

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

**Request for Proposals (RFP)**

**INNOVATIVE FINANCING STUDY FOR THE INTERSTATE 69 CORRIDOR**

Proposals must be submitted  
No later than **4:00 p.m. CDT**  
**July 30, 2010**

To constitute a valid submission, proposal must:

- (1) Be submitted by the prescribed date and time (Section 2.3);
- (2) Address all of the requirements set forth herein;
- (3) Contain Page 6, completed with the following information:
  - a) Company name, address, and phone number.
  - b) Original signature in ink, not photocopied or stamped.

For further information regarding this RFP contact  
Alan Meadors, Planning and Research Engineer  
AHTD Planning and Research Division  
at 501-569-2102 or by e-mail at [Alan.Meadors@arkansashighways.com](mailto:Alan.Meadors@arkansashighways.com)

*The preparation of this document has been financed in part through funds from the Federal Highway Administration, U.S. Department of Transportation. The contents of this document do not necessarily reflect the official views or policy of the U.S. Department of Transportation.*

Arkansas State Highway and Transportation Department  
RFP – Innovative Financing Study for the Interstate 69 Corridor

TABLE OF CONTENTS

	Page Number
Section 1. Introduction	
1.1 Request for Proposal	1
1.2 Point of Contact	1
1.3 Proper Qualifications	1
1.4 Information Restrictions	1
1.5 Choice of Law and Choice of Forum	2
1.6 Ethics	2
Section 2. Preparing and Submitting Proposal	
2.1 General Instructions	2
2.2 Incurring Cost	3
2.3 Time and Place for Submission of Proposal	3
2.4 Late Proposal	4
2.5 Unsigned Proposal	4
2.6 Withdrawing or Modifying Proposal	4
2.7 Assignment	4
2.8 Cancellation of Contract	4
2.9 Default and Remedies	4
2.10 Right of Rejection	4
Section 3 Disadvantaged Business Enterprise Participation	
3.1 Disadvantaged Business Enterprise (DBE) Participation	4
Section 4 Evaluation and Award	
4.1 Evaluation	5
4.2 Award	5
4.3 Basis of Payment	5
Section 5 Signature Page ( <b>Must be completed and returned</b> )	6
Attachment A – Scope of Work	7

**REQUEST FOR PROPOSAL  
INNOVATIVE FINANCING STUDY FOR THE INTERSTATE 69 CORRIDOR**

**SECTION 1. INTRODUCTION**

**1.1** This **Request for Proposal** (RFP) is issued by the Arkansas State Highway and Transportation Department hereinafter called “AHTD”, as the lead agency for the Interstate 69 (I-69) Corridor, to a qualified firm (Consultant) to prepare an Innovative Financing Study for the I-69 Corridor from Indianapolis, Indiana to the Mexican Border in the Lower Rio Grande Valley. The Scope of Work (Attachment A) is attached to and made a part of the RFP.

**1.2** **Point of Contact:** Questions concerning submission of a proposal in response to this RFP should be addressed to the AHTD officials named below:

Scott E. Bennett  
Assistant Chief Engineer - Planning  
Arkansas State Highway  
and Transportation Department  
P. O. Box 2261  
Little Rock, AR 72203  
Phone: 501-569-2241  
Fax: 501-569-2688  
[Scott.Bennett@arkansashighways.com](mailto:Scott.Bennett@arkansashighways.com)

Alan Meadors, Planning and Research Engineer  
Planning and Research Division  
Arkansas State Highway  
and Transportation Department  
P. O. Box 2261  
Little Rock, AR 72203  
Phone: 501-569-2102  
Fax: 501-569-2597  
[Alan.Meadors@arkansashighways.com](mailto:Alan.Meadors@arkansashighways.com)

In the event that it becomes necessary to provide additional clarifying data or information, or to revise any part of this RFP, revisions, amendments or supplements will be provided to all recipients of this initial RFP and all who have requested information in writing. Oral communications shall not be binding on the AHTD and can in no way modify the terms, conditions, or specifications of this RFP or relieve the successful Consultant of any obligations under any contract resulting from this RFP.

