

DATE: 05/18/2023

CONTRACT SOLICITATION NOTICE/PROJECT OVERVIEW

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

SSE EVENT#: 0000436408

OPENING/DUE DATE: 06/15/2023

TYPE OF SOLICITATION: RFP

DOCUMENT AVAILABILITY DATE: 05/18/2023

SOLICITATION TITLE: A37758 Design-Build Services for ADA Upgrades Package 5: Accessibility Upgrades at 13 Stations in the City of New York

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 provide design-build services for ADA Accessibility Upgrades at 13 Stations in the City of New York (the “Contract”). 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. MTA C&D seeks to retain the services of a design-build team for the design and construction of Americans with Disabilities Act (“ADA”) improvements at thirteen (13) elevated and below ground stations in the City of New York, including twelve (12) New York City Transit Authority (“NYCT”) stations and 1 Staten Island Railway station. These improvements will achieve full vertical accessibility at the stations by installing elevators and making other ADA compliant improvements. It is anticipated that the Contract will be in whole or in part Federally funded.

Funding: 100% FTA
Months

Goals: 22.5% DBE

Est \$ Range: Over \$100M

Contract Term: 36

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

(X) PRE-BID CONFERENCE LOCATION:

DATE: 05/31/2023

TIME: 10:00AM

Virtual via Microsoft Teams- Please contact the assigned procurement representative at lisa.rigatti@mtacd.org to register

() SITE TOUR LOCATION:

DATE:

TIME:

FOR MORE INFORMATION, PLEASE CONTACT:

PROCUREMENT REPRESENTATIVE: Lisa Rigatti

EMAIL: lisa.rigatti@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. A37758
Project Overview**

1. Introduction to the Project

MTA C&D seeks to retain the services of a design-build team for the design and construction of Americans with Disabilities Act (“ADA”) improvements at thirteen (13) elevated and below ground stations in the City of New York, including twelve (12) New York City Transit Authority (“NYCT”) stations and 1 Staten Island Railway station. These improvements will achieve full vertical accessibility at the stations by installing elevators and making other ADA compliant improvements.

2. Contracting Methodology

The Design-Build contract will be awarded as a fixed lump sum 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 a 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. A separate maintenance contract will be also awarded to the Elevator Maintainer on the basis of its affiliation with the Design-Builder’s subcontracted Elevator Installer and/or Elevator Manufacturer.

3. Project Scope/Description

I. BACKGROUND INFORMATION

The Metropolitan Transportation Authority’s (“MTA”) New York City Transit (“NYCT”) subway system serves millions of customers daily and operates across 24 lines, 665 miles of track, and includes 493 subway stations, more stations than any other system in the world. Many of these NYCT subway stations were built nearly a century ago—before the Americans with Disabilities Act (ADA) was passed into law—in areas that have continued to become more populated over time. MTA is making historic investments to bring NYCT’s century-old system up to a state of full accessibility.

II. WORK ELEMENTS

The Work includes design-build services for the following:

1. INTRODUCTION

The Work of Contract A37758 will provide NYCT passengers reliable ADA access to platform level at twelve (12) NYCT subway stations and one (1) Staten Island Railway Station. In addition, the Project requires a separate long-term elevator maintenance contract to provide for long-term reliable maintenance of the new elevators.

2. PROJECT SCOPE/DESCRIPTION:

The thirteen (13) stations, and the general Work to be performed at each station, are briefly described below:

