

REQUEST FOR PROPOSAL
PROFESSIONAL SERVICES FOR ENGINEERING, ENVIRONMENTAL,
PERMITTING, RIGHT-OF-WAY PLANNING, AND RELATED SERVICES

FOR

SEVEN COUNTY INFRASTRUCTURE COALITION
UINTA BASIN RAILWAY PROJECT

OCTOBER 5, 2018
(Updated October 10, 2018)

Seven County Infrastructure Coalition

Uinta Basin Railway

Request for Proposals

October 5, 2018

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Introduction

The Seven County Infrastructure Coalition (the “Coalition”) is an independent political subdivision of the State of Utah. It requests proposals to complete the planning documents that will include engineering, environmental, and right-of-way planning to make the Uinta Basin Railway ready to construct. At the completion of this work, the railway will be in possession of its legal and environmental licenses, regulatory approvals, and all other permits necessary or desirable, and the construction bid package will be prepared and ready for advertisement to contractors. The proposed standard-gauge, common-carrier railway will provide freight transportation services between the central Uinta Basin near Roosevelt, Utah, and a connection with the national railway system at the most economically feasible and commercially practical point, presumably at Rifle, Craig, or Mack, Colorado. The railway will enable freight into and out of the Uinta Basin to any point served by the national rail network, with associated benefits in low cost bulk-transportation, jobs, and environmentally beneficial transportation. This project will allow the Coalition to fulfill its mission to plan and participate in the provisioning of public services.

Request for Proposals

The Coalition seeks Proposals from consultants (Consultant) with the expertise, capacity, and qualifications to complete the planning, engineering, environmental base-line studies, permitting, real-estate acquisition planning, and related planning to advance the Uinta Basin Railway to obtain all necessary permits and approvals needed to commence rail construction and to issue construction bid packages. A third-party consultant (engaged by the Coalition and approved by the U.S. Surface Transportation Board (STB)) will prepare the Environmental Analysis or Environmental Impact Statement. To support the environmental permitting, the Coalition’s Consultant will provide environmental base-line studies to the third-party consultant to support the selected third-party contractor, which will be selected under separate RFP.

In all work elements, time is of the essence. *The goal is to have the project completed and moving freight as soon as possible, within 5 years (by December 1, 2023).* All preliminary engineering design to obtain STB approval and other permits necessary or desirable to commence construction, planning, environmental base-line studies, permitting, real-estate acquisition planning, and preparation of construction bid materials, **will be completed within 2 years, by December 1, 2020**, unless forces outside of the control of the Consultant alter the schedule.

Separate RFPs will be issued for services such as operating and maintenance planning, strategic communications, revenue modeling, legal, and other required professional services.

Detailed Scope of Work

1. Engineering

The Consultant will develop conceptual, preliminary, and final engineering of the proposed railway, including embankment, tunnels, track, bridges, drainage structures, roadway crossings and grade-separations, train control and communications systems, loading and unloading terminals, and ancillary trackage to obtain permits and approval by December 1, 2020, from the Surface Transportation Board and other required government bodies to allow commencement of construction. The engineering will provide design, cost estimates, and bid packages for all fixed infrastructure elements necessary for a complete turnkey railroad ready for operation once constructed, inclusive of locomotive maintenance facilities, rail car running repair facilities, right-of-way maintenance yards and support facilities, utilities, fencing, lighting, and signage both for line-of-road and facilities.

The Consultant will prepare bid packages and advise the Coalition on procurement strategies. The Consultant will prepare estimates of construction cost. The consultant will assist the Coalition in the selection of a construction contractor(s) and, under a separate contract, perform construction management and inspection services.

Included in the engineering design are geomorphological investigations, geotechnical investigations and design, and hydrologic and hydraulic analyses.

The Consultant's engineering work will determine alternative alignments that will support the environmental clearance and prepare conceptual alignments and cost estimates to enable the Coalition to select the alignment that best fits the Coalition's goals. The Consultant will provide engineering coordination with the environmental task, and engineering documentation necessary for the third-party environmental consultant.