**1.3** **Proper Qualifications:** Proposers must have knowledge of the I-69 Corridor, Federal and State laws and regulations, AHTD policies and procedures, and experience with similar services.

**1.4** **Information Restrictions:** All information received by AHTD regarding this RFP is restrictive and will not be available before award is made to the successful firm.

**1.5** **Choice of Law and Choice of Forum:** This RFP and any resulting contract shall be governed by and construed in accordance with the laws of the State of Arkansas. Any proceeding relating to any cause of action of any nature arising

from or related to the RFP or contract may be brought only before the appropriate forum in Pulaski County, Arkansas.

- 1.6 Ethics:** *“It shall be a breach of ethical standards for a person to be retained, or to retain a person, to solicit or secure a State contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies maintained by the contractor for the purpose of securing business.”* Ark. Code Ann. §19-11-708(a).

## **SECTION 2. PREPARING AND SUBMITTING PROPOSAL**

- 2.1 General Instructions:** The evaluation and selection of a Consultant will be based on the information submitted in the Proposer’s proposal including references. In order to properly evaluate the firms, each Proposer must include in there submission the following documents:

2.1.1 A Cover Letter is required and should display a clear understanding of the project, include a positive commitment to complete the work in the specified time-period, and briefly summarize why the firm should be selected. Address and contact information for each party in a proposed joint venture should be included.

2.1.2 Qualifications: Proposer submittals must include a statement of qualifications documenting the relevant qualifications of the firm or firms, as well as information summarizing the relevant qualifications of the personnel involved.

- a. Qualifications, Experience and Competence of Firm(s): Information must be included summarizing and documenting the qualifications, experience and competence of the firm or firms in relation to the contractual services anticipated. A discussion of the firm’s experience in evaluating and estimating revenues for innovatively financed projects should be included (any projects that have been implemented should be noted). Any projects listed in this proposal that are intended to show the firm’s experience in similar type work but do not include proposed team members will not be considered as relevant to the proposal.

References: the Proposers shall submit a list of clients/references for which similar services have been performed. Any references shall include a point of contact name, address, and telephone number. Information obtained from reference contacts may be used in the selection process.

EEO/Civil Rights: A firm's reputation including its responsiveness to EEO and Civil Rights will be a factor in the selection.

- b. Personnel Qualifications and Availability: Proposers must identify and summarize the relevant experience of personnel that would actually provide the anticipated services.
- 2.1.3. DBE Considerations: Certification of DBE status should be provided in order to receive special consideration.
- 2.1.4. Project Proposal: Proposers must provide a project proposal in response to this RFP. Proposals must include the following elements:
- a. A detailed work plan that identifies the major tasks of work,
  - b. An organization chart showing key personnel by name and title including their resumes,
  - c. An estimate of staff days required to perform the proposed work by discipline, and
  - d. A detailed work schedule that will conclude all work on this contract within twelve (12) months of the issuance of an official notice to proceed. Early deliverables will be due within four months of the issuance of the official notice to proceed.
- 2.1.5 Proposed Cost: Proposer must propose a total cost to perform the proposed work, and provide a cost breakdown for each work task, including labor, travel, and overhead. These cost data must be provided inside a separately sealed envelope that is clearly marked “**PROPOSED COST**” on the outside of the envelope with the firm name and the project description, and not within other submittal documents. These cost estimates will not be opened until the top ranked firms have been determined.

There will be no advance payment for start-up. In order to obtain the best value for the AHTD, modifications of the cost proposal may be allowed during contract negotiations.

