



# Department of Transportation

Center for Procurement and Contract Services

***REQUEST FOR PROPOSAL #TBD***

***SUBMISSION DEADLINE: TBD– TBD pm MST***

**Proposals must be submitted to: Colorado Department of Transportation (CDOT) Purchasing via the CDOT Supplier Self Service Portal (SuSS) located at: [www.codot.gov/business/procurement-and-contract-services](http://www.codot.gov/business/procurement-and-contract-services)**

## **FRONT RANGE PASSENGER RAIL STAKEHOLDER ENGAGEMENT AND SERVICE DEVELOPMENT PLAN**

Colorado Senate Bill 17-153 created the Southwest Chief and Front Range Passenger Rail Commission and directed the Commission to report to the House and Senate Local Government Committees of the Colorado General Assembly by December 1, 2017 regarding proposals for the development of a Front Range passenger rail system. Accordingly, the Commission presented a summary of strategic considerations, key steps towards implementing Front Range passenger rail, and a map of proposed Front Range passenger rail corridors and connections from Fort Collins to Trinidad, Colorado. The Commission identified five distinct phases for implementation, with the scope of this RFP addressing Phase One:

- Purpose and Need/Program Rationale, which provides a description of the transportation challenges and opportunities faced in the market(s) to be served by the proposed service, as well as a description of alternatives that address the Purpose and Need, including rail passenger service corridor development as well as improvements to other modes and a “no action alternative.
- Public and stakeholder engagement to define the proposed service(s) and determine that service offering which provides the greatest benefit to the Front Range and would engender the greatest amount of public support for funding and implementation.
- Service development plan, which defines alignment and route, station locations, service levels, technology requirements, and estimated capital and operating costs.

Currently, no federal funding is associated with this provision. Respondents to this RFP acknowledge, by virtue of their response, that the likelihood of future funding and implementation of the proposed projects covered by this notice is unknown, and the State Government and/or the Commission are not liable for any costs incurred in preparing responses to the RFP.

**Please note that all Proposer(s) must be a subscribers to the SuSS at the time of the RFP/bid opening for their bid to be considered. Please read this Request for Proposal (RFP) thoroughly before responding. Illegible responses may be rejected as non-responsive.**

**The Colorado Department of Transportation (CDOT) reserves the right to reject any and all proposals or parts thereof, and to waive informalities or irregularities. By submission of a proposal, proposer agrees to the State of Colorado terms and conditions.**

By submission of a proposal, bid and/or quote, proposer agrees as follows:

- Except as replaced, modified, or supplemented by CDOT for this solicitation, all items in the State of Colorado Solicitation Instructions/Terms and Conditions are considered part of, and are incorporated by reference into this document.
- Proposer testifies that bid prices were arrived at independently and there was no collusion involved.
- The Bidder/Proposer/Vendor guarantees to the State that they understand and agree to the terms and conditions of this RFP and that they will not default from performance by virtue of a mistake or misunderstanding. Proposers shall seek clarification from CDOT of any specifications, terms and/or conditions that they determine to be unclear. The failure of a proposer to seek clarification may be deemed a waiver of any such clarification.
- If applicable, low tie bids/proposals shall be decided in accordance with the provision of C.R.S. Section 24-103-202.5, as it currently exists or is hereafter amended, which gives a preference to resident bidders. Any bidder who wishes to be considered a “resident bidder” for purposes of the tie bid procedure provided in C.R.S. Section 24-103-202.5 shall include with their bid, proof that they meet the definition of resident bidder as set forth in either C.R.S. Section 24-103-101(6)(a) or C.R.S. Section 24-103-101(6)(b).
- CDOT has provided as **Attachment B** a Sample Contract that it expects to enter into with the successful proposer. Proposers submit proposals understanding all Contract terms and conditions are mandatory and no negotiations of those terms will be invited. Submittal of a proposal is agreement to the entire contract without exception, unless CDOT brings forward contract modifications for negotiation. If the Bidder is awarded a contract and refuses to sign the contract as provided in this solicitation, CDOT may reject the Bidder proposal for this work. Under no circumstances shall the Bidder submit its own boilerplate of terms and conditions.
- Pursuant to CRS 24-30-202.4 (as amended), the state controller may withhold debts owed to state agencies under the vendor offset intercept system for: (a) unpaid child support debt or child support arrearages; (b) unpaid balance of tax, accrued interest, or other charges specified in Article 22, Title 39, CRS; (c) unpaid loans due to the student loan division of the Colorado Division of Higher Education; (d) owed amounts required to be paid to the unemployment compensation fund; and (e) other unpaid debts owing to the state or any agency thereof, the amount of which is found to be owing as a result of final agency determination or reduced to judgment as certified by the controller.

**Proposer Name** \_\_\_\_\_ **Signature** \_\_\_\_\_

**Proposer Address** \_\_\_\_\_ **Name (Print)** \_\_\_\_\_

**City, State, Zip** \_\_\_\_\_ **Title** \_\_\_\_\_ **Date** \_\_\_\_\_

**Proposer Phone** \_\_\_\_\_ **Fax** \_\_\_\_\_ **F.E.I.N./SSN** \_\_\_\_\_

**NOTE: Results will be posted on <https://www.codot.gov/business/procurement-and-contract-services/awards-1> or sent via postal system but *will not be discussed by phone* except as noted in the RFP document.**

**REQUEST FOR PROPOSAL**  
**THE COLORADO DEPARTMENT OF TRANSPORTATION**  
**FRONT RANGE PASSENGER RAIL STAKEHOLDER ENGAGEMENT AND SERVICE**  
**DEVELOPMENT PLAN**

**SECTION 1.0**  
**ADMINISTRATIVE INFORMATION**

**1.1 ISSUING OFFICE:**

This request for proposal is issued for the State of Colorado and the Division of Transit and Rail, by the Colorado Department of Transportation, Center for Procurement and Contract Services. All contact regarding this RFP is to be directed to:

Ms. Patricia C. O’Neal, Purchasing Agent  
Colorado Department of Transportation  
Center for Procurement and Contract Services  
4201 East Arkansas Avenue, Room 200  
Denver, CO 80222  
Email: [Patricia.O’neal@state.co.us](mailto:Patricia.O’neal@state.co.us)  
Phone: (303) 757-9399 Fax: (303) 757-9669

**1.2 PURPOSE:**

The purpose of this Request for Proposal (RFP) is to obtain competitive bid proposals from qualified firms interested in developing the Front Range Passenger Rail Stakeholder Engagement and Service Development Plan, a strategic vision for the future of passenger rail service along the Front Range.