The Consultant's engineering work will include coordination with connecting railroads and will include obtaining approvals from connecting railroads of the railway's interchange trackage and interoperability of trains and interchange of rail cars. This work product will be used in freight and revenue analyses.

The engineering work will include development of freight loading and unloading terminals. Such terminal locations will be determined through commercial negotiations that are not a part of the Consultant's work but will be provided to the Consultant. The Consultant will provide conceptual drawings and cost estimates of freight terminals that will assist the Coalition in commercial negotiations with shippers.

The Coalition's engineer-of-record will provide aerial topographic mapping and imagery, existing utility mapping, and initial refinement of conceptual alignments for mapping purposes. The engineer-of-record will also provide overall owner program management services to the Coalition throughout the duration of the project. The Consultant will provide all other technical services and deliverables required to execute the project. The Consultant will coordinate closely with and report to the engineer-of-record on all aspects of the project.

2. Environmental and Permitting

The Coalition anticipates that the lead agency for the environmental clearance will be the U.S. Surface Transportation Board (STB). The Coalition will engage an STB-approved third-party environmental contractor to prepare an EA or EIS. The Consultant will prepare baseline project information, environmental studies, field investigations, surveys, and inventories, and environmental mapping. The environmental work will include coordination with the STB's third-party contractor and provision of supporting materials and data needed by such contractor.

The environmental baseline work will include:

- Description of the proposed action and any reasonable alternatives
- Draft purpose and need statement
- Effects on local and regional transportation systems
- Effects on transportation of energy resources
- Estimates of impacts on air emissions
- Noise and vibration estimates
- Effects on public health and safety, including road crossings, potential for hazardous materials spills, and identification of hazardous materials anticipated to be transported by the railway
- Identification of threatened or endangered species, and potential effects on threatened or endangered species and critical habitats, including both federal and state listed species
- Proposed mitigation actions
- Effects on Waters of the U.S.
- Land use
- Socioeconomic impacts and social justice impacts
- Historic preservation and structures
- Any other types of information required to complete the NEPA process

The environmental work will include close coordination with the engineering work to select alternative alignments that minimize environmental clearance and permitting risk, and development of the construction and operation and maintenance planning. Several studies have been completed since 2001 to evaluate the concept of extending rail to the Uinta Basin (see the Coalition's website at www.scic-utah.org). These studies should be used to give the Consultant a head start on the environmental baseline tasks.

The environmental work will include obtaining permits necessary for construction, operation, and maintenance, such as, but not necessarily limited to:

- Section 4(f) of the Transportation Act
- Clean Water Act Section 404
- Clean Water Act Section 401
- Federal Endangered Species Act Section 7

- NHPA Section 106 Consultation

3. Right-of-Way Planning

The Consultant will recommend a right-of-way corridor and prepare the real-estate acquisition plan for the railway's land requirements. If the rail is funded, then in a contract addendum between the Consultant and the Coalition, the Consultant will perform real-estate acquisition services. The real-estate services will include research, appraisals, preparation of option and purchase agreements, and closing services.

Qualifications of the Consultant

The Consultant will have demonstrated expertise, recent experience, and successful prosecution of the planning, engineering, environmental clearance and permitting, and real-estate acquisition on major railway projects in North America.

The Consultant should demonstrate in its response to this RFP:

- The Consultant has deep familiarity with the North American and Western U.S. railroad network and traffic patterns, commercial practicalities, and competitive and strategic positions of the western U.S. Class I railroad carriers (both Union Pacific and Burlington Northern Santa Fe), demonstrated through development of State Rail Plans, State Freight Plans, or Build-Outs.
- The Consultant has proven experience with the current and likely future train operation practices of western U.S. Class I carriers to appropriately size and locate the proposed railway for maximum commercial potential, demonstrated through rail operations modeling and planning for projects of or hosted by BNSF Railway and/or Union Pacific Railway.
- The Consultant has current experience (within last 3 years) as lead consultant on freight railroad construction projects of more than U.S. \$500 million construction cost, including cost estimating, alternative delivery methods, procurement packages and bid strategies, and challenging real-estate acquisition and environmental clearances.
- The Consultant has innovative concepts for the operation, design, and construction of the railway that will reduce construction cost, and appropriately size it for the traffic.
- The Consultant has innovative concepts for railroad freight terminals that reduce operating cost and provide efficiencies that improve the commercial potential of the railway.
- The Consultant has recent experience (within last 3 years) with the development of alternative delivery methods (e.g., CM/GC, Design-Build) for large freight railroad projects.
- The Consultant has current experience (on-going) working with BNSF Railway and Union Pacific Railway on major project interchanges, operations hand-offs, and engineering design.
- The Consultant is listed by the U.S. Surface Transportation Board as a qualified railroad environmental contractor and has both provided either base-line studies in preparation for a