**2.2 Incurring Costs**: The AHTD is not liable for any cost incurred by Proposers in replying to the RFP. The cost of developing and submitting the proposal is entirely the responsibility of the Proposer. This includes costs to determine the nature of this engagement, preparation of proposal, submission of proposal, negotiation of the contract, and all other costs associated with this RFP.

**2.3 Time and Place for Submission of Proposal**: Proposers must submit twenty (20) copies of the complete proposal, along with all materials required herein for acceptance of their proposal by **4:00 p.m. (CDT) on July 30, 2010**.

Mailing Address:  
 Mr. Dan Flowers  
 Director  
 Arkansas State Highway  
 and Transportation Department  
 P. O. Box 2261  
 Little Rock, AR 72203

Physical Address:  
 Mr. Dan Flowers  
 Director  
 Arkansas State Highway  
 and Transportation Department  
 10324 Interstate 30  
 Little Rock, AR 72209

- 2.4 **Late Proposals:** Proposals received after the date and hour established will be considered late proposals and will be automatically disqualified. Late proposals will be returned unopened.
- 2.5 **Unsigned Proposals:** Page 6 of the RFP must be signed, completed and included with proposal to constitute a valid submission. The signature must be legible, original (not stamped or photocopied) and in ink. Unsigned and improperly signed proposals will be automatically disqualified.
- 2.6 **Withdrawing or Modifying Proposals:** A proposal may be withdrawn, modified, or corrected by a Proposer after it has been submitted only if a written request to do so is submitted to the Director's Office prior to the date and time set in Section 2.3. Telegrams or letters received before the date set in Section 2.3 will be accepted and attached to the unopened proposal, and the proposal will be considered withdrawn, modified, or otherwise changed accordingly. No proposal may be withdrawn, modified, corrected, or otherwise changed after the date and time set in Section 2.3.
- 2.7 **Assignment:** No contract resulting from this RFP may be assigned, sold, or transferred without the prior written consent of the AHTD, and no obligation incurred pursuant to this RFP and any resulting contract may be delegated without written consent of the AHTD.
- 2.8 **Cancellation of Contract:** The AHTD reserves the right to cancel any award or contract without recourse upon written notice to the Consultant.
- 2.9 **Default and Remedies:** Non-performance of any requirement or condition of any contract resulting from this RFP shall constitute default. Upon default, the AHTD shall issue a written notice of default providing a period in which the Consultant shall have seven (7) days to cure said default. If the Consultant remains in default beyond the seven (7) days, or if the default is repeated during the term of the contract or any extension thereof, the AHTD may, in its sole discretion, terminate the contract(s) or remaining portions thereof and exercise any remedy provided by law.
- 2.10 **Right of Rejection by:** the Arkansas State Highway and Transportation Department.

The AHTD reserves the right to award this contract to the firm that best meets the requirements of the RFP, and not necessarily to the lowest bidder. The AHTD reserves the right to reject any or all proposals prior to execution of the contract, with no penalty to the AHTD.

### **SECTION 3. DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION**

- 3.1 **Disadvantaged Business Enterprise (DBE) Participation:** Although no DBE percentage goal is established for this project, the proposal shall include DBE participation to the extent practical.

## **SECTION 4. EVALUATION AND AWARD**

- 4.1 Evaluation:** In order to select the responsible and qualified firm whose proposal is most advantageous to this RFP, the Proposers will be evaluated in a two-phase process.

In the first phase, a Consultant Selection Committee appointed by the I-69 Steering Committee will use the following criteria to evaluate the proposals. Three firms deemed to be the most qualified and have the most responsive and responsible proposals will be selected for further consideration.

<b>Phase 1 Evaluation Criteria</b>	<b>100</b>
1. Qualifications, Experience and Competence of Firm(s)	30
2. Personnel Qualifications and Availability	30
3. Responsiveness to DBE opportunities	10
4. Project Proposal	30

In the second phase, the sealed envelopes containing the Proposed Cost for the top three firms will be opened. The Selection Committee will divide each firm's proposed price by the total Phase I score to obtain an "adjusted price". The firm selected should be the firm whose adjusted price is the lowest.

