

DATE: 05/31/2022

CONTRACT SOLICITATION NOTICE/PROJECT OVERVIEW

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

SSE EVENT#: 0000396712

OPENING/DUE DATE: 07/26/2022

TYPE OF SOLICITATION: RFP

DOCUMENT AVAILABILITY DATE: 05/31/2022

SOLICITATION TITLE: E34052 Design-Build Services for Elevator Replacements at Various Stations

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 E34052, Design-Build Services for Elevator Replacements at Various Stations. The Work for Contract E34052 is for design-build services to replace nineteen elevators at various New York City Transit (NYCT) subway stations. In addition, the Project requires a separate long-term elevator maintenance contract to provide for long-term reliable maintenance of the new elevators. The scope of Work at all Stations includes the following:

- Remove all existing equipment within each elevator machine room (EMR) (one EMR per elevator) and replace with new equipment;
- Perform modifications to the elevator hoistways, level any uneven floor surfaces, and perform other work as necessary to ensure the new elevators meet current ADA requirements and there is an ADA-compliant path of travel to each elevator;
- Perform state of good repair Work near the new elevators, within the elevators hoistways, and within the EMRs, including removal of graffiti, repairs to structural elements, repairs to finishes, and remediation of water damage; and
- Upgrade the existing communication systems, such as CCTV cameras, fire alarm system, and intercoms, and provide new communications screens within the elevator cabs for customer assistance.

Funding: 100% FTA

Goals: 22.5% DBE

Est \$ Range: Over \$100M

Contract Term: 48 Months

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

(X) PRE-BID CONFERENCE LOCATION:

DATE: 06/14/2022

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. E34052
Project Overview**

1. Introduction to Design-Build Services for Elevator Replacements at Various Stations

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 E34052, Design-Build Services for Elevator Replacements at Various Stations. Shortlisted Respondents that are selected by MTA C&D in the RFQ process will be eligible to participate in the upcoming Request for Proposals for Contract E34052. MTA C&D intends to award two related contracts at the conclusion of the RFP process, (i) the design-build contract (the “Design-Build Contract”) with the Design-Builder and (ii) an elevator maintenance contract (the “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”).

2. Contracting Methodology

- A. As indicated above, the Design-Build Contract will be awarded as a lump sum price design-build contract with certain components of the Work to be paid on a fixed unit price 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 solicitation process described in the RFQ. 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.
- B. Furthermore, and without limiting the Design-Builder’s obligation to provide certain original equipment manufacturer (“OEM”) warranties with respect to elevator installation and manufacture, MTA C&D will award the Elevator Maintenance Contract to provide for the long-term maintenance of the newly installed elevators, including rectification of certain issues resulting from installation and manufacture. The Maintenance Contract will be awarded 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. This approach is also intended to optimize pricing and the sharing of risks, including with respect to elevator installation or manufacturer deficiencies.

3. Project Scope/Description

The Work for Contract E34052 is for design-build services to replace nineteen elevators at various New York City Transit (NYCT) subway stations. In addition, the Project requires a separate long-term elevator maintenance contract to provide for long-term reliable maintenance of the new elevators.

The existing elevators at the stations are at the end of their useful lives. Some of these elevators are not compliant with current Americans with Disabilities Act (ADA) requirements due to the size of the existing elevator cabs. The Project will replace the elevators with new ADA-compliant elevators.

The scope of Work at all Stations includes the following:

- Remove all existing equipment within each elevator machine room (EMR) (one EMR per elevator) and replace with new equipment;
- Perform modifications to the elevator hoistways, level any uneven floor surfaces, and perform other work as necessary to ensure the new elevators meet current ADA requirements and there is an ADA-compliant path of travel to each elevator;
- Perform state of good repair Work near the new elevators, within the elevators hoistways, and within the EMRs, including removal of graffiti, repairs to structural elements, repairs to finishes, and remediation of water damage; and

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- Upgrade the existing communication systems, such as CCTV cameras, fire alarm system, and intercoms, and provide new communications screens within the elevator cabs for customer assistance.

The elevators to be replaced at each station, and station-specific scope items, are briefly described below:

175TH STREET STATION

The 175th Street Station is located at the intersection of 175th Street and Fort Washington Avenue in Manhattan and serves the A train line at all times. There are two elevators to be replaced at this Station: EL123, which connects the street-to-mezzanine levels, and EL124, which connects the mezzanine-to-platform levels. In addition to replacement of both elevators, the Design-Builder will remove and replace the existing elevator headhouse and provide a new canopy at the street level for EL123.