railroad EA or EIS or acted as a third-party contractor for a major railroad project within the last 5 years.

- The Consultant that has deep experience and knowledge of Uinta Basin environmental requirements, challenges, and public concerns will be given preference.
- The Consultant that has recent and successful experience as a consultant to oil and frac sand shippers and receivers, and serving railroads, for the development, engineering, and permitting of unit-train oil and frac sand terminals will be given preference.
- The Consultant has successful experience writing and obtaining grants and funding proposals for railroad projects, such as CRISI, TIGER, FASTLANE, BUILD, and BuildAmerica, or RRIF loans.
- The Consultant that has recent and successful strategic communications with tribes, Native American entities or organizations, demonstrated by agreements between railroad projects and these entities will be given preference.
- The Consultant has broad experience with real-estate acquisition for railroad projects, demonstrated by its current work for railroads preferably in the Western U.S.
- The Consultant has developed freight railroad projects that require coordinated engineering, environmental, permitting and real-estate acquisition.
- The Consultant has recent (within last 10 years) experience with the development, engineering, and environmental clearance and permitting of significant railroad projects preferably in Colorado, Utah, and Wyoming.
- The Consultant has ongoing large-project experience with the FRA's engineering, environmental, and grants sections.
- The Consultant has a team that is well-integrated and can demonstrate recent successful prosecution of large freight railroad projects. Task Leads and the Project Manager will have worked together on recent projects.
- The Consultant's proposed Project Manager will be dedicated full-time to the Coalition's project.
- The Consultant that has a major office within the State of Utah and has local project experience will be given preference.
- The Consultant's ability to complete all services to obtain all necessary and desirable regulatory approvals and develop funding plans within two years is an important factor in selection. The Consultant will demonstrate that it has the resources to complete all tasks to obtain **regulatory approval to construct rail by December 1, 2020**, unless forces completely outside of the control of the Consultant cause delays. The Consultant will demonstrate that it has historically completed similar rail planning projects under tight time constraints. The Consultant will provide 5 references for projects that it has completed under tight time constraints.
- The Consultant has the ability to deliver the project in such a manner that the **new railway is constructed and operational by December 1, 2023**, unless forces completely outside of the control of the Consultant cause delays.

Required Personnel Qualifications

The selected firm shall be responsible to ensure that all personnel working in the various areas being proposed under this RFP are qualified through training, experience, and appropriate certification for the tasks assigned.

The Consultant's project manager will be asked to provide certification information for members of the project team prior to final contract acceptance. The Consultant will also be expected to prepare a staffing plan showing the makeup of the project team. The staffing plan will show how the team meets the certification or equivalent requirements. The staffing plan is subject to Coalition approval. The

Coalition has the right to approve the mix of personnel (planners, engineers, technicians, etc.) proposed for this project.

Pre-Proposal Conference

A non-mandatory Pre-Proposal Conference is scheduled for **Thursday, October 18, 2018, at 10:00am** Mountain Daylight Time at the Uintah County Administrative Building, North Conference Room, 152 East 100 North, Vernal, Utah. The meeting may also be attended via conference call by dialing 1-669-900-6833, Meeting ID: 652 881 2687. The purpose of the Pre-Proposal Conference is to gather questions and address any technical items before the proposal closing date. Consultants will make any site visits on their own.

