



INDIANA DEPARTMENT OF TRANSPORTATION

Michael R. Pence, Governor
Karl B. Browning, Commissioner

RFP Revisions as of 04/09/2014:

- Section III.C. has been revised as follows:
 - Reformatting of section
 - Removing "Other" from the numbered list of items
 - Items were added to the numbered list of items
- Section III.I. has been revised as follows:
 - The statement, "This heading, and the following numbered headings, refer to the same-numbered headings in this Scope of Work" has been deleted from Item 5.
- Section IV.G. was revised as follows:
 - The Mandatory Pre-bid Meeting location has been revised
 - The last paragraph was revised and includes new additional information

I. Purpose, Background and Scope

A. Purpose of RFP

The purpose of this Request for Proposals (RFP) is to obtain competitive bids, which, it is intended, will lead to selection by the State of Indiana Department of Transportation (INDOT) and Hoosier State Partners: Tippecanoe County, Beech Grove, City of Crawfordsville, City of Rensselaer, City of Lafayette, City of West Lafayette, City of Indianapolis, of an entity (or entities) to operate Hoosier State Intercity Passenger Rail Service (Hoosier State Service) in a way which optimizes the service.

The State of Indiana intends to make the selection so that contractor may begin its operations of Hoosier State Service when INDOT's current agreement with Amtrak expires, on September 30, 2014. Should additional time be required, INDOT's current agreement with Amtrak may be extended through January 31, 2015 (by mutual written agreement of the parties).

INDOT and Hoosier State Partners desire that the competitively-selected contractor not only reduce the cost of operating Hoosier State, but also work with INDOT and Hoosier State Partners to improve Hoosier State operations, so as to attract higher ridership and bring in increased revenues, thereby further reducing costs.

Bidders have three bid options:

1. Option (1): Perform all functions presently performed by Amtrak on the Hoosier State Service;

2. Option (2): Bid on some portion of those functions; or
3. Option (3): Perform all functions presently performed by Amtrak, and add functions (e.g. WiFi, food service).

The Indiana Department of Transportation and its Hoosier State Partners will choose the bid or bids which are deemed most beneficial to the State of Indiana.

B. Improvements Desired in Hoosier State Intercity Passenger Rail Service

INDOT and its Hoosier State Partners have developed the following Vision Statement:

The future Hoosier State rail service will connect Indianapolis and other Indiana cities to Chicago with additional trains, increased speed between stations, improved on-time performance, increased ridership, and improved on-board amenities. The enhanced passenger service will generate more revenue, and reduce the amounts which Indiana Department of Transportation and Indiana Hoosier State Partners are obliged to pay to subsidize this service. The future Hoosier State intercity passenger rail service will reinforce Indiana Transportation goals and objectives by providing safer, more reliable, efficient movement of passengers, in a manner which is more cost effective. The future Hoosier State service will further alleviate roadway congestion, contribute to economic development, improve energy efficiency and protect environmental quality.

A number of stakeholder meetings plus an on-board survey of Hoosier State passengers have indicated that passengers would respond positively to additional trains, faster service, increased on-time service, WiFi and food service.

Bidders must explain what improvements will be made to service quality and how such improvements will be implemented and maintained. INDOT and its partners will be especially interested in any ideas for improvement of on-time performance.

C. Term of Contract

INDOT is interested in a three (3) year contract, extendable for additional three (3) years, based upon mutual agreement.

II. Background and Scope

A. Passenger Rail Investment and Improvement Act of 2008 (PRIIA) and Its Encouragement of Competition

The Passenger Rail Investment and Improvement Act of 2008 (PRIIA) encourages competition in the operation of intercity passenger rail service. For example, PRIIA Section 301, Capital Assistance for Intercity Passenger Rail Service, requires that applications for federal funding include written justification "[i]f an applicant has not selected the proposed operator of its service competitively". Another example is in PRIIA Section 217, Access to Amtrak Equipment and Services, which provides that if a State selects an entity other than Amtrak to provide services, and if the parties cannot agree regarding the use of Amtrak facilities and equipment, then the Surface Transportation Board (STB) shall issue an order that the facilities and equipment be made available, and shall determine appropriate compensation.

B. Description of the Hoosier State Intercity Passenger Rail Service

The present Hoosier State Service operated by Amtrak consists of four round trips per week between Indianapolis, Indiana and Chicago, Illinois. The current service includes Indiana station stops at Indianapolis, Crawfordsville, Lafayette, Rensselaer and Dyer. Current Hoosier State Service does not include checked baggage or food service. The current Amtrak-operated Hoosier State Service also includes movement of Amtrak equipment to and from Amtrak's Beech Grove Shop, and the agreement between Indiana and Amtrak provides a credit to INDOT for this movement of Amtrak equipment.

Amtrak Cardinal Service also operates over this rail route. The Hoosier State and Cardinal schedules may be found on the Amtrak website: <http://www.amtrak.com/ccurl/213/805/Cardinal-Hoosier-State-Schedule-011314.pdf>

C. Present Station Functions and Ownership

As stated herein, the Cardinal and Hoosier State both use the following Indiana stations: Indianapolis, Crawfordsville, Lafayette, Rensselaer and Dyer. Amtrak provides ticketing and baggage services only at the Indianapolis station. As stated above, Amtrak's Hoosier State Service does not include checked baggage or food service.

