

CONNECTICUT DEPARTMENT OF TRANSPORTATION
REQUEST FOR QUALIFICATIONS
FOR CTrail HARTFORD LINE PASSENGER RAIL SERVICE
SERVICE PROVIDER
Solicitation #14DOT7004

1. INTRODUCTION

The Connecticut Department of Transportation (“CTDOT”) is seeking to engage a qualified and experienced contractor (“Service Provider”) to provide the services required for train operations and station and parking management for CTDOT’s new *CTrail* Hartford Line passenger rail service (“*CTrail* Hartford Line Service”) between New Haven, Connecticut and Springfield, Massachusetts. CTDOT is issuing this Request for Qualifications (“RFQ”), Solicitation #14DOT7004, to solicit Statements of Qualifications (“SOQs”) from those interested in being considered for this project. For the purposes of this RFQ, those submitting a SOQ to CTDOT are referred to individually as a “Responder” and collectively as “Responders.”

2. BACKGROUND OF CTrail HARTFORD LINE SERVICE

CTDOT will add the new *CTrail* Hartford Line Service commencing in late 2016. The *CTrail* Hartford Line Service will operate on the 62 mile rail corridor between New Haven and Hartford, CT and Springfield, MA (“Hartford Line”), owned by Amtrak. In accordance with Sections 212 and 217 of Passenger Rail Investment Improvement Act of 2008 (PRIIA), CTDOT has entered negotiations with Amtrak for access to the Hartford Line and access to or lease of existing train stations along the Hartford Line. Pursuant to an agreement with CTDOT, Amtrak will be responsible for providing dispatching services for the *CTrail* Hartford Line Service and efficiently managing train operations between the *CTrail* Hartford Line Service, PRIIA Section 209 State-supported Amtrak intercity passenger service, and freight trains operating on the Hartford Line. The rolling stock for *CTrail* Hartford Line Service will be maintained by Amtrak. The *CTrail* Hartford Line Service will connect with CTDOT’s New Haven Line service operated by Metro-North Railroad, Shore Line East service operated by Amtrak and Amtrak intercity services in New Haven. The *CTrail* Hartford Line Service will make station stops along the Hartford Line at New Haven Union Station, State Street (New Haven), Wallingford, Meriden, Berlin, Windsor, Windsor Locks and Springfield. CTDOT anticipates constructing additional stations along the Hartford Line in the future and adding station stops.

Additional information can be found at the *CTrail* Hartford Line Service website via the following link: www.nhhsrail.com

3. SCOPE OF WORK (“SOW”) OVERVIEW

A. The term of the agreement between CTDOT and the Service Provider is anticipated to extend for five (5) to seven (7) years from the commencement of the *CTrail* Hartford Line Service to the public.

- B. The Service Provider will not be responsible for CTrail Hartford Line Service train dispatching or the maintenance of the right-of-way, which are the responsibilities of Amtrak as owner of the right-of-way.
- C. The Service Provider must provide fully qualified train and engine crews to operate the CTrail Hartford Line Service, anticipated to consist of ten (10) trains in each direction weekdays and four (4) trains in each direction weekends/holidays. The Service Provider must manage and maintain certain Hartford Line rail stations, station facilities, and parking facilities. The Service Provider must provide for passenger safety and security on-board CTrail Hartford Line Service trains, in stations, station facilities, and parking facilities. The Service Provider will be responsible for CTrail Hartford Line Service fare collection, revenue management, parking enforcement, customer service, promotion and marketing of the service to the public. Ticket Vending Machine operation and maintenance services are not included in the SOW. Prior to the scheduled start of the CTrail Hartford Line Service, the Service Provider must develop a CTDOT-approved plan with respect to the mobilization of the CTrail Hartford Line Service (“Mobilization Plan”) and implement the Mobilization Plan.
- D. Also, the Service Provider will be responsible for certain option work, namely, development and management of an advertising or sponsorship program at the stations and on the trains, and maintenance of CTDOT’s rolling stock used in the CTrail Hartford Line Service, if, during the term of the agreement with the Service Provider, CTDOT, at its sole discretion, exercises any of the options.
- E. The Service Provider may engage subcontractors to perform portions of the SOW, subject to CTDOT approval of such subcontractors.
- F. Formation of joint ventures will be allowed for this project. A lawful combination of firms shall be permitted to respond jointly as a Responder to this RFQ, with joint venture participants combining their individual qualifications in submitting a SOQ. In such instance, each joint venture participant must submit a letter with the SOQ, stating that participant’s agreement to bid as a joint venture with the other named joint venture participant.