This RFP provides prospective proposers with sufficient information to enable them to prepare and submit proposals for consideration by CDOT to satisfy the needs as outlined in this RFP’s Statement of Work.

<b>1.3 SCHEDULE OF ACTIVITIES:</b>	<b>DATE:</b>	<b>TIME (MST)</b>
<b>1. RFP published on SuSS</b>	<b>TBD</b>	<b>TBD</b>
<b>2. Prospective proposer’s inquiry deadline</b> (No questions accepted after this date)	<b>TBD</b>	<b>TBD</b>
<b>3. Response to proposer questions</b>	<b>TBD</b>	<b>TBD</b>

- |   |     |     |
|---|-----|-----|
| 4. Proposal submission deadline   | TBD | TBD |
| 5. Top consultants selected and notified of<br>Interview ( <u>estimate</u> ), if appropriate                | TBD |     |
| 6. Potential oral interviews with a short list of<br>consultants ( <u>estimate</u> ), if required – week of | TBD |     |
| 7. Firms selected ( <u>estimate</u> )   | TBD |     |
| 8. <i>Desired</i> date of executed contract   | TBD |     |

**1.4 PROPOSAL SUBMISSION:**

**Electronically through the SuSS: Suppliers must upload their proposal to the SuSS. CDOT procurement will distribute your uploaded proposal to the evaluation panel. All Suppliers must be registered on the CDOT portal in order to submit a proposal.**

**1.5 INQUIRIES:**

Prospective proposers may make written inquiries concerning this RFP to obtain clarification of requirements. No inquiries will be accepted after the date and time specified in the Schedule of Activities, Prospective proposer’s inquiry deadline. Questions must be submitted in writing via e-mail to:

Ms. Patricia C. O’Neal, Purchasing Agent  
 Colorado Department of Transportation  
 Center for Procurement and Contract Services  
 4201 East Arkansas Avenue, Room 200  
 Denver, CO 80222  
 Email: [Patricia.O’neal@state.co.us](mailto:Patricia.O’neal@state.co.us)  
 Phone: (303) 757-9399 Fax: (303) 757-9669

Subject line of the e-mail shall clearly state “questions for **RFPXX-XXXXX** to facilitate handling and distribution. Inquiries sent by fax will be accepted (Fax number (303) 757-9669). An addendum responding to questions submitted regarding the RFP will be published on SuSS.

**1.6 AMENDMENTS TO RFP:**

In the event it should be necessary to revise any portion of this RFP, addenda will be published on the SuSS. It is the proposer’s responsibility to monitor the SuSS at the Internet site [www.codot.gov/business/procurement-and-contract-services](http://www.codot.gov/business/procurement-and-contract-services), and comply with all addenda to this RFP.

**1.7 RESPONSE MATERIAL OWNERSHIP:**

All material submitted regarding this RFP becomes the property of the State of Colorado. Proposals may be reviewed by any person after the “Notice of Intent to Make an Award” letter has been issued, subject to the terms of Section 24-72-201 et. seq., C.R.S., as amended, Public (open) Records.

**1.8 PROPRIETARY INFORMATION:**

All material submitted in response to this RFP will become public record and open to inspection after Intent to Award notice is issued. Any material requested to be treated as proprietary or confidential must be

clearly identified and easily separable (separate file if uploaded or separate envelope if hard copies) from the rest of the proposal. Such request must include justification for the request. The request will be reviewed and either approved or denied by the CDOT Purchasing Director. If denied, the proposer will have the opportunity to withdraw its entire proposal, or to remove the proprietary restrictions. NEITHER COST NOR PRICING INFORMATION NOR A TOTAL PROPOSAL WILL BE CONSIDERED PROPRIETARY. Refer to Section 1.31 of this RFP for submission of Confidential/Proprietary information.

#### **1.9 REJECTION OF PROPOSALS:**

CDOT reserves the right to reject any or all proposals received in response to this RFP, or to cancel this RFP if it is in the best interest of the State to do so. Failure to furnish all information or to follow the proposal format requested in this RFP may disqualify the proposal. Any exceptions to the Statement of Work must be clearly identified in the proposal. Inclusion of exceptions does not guarantee acceptance by the State of such variation, and may instead lead to rejection of the proposal as non-responsive. (See further Section 1.12 of this RFP.)

#### **1.10 INCURRING COSTS:**

CDOT is not liable for any costs incurred by proposers prior to issuance of a legally executed contract. All costs to prepare and submit a response to this solicitation shall be borne solely by the proposer.

#### **1.11 EVALUATION CRITERIA:**

An evaluation will be made by a committee selected to evaluate the merits of all proposals received according to the evaluation criteria defined herein (Section 3). The recommendations of this group will be forwarded to the Purchasing Director for approval.

1.11.1 Failure of the proposer to provide in his/her proposal any information requested in this RFP may result in disqualification of the proposal. It is the sole responsibility of the proposing individual or firm to ensure all information requested in the RFP is included.

1.11.2 During the evaluation process, discussions/interviews may be scheduled with proposers who submit proposals determined to be reasonably competitive for selection for award. It will be upon the recommendation of the evaluation committee if discussions/interviews for clarification are needed.

