

Request for Proposals

Salinas Valley Area Truck to Rail Intermodal Facility Feasibility Study

Not to Exceed \$100,000



AMBAG

Association of Monterey Bay Area Governments
445 Reservation Road, Suite G
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Monterey Bay

Unified Air Pollution Control District
24580 Silver Cloud Court, Monterey
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REQUEST FOR PROPOSALS

Salinas Valley Area Truck to Rail Intermodal Facility Feasibility Study

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Issued: March 29, 2010

Due: April 22, 2010 by 4 P.M.

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I. INTRODUCTION

The Association of Monterey Bay Area Governments (AMBAG) is conducting a feasibility study for a potential truck-to-rail intermodal facility to facilitate the movement of freight between Monterey County and the rest of the United States via rail. The facility will support the eastward movement of perishable agricultural products and also serve as a terminal for receiving rail shipment of dry goods from the east coast, thereby reducing dead-heading costs for returning rail cars. Building on previous work funded by other agencies, AMBAG is seeking to prepare an “arm’s length” study and business plan for the operation of a potential intermodal facility to be located at a to-be-determined site within Monterey County.

AMBAG is the Metropolitan Planning Organization (MPO) for Monterey, San Benito, and Santa Cruz counties. As such, AMBAG conducts a variety of studies and prepares plans that improve the mobility of goods and people throughout the three counties of the region.

II. PROJECT SUMMARY AND DESCRIPTION

AMBAG is interested in initiating a feasibility study (hereafter, the “Study”) to recommend a site for a truck-rail intermodal facility in Monterey County, and prepare preliminary design, business model and cost estimates for that facility in sufficient detail to enable funding and environmental review of the project. By shifting freight from truck to rail, the constructed truck to rail intermodal facility will reduce truck trips, VMT, and their resulting diesel emissions.

III. CONTRACTUAL INFORMATION

The contract for the Study will be an agreement between AMBAG and the Consultant. The consultant will invoice AMBAG for services rendered, and AMBAG will compensate the consultant for these services as set forth in the agreement. Funding for the consultant services will be provided by AMBAG (up to \$100,000). The AMBAG Board of Directors has delegated the authority to award the contract to the AMBAG Executive Director, and project deliverables will be reviewed by the AMBAG Project Manager and AMBAG.

IV. SCOPE OF WORK/SERVICES

The scope of work is described below. The selected consultant or consulting team will be expected to perform all of the following technical and other analyses necessary to complete the scope of work. The consultant will receive general direction from the AMBAG Project Manager. Tasks will include the following:

1. The preparation of a report that evaluates the concept of a truck-to rail terminal on the Union Pacific Railroad mainline between Salinas and Soledad, inclusive.
2. The report will have the following contents, at a minimum:
 - a) Documentation of a set of minimum capital, operational standards and other criteria for intermodal facilities that form the basis of the site identification criteria, based on up to three different operational models for freight intermodal facilities
 - b) A recommended Terminal Concept, scope and scale with documentation demonstrating a working business model for the terminal
 - c) Documentation describing the feasibility of the recommended Terminal Concept at up to four alternative sites to be selected in advance by the technical working group

- d) A recommended Site along with documentation demonstrating why the site was selected over other potential sites
 - e) Preliminary construction and operating cost estimates for the recommended concept at the recommended site
 - f) Summary of project benefits, including truck trip reductions, GHG and criteria pollutant emissions reductions, if any, of the terminal.
 - g) Preliminary environmental checklist for recommended site
 - h) Initial study for a terminal at the preferred site
 - i) A local market analysis incorporating input from growers, shippers and processors demonstrating local support for the project and a willingness to invest private dollars in the construction and operation of the proposed facility; the analysis should also identify how the potential facility will impact freight movements throughout the Central Coast
3. Providing information to and receiving feedback from a technical working group comprised of interested professionals at up to three meetings with consultant presentations, as well as one presentation to the Central Coast Commercial Flows stakeholder group
 4. Presenting study results and recommendations to a select body of public officials