Proposal Format / Selection Team / Evaluation Criteria

The proposal shall consist of the four sections listed below. Each section will be reviewed and assigned a point score not to exceed those shown below. The selected firm will be the one with the highest overall point score. A short list of firms may be invited to interview for this project if scores are close, but the Coalition is not required to do so. The Coalition reserves the right to reject any and all proposals. No compensation will be provided to consultants preparing proposals for the project.

Evaluation of the proposals will be made by a Coalition-appointed committee that will evaluate and score the proposals in accordance with the criteria specified below. The Coalition reserves the right to extend the evaluation process by selecting a shortlist of two or more of the highest ranked firms to provide oral presentations. If oral presentations are required, the selected firms will be provided with additional information about the format, length, content, and scoring to be used.

Section	Evaluation Criteria	Maximum Points
1	Project Team	20
2	Capability of the Consultant/Experience	25
3	Approach to the Project	25
4	Local Knowledge and Experience	10
5	Cost	10
6	Schedule Control	10

Proposal Content

The Proposal must contain all the information identified in the RFP Summary and Guidelines for Preparing the Proposal (refer to **Attachment A**). The Coalition is releasing other Requests for Proposals related to the Uinta Basin Railway Project, such as for legal services related to regulatory approval. A respondent may submit separate proposals for each RFP related to the rail, or proposals for different RFPs may be combined.

Proposal Deadline

The proposals shall be received electronically **before 3:00pm on Thursday, November 1, 2018.**

Proposal Delivery

Please address electronic (pdf) proposals to: Mike McKee, Executive Director, Seven County Infrastructure Coalition Please contact Kelly Carter with Jones & DeMille Engineering to receive a secure upload link to submit the proposal electronically. She can be contacted at kelly.c@jonesanddemille.com or 435.896.8266. Faxed proposals will not be accepted. Each Consultant team should submit only one (1) combined proposal.

Number of Copies

Submit one (1) electronic copy of the Proposal.

Pages

Number pages sequentially at the bottom right corner of each page. Limit the number of pages to 30 pages (not including the Introductory Letter). Pages exceeding the 30-page limit will not be evaluated. Resumes of key personnel will not be counted toward the page limit.

Proposal pages shall be 8.5" x 11". Maps and technical diagrams may be 11"x17". Graphics may be shown in color.

Notices

To receive notifications regarding addendums and clarifications to this RFP, please contact Kelly Carter at Jones & DeMille Engineering at kelly.c@jonesanddemille.com or at 435.896.8266.

Management Responsibility/Selection Process

Jones & DeMille Engineering is the Program Manager and primary technical contact for the Consultant. All project questions and contract documentation requirements shall be submitted to Michael Hawley at Jones & DeMille Engineering. He can be contacted by email at michael@jonesanddemille.com, or by phone at 435.722.8267.

The proposals will be evaluated by the Executive Director, Program Manager, and selected board members. Proposals received will be evaluated and scored by each selection committee member. Interviews, if any, with shortlisted firms may be held on Wednesday, November 7, 2018 beginning at 10am at the Law Offices of Blaisdell, Church, & Johnson. The office is located at 5995 S. Redwood Road, Salt Lake City, UT, 84123. All submitting and shortlisted firms that will be interviewed, if any,

will be notified of the time for an interview. All submitting firms will be notified in writing after a firm has been selected.

Disclosure and Disposition

Once submitted, the proposal become the property of the Coalition, are treated as public documents, and disposed of according to Coalition policies including the right to reject any and all proposal(s).

Proposals shall be open to public inspection according to Coalition policies. The Consultant may request in writing the non-disclosure of trade secrets and other proprietary data, if so identified. Upon request from the Consultant, the Coalition's Executive Director will examine the proposal to determine the requests validity prior to award of the contract. If the Coalition's Executive Director disagrees with the Consultant's request, the Coalition Executive Director will inform the consultant in writing which portion of the proposal will need to be disclosed. At that time, the Consultant will have opportunity to withdraw their proposal. Otherwise, the data will be disclosed.

Insurance Requirements

For all contracts with the Coalition, the Consultant will be required to provide:

General Liability & Automobile: \$1,000,000 per occurrence and \$2,000,000 aggregate with a \$5,000,000 liability umbrella policy.