4. SELECTION PROCESS OVERVIEW

CTDOT is conducting a two-step selection process, as follows:

- A. In Step 1 of the process, this RFQ, CTDOT will review the SOQs and determine a short list of Responders (“Short List”) that it will invite to participate in Step 2.
- B. In Step 2 of the process, CTDOT will release to the Responders on the Short List the Request for Proposals (“RFP”) to solicit technical and cost proposals. For the purposes of this RFQ, those submitting a proposal in response to the RFP are referred to individually as a “Proposer” and collectively as “Proposers.” CTDOT will review proposals submitted, determine the “best value” proposal, i.e., the best combination of

price and quality when performing the work, and negotiate the agreement with the selected Proposer.

The planned schedule and submittal deadlines are set forth below. CTDOT reserves the right to modify the schedule.

Release of RFQ	December 2014
Optional pre-SOQ Meeting for Prospective Responders	January 15, 2015
Deadline for Submitting Questions on RFQ	January 21, 2015
Deadline for Submitting SOQs	February 27, 2015
Notification and release of RFP to the Responders on the Short List	April 1, 2015
Mandatory Meeting for Proposers and Site Visit	May 1, 2015
Deadline for Submitting Questions on RFP	May 18, 2015
Deadline for Submitting Proposals	September 30, 2015
Proposal Presentations	October 15, 2015
Service Provider Selection	December 10, 2015

Upon CTDOT and the Service Provider executing an agreement, CTDOT will forward the agreement to the Connecticut Office of the Attorney General (“OAG”) for signature confirming review and approval as to form.

CTDOT anticipates issuing a Notice to Proceed within thirty (30) days after the agreement with the Service Provider has been approved by the OAG.

CTDOT may amend this RFQ at its discretion prior to the SOQ submission deadline by issuing addenda to the RFQ. In such event, CTDOT, at its sole discretion, may extend the SOQ submission deadline as it deems appropriate.

RFQ information including addenda will be available on the following website:

http://www.biznet.ct.gov/scp_search/BidResults.aspx?groupid=64 (“BizNet website”).

Responders are responsible for monitoring the BizNet website for posting of any addenda to the RFQ.

5. INFORMATIONAL MEETING

There will be an optional informational meeting regarding the RFQ on Thursday, January 15, 2015, held either at CTDOT headquarters (2800 Berlin Turnpike, Newington, CT) or by internet webinar, to be determined by CTDOT. Information regarding the location, time, and other details of the informational meeting will be posted to the BizNet website. Attendance is optional but prospective Responders are encouraged to attend as meeting minutes will not be distributed. Prospective Responders may ask questions at the informational meeting or may submit questions in writing via email to CTDOT (at the email address set forth in Section 7(B)) within five (5) calendar days from the date of the informational meeting. CTDOT will post responses to timely submitted questions on the BizNet website within two (2) weeks from the submission deadline.

6. REQUIRED INFORMATION IN SOQ

Responders must submit one (1) original and ten (10) numbered copies of their SOQ to CTDOT. The SOQ must not exceed twenty (20) pages in length, and must be typewritten in 12 point minimum font, and include the following information with the following structure and noted length restrictions:

- A. Cover Letter (maximum 1 page)
- B. Identification of the Responder's firm. List all principals and their percentage of ownership. If a corporation, limited partnership, or limited liability company, submit a current corporate, partnership, or company record print-out from Connecticut Secretary of the State's Office ("SOTS"). (Print-outs of SOTS records are not counted in the 20 page count).
- C. Written narrative that summarizes the Responder's general approach to and experience in providing the SOW set forth in Section 3, including the option work. The narrative should include a description of the proposed management structure, resumes (not counted towards 20 page count) and identify which portions of the SOW the Responder anticipates to be subcontracted. (maximum 5 pages)
- D. Written narrative that details the Responder's experience with similar rail passenger service in the United States in the last five years, highlighting performance on the items identified in Section 3 Scope of Work. Experience working with subcontractors on past projects should also be highlighted. (maximum 5 pages)
- E. Client contact information and brief descriptions of work performed by the Responder for at least three, but no more than five, similar completed or on-going rail service contracts, limited to a maximum of 1 page each (not counted in the 20 page count).