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No.	Station	Station Type	MR# (Station No.)	Borough	Line	Train	No. of Prop. Elevator(s)	Ramp
1	Van Cortland Park - 242 St.	Elevated	293	BX	IRT-Broadway	1	1	0
2	Harlem 148 St.	Underground	436	M	IRT Lexington	3	0	1
3	96 th St.	Underground	157	M	IND 8 th Ave	B,C	1	0
4	81 St. – Museum of Natural History	Underground	159	M	IND 8 th Ave	B,C	1	0
5	86 St.	Underground	397	M	IND Lexington	4,5,6	3	0
6	Broadway	Elevated	4	QS	BMT Astoria	N,W	2	0
7	Court Sq - 23 St.	Underground	274	QS	IND Queens	E,M	0	1
8	33 St. - Rawson St.	Elevated	460	QS	IRT-Flushing	7	2	0
9	46 St. - Bliss St.	Elevated	458	QS	IRT-Flushing	7	2	0
10	Classon Ave	Underground	290	BK	IND- Crosstown	G	3	0
11	New Lots Ave	Elevated	352	BK	IND-New Lots	3	1	0
12	36 St.	Underground	32	BK	BMT - 4 th Ave	D,N, R	2	0
13	Huguenot	Embankment	516	SI	SIR	SIR	0	2

Contract No. A37758**Project Overview****VAN CORTLANDT PARK – 242 STREET STATION**

The Van Cortlandt Park - 242nd Street Station is located in Bronx, NY at the intersection of Broadway and 242nd Street. This station serves the 1 train line.

The Work at this station includes:

- Installation of one (1) two-stop elevator from street to mezzanine;
- Demolition of existing stairs S3, P5, P7 including canopy;
- Replacement of existing stair from street to mezzanine including canopy;
- Construction of EMR or control room closets as needed, including electrical, communications, fire alarm and HVAC;
- Electrical upgrades for new elevator and associated components;
- Relocation of street side utilities;
- Reconfiguration of sidewalk, including signage procurement and installation; and
- Renewal Work within the station addressing State of Good Repair (SOGR) within the station.

HARLEM 148 STREET STATION

The Harlem 148th Street Station is located in Manhattan, NY at the intersection of West 148th Street and 7th Avenue. It is the northern terminal of the IRT Lenox Avenue line serving the 3 train line.

The Work at this station includes:

- Installation of temporary stairs from street level control area to platform level;
- Installation of temporary bumper block on Track 1;
- Temporary relocation of fire alarm and janitor facilities underneath existing stairs, and subsequent restoration;
- Demolition of existing street level control area to platform level stairs;
- Installation of one (1) ramp from street level control area to platform level;
- Relocation of one (1) existing street level control area stairs;
- Replace access doors between street level control area and shared landing;
- Relocation of utility conduits suspended from structure above the platform;
- Provision of new ADA raised boarding areas at the platform level; and
- Relocation of station signage.
- On F-1 and F-4 track remove portion of Type I Track, replace with new ballast, ties, and Pandrol Plates. Reuse existing running rails.

96 STREET STATION

The 96th Street Station is located in Manhattan, NY at the intersection of West 96th Street and Central Park West. This station serves the B and C train lines.

The Work at this station includes:

- Installation of one (1) new three-stop elevator from street to upper platform level and to lower platform level;
- Construction of EMR or control room closets as needed, including electrical, communications, fire alarm and HVAC;
- Removal of existing station wall on lower platform level;
- Structural modifications to station roof and in between lower level and upper level;
- Provision of new ADA raised boarding areas at platform level;
- Electrical upgrades for new elevator and associated components;
- Relocation of street side utilities; and
- Reconfiguration of sidewalk, including curb bump-out, signage procurement and installation.

Contract No. A37758**Project Overview****81 STREET - MUSEUM OF NATURAL HISTORY STATION**

The 81st Street – Museum of Natural History Station is located in Manhattan, NY at the intersection of West 81st Street and Central Park West. This station serves the B and C train lines.

The Work at this station includes:

- Installation of one (1) new 3-stop elevator from street to upper platform level and to lower platform level;
- Construction of EMR or control room closets as needed, including electrical, communications, fire alarm and HVAC;
- Realignment of fare control area at upper platform level;
- Installation of new fare control at lower-level platform;
- Provision of new ADA raised boarding areas at platform levels;
- Demolition of existing station wall and excavation to place elevator and EMR or control room closets as needed beyond existing station walls;
- Electrical upgrades for new elevator and associated components;
- Relocation of street side utilities;
- Reconfiguration of sidewalk, including curb bump-out, signage procurement and installation; and
- Arts and design protection, relocation and restoration.
- On Track A-1 remove and install tie blocks and resilient tie plates along west side of track. Reuse existing running rails.

