

**DATE: 08/09/2021**

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

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

**SSE EVENT#:** 0000362605

**OPENING/DUE DATE:** 09/16/2021

**TYPE OF SOLICITATION:** RFP

**DOCUMENT AVAILABILITY DATE:** 08/09/2021

**SOLICITATION TITLE:** C34872 Design-Build Services for the Rockaway Line Long Term Flood Mitigation in the Borough of Queens

**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 to design, furnish and install flood mitigation and prevention elements at critical asset on the Rockaway Line in the Borough of Queens (the "Contract"). The flood mitigation and prevention elements shall be designed to reduce exposure to damage and to minimize delays in return to operation following a shutdown caused by severe meteorological events, such as hurricanes and floods. 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 by the Federal Transportation Authority.

Funding: 100% Federal

Goals: 22.5% DBE

Est \$ Range: Over \$100M

Contract Term: 40 Months

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

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

**DATE:** 8/26/2021

**TIME:** 10:00AM

There will be an informational meeting for this Procurement. Information will be specified in the RFQ documents. See Paragraph 7 on the attached Project Overview for information on how to obtain access to the RFQ documents

**( ) SITE TOUR LOCATION:**

**DATE:**

**TIME:**

**FOR MORE INFORMATION, PLEASE CONTACT:**

**PROCUREMENT REPRESENTATIVE:** Fabrizio Raho

**EMAIL:** [fabrizio.raho@mtacd.org](mailto:fabrizio.raho@mtacd.org)

### **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.MYDUNB.COM](http://WWW.MYDUNB.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](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. C34872  
Project Overview**

**1. Introduction to the Project**

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-Build to design furnish and install flood mitigation and prevention elements at critical assets on the Rockaway Line in the Borough of Queens. The flood mitigation and prevention elements shall be designed to reduce exposure to damage and to minimize delays in return to operation following a shutdown caused by severe meteorological events, such as hurricanes and floods.

**2. Contracting Methodology**

The Design-Build Contract will be awarded as a fixed lump sum price contract to the proposer 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.