1.11.3 The sole objective of the evaluation committee will be to recommend the proposer(s) whose proposal(s) is/are most responsive to CDOT's needs within the available resources. The specifications within this RFP represent the minimum performance necessary for response.

1.11.4 Specific evaluation criteria are outlined in Section 3 of this RFP, entitled Evaluation Criteria.

#### **1.12 ACCEPTANCE OF RFP TERMS:**

A proposal submitted in response to the RFP shall constitute a binding offer. Acknowledgment of this condition shall be indicated by the autographic signature of the proposer, or an officer of the proposer, legally authorized to execute contractual obligations. A submission in response to the RFP acknowledges acceptance by the proposer of all terms and conditions including compensation, as set forth herein. Any exceptions and/or variations to the terms and conditions presented in the RFP may be submitted as part of the proposal, with each such exception and/or variation identified clearly and thoroughly. Failure to identify any exceptions and/or variations in the submitted proposal shall be deemed a waiver of any rights to subsequently modify the terms of performance, except as outlined or specified in the RFP, and may result

in cancellation of the award and such vendor may be removed from future solicitations. Submission of a proposal containing exceptions and/or variations does not guarantee of acceptance of such variations by CDOT, and may instead lead to the rejection of the proposal as non-responsive if the requested variations are determined to be extensive or unreasonable, by the evaluation committee assigned to this RFP solicitation.

**1.13 CONSULTANT CERTIFICATION:**

Proposers must submit a signed Consultant Certification Form, CDOT Form #637, with their proposal, **Attachment A** to this RFP.

**1.14 PROVISION FOR REQUIRED INSURANCE:**

Award of a contract will be contingent upon the successful proposer submitting certificates of insurance in accordance with the provisions of the sample contract, **Attachment B**.

**1.15 CONFLICT OF INTEREST:**

By submission of a proposal, proposer agrees that, at the time of contracting, the proposer has no interest, direct or indirect, that would conflict in any manner or degree with the performance of the required services. The proposer shall further covenant that, in the performance of the contract, it shall not employ any person having any such known interest. Any firm affiliated or related to an employee of CDOT shall be ineligible to submit a proposal for the required services.

**1.16 REQUEST FOR PROPOSAL:**

The Request for Proposal Form - the cover page for this RFP - must be signed, by a person authorized to bind the proposer, and returned with the proposal.

**1.17 AUDIT OF THE SELECTED PROPOSER:**

Prior to final contract award, an audit may be conducted by the CDOT's External Audit Branch of the selected proposer. This audit will be for the purpose of ensuring that the selected firm is financially capable of performing the contract, that the cost information and prices quoted are reasonable, and that the selected proposer has adequate accounting practices to assure accurate tracking of contract costs.

Prior to final acceptance of the contract work, a closing audit of the proposer may be performed by the CDOT External Audit Branch. This final closeout audit will be performed upon completion of the contract to verify the accuracy of the billings and compliance with the contract provisions.

**1.18 BUDGETED FUNDS:**

The budget for this project is approximately \$1,000,000.00 - \$1,200,000.00

**1.19 INTENT TO AWARD:**

After a proposer is selected, an "Intent to Award" on <https://www.codot.gov/business/procurement-and-contract-services/awards-1>, a USPS letter or email notification will be sent to all firms who submitted a proposal. After intent to award has been issued, interested parties may review any/all the proposals by making an appointment with: **The Center for Procurement and Contracting Services**.

**1.20 PROTESTED SOLICITATIONS AND AWARDS:**

Any actual or prospective proposer or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to [dot\\_procurement@state.co.us](mailto:dot_procurement@state.co.us) attn.: CDOT's Procurement Official.

The protest shall be submitted in writing within seven (7) working days after such aggrieved person knows, or should have known, of the facts giving rise thereto. Protests received after the seven-working-day period shall not be considered. The written protest shall include, as a minimum, the following:

- A. The name and address of the protestor;
- B. Appropriate identification of the procurement by bid, RFP, or award number;
- C. A statement of the reasons for the protest; and
- D. Any available exhibits, evidence or documents substantiating the protest.

#### **1.21 STANDARD CONTRACT:**

CDOT has provided as **Attachment B** a Sample Contract that it expects to enter into with the successful proposer. Proposers submit proposals understanding all Contract terms and conditions are mandatory and no negotiations of those terms will be invited. Submittal of a proposal is agreement to the entire contract without exception, unless CDOT brings forward contract modifications for negotiation. If the Bidder is awarded a contract and refuses to sign the contract as provided in this solicitation, CDOT may reject the Bidder proposal for this work. Under no circumstances shall the Bidder submit its own boilerplate of terms and conditions.

#### **1.22 SELECTION OF PROPOSAL:**

All proposers will be notified in writing regarding the results of the RFP evaluation. Upon review and approval of the evaluation committee's recommendation for award(s), the CDOT Procurement Office will issue a "Notice of Intent to Make an Award" letter to the apparent successful proposer(s). Provided, however, that all proposers understand that such letter, by itself, does not grant any property interest or right of any nature in the RFP work/services or to a contract for the performance of such work/services. A contract must then be completed and signed by all parties and the State Controller, before any such right exists. Therefore, the apparent successful proposer(s) that receive a "Notice of Intent to Make an Award" letter shall not rely on that letter to make commitments to third parties, and the apparent successful proposer(s) shall not take any actions(s) to prepare for or start the performance of the RFP work/services until a contract is so negotiated and executed. In addition, a contract must be completed and signed by all parties concerned on or before the date indicated in the Schedule of Activities.

#### **1.23 AWARD OF CONTRACT:**

The award will be made to that proposer(s) whose proposal conforms to the RFP, and is/are judged to be the most advantageous to the State of Colorado and CDOT, price and other factors considered, subject to negotiation and execution of an acceptable contract as described above.