86 STREET STATION

The 86th Street Station is located in Manhattan, NY at the intersection of 86th Street and Lexington Avenue. This station serves the 4, 5, and 6 train lines.

The Work at this station includes:

- Installation of one (1) new two-stop elevator from street to mezzanine, and installation of two (2) new two-stop elevators from upper-level platform to lower-level platform;
- Reconstruction of staircase at mezzanine and from lower-level platform to mezzanine.
- Construction of EMRs or control room closets as needed, including electrical, communications, fire alarm and HVAC;
- Reconstruction of fare control at upper and lower-level platform;
- Structural modifications to station roof and in between lower level and upper level;
- Demolition of existing wall and excavation at lower-level platform for elevator and EMR or control room closets as needed;
- Provision of new ADA raised boarding areas at platform level;
- Electrical upgrades for new elevator and associated components;
- Relocation of street side utilities;
- Reconfiguration of sidewalk, signage procurement and installation; and
- Arts and design protection and restoration.
- On track L-1 and Track L-3 replace portion of Type II Track, along the platform side. Replace tie blocks and resilient tie plates. Plus replace an additional tie blocks and resilient tie plates along the west side of track. Reuse existing running rails

BROADWAY STATION

The Broadway Station is located in Queens, NY at the intersection of Broadway and 31st Street and serves the N and W train lines.

The Work at this station includes:

- Installation of two (2) street to platform elevators;

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- Construction of EMR or control room closets as needed, including electrical, communications, fire alarm and HVAC;
- Construction of one (1) new street-to-platform stair;
- Installation of two (2) new fare control areas;
- Electrical upgrades for new elevator and associated components;
- Provision of new ADA raised boarding areas at the platform level;
- Modifications to existing streetside utilities; and
- Reconfiguration of sidewalk, signage procurement and installation.

COURT SQUARE – 23 STREET STATION

The Court Square – 23rd Street Station is located in Queens, NY at the intersection of 23rd Street and 44th Drive. This station serves the E and M train lines.

The Work at this station includes:

- Installation of ramp internal to station from mezzanine to platform;
- Removal and relocation of scrubber room and refuse room;
- Demolition of segment of wall on mezzanine and platform level for proposed ramp;
- Relocation of existing utilities for roof reconstruction over platform and new ramp, including relocation of an existing 8" DEP water line and relocation of existing sanitary sewer between station and property line;
- Provision of new ADA raised boarding areas at platform level;
- Underpinning of adjacent building basement walls, Building instrumentation; and Reconfiguration of sidewalk, signage procurement and installation.

33 STREET – RAWSON STREET STATION

The 33rd Street – Rawson Street Station is located in Queens, NY at the intersection of 33rd Street and Queens Boulevard. This station serves the 7 train line.

The Work at this station includes:

- Installation of two (2) new two-stop elevators from street to platform level;
- Construction of EMR or control room closets as needed, including electrical, communications, fire alarm and HVAC;
- Installation of one (1) new headhouse and new fare control area;
- Removal of mezzanine to platform stairs P9, P10, P11, P12, P13, P14, P15, and P16;
- Installation of new reconfigured mezzanine to platform stairs P10, P11, P12, P13, P14, P15, and P16;
- Installation of two (2) new metal stairs with canopies from street to platform level including lighting and snow melt system;
- Relocation of existing arts and design glass panels;
- Selective demolition of concrete guard barrier walls on platforms;
- Modification of the existing DOT street parking at new headhouse and control area;
- Provision of new ADA raised boarding areas at platform level;
- Electrical upgrades for new elevator and associated components;
- Relocation of street side utilities; and
- Reconfiguration of street level area including signage procurement and installation.

46 STREET – BLISS STREET STATION

The 46th Street – Bliss Street Station is located in Queens, NY, spanning 45th Street to 48th Street along Queens Boulevard. This station serves the 7 train line.

