

**DATE: 6/7//2021**

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

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

**SSE EVENT#:** 0000354950

**OPENING/DUE DATE:** 7/19/21

**TYPE OF SOLICITATION:** RFP

**DOCUMENT AVAILABILITY DATE:** 6/8/21

**SOLICITATION TITLE:** A-36164: Design Build Services for Accessibility Upgrades at the 68th Street / Hunter College Station.

### DESCRIPTION

MTA seeks to retain the services of a qualified design-build team (the "Design-Builder") to perform the design and construction Work under the terms of Contract A36164, Design-Build Services for Accessibility Upgrades at the 68th St-Hunter College Station. For certainty, MTA C&D intends to award two (2) related contracts at the conclusion of the RFP process: (i) a design-build contract (the "Design-Build Contract") with the Design-Builder; and (ii) an Elevator Maintenance Contract (the "Elevator 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"). The Design-Builder will be required to provide all planning, design, engineering, and construction services to complete the Work on time and within budget.

**FOR ADDITIONAL INFORMATION, PLEASE SEE ATTACHMENTS.**

Funding: 100% Capital      DBE Goals: 22.5%      Est. \$ Range: Over \$10M      Contract Term: N/A

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

**DATE:** 6/21/21

**TIME:** 1:00PM

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

**DATE:** N/A

**TIME:** N/A

**WILL BE HELD DURING STEP 2**

**FOR MORE INFORMATION, PLEASE CONTACT:**

**PROCUREMENT REPRESENTATIVE:** Alexander Wanless

**PHONE:** 332-999-0818

### REQUIREMENTS TO PARTICIPATE

**DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER:** ALL VENDORS MUST HAVE A DUN & BRADSTREET DUNS NUMBER IF THEY WISH TO PARTICIPATE IN THIS PROCUREMENT. VENDORS WHO DO NOT HAVE A DUNS NUMBER CAN REGISTER ONLINE AT [WWW.MYDND.COM](http://WWW.MYDND.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 VENDOR 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\*\*\*\*\*

**Contract No. A36164  
Project Overview**

**1. Introduction to Design-Build Services for Accessibility Upgrades-Package 2**

MTA seeks to retain the services of a qualified design-build team (the “Design-Builder”) to perform the design and construction Work under the terms of Contract A36164, Design-Build Services for Accessibility Upgrades at the 68th St-Hunter College Station. For certainty, MTA C&D intends to award two (2) related contracts at the conclusion of the RFP process: (i) a design-build contract (the “Design-Build Contract”) with the Design-Builder; and (ii) an Elevator Maintenance Contract (the “Elevator 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”). The Design-Builder will be required to provide all planning, design, engineering, and construction services to complete the Work on time and within budget.

**2. Contracting Methodology**

The Design-Build Contract will be awarded as a lump sum price contract with a certain components of the Work to be paid on a unit price basis. This Contract will be awarded 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. This method of procurement is intended to encourage development of innovative designs, planning, and logistics while also optimizing the sharing of risk related to the Work.

MTA C&D will also award the Elevator Maintenance Contract to provide for the long-term maintenance of the newly-installed elevators 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.

**3. Project Scope/Description**

The Work for Contract A36164 is for design-build services to install three new elevators and other ADA improvements, construct new stairwells and reconfigure existing stairwells, and create a new entrance at the 68th Street-Hunter College Station on the Lexington Avenue Line in the Borough of Manhattan. In addition, the Work will include state of good repair improvements at the Station.

**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, their qualifications and preparedness to formally submit proposals for the Contracts.
- B. MTA C&D will evaluate all SOQs received in accordance with evaluation criteria set out in the RFQ. Based on the results of the evaluation, and at its discretion, MTA C&D then expects to select Respondents (the “Shortlisted Respondents”) with the capability, capacity, and experience necessary to undertake and successfully complete the Work as the Design-Builder, to participate in the second step of the process, the Request for Proposals (“RFP”).
- C. After shortlisting, but prior to issuance of a final RFP, MTA C&D may, at its discretion, issue a draft RFP to the Shortlisted Respondents and carry out a series of one-on-one discussions with the Shortlisted Respondents in order to solicit feedback on the draft RFP. This draft RFP would include a draft form of Contract.

**Contract No. A36164  
Project Overview**

- D. With or without issuance of a draft RFP, the second step in the procurement process will involve inviting the Shortlisted Respondents to respond to the RFP. Through the evaluation of the Proposals submitted in response to the RFP, MTA C&D intends to ultimately select the Shortlisted Respondent whose Proposal, in MTA C&D's discretion, represents the best value to MTA C&D based on an evaluation of pricing and qualitative factors. While price will be a factor in the evaluation, design, technical approach, and other qualitative factors will also be considered in determining best value. In particular, schedule will be a major determinative element in awarding the Contracts.
- E. The purpose of the RFP will be to allow MTA C&D to select the Design-Builder(s) and the Elevator Maintainer for award of the Contracts. The RFP will provide specific instructions on required submittals, the evaluation factors, the objectives and requirements for evaluation, and the evaluation criteria for the RFP step of the procurement.
- F. During Step 2, MTA C&D will offer a stipend to Shortlisted Respondents that submit Proposals responsive to the RFP requirements but are not awarded a contract.

## **5. RFQ Availability**

The RFQ documents will be made available to all prospective Respondents on or about **June 7, 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 on a pass/fail basis to establish a shortlist of qualified Respondents. MTA C&D anticipates using a qualitative assessment to evaluate the SOQs. Each Respondent's SOQ will be evaluated for compliance with the SOQ submittal requirements, including:

- A. Completeness and responsiveness of the SOQ;
- B. experience;
- C. past performance with regard to:
  - i. quality of work
  - ii. schedule compliance
  - iii. meeting D/M/WBE goal requirements
- D. Organization, capacity, and proposed key personnel;
- E. project understanding and approach;
- F. responsibility; and
- G. financial strength.

Evaluations will include qualitative assessments where a Respondent may be deemed to fail (and not be shortlisted) even if it was responsive to the terms of the RFQ (e.g. submitted required information or forms, which were then qualitatively assessed by MTA C&D)

## **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;

**Contract No. A36164  
Project Overview**

- 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. experience with utility relocation and coordination and other third-party coordination;
  - v. organizational capacity to perform the Work; and
  - vi. 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. During the RFQ process, MTA C&D will also identify Respondents that include Elevator Manufacturers, Elevator Installers, and affiliated potential Elevator Maintainers 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 heavy-duty transportation system elevators;
  - 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 providing 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.

**8. General Limitations on Respondent Team Membership**

- A. Subject to the Limitations on Exclusivity set forth in Section 9 below as it applies to Designers, Elevator Manufacturers, Elevator Installers, and the Elevator Maintainers, and in addition to any other restriction or qualification on Respondent team membership and on the inclusion of Major Participants and Key Personnel as set forth in the RFQ:
- i. With the exception of the Designer, Elevator Manufacturer, the Elevator Installer, and the Elevator Maintainer:
    - 1. No Major Participant shall participate on more than one (1) Respondent team;
    - 2. No Affiliate of any Major Participant shall participate on another Respondent's team;
    - 3. Affiliated entities shall not participate on separate Respondent teams;
    - 4. 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
    - 5. No individuals serving a Key Personnel role on one (1) Respondent team may serve any role on another Respondent team.
- B. 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 Paragraph 9, 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.

**Contract No. A36164  
Project Overview**

- 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.
- 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 of the RFQ. 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 A36164; 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 of the RFQ, 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 its Proposal.