V. CONTRACT DELIVERABLES

1. Interim progress reports on a monthly basis and draft materials for each of the deliverables to Project Manager and three presentations to the technical working group
2. Presentations to groups identified above
3. Final Report and all supporting data in electronic format

VI. PROJECT MANAGER

Randy Deshazo
Principal Planner
Association of Monterey Bay Area Governments
445 Reservation Road, Suite G
Marina, CA 93933-0809
No Phone Calls—email only
Rdeshazo@ambag.org

VII. RFP TIMETABLE

March 29, 2010	Issue Request for Proposals
April 5, 2010	Deadline to email questions about the RFP to Project Manager
April 12, 2010	Responses to questions will be posted on the AMBAG website
April 12, 2010	Any additions or amendments to the RFP will be posted on the AMBAG website
April 22, 2010	Closing date for receipt of proposals
April 29, 2010	Finalists contacted to schedule interviews
May 10-14, 2010	Conduct interviews; recommend consultant
May 17, 2010	Contract award, execute contract
May 21, 2010	Start of Project/Begin Work
May 21, 2011	Deadline for projection completion

Proposals (one original, six copies and a PDF version to be emailed to the Project Manager) must be received by the Project Manager no later than 4:00 p.m. on April 22, 2010. If mail delivery is used, the proposer should mail the proposal early enough to provide for arrival by this deadline. Proposers use mail or courier service at their own risk. Neither the Project Manager nor AMBAG will be liable or responsible for any late delivery of proposals.

By submitting a proposal, the proposer certifies that his or her name or the consultant firm's name, as well as the name of proposer subcontractors, does not appear on the Comptroller General's list of ineligible contractors for federally assisted projects.

Until award of the contract, the proposals shall be held in confidence and shall not be available for public review. Upon award of a contract to the successful proposer, all proposals shall be public records. No proposal shall be returned after the date and time set for opening thereof.

VIII. GENERAL CONDITIONS

A. Limitations

This request for proposal (RFP) does not commit AMBAG to award a contract, to pay any costs incurred in the preparation of proposals in response to this request, or to procure or contract for services or supplies. AMBAG expressly reserves the right to reject any and all proposals or to waive any irregularity or informality in any proposal or in the RFP procedure and to be the sole judge of the responsibility of any proposer and of the suitability of the materials and/or services to be rendered. AMBAG reserves the right to withdraw this RFP at any time without prior notice. Further, AMBAG reserves the right to modify the RFP schedule described above.

B. Award

AMBAG may ask RFP finalists to present oral briefings of their proposals. All finalists may be required to participate in negotiations and submit such price, technical, or other revisions of their proposals as may result from negotiations. AMBAG also reserves the right to award the contract without oral briefings or discussion, based upon the initial written proposals. Accordingly, each initial proposal should be submitted on the most favorable terms from a price and a technical viewpoint.

C. Verbal Agreement or Conversation

No prior, current, or post award verbal conversations or agreement(s) with any officer, agent, or employee of AMBAG shall affect or modify any terms or obligations of the RFP, or any contract resulting from this RFP.

D. Pre-contractual Expenses

Pre-contractual expenses include any expenses incurred by proposers and selected contractor in:

- Preparing proposals in response to this RFP
- Submitting proposals to AMBAG
- Negotiations with AMBAG on any matter related to proposals.

- Other expenses incurred by a contractor or proposer prior to the date of award of any agreement.

In any event, AMBAG shall not be liable for any pre-contractual expenses incurred by any proposer or selected contractor. Proposers shall not include any such expenses as part of the price proposed in response to this RFP. AMBAG and AMBAG shall be held harmless and free from any and all liability, claims, or expenses whatsoever incurred by, or on behalf of, any person or organization responding to this RFP. Failure to follow these instructions will result in the proposal rejection as unresponsive.

E. Signature

The proposal will also provide the following information: name, title, address, and telephone number of individual with authority to bind the consultant or consultant firm and also who may be contacted during the period of proposal evaluation. The proposal shall be signed by an official authorized to bind the consultant or consulting firm and shall contain a statement to the effect that the proposal is a firm offer for at least a sixty (60) day period. Execution of the contract is expected by May 15, 2010.