The Work at this station includes:

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- Installation of two (2) new two-stop elevators from street to platform level;
- Construction of EMRs or control room closets as needed, including electrical, communications, fire alarm and HVAC;
- Installation of new headhouses and new fare control areas;
- Removal of mezzanine to platform stairs P9, P10, P11, P12, P13, P14, P15, and P16;
- Installation of new reconfigured mezzanine to platform stairs P9, P10, P11, P12, P13, P14, P15, and P16;
- Installation of two (2) new metal stairs with canopies from street to platform level including lighting and snow melt system;
- Relocation of existing arts and design glass panels;
- Selective demolition of concrete guard barrier walls on platforms;
- Modification of the existing DOT street parking at new headhouse and control area;
- Provision of new ADA raised boarding areas at platform level;
- Electrical upgrades for new elevator and associated components;
- Relocation of street side utilities;
- Reconfiguration of street level area including signage procurement and installation; and
- Component repair work

CLASSON AVENUE STATION

The Classon Avenue Station is located in Brooklyn, NY at the intersection of Classon Avenue and Lafayette Avenue. This station serves the G train line.

The Work at this station includes:

- Installation of three (3) new elevators: one (1) two-stop elevator from street to mezzanine and two (2) two-stop elevators from mezzanine to platform level;
- Construction of EMR rooms or control room closets as needed.
- Installation of electrical, communications, fire alarm and HVAC as needed;
- Reconstruction of existing stair from street to mezzanine;
- Reactivation of exiting stairs P5 and P6;
- Reactivation of partial mezzanine area on west end;
- Reconfiguration of fare control area at mezzanine;
- Provision of new ADA raised boarding areas at platform levels;
- Demolition of existing station wall and excavation to place elevator and elevator machine room or control room closets as needed beyond existing station wall;
- Modification of structural framing to accommodate elevators from mezzanine to platform;
- Electrical upgrades for new elevators and associated components;
- Relocation of street side utilities;
- Reconstruction of sidewalk area including signage procurement and installation; and
- Modifications to train stop location.

NEW LOTS AVENUE STATION

The New Lots Avenue Station is located in Brooklyn, NY with an elevated platform level at the intersection of Livonia Avenue and Ashford Street. This station serves the 3 train line.

The Work at this station includes:

- Installation of one (1) new 2-stop elevator from street to platform level and EMR or control room closets as needed;
- Installation of one (1) new headhouse and control area at street level;
- Installation of one (1) new stair to provide additional egress from platform to street;
- Structural modifications to existing platform for new elevator and stairs;

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- Installation of new fare control;
- Installation of new HVAC and fire alarm systems;
- Provision of new ADA raised boarding areas at platform level;
- Reconfiguration of sidewalk, including curb bump-out around new headhouse;
- Electrical upgrades for new elevator and associated components;
- Relocation of street side utilities;
- Reconstruction of sidewalk area including signage procurement and installation; and
- Component repair work.

36 STREET STATION

The 36th Street Station is located in Brooklyn, NY at the intersection of 4th Avenue and 36th Street. This station serves the D, N, and R train lines.

The Work at this station includes:

- Installation of two (2) new two-stop elevators from street to platform level and EMR or control room closets as needed;
- Installation of two (2) new stairs from street to platform level;
- Reconstruction of pedestrian travel lanes, concrete median and traffic signals between 33rd and 36th Avenue;
- Installation of two (2) headhouse buildings to include two (2) new fare control areas, communications, and lighting at street level;
- Structural modifications to existing station roof for new stairs and elevators, and vent modifications due to street level improvements;
- Utility relocations at street level for new headhouse buildings;
- Demolition of platform floor for elevator installation;
- Provision of new ADA raised boarding areas at platform level;
- Electrical upgrades for new elevator and associated components; and
- Relocation of station fire standpipe system and signage.

HUGUENOT STATION

The Huguenot Station is located in Staten Island, NY along Huguenot Avenue near the intersection of Huguenot Avenue and Amboy Road. It serves the Staten Island Railway line.