14TH STREET – UNION SQUARE COMPLEX

The 14th Street-Union Square complex is composed of three subway stations. Each station is connected via an unpaid transfer to allow passengers to transfer between the lines. The Work will be performed at the two stations below:

The 14th Street – Union Square Station is located at the intersection of East 14th Street and Broadway in Manhattan and serves the 4, 5, 6, L, Q, R, and W trains. There are two elevators to be replaced at this Station: EL219 and EL220, which connect the mezzanine-to-platform levels.

The second station, the 14th Street – Union Square Station, is also located at the intersection of East 14th Street and Broadway in Manhattan, underneath Union Square Park. This Station serves the L trains at all times. There are two elevators to be replaced at this Station: EL217, which connects the street-to-mezzanine levels, and EL218, which connect the mezzanine-to-platform levels.

14TH STREET – 8TH AVENUE STATION

The 14th Street-8th Avenue Station is located at the intersection of 14th Street and 8th Avenue in Manhattan and serves the A, C, E, and L trains at all times. There are two elevators to be replaced at this Station: EL221, which connects the street-to-upper-mezzanine levels, and EL224, a 3-stop elevator which connects the upper mezzanine, lower mezzanine, and the platform levels.

42ND STREET- TIMES SQUARE STATION

The Times Square – 42nd Street Station is located at the intersection of 42nd Street and Broadway in Manhattan and serves the N, Q, R and W trains at all times. There are two elevators to be replaced at this Station: EL229 and EL230, which connect the mezzanine-to-platform elevators.

125TH STREET STATION

The 125th Street Station is located at the intersection of 125th Street and Saint Nicholas Avenue in Manhattan. The Station serves the A and C trains on the 8th Avenue line and the B and D trains on the Concourse Line at all times. There are three elevators to be replaced at this Station: EL142, which connects the street-to-mezzanine levels, and EL143 and EL144, which connect the mezzanine-to-platform levels.

WEST 4TH – WASHINGTON SQUARE STATION

The West 4th Street-Washington Square Station is located at the intersection of West 4th Street and Cornelia Street in Manhattan. The Station serves the A, B, C, D, E, F, and M trains at all times. There are three elevators to be replaced at this Station: EL333, which connects the street-to-mezzanine levels, and two (2) 3-stop elevators, EL334 and EL335, which connect the mezzanine, the upper platform, and the lower platform levels. In addition, the Design-Builder will remove and replace the existing elevator headhouse and provide a new canopy at the street level for EL333.

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JACKSON HEIGHTS- ROOSEVELT AVENUE STATION

The Jackson Heights-Roosevelt Avenue Station is located at the intersection of Roosevelt Avenue and 74th Street in Queens. The Station serves the F train at all times. There is one elevator to be replaced at this Station: EL420, a 4-stop elevator which connects the upper platform, upper mezzanine, street level, and lower mezzanine levels.

74TH STREET – BROADWAY

The 74th Street – Broadway Station is located at the intersection of 74th Street and Broadway in Queens. The Station serves the 7 train at all times and the R train at all times except nights. There is one elevator to be replaced at this Station: EL423, which connects the mezzanine-to-platform levels.

LEXINGTON AVENUE - 53RD STREET STATION

The Lexington Avenue/53rd Street Station is located at the intersection of Lexington Avenue and 53rd Street in Manhattan. The Station serves the E and M trains at all times. The Station is served by one elevator at the 51st Street Station that provides access from the street level to the mezzanine level within the 53rd Street Station via a paid and unpaid transfer. The Design-Builder will replace EL245 at the 53rd Street Station, which connects the mezzanine-to-platform levels.

4. Procurement Process

The procurement process for Contract E34052 consists of two steps: (i) the Request for Qualifications and (ii) the Request for Proposals, as described in further detail below:

- a. 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.
- f. During Step 2, MTA C&D will offer a stipend to Shortlisted Respondents that submit Proposals that are responsive to the RFP requirements but are not awarded the Contract.

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 31, 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.

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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").

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

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.

- 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, Elevator Manufacturer, Elevator Installer, Elevator Maintainer, and any Named Subcontractors. Each Major Participant's prior experience with projects of a similar size, type and complexity will be evaluated. Additionally, the Respondent will be evaluated on the strength of any Named Subcontractors and their benefit to the Project.
- 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 Participants; and organizational capacity to ensure sufficient staffing to perform the design and construction work. Additionally, the Respondent will be evaluated on the benefits of any value-added positions and the strength of the individuals proposed for those positions.
- 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,

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specific risks, and any challenges associated with the Project, and maintenance of the new elevators.