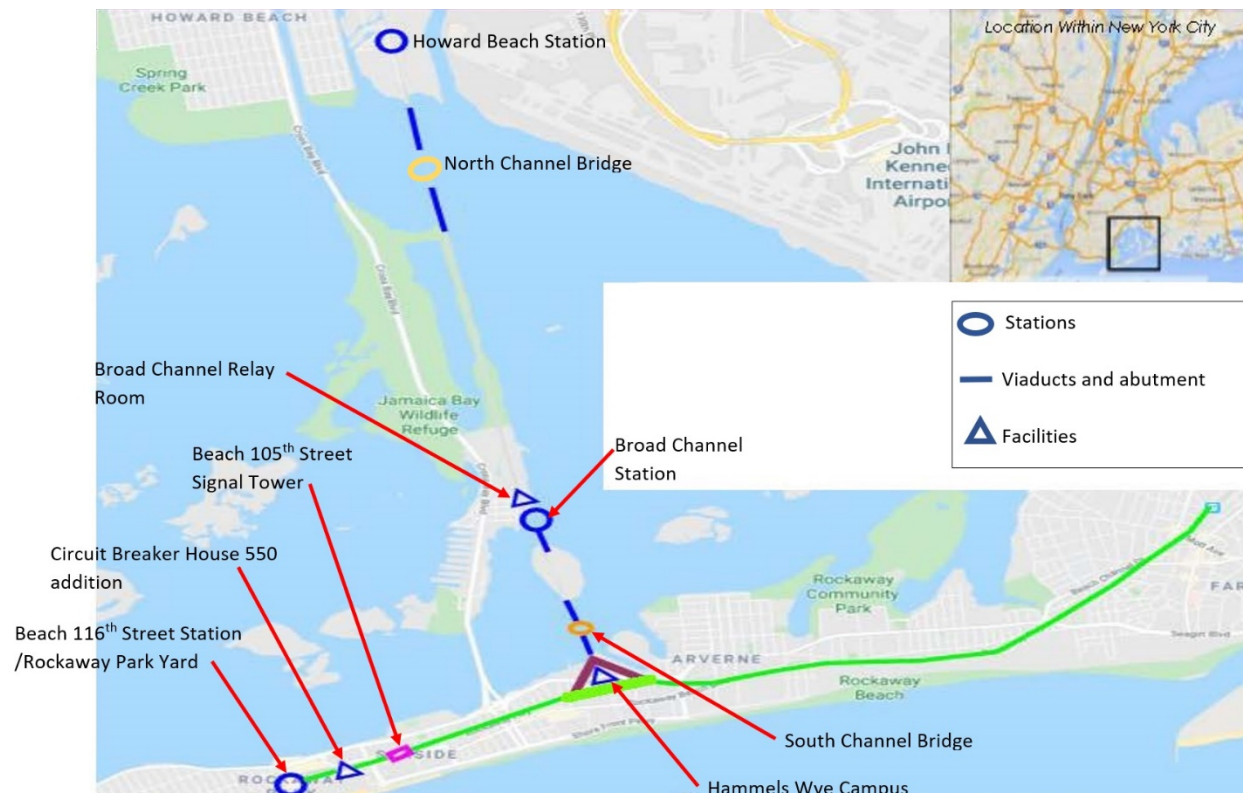
**3. Work Elements**

The Work for Contract C34872 is for design-build services to provide flood mitigation and prevention elements for critical assets on the MTA New York City Transit (“NYCT”) Rockaway Line in the Borough of Queens.

**4. Background Information**

The low-lying sections of the Rockaway Line require flood resiliency protection to reduce exposure to damage caused by severe meteorological events, such as hurricanes and floods. The Work for this Contract will include the design and installation of flood mitigation elements at the locations along the Rockaway Line set forth below. In addition, at the Seaside-Beach 105<sup>th</sup> Street Station, the Work will include the design and installation of a new signal tower, track crossover and related traction-power and signal system work and utility work.

The image below depicts the relevant sections of the Rockaway Line where the Work is to be performed.



**Contract No. C34872  
Project Overview**

**5. Project Scope/Description**

The Work includes design-build services for the following:

**A. Howard Beach, Broad Channel and Rockaway Park-Beach 116<sup>th</sup> Street Stations and Broad Channel Relay Room.**

- Provide comprehensive flood protection measures, including but not limited to (i) reinforcement/replacement of existing walls/floor slabs, and (ii) installation of seepage cutoff walls, watertight barriers or seals, flood doors and deployable flood barriers, for the following assets:
  1. Broad Channel Relay Room (Design Flood Elevation (“DFE”) of 100-Year Flood + 2 feet.)
  2. The police precinct located at Rockaway Park- Beach 116<sup>th</sup> Street Station (DFE of 100-Year Flood + 2 feet.)
  3. Electrical distribution and panel rooms at the Howard Beach Station (DFE of 100-Year Flood + 2 feet.)
  4. Electrical distribution rooms and transformer room at the Broad Channel Station DFE of 500-Year Flood.)

**B. Hammels Wye Campus:**

- Installation of an emergency diesel generator with 48-hr operational capacity fuel tank and maintenance platform for the South Channel Movable Bridge (SCB).
- Installation of automatic transfer switch, power distribution splice blocks and transformer in the metering room, in addition to associated cabling and conduit.
- Installation of a generator fueling port system.

**C. North and South Channel Bridges, Subway Island Viaduct and Abutments:**

- Attachment of debris fences on bridge and viaduct fascia (DFE of SLOSH 2+3 feet.)
- Washout protection for the following five abutments: (i) the south abutment of the North Channel Bridge; (ii) the north and south abutments of the Subway Island Viaduct; and (iii) the north and south abutments of the South Channel Bridge (DFE of SLOSH 2 + 3 feet.)

**D. Seaside-Beach 105<sup>th</sup> Station**

**1. *Signal Tower and Compressor Plant:***

- Construction of an elevated signal tower adjacent to the existing Beach 105<sup>th</sup> Street station (between Beach 104<sup>th</sup> and Beach 105<sup>th</sup> Streets) to allow Beach 105<sup>th</sup> Street Station to function as an interim terminal station as necessary.
- Construction of all new requisite terminal facilities within the new signal tower including, but not limited to a new signal relay room, train control room, relay room, communication room, dispatcher’s office, UPS room, compressor room and mechanical/electrical rooms.
- Decommissioning of the existing compressor room within the Rockaway Park Yard. at the Beach 116<sup>th</sup> Station.
- Construction of a connector catwalk from the new signal tower to the north end of the southbound platform of Seaside-Beach 105<sup>th</sup> Street Station.
- Installation of all requisite support systems including but not limited to signal, electrical, fire alarm/suppression, communications, fiber optic, HVAC and air compressors; connection, integration and programming of same with the existing NYC Transit systems.

**Contract No. C34872**  
**Project Overview**

**2.     *Track Crossover:***

- Perform survey of track, adjacent structures and right-of-way equipment.
- Installation of all track crossover and related traction-power and signal system work, including track, switch and third rail installation, at the Seaside-Beach 105<sup>th</sup> Street Station to allow functionality as a terminal station.

**3.     *Utilities:***

- Realignment of the existing sidewalk and crosswalks in accordance with all NYCDOT requirements.
- Installation of a new 5-foot diameter storm sewer in accordance with NYCDEP requirements;
- All utility relocation and reconstruction work required to complete the project.