F. Conflict of Interest Statement

Consultants and consultant firms submitting proposals in response to this RFP must disclose to AMBAG any actual, apparent, or potential conflicts of interest that may exist relative to the services to be provided under Agreement for consultant services to be awarded pursuant to this RFP.

If the consultant or firm has no conflict of interest, a statement to that effect shall be included in the proposal. The selected consultant shall refrain from and disclose subsequent potential conflicts during this contract.

G. Contract Arrangements

The successful consultant is expected to execute a contract similar to AMBAG's Standard Agreement, which meets the requirements of SAFETEA-LU. The most important provisions of the Standard Agreement are found in Attachment A. While \$1 million per occurrence in commercial general liability coverage is required, under special circumstances AMBAG may consider a lesser amount of insurance coverage, but not an amount less than \$1,000,000 per occurrence.

G1. Disadvantaged Business Enterprise (DBE) Policy: It is the policy of the U.S. Department of Transportation that minority-and women-owned business enterprises (hereby referred to as DBEs) as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds.

G2. DBE Obligation: The recipient or its subcontractor agrees to ensure that DBEs have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, all recipients or subcontractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that DBEs have the maximum opportunity to compete for and perform contracts. Recipients and their subcontractors shall not

discriminate on the basis of race, color, national origin, or sex in the award and performance of DOT-assisted contracts.

G3. Title VI of the Civil Rights Act of 1964: The contractor agrees to comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964 (49 USC 2000d) and the regulations of the U.S. Department of Transportation issued thereunder in 49 CFR Part 21.

4. Equal Employment Opportunity: In connection with the performance of the contract, the contractor shall not discriminate against any employee or applicant for employment because of race, color, age, creed, sex or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

Each proposal, to be considered responsive, must include the following:

- (1) A copy of the consultant's affirmative action policy (applicable for firms with 50 or more employees)
- (2) Discussion of the consultant's program for use of DBEs in the performance of this work, including the following:
 - The names and addresses of DBE firms that will participate
 - The description of the work each named firm will perform
 - The dollar amount of participation by each DBE firm

IX. PROPOSAL CONTENT AND ORGANIZATION

Proposals should be limited to specific discussion of the elements outlined in this RFP. The intent of this RFP is to encourage responses which meet the stated requirements, and which propose the best methods to accomplish the work within the stated budget.

The organization of the proposal should follow the general outline below. Each proposal should consist of a technical proposal (items 1-7 below) and a cost proposal (item 8).

1. Transmittal Letter

The transmittal letter should include the name, title, address, phone number, and original signature of an individual with authority to negotiate on behalf of and to contractually bind the consultant or consulting firm, and who may be contacted during the period of proposal evaluation. Only one transmittal letter need be prepared to accompany all copies of the technical and cost proposals.

2. Table of Contents

A listing of the major sections in the proposal and the associated page numbers.

3. Introduction

In this section, the proposer should demonstrate an adequate understanding of the role and relationships of each agency constituting AMBAG.

4. Technical Approach

This should include:

- a summary of the proposed approach
- an explanation of the consultant's intended role as related to the role of AMBAG
- a thorough explanation of the consultant's proposed course of action. References should be made to RFP requirements and the consultant's plans for meeting those requirements. If the consultant proposes major changes to the RFP approach, those changes should be specified clearly. The consultant should specify its technical approach, especially data elements to be sampled, staff to be interviewed, and documents to be reviewed, etc.
- an itemized description of the proposed project schedule (including visits, draft and final deliverables) and the deliverables to be produced.
- Consultant will identify expectations of AMBAG and AMBAG staff, our in-house resources, and other agency staff and resources that are assumed or needed by consultant.

5. Project Management

The proposer must prepare an explanation of the project management system and practices to be used to assure that the project is completed within the scheduled time frame and that the quality of the required products will meet AMBAG requirements.