Valuable Papers & Electronic Media: \$250,000 or value adequate to reproduce media.

Professional Liability: \$10,000,000

ATTACHMENT A

Guidelines for Preparing the Proposal

Introduction

These guidelines were developed to standardize the preparation of proposals by consultants for engineering services. The purpose for these guidelines is to assure consistency in format and content of proposals that are prepared by consultants and submitted to the Seven County Infrastructure Coalition. The Proposal should contain the following information in the order listed.

- Introductory Letter - No Points
- Section #1 - Project Team - 20 Points
- Section #2 - Capability of Consultant / Experience - 25 Points
- Section #3 – Approach to the Project - 25 Points
- Section #4 – Local knowledge and Experience - 10 Points
- Section #5 – Cost – 10 Points
- Section #6 – Schedule Control – 10 Points

Note: All submittals must be clear, concise and in recommended format, so the proposals can be evaluated in an efficient and objective manner by the designated Review Team. The six (6) sections in all proposals should be tabbed for easy reference (#1, #2, #3, #4, #5, #6). Statements not tabbed or otherwise labeled will receive a three-point penalty.

Introductory Letter:

The Introductory Letter should be addressed to:

Mike McKee, Executive Director
Seven County Infrastructure Coalition

This one-page letter should contain an expression of the consultant's interest in the work, a statement regarding the qualifications of the consultant to do the work, and any summary information on the project team or the consultant that may be useful or informative to the Seven County Infrastructure Coalition.

The introductory letter does not count as one of the 30 pages. Begin page numbering with the first page in Tab #1.

TAB 1

Project Team:

The proposal should outline how the qualifications, experience, and time allocation of the project team are beneficial to the project.

Identify consultant and subconsultant key individual qualifications and experience as related to the work disciplines.

Identify Technician Certification and Utah license information for Principals in charge.

Identify strengths of key personnel.

Provide a brief description of why the Coalition should select your team.

Identify current obligations and time availability for team members during the duration of the project.

TAB 2

Capability of Consultant / Experience:

Include detailed experience on similar or related projects.

Describe your capability to perform the work. Explain internal policies and procedures related to quality and cost control.

List project types, locations, and size (total project value) of similar work performed in the last five years, that best characterizes the firm's capabilities and experience.

Provide project description, contact name, address, and phone number of references for work experience examples.

Identify resources, including management and organization capabilities, currently available for performing the work.

TAB 3

Approach to the Project:

Provide a detailed description of the approach to execute the project in the most efficient manner possible.

Identify the risks that should be anticipated and any solutions that may allow the project to proceed most efficiently.

Outline the communication plan to ensure that all project delivery team members, including the Coalition, are synced throughout the pre-construction phases.

How will the Consultant interact with and support the 3rd party environmental consultant to minimize cost and shorten the schedule for the NEPA and regulatory permitting processes.

How will the Consultant interface with the regulatory affairs legal consultant ensure that all critical steps are taken to efficiently complete the STB authorization process?

Convince the Coalition that the Consultant has the best approach to deliver the project for the Coalition.

TAB 4

Local knowledge and Experience:

Provide a summary of your local knowledge and experience on similar projects in the region.

Provide details of the work your firm completed and any local experience that will benefit the Uinta Basin Rail project. Local relationships and knowledge should be clearly demonstrated. Understanding of local issues should be indicated along with possible solutions.

TAB 5

Cost

Provide a proposed project schedule for completion of the project.

Provide an outline of the total cost of the elements listed in the detailed scope of work in the RFP.

Itemize the costs between the primary scope elements and include a summary of the assumed number of hours by key personnel category for each of the primary scope elements.

What is the estimated cashflow schedule based on the project timeline (on a quarterly basis)?

TAB 6

Schedule Control

Provide examples of when and how your organization has completed similar projects within tight time constraints, especially for projects with the proposed project manager.

Provide a critical path schedule for the delivery of the project and listed above and estimate the construction timeline. Milestones will become part of the Consultant's agreement with the Coalition.

Provide references for 5 similar projects that were completed on a timely basis.