1.24 It is the intent of CDOT to select a vendor within 30 days of the deadline for receipt of proposals. However, bid proposals must be firm and valid for award for at least 120 days after the deadline for receipt of proposals.

#### **1.25 NEWS RELEASES:**

News releases pertaining to this RFP shall NOT be made prior to execution of a contract, and then will be made only with the approval of CDOT.

**1.26 CERTIFICATION OF INDEPENDENT PRICE DETERMINATION:**

1.26.1. By submission of this proposal each proposer thereto certifies as to its own organization, that in connection with this procurement:

- (a) The prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other proposer or with any competitor;
- (b) Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by the proposer and will not knowingly be disclosed by the proposer prior to opening, directly or indirectly to any other proposer or to any competitor; and
- (c) No attempt has been made by the proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.

1.26.2 Each person signing the Invitation for Bid form of this RFP certifies that:

He/she is the person in the proposer's organization responsible within that organization for the decision as to the prices being offered herein and that he/she has not participated, and will not participate, in any action contrary to 1.26.1 (a) through (c) above. OR,

He/she is not the person in the proposer's organization responsible within that organization for the decision as to the prices being offered herein but that he/she has been authorized in writing to act as agent for the persons responsible for such decision in certifying that such persons have not participated, and will not participate, in any action contrary to 1.26.1 (a) through (c) above, and as their agent does hereby so certify; and he/she has not participated, and will not participate, in any action contrary to 1.26.1 (a) through (c) above.

1.26.3 A proposal will not be considered for award where 1.26.1 (a) and (c), and 1.26.2 above, have been deleted or modified. Where 1.26.1 (b) above has been deleted or modified, the proposal will not be considered for award unless the proposer furnishes with the proposal a signed statement which sets forth in detail the circumstances of the disclosure and the head of the CDOT's Purchasing Office, or designee, determines that such disclosure was not made for the purpose of restricting competition.

**1.27 TAXES**

The State of Colorado, as purchaser, is exempt from all Federal taxes under Chapter 32 of the Internal Revenue Code (Registration No. 84-730123K), and from all State and Local Government Use Taxes (Ref. Colorado Revised Statutes Chapter 39-26.114[a]). Proposer is hereby notified that when materials are purchased in certain political subdivisions the seller may be required to pay sales tax even though the ultimate product or service is provided to the State of Colorado. This sales tax will not be reimbursed by the State.

**1.28 FUNDS AND COMPENSATION:**

The funds payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available. In the event funds are not appropriated, any resulting contract will become null and void, without penalty to the State of Colorado or CDOT.