The Work at this station includes:

- Installation of two (2) street-to-platform ramp structures with canopy, communications, signage procurement and installation of lighting;
- Modification of existing electrical panel for new ramp lighting and communications equipment;
- Provision of new ADA raised boarding areas at the platform level;
- Installation of help points;
- Installation of snow melt system for ramp walkway.

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.

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- B. MTA C&D will evaluate all SOQs received in accordance with the 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 up to four (4) 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 Contract.
- E. The purpose of the RFP will be to allow MTA C&D to select the Design-Builder for 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 will offer a stipend to Shortlisted Respondents that submit Proposals responsive to the RFP requirements, but who are not awarded the Contract.

5. RFQ Availability

The RFQ documents will be made available to all prospective Respondents on or about May 17, 2023. In order to obtain the RFQ documents, prospective Respondents need to complete and submit the Contract Document Order Form to 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, and download the RFQ documents.

IMPORTANT:

- 1) **Vendors’ contact information must be updated in the Supplier Portal in order to receive notifications regarding this solicitation.**
- 2) **New Vendors must first complete the registration process in order to obtain the RFQ documents. To register log in the MTA Vendor Portal, www.mymta.info, selecting Vendor Sign-in & Registration, select New Bidder Registration and then follow the on-screen instructions.**

6. Evaluation of SOQs

As described in more detail in the RFQ, SOQs will be evaluated to establish a shortlist of qualified Respondents. Each Respondent’s SOQ will be evaluated on a pass/fail basis for compliance with the SOQ submittal requirements, including:

- i. Threshold Evaluation Criteria

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- b. **Completeness**: The SOQ conforms to the RFQ requirements and includes all materials required by the RFQ.
 - c. **Timeliness**: The SOQ was submitted on or before the SOQ Due Date.
 - d. **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.
 - e. **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.
 - f. **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 Section 9.9 of the RFQ.
- ii. Substantive Evaluation Criteria.
- a. **Team, Key Personnel, and Organization**: 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.
 - 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, and maintenance of the new elevators.
 - c. **Prior Design-Build Experience**: The extent and depth of each Major Participant's experience with comparable 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. **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. Experience and Performance of Respondent Teams

- a. During the RFQ process, MTA C&D will identify Respondent Teams comprised of design and construction firms, elevator manufacturers, elevator installers, and elevator maintainers, available

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with demonstrated experience, expertise, capacity, and record of producing quality work on projects similar in nature to the Project.

- b. To identify Respondents that include a Lead Contractor and Designer with:
 - 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. organizational capacity to perform the Work; and
 - v. qualified Key Personnel and Value-Added Personnel identified in Section 9.10 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 Elevator Manufacturer(s), Elevator Installer(s), and Elevator Maintainer(s) 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 active rail and transit stations;
 - 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.

8. General Limitations on Respondent Team Membership

- A. Subject to the Limitations on Exclusivity set forth in Section 10 below as it applies to Designers, 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 shall participate on more than one (1) Respondent team;
 - ii. non-Major Participant Subcontractors and their Affiliates may participate on more than one (1) respondent team, subject to compliance with Section 5.3 of the RFQ, this Section 8, and Section 10;
 - iii. Affiliate entities shall not participate on separate Respondent’s team;
 - iv. no individuals serving a Key Personnel role on one Respondent team may serve any role on another Respondent team; and

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- 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.

9. Proposed Engagements with Duplicate Major Participants

- A. 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.
- B. Notwithstanding the foregoing restriction, a Respondent may include in its SOQ up to four (4) proposed Elevator Manufacturers, up to four (4) proposed Elevator Installers, and/or up to four (4) proposed Elevator Maintainers as alternatives. Such arrangements will be subject to, respectively, Sections 10 below.

10. Limitations on Exclusivity

- A. Elevator Installers, Elevator Manufacturers, Elevator Maintainers, Designers, or their Affiliates, which are not prohibited from participating on more than one (1) Respondent team under Section 8 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:
- 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, and the Design-Build Contract.
- C. 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.
- D. If a Respondent elects to non-exclusively engage multiple Elevator Manufacturers, Elevator Installers, or Elevator Maintainers, 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.