

DATE: 03/02/2022

CONTRACT SOLICITATION NOTICE/PROJECT OVERVIEW

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

SSE EVENT#: 0000387176

OPENING/DUE DATE: 04/07/2022

TYPE OF SOLICITATION: RFP

DOCUMENT AVAILABILITY DATE: 03/02/2022

SOLICITATION TITLE: 6382 Design-Build Services for Hall Interlocking Expansion

DESCRIPTION: The Metropolitan Transportation Authority ("MTA"), by and through the MTA Construction & Development Company ("MTA C&D"), will be issuing a two-step Request for Proposals ("RFP") seeking entities interested in providing design-build services for the LIRR Hall Interlocking Expansion. In this 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 to the Respondents determined by MTA C&D to be qualified in this 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 this solicitation. The contract will be Federally Funded.

Funding: 100% FTA Goals: 20% DBE Est \$ Range: \$50M - \$100M

Contract Term: 1026 Calendar Days

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

(X) PRE-BID CONFERENCE LOCATION:

DATE: 03/14/2022

TIME: 10:00AM

Virtual via Microsoft Teams. Please email the contract administrator Amobi Armstrong at Amobi.Armstrong@mtacd.org to register for the informational meeting

() SITE TOUR LOCATION:

DATE:

TIME:

FOR MORE INFORMATION, PLEASE CONTACT:

PROCUREMENT REPRESENTATIVE: Amobi Armstrong

EMAIL: amobi.Armstrong@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.MYDNC.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 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. 6382**Project Overview****1. Introduction to Hall Interlocking Expansion Project**

The Work includes, among other things, new track, new turnouts and crossovers, modifications to and/or reconstruction of existing Atlantic Branch retaining walls flanking E-Yard, various utility infrastructure improvements, and state-of-good-repair work on the existing Atlantic Portal tunnel structure east of 150th Street, the 150th Street Bridges, and the Guy R. Brewer Boulevard Bridge as well as bridge infills at the Guy R. Brewer Boulevard Bridge to support future track reconfigurations.

2. Contracting Methodology

The Design-Build Contract will be awarded as a fixed lump sum price contract to the 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, 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. Project Scope/Description

MTA C&D seeks to identify and engage a qualified design-builder to perform the design and construction Work under the terms of Contract 6382. The design-builder shall be responsible for all aspects of design, engineering, scheduling, coordination, construction and timely completion of the Project. The Work includes, among other things, new track, new turnouts and crossovers, modifications to and/or reconstruction of existing Atlantic Branch retaining walls flanking E-Yard, various utility infrastructure improvements, and state-of-good-repair work on the existing Atlantic Portal tunnel structure east of 150th Street, the 150th Street Bridges, and the Guy R. Brewer Boulevard Bridge as well as bridge infills at the Guy R. Brewer Boulevard Bridge to support future track reconfigurations. Connection and cutover of new track will be performed by LIRR Force Account.

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.
- 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

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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) to award of the Contract. 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 may 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 **March 2, 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.

6. 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 on a pass/fail basis for compliance with the SOQ submittal requirements, including:

- A. completeness of the SOQ and responsiveness to the requirements set forth in the RFQ;
- B. experience;
- C. past performance with regard to:
 - i. quality of work
 - ii. schedule compliance
 - iii. meeting D/M/WBE goal requirements
- D. organization and 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 the Respondent was responsive to the terms of the RFQ.

7. Experience and Performance of Respondent Teams

- A. During the RFQ process, MTA C&D will identify Respondents that include Lead Contractors and Lead Designers with:
 - i. experience in successfully managing, designing and constructing projects of similar size, type and complexity;
 - 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 stations, including without limitation, to project managers, construction managers, designers, safety managers and schedulers.
- B. The background and experience for the Lead Contractors and Lead Designers are expected to be as follows:

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- i. the qualifications, accreditations, and experience of the Proposer and its team members including specific experience relevant to the nature, size, complexity, and composition of the Project. Provide a separate summary of the background and experience for each Major Participant.
- ii. past project descriptions from the Proposer, the Lead Designer and key Subcontractors, including Designer on at least two (2) but no more than four (4) Reference Projects of similar size, type, and complexity in excess of \$40 million demonstrating:
 - A. project delivery using design-build contracting; or
 - B. experience in railroad and transit infrastructure construction; or
 - C. project delivery in a major metropolitan area within North America.

8. General Limitations on Respondent Team Membership

- a. Subject to Section 10, and in addition to any other restriction or qualification on Respondent team membership and on the inclusion of Major Participants and Key Personnel:
 - i. with the exception of 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 9 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.

9. Limitations on Exclusivity

Designers or their Affiliates, which are not prohibited from participating on more than one (1) Respondent team under Section 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. The engagement of a 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 or the Design-Build Contract.
- 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 in accordance with Paragraph 11. 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 6401; 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

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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.

10. Joint Ventures

- a. If any Major Participant is or expects to be a Joint Venture, or a newly formed or special-purpose entity, then all members or partners of that Joint Venture or other entity will collectively be considered to be a Major Participant, and shall be liable on a joint and several basis such that each and every obligation or undertaking stated to be fulfilled or performed by the Joint Venture will be the joint and several obligation or undertaking of each member and partner of such Joint Venture.
- b. Any information that must be submitted with its SOQ must also be submitted with respect to the Joint Venture itself and by each member or partner of the Joint Venture or other entity unless otherwise expressly provided herein. These requirements apply regardless of whether the relevant Joint Venture or other entity considers itself a partnership. This requirement applies to each member or partner of the Joint Venture submitting as the Respondent, as well to each Major Participant, such as the Designer.