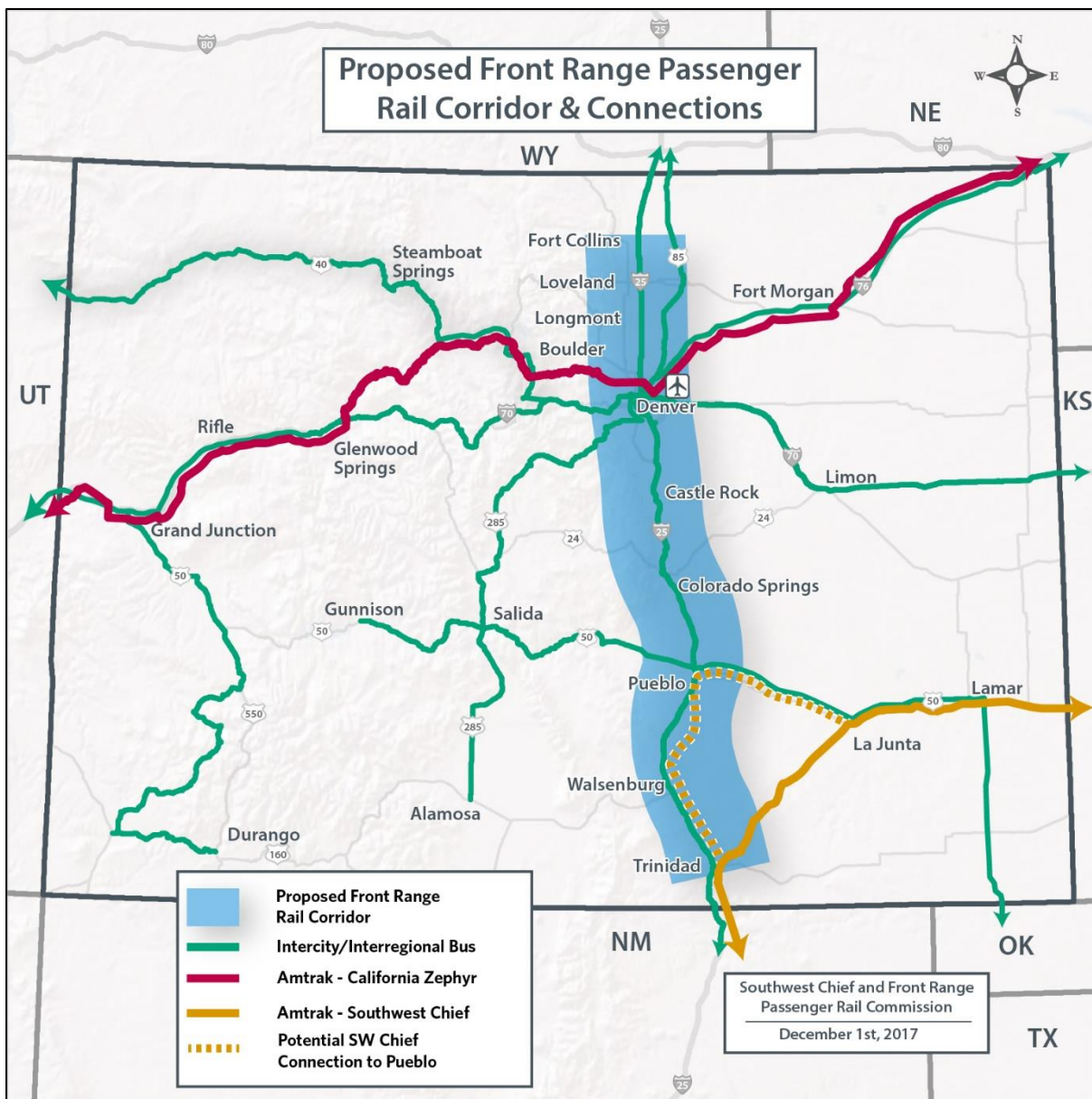


## 1.29 BACKGROUND, OVERVIEW, GOALS:

The Commission has identified the Front Range Corridor as extending from Fort Collins to Trinidad, Colorado. Representatives from the Cheyenne, WY area have requested to be included in corridor development planning to include extending any resulting Front Range passenger rail service to include their area. Additionally, several potential route options exist north and south of the Denver Metro region, and to varying degrees within and to other Front Range communities, including Fort Collins, Colorado Springs, Pueblo, and Trinidad.

- North Denver Metro potential alignment options include, but are not limited to:
  - RTD's proposed Northwest Commuter Rail alignment: Longmont to Boulder to Downtown Denver corridor
  - I-25 EIS Corridor via BNSF Railway's existing right-of-way between Longmont and Fort Collins
  - I-25 corridor to Downtown Denver
  - RTD North Metro corridor to Downtown Denver
  - E-470 Corridor to Denver International Airport
  
- South Denver Metro potential alignment options include, but are not limited to:
  - I-25 to US 85/Consolidated BNSF-UP Main Line corridor to RTD Southwest Rail Lines/Consolidated UP/BNSF Main Line corridor to Downtown Denver
  - I-25 to RTD Southeast rail lines to Downtown Denver
  - E-470 Corridor to Denver International Airport

The Commission envisions this as the first phase of a qualification process to strategically maximize connections and interoperability with local transportation systems. The consultant must align all study work with Federal Railroad Administration (FRA) guidelines' specified steps which FRA will insist upon to secure the agency's support for the project as necessary. Consult with the FRA, which has published specific steps which the FRA will require to secure the agency's support for the project. The study sponsor should consult with the FRA about the interregional rail concept, share the conceptual ridership and operating plan, and obtain the agency's comments. If study sponsors anticipate that federal funding might be sought to help fund the implementation, then sponsors should also consult with the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) and obtain their comments.



### **1.30 STATEMENT OF WORK:**

**Submissions should describe a visionary and innovative The Front Range Passenger Rail Stakeholder Engagement and Service Development Plan, which incorporates the following outcomes:**

#### **I. Development of Public and Stakeholder Engagement & Service Vision**

**A.** Design and conduct a public and stakeholder engagement strategy throughout and along the Front Range to increase public awareness and establish a mobility vision that includes passenger rail.

- 1) Develop a reporting framework for engagement strategy and design of a collective mobility vision;
- 2) Outline the benefits to the public and national transportation system, including an explanation of how the project is cost-effective, what advantages it offers over existing services, and how it could interact and supplement existing services.
- 3) Determine which corridor/service offerings produce the greatest level of public support.
- 4) Public Involvement Strategy and Plan

#### **II. Prepare Preliminary Corridor Development Plan**

**A.** Determine Need and Prerequisites for Rail Service:

- 1) Define mobility needs and markets served by each of the proposed stations;
- 2) Describe potential ridership, use of existing rail corridors and station locations, existing inter- and intra-city traffic by mode, transit supportive land uses, and existing or required right of way;
- 3) Provide an order-of-magnitude ridership forecast based on a comparative analysis with existing rail systems;
- 4) Summarize existing corridor transportation modes, capacity, and condition, and current and projected future travel demand;
- 5) Describe current freight operations by major line segments, facility and track condition, track configuration, curve geometrics, FRA class, current freight usage, capacity by line segment;
- 6) Impact of the project on highway congestion, energy consumption, environmental impacts, land use, and economic development and allowance for future growth.

**B.** Define Preferred Alignment and Route including, but not limited to:

- 1) Recommendation for greatest alignment opportunity and service delivery to either directly serve downtown Denver/Denver Union Station or directly serve Denver International Airport;
- 2) Recommendation to maximize connections with present and planned local transit services, ensuring connectivity with previous transit investments (i.e. FasTracks);
- 3) Outline of existing freight rail corridors or new greenfield alignments.

**C.** Define Service and Operating Characteristics including, but not limited to:

- 1) Proposed type of passenger rail system (high speed rail, commuter rail, etc.);
- 2) Frequency and duration of service, including recommendations for operating hours and trip times for major markets;
- 3) Speed and travel time considerations;
- 4) How adverse impacts of the project might be mitigated.