- D. **Prior Experience**: The extent and depth of each Major Participant's experience with comparable 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. To identify the best responsible Respondent team, comprised of design and construction firms, elevator manufacturers, elevator installers, and elevator maintainers, available with demonstrated experience, expertise, capacity, and record of producing quality work on projects similar nature to the Project.
- b. To identify Respondents that include a Lead Contractor and Designer with:

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- 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. 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;
 - iv. 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.
- c. To identify Respondents that include an Elevator Manufacturer, Elevator Installer, affiliated Elevator Maintainer, and Escalator Manufacturer 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, airport or equivalent elevators;
 - ii. experience in achieving expected levels of maintainability and life cycle performance and satisfaction of handback requirements in similar projects;
 - iii. a record of completing contracts (including, as applicable, as prime or subcontractors) on time and within budget;
 - iv. experience in and a record of providing long term original equipment manufacturer ("OEM") and installation warranties, maintenance, and support to project owners;
 - v. 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
 - vi. qualified key personnel with experience managing and performing work in the environments similar to those reflected in the scope of Work, including active rail and transit station environments.
- d. Requirements and information to be submitted in Section 3 of the SOQ:
- i. Provide a brief narrative of the relevant background and experience for the Lead Contractor, the Designer, the Elevator Manufacturer(s), the Elevator Installer(s) and Elevator Maintainer(s) (limit two pages per entity (with Joint Ventures treated as a single entity in this instance)). If the Respondent elects to engage more than one (1) Designer, Elevator Manufacturer, Elevator Installer or Elevator Maintainer, such Respondent shall submit one (1) page per entity (with Joint Ventures treated as a single entity in this instance). Highlight the following in each narrative (as applicable):
 - ii. relevant experience of successfully performing as a prime or key subcontractor on multiple elevator manufacturing, installation and maintenance projects or engagements of the size, type and complexity as reflected in the scope of Work and anticipated for the Project (which may include current as well as recently completed projects or engagements);
 - iii. relevant resources and experience to provide long term OEM and installation warranties, maintenance, and support to project owners; and
 - iv. sufficient organizational structure, management resources, equipment and labor.
- e. Attach completed Form 2 and other relevant documentation for:

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- i. the Lead Contractor and the Designer (if a joint venture, for both of the entities separately and together, if the joint venture has worked together previously), demonstrating each entity's experience on at least one (1) vertical transportation 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; and
 4. experience in ADA compliance, vertical transportation, or elevator design or experience in railroad and transit infrastructure construction.
 5. Experience with design-build contracting and with ADA, vertical transportation, or elevator projects is preferred
- f. Attach completed Form 2 and other relevant documentation (additional pages may be added if necessary) for each Elevator Manufacturer and Elevator Installer demonstrating experience on at least two (2) (but no more than four (4) Reference Projects) demonstrating experience in manufacturing heavy-duty transportation system, airport, or equivalent elevators.
- g. Attach completed Form 2 and other relevant documentation (additional pages may be added if necessary) for each Elevator Maintainer, experience on at least two (2) (and, with respect to KPI or other performance-based contracts with respect to the level of service at such Reference Projects, at least one (1)) but no more than four (4) Reference Projects, involving each of the following
 - i. experience installing and maintaining heavy-duty transportation-system, airport or equivalent elevators (as applicable);
 - ii. experience providing long term OEM and installation warranties and support to project owners; and
 - iii. experience providing maintenance services that include services equivalent to OEM and installation warranties and ongoing installer and/or manufacturer support to project owners
- h. Attach completed Form 3, Safety Questionnaire, for the Lead Contractor and each Elevator Installer and for the Project Manager, the Construction Manager, and the Safety Manager, whose positions are set forth in the RFQ.
- i. If applicable, identification of any Named Subcontractors, and their relevant experience on similar projects or expertise in certain disciplines of work, qualifications, and how they will benefit the Project (limit one page per entity). One (1) Reference Project may be submitted on behalf of each entity but is not required.

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 Elevator Manufacturer, the Elevator Installer, the Elevator Maintainer, and the Designer:

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- 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 in the 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. Elevator Installers, Elevator Manufacturers, Elevator Maintainers, Escalator Manufacturers, Designers, or their Affiliates, which are not prohibited from participating on more than one (1) Respondent team in 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 an Elevator Installer, Elevator Manufacturer, Elevator Maintainer, Escalator Manufacturer, 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.
- C. The engagement of an Elevator Installer, Elevator Manufacturer, Elevator Maintainer, Escalator Manufacturer, 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.
- D. If a Respondent elects to non-exclusively engage multiple Elevator Manufacturers, Elevator Installers, Elevator Maintainers, or Escalator Manufacturers, such Shortlisted Respondent or Proposer must finalize the engagement of one (1), but not more than one (1), of each entity and identify the selected entity in its Proposal.