



NEW YORK STATE SENATOR

Andrew J. Lanza

Governor Cuomo Signs Lanza's Bill to Streamline Contract Process at Mta

ANDREW J LANZA July 1, 2015

Governor Cuomo has signed legislation authored by Senator Andrew Lanza, Senate Bill S.4128, which extends statutory provisions that allow the Metropolitan Transportation Authority (MTA) and the New York City Transit Authority (NYCT) to procure goods and services in ways that save time and money and allow NYCT to consider New York State-content when procuring subway cars.

Specifically the legislation extends sunset dates to permit MTA and NYCT to continue to use procurement methods, such as competitive Request for Proposals (RFP), that are critical to procuring complex systems and major construction contracts. MTA and NYCT use competitive RFPs on projects that require extensive dialog with proposers prior to the completion of contract terms and pricing. RFPs are useful for projects that incorporate new technology such as rolling stock, communications, signaling systems and communication based train control. Continuing innovations in these fields require the flexibility provided by the competitive negotiation that is not available when employing sealed bidding.

Senator Lanza said, "RFPs allow the MTA and NYCT to evaluate the products that best meet project requirements by accepting proposals from suppliers and then determining the merits. Many of the new products will be used to improve MTA's and NYCT's ability to monitor passenger facilities and react to emergencies. If these agencies were limited to the sealed bidding method they would effectively be precluded from procuring these new technologies and best meeting the needs of the public."

The bill will also allow NYCT to continue to procure subway cars by competitive RFP rather than sealed bids. When such procurements are not federally funded, New York State-content may be one of the criteria for selection of the awardee. It would also allow MTA to consider a party's status as a Minority and Woman owned Business Enterprises (MWBE) as one of the criteria for selection of the awardee and maintain the existing threshold above which MTA and NYCT must solicit purchases via sealed bids at \$15,000.

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