Do not send additional documentation other than what is requested. CTDOT may reject any SOQ containing unrequested documentation and remove the Responder from the procurement process.

7. SUBMISSION INSTRUCTIONS & COMMUNICATION WITH CTDOT

- A. All SOQs must be delivered to:

Mr. Carl L. Jackson
 Rail Administrator
 Bureau of Public Transportation
 Connecticut Department of Transportation
 Office of Rail, 4th Floor West
 50 Union Avenue
 New Haven, CT 06514

SOQs shall be delivered via courier (e.g., UPS, FedEx) or hand delivery and received no later than 3:00 P.M. E.S.T. on Friday, February 27, 2015. Submittals received after this date and time will not be considered.

- B. All inquiries regarding this RFQ, including, but not limited to, those regarding obtaining the necessary documents, shall be directed to CTDOT via email at DOT.CTrail@ct.gov, and by no other means.

8. EVALUATION & SCORING

The CTDOT-appointed Qualifications Review Committee (“QRC”) will evaluate the SOQs, rate and score the SOQs, and determine the Short List. The QRC will recommend to CTDOT’s Commissioner (“Commissioner”) that the Responders on the Short List be invited to participate in Step 2 of the procurement process.

CTDOT will send letters to all firms that submitted SOQs notifying them whether or not they are invited to participate in Step 2. At the same time, CTDOT will release the RFP to the Responders on the Short List.

CTDOT will accommodate post-evaluation scoring review meetings upon request with the Responders not on the Short List. No meetings or release of qualifications scores will occur prior to finalization of the agreement with the selected Proposer, in order to protect the confidentiality of the process.

9. NOTICES

- A. There may be a Disadvantaged Business Enterprise (“DBE”) or Small Business Enterprise (“SBE”) set-aside assigned for the agreement with the Service Provider. Further instructions will be provided with the RFP.
- B. In accordance with the Connecticut General Statutes (“CGS”) § 4-252 and S 4a-81, firms participating in RFP, once selected, must complete the Office of Policy and Management’s (“OPM”) Ethics Form 1 (Gift and Campaign Contribution Certification), Form 5 (Consulting Agreement Affidavit), Form 6 (Affirmation of Receipt of State Ethics Laws Summary), and Form 7 (OPM Iran Certification Form 7) prior to the agreement execution. Any Proposer that does not complete the Forms shall be disqualified and CTDOT shall award the agreement to the next highest ranked Proposer or seek new submittals. Further information on these requirements can be obtained online at <http://www.ct.gov/opm/> via the Forms link and then the Ethics Affidavits & Certifications for State Contracts link.
- C. For all State contracts, as defined in CGS § 9-612(g)(1) having a value in a calendar year of fifty thousand dollars (\$50,000) or more or a combination or series of such agreements or contracts having a value of one hundred thousand dollars (\$100,000) or more, the authorized signatory to this submission in response to the State’s solicitation expressly acknowledges receipt of the State Elections Enforcement Commission’s Notice titled “Notice to Executive Branch State Contractors and Prospective State Contractors of Campaign Contribution and Solicitation Limitations” (“Notice”) advising State contractors of State campaign contribution and solicitation prohibitions, and will inform its principals of the contents of the Notice. The Notice can be found online at www.ct.gov/SEEC by clicking on the Forms link and then the Contractor Reporting Forms link. The Notice is hereby made a part of this RFQ.

- D. Prior to the execution of an agreement, the selected Proposer must have a CTDOT-approved audit and Affirmative Action Plan, as well as current corporate registration with the SOTS.

