utilization of M/WBEs or SDVOBs. However, the MTA has established an aspirational goal that at least 30 percent of the total amount of fees paid by the MTA for outside counsel legal services will be paid to certified M/WBEs and SDVOB firms.

Impact on Funding

Legal expenses are funded from agency operating budgets.

Alternatives

Do not establish a new panel of firms to perform torts litigation services. This would substantially impair the MTA's ability to effectively litigate new and existing tort cases.

ATTACHMENT A - TORT LITIGATION SERVICES AWARDS

Aaronson Rappaport Feinstein & Deutsch, LLP
Armienti, DeBellis & Rhoden, LLP
Barry McTiernan & Moore LLC
Bass & Abrams, PC
Baxter & Smith, PC
Bee Ready Law Group, LLP
Brand Glick & Brand, PC
Brill & Associates, PC
Brooks & Berne, PLLC
Cascone & Kluepfel, LLP
Chesney, Nicholas & Brower, LLP
Crumbie Law Group, LLC
Cullen & Dykman
David S. Kritzer & Associates, PC d/b/a Kritzer Law Group
Fabiani Cohen Hall, LLP
Fiden & Norris, LLP
Gallo Vitucci Klar LLP
Gerber Ciano Keely Brady LLP
Giordano, Glaws, Fenstermacher & Nash, LLP
Goldberg Segalla LLP
Hagelin Spencer LLC
Hoguet Newman Regal & Kenney, LLP
Hurtwitz Fine PC
Jeffrey Samel & Partners
Kahana & Feld, LLP
Keane & Partners LLC
Kelley Kronenberg, PA
Kenney Shelton Liptak Nowak LLP
Kerley, Walsh, Matera & Cinquemani, PC
Krez & Flores, LLP
Landman Corsi Ballaine and Ford PC
Law Office of Curtis, Vasile, Mehary & Dorry, PC
Law Office of Gonzalo Pinacho, PC
Law Office of Gregory P. Mouton, Jr., LLC
Lewis Brisbois Bisgaard & Smith LLP

Manning & Kass, Ellrod, Ramirez, Trester LLP
Marjorie Jules, Attorney at Law
Marshall, Conway, Bradley & Gollub, PC
Marulli, Mannarino & Ericson, LLP
Mauro Lilling Naparty LLP
Milber Makris Plousadis & Seiden, LLP
Morris Duffy Alonso Faley & Pitcoff
Moses Lachman, Attorney at Law
Mutholland, Minion, Davey, McNiff & Beyrer
Newman Law Associates PLLC
Nicoletti Spinner Ryan Gulino Pinter LLP
O'Brien Law Firm, PLLC
Office of Steven Jay Feinstein, Esq.
Pressley, PLLC
Preston Law Firm, PC
Quintairos, Prieto, Wood & Boyer, PA
Rivkin Radler LLP
Ropers Majeski PC
Rozario Touma, PC
Rupp Pfalzgraf LLC
Ryan Ryan Deluca LLP
Sciretta & Venterina, LLP
Sean Smith
Shafer Partners, LLP
Shapiro & Orbon, PC
Shaub, Ahmuty, Citrin & Spratt, LLP
Shein Johnson PC
Smith Mazure, PC
Umoh Law Firm, PLLC
Wade Clark Mulcahy LLP
Weiner, Millo, Morgan & Bonanno LLC
Wilson & Chan, LLP