- 4.2 Award:** Award will be made based upon the evaluation of all proposals received in response to this solicitation and the determination of the proposal or proposals considered to be the most advantageous to the RFP. The AHTD reserves the right to accept or reject in whole or in part any and all proposals submitted, to award to more than one Proposer, to waive any minor technicalities when it is in the best interest of the AHTD, and to negotiate terms of the contract, including the award amount, with the selected Proposer. Prior to executing the contract, the selected firm must submit an audit report that has been prepared in accordance with 48 CFR Part 31 and by an independent certified public accountant.
- 4.3 Basis of Payment:** Although the negotiated contract will be a lump sum contract, partial payments shall be made for work completed under the contract and satisfactorily detailed in each valid invoice and accompanying progress report.

Arkansas State Highway and Transportation Department

**REQUEST FOR PROPOSAL  
INNOVATIVE FINANCING STUDY FOR THE INTERSTATE 69 CORRIDOR**

**\*\*\*\*\*This page must be completed, properly signed and submitted for\*\*\*\*\*  
proposal to be considered.**

**Section 5. Signature Page**

I, the undersigned, affirm that this proposal is made on behalf of the below-named company/individual, for whom I have legal authority to commit to the terms and conditions set forth in the RFP and this response, to which we agree to be bound if this proposal is found acceptable by the AHTD; and that this proposal is made without any collusion or coercion on the part of any person, firm, corporation or other entity.

Company: \_\_\_\_\_ Address: \_\_\_\_\_

Representative: \_\_\_\_\_ City: \_\_\_\_\_

Title: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Federal Tax ID or Social Security No.: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**(Must be legible, original, no photocopies, and in ink)**

**For AHTD Use Only**

Accepted: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

**REQUEST FOR PROPOSAL  
INNOVATIVE FINANCING STUDY FOR THE INTERSTATE 69 CORRIDOR**

**ATTACHMENT A**

**SCOPE OF WORK  
INTERSTATE 69 MULTI-STATE INNOVATIVE FINANCING STUDY**

This scope of work presents the tasks to be performed to complete an Innovative Financing Study for the Interstate 69 Corridor from Indianapolis, Indiana to the Mexican Border in the Lower Rio Grande Valley. The work will generally consist of an innovative financing plan for development, construction, maintenance, and operation of this proposed Interstate facility which passes through eight states.

The I-69 Steering Committee is made up of administrators from the eight states through which the I-69 Corridor exists or will pass. The Arkansas State Highway and Transportation Department (AHTD) has been designated as the lead agency for the I-69 Corridor. As the lead agency, the AHTD will be handling all administrative work pertaining to this innovative financing study. The Steering Committee has agreed to pursue engaging a Consultant to develop this innovative financing plan for use among all states involved.

**THE CONSULTANT SHALL UNDERTAKE AND PERFORM THE FOLLOWING:**

- Identify corridor development costs, if not available from the individual states.
- Analyze the potential funding and innovative financing options for the seven I-69 states from Indiana to Texas, both individually and collectively. The analysis will include an evaluation of the viability of tolling in each state. This evaluation will include estimates of toll revenue along with the estimated costs of constructing, operating and maintaining electronic toll collection facilities. This evaluation of potential toll revenue should assume that the entire I-69 corridor is operating, not just the section(s) that is/are tolled. If there is a specific reason to study toll revenue for an individual segment of the corridor, then the report on that portion of the study should specifically articulate which portions are operating. Future toll revenues should take into account the expected increase in demand for freight transportation. Projected demand, particularly freight demand, should be vetted by the I-69 Steering Committee and the USDOT prior to being applied.
- Develop general funding scenarios that are based on revenue sources presently available to each state and proposed construction timetables for each state as well as the entire I-69 Corridor.
- Develop alternative financing scenarios which include proposed funding sources and timelines for project implementation.
- Develop financing plan options for the I-69 Corridor based on an analysis of the alternative funding scenarios. Where revenues in individual states exceed estimated costs, demonstrate how these funds may benefit the entire I-69 Corridor.
- Should analysis find that TIFIA financing is appropriate, prepare a draft letter of interest and application for possible submission upon request from the Steering Committee.