**E.     Circuit Breaker House #550**

- New structural enclosure with associated circuit breakers including cabling.

**F.     Summary of Design-BUILDER Responsibilities**

Subject to the requirements of the RFP, the Design-BUILDER will be required to provide all planning, design, engineering, furnishing, and construction services to complete the Work on time and within budget.

**6. 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 Contract.
- 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.
- 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 for award of the Contracts. The RFP will provide specific instructions on required submittals, the evaluation factors,

**Contract No. C34872****Project Overview**

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.

**7. RFQ Availability**

The RFQ documents will be made available to all prospective Respondents on or about August 9, 2021. In order to obtain the RFQ documents, prospective Respondents need to complete and submit the Contract Document Order Form to [SolicitationDocs@mtacd.org](mailto:SolicitationDocs@mtacd.org). After the order form is processed, prospective Respondents will be notified and instructed to log in the MTA Vendor Portal, [www.mymta.info](http://www.mymta.info), and follow the steps outlined in the attached Vendor Guide to Downloading Event Attachment.

**IMPORTANT:**

- 1) **Vendors' contact information must be updated in the Supplier Portal in order to receive notifications regarding this solicitation.**
- 2) **New Vendors must register first in order to log in the MTA Vendor Portal (in the steps below, after selecting Vendor Sign-in & Registration, select New Bidder Registration and follow the on-screen instructions).**

**8. Evaluation of SOQs**

As described in more detail in the RFQ, SOQs will be evaluated to establish a shortlist of qualified Respondents. MTA C&D anticipates using a pass/fail process that incorporates qualitative assessments to evaluate the SOQs. Each Respondent's SOQ will be evaluated utilizing the following Threshold Evaluation criteria (pass/fail criteria) and Substantive Evaluation criteria for compliance with the SOQ submittal requirements:

**i. Threshold Evaluation 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 Contract 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. **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 RFQ.

**ii. Substantive Evaluation Criteria**

- a. **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



**Contract No. C34872****Project Overview**

perform the design and construction work; successful working relationships of 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, specific risks, and any challenges associated with the Project.
- c. **Prior Experience**: The extent and depth of each Major Participant's experience with comparable design-build projects.
- d. **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.
- e. **Financial Strength**: Demonstrated financial strength and robustness of Respondent, Major Participants, and any proposed guarantors.
- 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.

**9. 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 size, type and complexity as 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; and
  - iv. qualified key personnel with experience managing and performing work in active rail and transit stations environment, including without limitation, to project managers, construction managers, designers, safety managers, quality managers and schedulers.
- B. The background and experience for the Lead Contractors and Designers are expected to be as follows:
  - i. relevant experience of successfully performing as a prime or general contractor or Designer on multiple construction projects of size, type and complexity similar to the Project, which will be in excess of \$100 million;
  - ii. relevant experience of performing work as the prime or general contractor or as a Designer on urban transit construction projects for the design, construction, and repair of transit facilities; and
  - iii. sufficient organizational structure, management resources, equipment and labor, including an appropriate construction/design management team to be assigned to the Contract, to assure MTA C&D that the Project will be properly coordinated and managed and will be completed on schedule.

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

- A. Subject to the Limitations on Exclusivity set forth in Section 12 below 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. no Major Participant may participate on more than one (1) Respondent team;

**Contract No. C34872****Project Overview**

- ii. no Affiliate of any Major Participant may participate on another Respondent's team;
  - iii. non-Major Participant Subcontractors and their Affiliates may participate on more than one (1) respondent team, subject to compliance with Section 5.3, Section 6.2, and Section 6.4 of the RFQ;
  - iv. no individuals serving a Key Personnel role on one Respondent team may serve any role on another Respondent team; and
  - v. 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.
- 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.

**11. Proposed Engagements with Duplicate Major Participants**

- 1. Each Respondent may only identify and propose a single entity for each category of Major Participant in its SOQ, for which purposes a Joint Venture will be considered to be a single entity.
- 2. Notwithstanding the foregoing restriction, a Respondent may include in its SOQ two (2) proposed Designers as alternatives, subject to the restrictions set forth in Section 12.B below.

**12. Limitations on Exclusivity**

- A. Non-Major Participants, Subcontractors, and other Persons that are not prohibited from participating on more than one (1) respondent team under Section 10A above, 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:
- I. Respondents may not team with or engage an entity if such teaming is conditioned on that entity or its Affiliates being on a Respondent's team on an exclusive basis.
  - II. Any otherwise permitted engagement of a Person 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, and the Design-Build Contract between or among Respondent teams
- B. 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. 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 C34872; 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 entitled, on 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.