10. RESERVATION OF RIGHTS

CTDOT reserves the right to:

- A. Cancel, withdraw, postpone or extend this RFQ in whole or in part;
- B. Terminate this procurement process at any time and is under no obligation to contract for the services specified herein;
- C. Reject any and all SOQs received under this RFQ at any time;
- D. Issue addenda to this RFQ;
- E. Add or delete responsibilities from the SOW;
- F. Appoint the evaluation team and to replace any appointee, at the Commissioner's discretion;
- G. Use the assistance of technical, financial, and legal experts throughout the procurement process; and
- H. Waive minor deficiencies, informalities and irregularities in this RFQ process and in SOQs.

11. CTDOT NOT OBLIGATED FOR PROPOSAL COSTS

Respondents to the RFQ, and not CTDOT or the State, shall be responsible for all of its costs associated with its participation in this RFQ process.

12. FREEDOM OF INFORMATION ACT

As described below, the Commissioner may withhold from disclosure the SOQ until the completion of the procurement process. However, upon receipt by CTDOT, the SOQ is considered a public record or file, subject to the Freedom of Information Act ("FOIA"). Accordingly, each Responder shall identify any and all information that it considers to be confidential as proprietary or trade secret. Those particular sentences, paragraphs, pages or sections that the Responder believes to be proprietary or trade secret shall be specifically and clearly identified as such. Each Responder seeking to claim an exemption for a trade secret or proprietary information must provide a convincing explanation and rationale consistent with the law sufficient to justify treating the identified information as proprietary or trade secret under CGS § 1-210(b), including the representation that such information is not already in the public domain. The rationale and explanation shall be stated in terms of the prospective harm to the competitive position of the Candidate that would result if the identified material were to be released, and set forth the reasons it believes the material is legally exempt from release pursuant to FOIA. If the Responder indicates that certain documentation is submitted in confidence, by specifically and clearly marking said documentation as

CONFIDENTIAL, CTDOT will first review such claims to make sure they are consistent with FOIA (that is, the documentation is actually a trade secret or commercial or financial information and not required by statute), and if so, will endeavor to keep said information confidential to the extent permitted by law. See, *e.g.*, CGS § 1-210(b)(5)(A-B). The final administrative authority to release or exempt any or all material so identified rests solely with CTDOT; subject to adjudication by the Freedom of Information Commission (“FOIC”) should the Responder’s claim of proprietary or trade secret information be challenged. CTDOT, however, has no obligation to initiate, prosecute or defend any legal proceeding or to seek a protective order or other similar relief to prevent disclosure of any information that is sought pursuant to a FOIA request. Should CTDOT withhold such documentation from an FOIA requester and a complaint be brought to the FOIC, the Responder shall have the burden of cooperating with CTDOT in defense of that action and in terms of establishing the availability of any FOIA exemption in any proceeding where it is an issue. In no event shall CTDOT or the State of Connecticut (State) have any liability for the disclosure of any documents or information in its possession which the State or CTDOT believes are required to be disclosed pursuant to FOIA or other requirements of law.

By submitting a SOQ, each Responder agrees that the State may reveal any trade secret materials contained in such SOQ to all staff and officials involved in the selection process, and to any outside consultants, legal counsel or other third parties who serve on the evaluation committee or who are hired to assist in the selection process. Each such individual who receives such information will be required to sign a confidentiality agreement. Furthermore, each Responder agrees to indemnify and hold harmless the State and each of its officers, employees, consultants, counsel and agents from all costs, damages and expenses incurred in connection with refusing to disclose any material which the Responder has designated as a trade secret or proprietary. Any Responder that designates its entire proposal as a trade secret or proprietary may be disqualified by the State, in its sole discretion.

Subject to any particular FOIA request that may be made, pursuant to CGS § 1-210(b)(24), the Commissioner may (subject to the balancing test required by § 1-210(b)(24)) withhold from disclosure the SOQ until the agreement contemplated by this RFQ has been executed or when negotiations for the award of such agreement have ended, whichever occurs earlier. CGS § 1-210(b)(24) provides that nothing in FOIA shall be construed to require the disclosure of:

“Responses to any request for proposals or bid solicitation issued by a public agency or any record or file made by a public agency in connection with the contract award process, until such contract is executed or negotiations for the award of such contract have ended, whichever occurs earlier, provided the chief executive officer of such public agency certifies that the public interest in the disclosure of such responses, record or file is outweighed by the public interest in the confidentiality of such responses, record or file.”