- D.** Develop a Conceptualized Operating Plan including, but not limited to:
- 1) Recommendation for potential qualified service operators;
  - 2) Timetable of proposed schedules;
  - 3) Service frequency and operating speeds
  - 4) Fares and fare structure comparisons among proposed services;
  - 5) Describe alignment with existing and planned intermodal connections;
  - 6) Station locations and maintenance facility location and, for each, whether it is existing or new, and how it maximizes the use of existing infrastructure;
  - 7) Capacity improvement concepts for required infrastructure investments and improvements including the feasibility of building new track and the method for securing required ROW;
  - 8) Type and quality of preferred train equipment to be used, with technical specifications such as maximum speed, passenger capacity, energy consumption profile, acceleration and deceleration rates, and technologies used including Positive Train Control.
  - 9) The plan should be developed in partnership with track owners and freight service operators for initial comments on capacity improvements. The local MPO could also assist in developing this operating plan. If conceptual ridership estimates are enough to fill two or three trains, and if the freight railroad's reaction to the operating plan is positive, the effort should proceed to a more formal preliminary feasibility study.
- E.** Define High-Level Capital and Operating Costs and provide a financial plan for the proposed project, including:
- 1) Pre-construction cost estimates: planning, environmental/NEPA, design, ROW acquisition, etc.;
  - 2) Costs of construction of rail and station locations, acquisition of fleet equipment, and establishment of operating systems;
  - 3) Cost estimates for infrastructure and train control needs, including
    - a) Train control systems, including PTC
    - b) Track, signals, and interlocking upgrades
    - c) Need for sidings and double tracking
    - d) Grade crossing facilities (new crossings, new crossing gates, signals, and surface improvements), as well as opportunities to consolidate/eliminate grade crossings
    - e) Station facilities (platforms, shelters, lighting, and facilities that could be repurposed)
  - 4) Estimates of annual operating costs by expenditure type;
  - 5) Preliminary planning level annual ridership and revenue projections;
  - 6) On-going operations, maintenance, and life cycle costs;
  - 7) Sources and descriptions of capital funds and projected levels of private and public investment;
  - 8) Recommendations for ongoing, dedicated funding sources;
  - 9) Projected financial statement for the proposed organization showing annual revenue, costs, investment, and debt service from project inception through construction, testing, and first 10 years of operation.
- F.** Operations and Governance
- 1) Identify Sponsor for Preliminary Feasibility Study:
    - a) Determine feasibility of an aggregation of jurisdictions to be served by an interregional rail system.
    - b) Determine likelihood of recommended sponsor's ability to secure funding for the preliminary feasibility study and to initiate the study. Provide recommendation if a

consultant should be retained to conduct the study, at the direction of the study sponsor.

- c) Depending on the technology and other project characteristics, the study sponsor should demonstrate ability to work with several federal and state agencies to ensure project planning and deployment process requirements are met (i.e. NEPA). Agencies that need to be involved, include, but are not limited to:

- *Federal Railroad Administration (FRA)*
- *Federal Transit Administration (FTA)*
- *Federal Highway Administration (FHWA)*
- *Colorado Department of Transportation (CDOT)*
- *Colorado Public Utilities Commission*

- 2) Governance Structure and Service Operator:

- a) Suggested governance structure (i.e. elected/appointed interregional rail authority, special district, existing transit agency, etc.);
- b) Suggested service operator structure (i.e. existing transit agency, other public agency, new transit agency, Amtrak, private operator, etc.).

- G. Implementation Plan/Timeline with key benchmarks for establishing service.

- 1) Development of a preliminary service implementation plan
- 2) Development of timeline to service implementation (including all items in subtasks 1-6 above) to establish Front Range Passenger Rail Service

### III. Project Management

- A. **Day to day project management and administration activities must be performed to guide the project through the requirements of this scope of work. These activities include, but are not limited to:**

- 1) Tracking and managing the project budget and tasks
- 2) Maintaining project files
- 3) Updating the project schedule
- 4) Coordinating with FRA, CDOT, and the Commission
- 5) Processing invoices
- 6) Submitting monthly progress reports to CDOT and the Commission
- 7) Ensuring the quality of the work and deliverables for each task

#### **1.31 ORAL PRESENTATION/SITE VISITS:**

Proposers may be asked to make oral presentations or to make their facilities available for a site inspection by the evaluation committee. Such presentations and/or site visits will be at the proposer's expense and for the total evaluation committee and the Purchasing Agent.

#### **1.32 PROPOSAL PRICES:**

Estimated proposal prices/amounts are not acceptable. Best and final offers may be considered in determining the apparent successful proposer, if requested, by the evaluation committee after oral presentations.

#### **1.33 RFP CANCELLATION:**

The State reserves the right to cancel this Request for Proposal at any time, without penalty.

**1.34 PARENT COMPANY:**

If a proposer is owned or controlled by a parent company, the name, main office address and parent company's tax identification number shall be provided in the proposal.

**1.35 ASSIGNMENT AND DELEGATION:**

Except for assignment of antitrust claims, neither party to any resulting contract may assign or delegate any portion of the agreement without the prior written consent of the other party.

**1.36 VENUE:**

The laws of the State of Colorado shall govern in connection with the formation, performance and the legal enforcement of any resulting contract. Further, Title 24, C.R.S. as amended, Article 101 through 112 and Rules adopted to implement the statutes govern this procurement.

DRAFT

## SECTION 2.0

### INFORMATION REQUIRED FROM PROPOSERS

#### General Proposer Response Format

#### **2.1 BACKGROUND:**

This section of the proposal, should demonstrate the proposer's understanding of, and approach to, the described services, specifically addressing the needs for establishing a Front Range Passenger Rail service. The proposal should include details of the following:

#### **2.2 CONFLICT IDENTIFICATION:**

Identify all current and former contract activity with any existing State agency or transportation authority related to this Project. Indicate when involvement occurred and length of activity, type of activity with such transportation authority, and indicate extent of involvement with such entities.

#### **2.3. PROJECT UNDERSTANDING:**

This section should describe the Consultant's understanding of CDOT's purpose and goal for this project as illustrated in this Statement of Work.

##### **2.3.1 Project Approach:**

The consultant is tasked with developing a project approach, including a project schedule, which addresses all the tasks included in the Statement of Work and the unique complexities and challenges of this project.

This section of the proposal should demonstrate the proposer's understanding of and approach to the required Project Outcomes and Deliverables, documented below.