- Should analysis find that Private Activity Bond financing is appropriate, prepare a draft letter of interest and application for possible submission upon request from the Steering Committee.
- Should analysis find that tolling is appropriate, prepare a draft expression of interest for possible submission upon request from the Steering Committee.
- Identify opportunities to design, build, operate and maintain any portion of the Corridor by private entities. If such segments of the I-69 Corridor are identified, develop Requests for Proposals inviting such private participation.
- Identify changes to federal, state or local legislation that will be necessary to implement the financial plan, including but not limited to legislation concerning public-private partnerships.

#### **THE I-69 STEERING COMMITTEE WILL PROVIDE THE FOLLOWING:**

- Available copies of planning/feasibility studies for the I-69 Corridor through each state.
- Estimates of federal and state highway revenues which will be available or might be anticipated over time.
- Available cost estimates for development of the I-69 Corridor.
- Available traffic count histories and projections for both passenger cars and trucks.
- Information regarding existing funding programs, commitments and needs.

#### **DOCUMENTATION AND SCHEDULING**

Technical documents detailing the proposed funding sources and financial scenarios will be prepared for Steering Committee review. These documents should include, as appropriate, the proposed revenue stream (by source), bond maturity date(s), toll revenue and rates, annual toll operating expenses, methodology for estimating non-traditional highway-user revenues, annual capital outlays, traffic volumes, interest and earnings, rates and length of the program. Information regarding sources, assumptions, methodology, etc., that may be considered pertinent to the development of the data should be noted.

Early deliverables will include the preliminary evaluation of the feasibility of innovative financing options for the I-69 Corridor in each individual state.

The final report will present the results of the innovative financing analysis and options for financing development of the I-69 Corridor. A draft final report for review shall be made available to the I-69 Steering Committee at least three weeks before the final report is due. The Consultant will also be expected to make an oral presentation of the plan to the Steering Committee.

The AHTD and the Consultant will jointly schedule a kickoff meeting before work is to begin and a final meeting where findings of the study will be presented. The results of these meetings will then be presented to the Steering Committee. The Consultant will take minutes of these two meetings, submit them to the AHTD for approval, make corrections as needed, and distribute as appropriate.

## **CONDITION OF WORK**

The Consultant must designate a Liaison who will be the primary contact person with the Committee during the contract period.

The Consultant shall submit a work schedule that will conclude all work on this contract within twelve months of the issuance of an official notice to proceed. The proposed schedule must include the staffing arrangements, including resumes, for the various work tasks and an estimate of staff days by discipline. Early deliverables will be due within four months of the issuance of the official notice to proceed.

In order to properly evaluate the experience of the project team being proposed for this work, show the involvement of each team member in projects that are presented as “similar types of work” or as representative of the types of work in which the firm is involved. A discussion of the Consultant’s experience in evaluating and estimating revenues for innovatively financed projects should be included (any projects that have been implemented should be noted). Any projects listed in this proposal that are intended to show the firm’s experience in similar type work but do not include proposed team members will not be considered by the I-69 Steering Committee as relevant to the proposal.

# ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

## NOTICE OF NONDISCRIMINATION

The Arkansas State Highway and Transportation Department (Department) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the Department does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in the admission, access to and treatment in the Department's programs and activities, as well as the Department's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the Department's nondiscrimination policies may be directed to James B. Moore, Jr., Section Head - EEO/DBE (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711), or the following email address: [james.moore@arkansashighways.com](mailto:james.moore@arkansashighways.com).

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.