

**SEVEN COUNTY INFRASTRUCTURE COALITION  
REQUEST FOR LEGAL QUALIFICATIONS  
Deadline: December 5, 2018 at 5:00 pm Mountain Time**

**Introduction:**

The Seven County Infrastructure Coalition (the “Coalition”) has issued this Request for Legal Qualifications requesting Statements of Qualifications (“SOQs”) from law firms to advise the Coalition in connection with the regulatory review and approval process for the construction and operation of a new rail line connecting the Uinta Basin in Utah to the national rail network in Colorado. The Coalition is an independent political subdivision of the State of Utah organized by Carbon, Daggett, Duchesne, Emery, San Juan, Sevier, and Uintah counties. The Coalition is proposing to permit and construct a rail line from the Roosevelt/Myton area within Duchesne County, Utah to connect to the national rail network in the State of Colorado.

**Proposal Format/Evaluation Criteria:**

The contents of the SOQ shall be complete in description and concise in volume. SOQs shall be in electronic format and shall not exceed 15 pages in length, excluding any cover letter. Submittals should be formatted to 8.5” x 11” pages, single-spaced or space and a half in a font size no smaller than 11. Pages should be numbered sequentially at the bottom right corner of each page.

The material presented in the SOQ is expected to clearly reflect qualifications that demonstrate the firm’s knowledge and experience in the regulatory review and approval process for new rail construction projects. The SOQ should address each of the following specific items:

1. Provide a short bio for each lawyer in your firm that would be assigned to this project.
2. Identify the rail construction projects (by name and docket number) for which your firm served as STB counsel over the past 15 years, and the role your firm played.
3. Provide a short description of your firm’s experience with handling the environmental and permitting reviews among multiple cooperating agencies. Include any specific insights or lessons learned regarding the best way to facilitate and streamline these reviews.
4. Provide a short description of your firm’s experience with working on and coordinating with an interdisciplinary team to support environmental and permitting review.
5. Provide a short description of your firm’s experience with tribal issues, including specifically the NHPA Section 106 process.
6. Provide, in a few paragraphs, your initial thoughts as to how to structure the

application process to obtain STB approval of construction as quickly as possible. And, your ability to obtain STB approval of construction by December 1, 2020. Identify expected total cost (non-binding) of legal services to obtain STB approval of construction.

The above selection criteria will be weighted as follows

- |              |        |        |
|--------------|--------|--------|
| 1. No weight | 2. 15% | 3. 25% |
| 4. 25%       | 5. 15% | 6. 20% |

**Deadline and Delivery – Email Submittal:**

Statement of Qualifications shall be received before December 5, 2018, at 5:00 p.m. Mountain Time in Salt Lake City, Utah. Deliver all electronic SOQs to: Mike McKee, Executive Director at: [mmckee@7county.utah.gov](mailto:mmckee@7county.utah.gov) and to Eric Johnson at [eric@bcjlaw.net](mailto:eric@bcjlaw.net). Please enter the following in the subject line: “Legal SOQ”. Only electronic SOQs will be accepted.

**Disclosure and Disposition:**

Once submitted the SOQ becomes the property of the Coalition, is treated as a public document, and will be disposed of according to Coalition policies including the right to reject SOQs.

SOQs of all law firms shall be open to public inspection according to Coalition policies. The law may request in writing the non-disclosure confidential information so identified. Upon request from the law firm, the Coalition will examine the proposal to determine the request’s validity prior to award of the contract. If the Coalition disagrees with the law firm’s request, the Coalition will inform the law firm in writing what portion of the SOQ will need to be disclosed. At that time, the law firm will have opportunity to withdraw their SOQ. Otherwise, the data will be disclosed.

**Fee Negotiations:**

The fees for services will be negotiated following selection of the successful firm. At the discretion of the Coalition, the engagement may be extended to include legal advice during construction and for the first five years of rail operations.

**Agreement:**

An engagement agreement will be executed with the successful firm. The Coalition retains the right to reject all SOQs and not retain rail legal counsel.

**Notification:**

Any questions or requests for information should be submitted in writing to Mike McKee, Executive Director at: [mmckee@7county.utah.gov](mailto:mmckee@7county.utah.gov) and Eric Johnson at [eric@bcjlaw.net](mailto:eric@bcjlaw.net) so that addendums and clarifications can be distributed to all submitting parties in an effort to ensure consistency. Any addendums and clarifications should be acknowledged in the SOQ. Notices related to this RFQ will be posted at [www.scic-utah.org](http://www.scic-utah.org).