In developing a Project Approach, the proposers should consider:

- The development of a Public and Stakeholder Engagement Plan and Service Vision
- The creation of a Preliminary Corridor Development Plan

##### **2.3.2 Project Work Plan for Statement of Work:**

Present a project work plan to provide the following project outcomes (which are also included in Section 1.30 Statement of Work):

###### Public and Stakeholder Engagement Strategy:

- Develop a reporting framework for engagement strategy and design of a collective mobility vision;
- Outline the benefits to the public and national transportation system, including an explanation of how the project is cost-effective, what advantages it offers over existing services, and how it could interact and supplement existing services.
- Determine which corridor/service offerings produce the greatest level of public support.
- Public Involvement Strategy and Plan

###### Preliminary Corridor Development Plan:

- Determine Need and Prerequisites for Rail Service
- Define Preferred Alignment and Route

- Define Service and Operating Characteristics
- Develop a Conceptualized Operating Plan
- Define High-Level Capital and Operating Costs and provide a financial plan for the proposed project
- Operations and Governance
- Implementation Plan/Timeline with key benchmarks for establishing service.

### **2.3.2 Project Deliverables:**

#### The Front Range Passenger Rail Stakeholder Engagement and Service Development Plan

- Public and Stakeholder Engagement Plan
- Service Vision
- Preliminary Corridor Development Plan:
  - Rail Service Prerequisites and Needs
  - Preferred Alignment and Route(s)
  - Service and Operating Characteristics
  - Conceptualized Operating Plan
  - High-Level Capital and Operating Costs and Financial Plan
- Operations and Governance
  - Feasibility Study Sponsor recommendations
  - Governance Structure and Service Operator recommendations
- All public information documents will be ADA Section 508 compliant.

### **2.4 SCHEDULE and PROJECT MANAGEMENT:**

Describe in detail the approach to project management for the project. Explain how the Proposer ensure that the project is completed on time within 12-months and within budget. The Proposer must describe its tools and methods for communication, outcome management, scope management, etc. Proposal should include a schedule for report out meetings and monthly meetings with the Commission.

### **2.5 PROJECT ORGANIZATION AND TEAM MEMBER EXPERIENCE:**

This section of the RFP Proposal should describe:

- Describe the Prime Consultant firm, the location of their main office, and the types of work the consultant generally performs. Sub-consultant firms are also to be described in this section, with their primary roles for the project. Information about sub-consultant firms should be commensurate with their project role.
- Organization of the project team, including responsibilities of individuals, provide an organizational chart
- Relevant work experience, qualifications, home office location and firm association of the proposed key team members (relevant work experience should be for the specific team members proposed, not experience of the firm(s) at large)
  - Key team member's hourly billing rates should be included in the cost proposal/project budget.
  - For each key team member, at least one and up to three client references with contact information

Responding firms are encouraged to seek future mobility national thought leaders for participation on their teams.

### **2.5 FORMAT FOR PROPOSALS**

Firms responding to this RFP should address the following items in no more than 20 double-sided (8 1/2 "x 11") pages (excluding appendices) per submission, including a one page cover letter



(which is not included in the page count). Please print on both sides, using no less than 11-point. Please note that a page is defined as 1 side of a sheet of paper. One 11"x17" page (double-sided) is permissible for the proposed budget and costs and may be substituted for a single page. Resumes should be no more than 1 page for each key person and are not included in the page count.

**All proposals must be uploaded on the SuSS Portal.**

### **2.5.1 Cover Letter**

A cover letter (separate from the RFP form) must be included that generally introduces the Consultant Team and the approach. It must be signed by a person with full authority to enter into a contract between the Consultant and CDOT.

### **2.5.2 Staffing**

- Please submit the names of the key staff who will be assigned to this engagement. Please include a resume and state their relevant experience.
- Provide the availability and percentage of time that the individuals will be assigned to the Engagement.
- Persons designated as key staff are expected to be assigned a significant role in the project. No change in personnel assigned to the project will be permitted without the written approval of CDOT's Project Manager.

## **2.6 FEES AND EXPENSES**

The Consultant should prepare a cost estimate for all key elements for this SOW. Include a breakout of hours by task for each employee assigned to this project and identify any anticipated direct expenses (e.g., travel costs such as airfare, lodging, mileage). Identify any assumptions made while developing the cost proposal. The proposed budget must include all travel cost.

## **2.7 VETERANS PREFERENCE:**

Pursuant to C.R.S. 24-50-511, the State shall give consideration to proposers utilizing a preference for hiring veterans of military service *only* in the following manner:

- To break a tie between proposals following review, scoring and ranking by the evaluation committee. Such tie shall be broken by awarding the resulting contract to the proposer utilizing the greatest quantitative (numerical) preference for veterans in the hiring of its employees.

Veterans' preference will not be used as a scored criterion in the evaluation and ranking of proposals received in response to this RFP solicitation.

## SECTION 3.0

### EVALUATION CRITERIA

#### 3.1 AWARD OF BID:

This section will outline the evaluation criteria to be used by the evaluation committee in the review, rating, and selection of submitted proposals. After evaluation of the written proposals, CDOT *may* request oral presentations from top-ranked proposers. The highest ranked proposals will be given fair and equal treatment during the second (optional) phase of the evaluation. Oral presentations will not be scored separately as part of this solicitation. Oral presentations will only be used to adjust the proposal scores accordingly (per the same evaluation criteria), based upon the information discussed at the presentation. The top-ranked proposal(s) (following conclusion of all phases of the evaluation) shall be recommended, by the evaluation committee, to enter into contract negotiations. The contract(s) will be awarded to those proposer(s) whose proposal (conforming to the RFP) is/are deemed to be the most advantageous to the State of Colorado, price and other factors considered.