6. Consultant and Subcontractor Staff

The proposal must describe the qualifications and experience of each professional who will participate in the project, including a resume for each member of the Consultant's team. If the firm is submitting a joint proposal summarize the history of how the different firms have worked together in the past. A project manager must be designated, and an organizational chart showing the manager and all project staff must be included. A matrix must be presented indicating the effort, either in percentage of the total project or in person-hours, which will be contributed by each professional, during each phase or task making up the project. If a subcontractor will be used, the proposer must include a letter from the subcontractor committing to perform at least the work shown for subcontractor professional in the above-described matrix. Any staffing changes to the consultant team after the contract has been awarded must be approved by the AMBAG Project Manager.

7. Consultant Qualifications and References

The proposal must describe the nature and outcome of projects previously conducted by the consultant which are related to the work described within the RFP. Descriptions should include client contact names, address, phone numbers, descriptions of the type of work performed, approximate dates on which the work was completed, and professional staff who performed the work. If a subcontractor is proposed, two to three similar

qualifications and references should be provided for the subcontractor. Up to two samples of the consultant's work on closely related projects can also be included with the proposal, if available.

8. Cost Proposal

The cost proposal shall describe both the total and the detailed price for which the consultant will commit to complete the total scope of work and end products. The cost proposal detail shall describe estimated costs (only the total amount is a binding offer) for each professional's time, for the completion of each proposed task, for travel and per-diem (if applicable), and for materials and supplies. Failure to provide adequate cost data will result in the proposal rejection as unresponsive.

X. SUBMITTAL QUESTIONS & ADDENDA

All questions on the RFP should be received no later than April 5, 2010, at 5 p.m. by e-mail at rdeshazo@ambag.org. Responses that require that an addendum be issued to the RFP will be posted on the AMBAG website no later than March 12, 2010 at 5 p.m. It is the responsibility of proposers to check the AMBAG website to determine if addenda have been issued. Any addenda to the RFP will become part of the RFP.

AMBAG reserves the right to revise the RFP prior to the date that proposals are due. Revisions to the RFP will be in the form of an addendum and will be posted on the AMBAG website no later than April 12, 2010 at 5 p.m.

XI. PROPOSAL EVALUATION AND SELECTION

A proposal review panel will evaluate the proposals. Proposers may be telephoned and asked for further information, if necessary, and may be expected to appear for oral interviews. Previous clients may also be called. The panel will make recommendations to the AMBAG Executive Director on the basis of the proposal, oral interview, and reference check. AMBAG reserves the right to select a consultant based solely on written proposals and not convene oral interviews.

Upon receipt of the proposals, a technical evaluation will be performed. Each of the major sections of the proposal will be reviewed and evaluated with criteria designed to help judge the quality of the proposal. Evaluation criteria will include such considerations as:

- Understanding of the background and requirements of the project.
- The overall and technical approaches to be followed and the tasks to be performed, including detailed steps and resources required and proposed project schedule.
- Knowledge and communication of state and federal policy environment and how this impacts potential funding for the intermodal facility
- Understanding of regional freight issues.
- The relative allocation of resources, in terms of quality and quantity, to key tasks including the time and skills of personnel assigned to the tasks and consultant's approach to managing resources and project output.
- Cost analysis and justification.
- Education and experience of proposed personnel.

In addition, conformance with AMBAG policies; and the participation of qualified disadvantaged and minority-owned firms in this project is strongly encouraged.

Requests for Proposals will be reviewed by AMBAG and scored according to the following scoring criteria

Points	Criterion
25	Qualifications and experience
50	Technical Approach
10	Understanding of market conditions, state and federal freight policies and legislation
15	Value of product compared to contract cost
100	Total

XII. PAYMENT SCHEDULE

The consultant will be paid based on work actually performed during the preceding month. The consultant should forward a copy of all invoices for payment for work performed and associated expenses by the 15th day of the following month. AMBAG will withhold ten percent (10%) of the payments until the successful completion of the project and the delivery and acceptance of all final products.