#### 3.2 EVALUATION PROCESS:

- 3.2.1 Each member of the evaluation committee will first independently evaluate the merit of proposals received in accordance with the evaluation factors defined in the RFP, followed by panel discussion and final scores ranking. The recommendations of this committee will then be forwarded by the purchasing agent, to the CDOT Procurement Director for review and final approval.
- 3.2.2 Failure of the proposer to provide any information requested in the RFP may result in disqualification of the proposal as nonresponsive. It is the responsibility of the proposer to provide all information required by this RFP.
- 3.2.3 The sole objective of the evaluation committee will be to recommend the proposal most responsive to the State of Colorado's needs. The specifications detailed in this RFP represent the minimum performance necessary for such response.
- 3.2.4 The top ranked proposal(s) (highest score(s)), following independent review and panel discussion, will be recommended either for award or, if the evaluators deem in appropriate, to make an oral presentation.
- 3.2.5 Proposal Scoring: The sole objective of the evaluation committee will be to score the responses and recommend the proposer(s) whose proposal is/are most advantageous to the State of Colorado, taking into consideration all evaluation factors set forth herein. The proposals will be scored in a two-step process. First Step – Proposal scoring will be based off the Evaluation Criteria detailed in Section 3.3 of the RFP. The highest scoring proposals (maximum of 100 points) will be invited to participate in panel interviews. The

Second Step will be based off the panel interviews and presentation. The short listed proposers will be given evaluation criteria to present during the presentation. Following the panel interviews, and panel discussions, the successful proposer(s) will be the one(s) accumulating the highest number of points at the second and final stage of the selection process and whose proposal(s) is/are deemed most advantageous to the State, and who successfully negotiates the ensuing contract.

### **3.3 EVALUATION CRITERIA:**

The complete proposal package will include, evaluation using the factors listed below. These factors are designed to incorporate specific evaluation of the items presented in Section 1.31, Responsibilities, of this RFP.

Proposals should not simply repeat what is written in Section 1.31 of this RFP – Responsibilities, but rather evidence the proposer’s understanding of the State’s requirements and its ability to provide the services needed within a clearly defined and cost-effective budget. (Refer to Section 2 of this RFP for details on the proposal format).

**1. Project Approach: 35%**

The proposal should clearly demonstrate an understanding and knowledge of the impact of technology on mobility.

Proposal should include a project approach that best addresses the project purpose and goals, is cost effective, and efficient. Proposal should also be visionary and innovative.

The proposal should also reflect the consultant’s understanding of public outreach, consensus management, and the participation of Public and Private Stakeholders in reaching desired outcomes and goals as they relate to the Statement Work

**2. Statement of Work: 20%**

The work plan, including the communication plan should clearly demonstrate an understanding of the tasks needed to address the project outcomes identified in the statement of work.

Proposal should describe in detail its approach to project management for the study. How will the Proposer ensure that the project is completed on time and within budget? The Proposer must describe its tools and methods for communication, outcome management, scope management, etc.

Proposal should include a schedule for report out meetings and weekly meetings with the Front Range Passenger Rail Stakeholder Engagement and Service Development Plan project management team.

**3. Consultant Team Experience and Qualifications: 30%**

Proposal should display comprehensive and well-rounded knowledge and demonstrate a background and experience in mobility and transportation, including the number of years, with developing and implementing similar efforts. Specific examples of past projects should be included along with client contact information.

Demonstrate individual staff and firm capabilities as related to each element in the SOW. The proposer should demonstrate a well-honed team with the array of expertise and availability needed to ensure project completion on time and within budget.

4. **Cost Proposal: 15%**

The Cost Proposal will need to be developed for the overall effort considering all the tasks referenced in Section 2.3.2 Project Work Plan for Statement of Work.

DRAFT

## Attachment A

### COLORADO DEPARTMENT OF TRANSPORTATION CONSULTANT CERTIFICATION

CDOT Form #637

Consultant firm name	
Consultant firm complete address	
Authorized representative name (print)	Title
<p>I certify that neither I nor the above firm I represent has:</p> <ul style="list-style-type: none"> <li>- employed or retained for a commission, percentage, brokerage, gift, contingent fee or other consideration, any firm or person (other than a bonafide employee working solely for me or the above consultant) contingent upon or resulting from the award or making of this contract, or to solicit or secure this contract;</li> <li>- agreed as a known or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the contract; or</li> <li>- paid, or agreed to pay, to any firm, organization or person (other than a bonafide employee working solely for me or the above consultant) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the contract;</li> </ul> <p>I further certify that:</p> <ul style="list-style-type: none"> <li>- any exceptions to the conditions listed above are:</li> <li>- wage rates and other factual unit costs supporting the compensation to be paid under this contract are accurate, complete and current.</li> </ul> <p>I acknowledge that this certificate is to be furnished to the Colorado Department of Transportation and the Federal Highway Administration, U.S. Department of Transportation, in connection with this contract involving participation of Federal Aid highway funds, and is subject to applicable State and Federal laws, both criminal and civil.</p> <p><b>I DECLARE UNDER PENALTY OF PERJURY IN THE SECOND DEGREE, AND ANY OTHER APPLICABLE STATE OR FEDERAL LAWS THAT THE STATEMENTS MADE ON THIS DOCUMENT ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.</b></p>	
Firm representative signature	Date

#### CERTIFICATION OF THE COLORADO DEPARTMENT OF TRANSPORTATION

<p>I certify that I am the duly authorized representative of the Colorado Department of Transportation and, that the above Consulting firm or its representative has not been required, directly or indirectly as a known or implied condition in connection with obtaining or carrying out this contract to:</p> <ul style="list-style-type: none"> <li>- employ or retain, or agree to employ or retain, any firm or person; or</li> <li>- pay, or agree to pay, any firm, person, or organization, any fee, contribution, donation, or consideration of any kind;</li> </ul> <p>I further certify that:</p> <ul style="list-style-type: none"> <li>- any exception to the conditions listed above are:</li> </ul> <p>I acknowledge that this certificate is to be furnished the Federal Highway Administration, U.S. Department of Transportation, in connection with this contract involving participation of Federal Aid highway funds, and is subject to applicable State and Federal laws, both criminal and civil.</p>	
CDOT representative signature and title	Date