Amtrak owns station shelters at Crawfordsville, Rensselaer, and Dyer. Amtrak owns the parking facility at Dyer.

The City of Indianapolis owns the Indianapolis station, including platform and track, and leases the baggage area, waiting area, ticketing area, loading dock, and two tracks with their associated platforms to Amtrak. Amtrak maintains the areas it leases, and pays for electric and water utilities. The Amtrak utilities bill is estimated at \$40,000 annually.

The City of Lafayette owns the Lafayette station and parking.

CSX Transportation, Inc. (CSX) owns the following: a portion of the parking area, platform and track, at Crawfordsville; platform and track at Lafayette; parking, platform and track at Rensselaer; and platform and track at Dyer.

D. Present Agreement with Amtrak

The current agreement between the State of Indiana and the National Railroad Passenger Corporation (Amtrak) is for the period October 1, 2013, through September 30, 2014, and is attached. Appendix II of this agreement shows what is termed the "Section 209 Services Operating Pricing". Additionally, Appendix II shows ticket and other revenues as \$908,000, Third Party Costs as \$690,000, Route Costs as \$2,174,992, and Additives as \$553,000. The Estimated State Operating Payment is shown as \$2,509,992. Please see supporting documents for a copy of the current agreement between the State of Indiana and Amtrak.

E. Access to Freight Railroads

INDOT understands that Amtrak has by-law access rights to freight railroad corridors, and that Amtrak pays only incremental maintenance costs for this access. Bidders must show the expected access cost to operate over CSX, CN, Union Pacific Railroad (UP), Norfolk Southern (NS), Belt Railroad of Chicago, and Metra Chicago Transit.

Bidders should recognize that the foregoing list of railroads could change, since re-routing in the Chicago region is being considered.

Hoosier State Service operates over CSX rail corridor in Indiana between Indianapolis and Munster. Between Munster, Indiana, and Chicago, Illinois, Hoosier State operates over CN, UP, Belt Railroad of Chicago, and Metra Chicago Transit.

It has been reported that there are delays inherent in the current routing of the Hoosier State between Munster, Indiana, and Chicago, Illinois. The November 2011 Indiana State Rail Plan states on page 8-18 (Section 8.1.4.5, Measures to Improve Service) that Amtrak has published a Performance Improvement Plan for its Cardinal Service (which follows the same route as the Hoosier State between Indianapolis and Chicago). The Plan goes on to note that "Amtrak has also presented a plan to use the CN right of way from Clarke Road to a connection with the CSX at Munster. Amtrak believes that this new route will reduce delays and improve safety, since Amtrak trains will no longer need to gain authority and access as many host railroads' tracks."¹

¹ Indiana State Rail Plan, November 2011, page 8-18.

Amtrak's "PRIIA Section 210 FY10 Performance Improvement Plan Cardinal", on page 16, under the heading, "On-Time Performance (OTP)", includes the following paragraph:

To improve reliability, Amtrak will explore a temporary reroute of the *Cardinal* into and out of Chicago. In the long run, and as a result of the CREATE Program for rail infrastructure improvements in Chicago, it is anticipated that the train will take a better and faster route via Englewood, the Norfolk Southern Chicago Line and a future track connection with the former Illinois Central Railroad at Grand Crossing. On an interim basis, however, Amtrak plans to ask Canadian National Railways (CN) for a temporary reroute over the former Grand Trunk Western Railway, the former Illinois Central mainline, and the St. Charles Air Line into Chicago Union Station. The team believes that the interim simplified route involving only CN would improve reliability compared to multiple handoffs of the train to different dispatchers from different railroads. It might also save a few minutes, albeit not as much as the future route via CREATE.²

F. Train Operations

1. General

The selected bidder shall provide trained and qualified personnel to operate and manage operation of Hoosier State Intercity Passenger Rail Service. Bidders should provide evidence and demonstrate their ability to successfully provide the services as advertised in this RFP.

2. Track Access

INDOT, along with the contractor, will discuss track access arrangements with host freight railroad right of way owners after the notice to proceed is sent to the successful contractor.

3. Rules Governing Train Operations

The contractor shall operate Hoosier State passenger trains in accordance with all pertinent Federal Railroad Administration (FRA) regulations, and shall also adhere to all requirements of the host railroad right of way owners, including their operating rules, instructions, notices and bulletin orders. In addition to federal laws and regulations, the contractor shall operate Hoosier State passenger trains in accordance with State and local laws and regulations. Bidders shall describe in detail their understanding of these rules, and their ability to comply.

4. Ticketing, Revenue Collection and Advertising

Bidders shall describe briefly their plans for ticketing and collection of fare revenue, whether done entirely on board, by automatic vending machines, or otherwise. Present ticketing is a combination of an Amtrak ticket window at Indianapolis, an automatic ticket vending machine at Lafayette, and on board ticketing for the remaining Hoosier State stations in Indiana.

Bidders shall describe briefly their plans for collection and accounting of fare revenue and all other revenues collected, including revenues from advertising. Advertising in Hoosier State trains and at stations shall be at the initiative and responsibility of the contractor, but shall be coordinated with INDOT.

5. Customer Information, Service Disruptions and Emergencies

Bidders shall describe briefly their plans for providing Hoosier State service information to customers, advertising and encouraging use of the service, including establishing a call-in phone number for information and for use in emergencies, and a plan for Hoosier State service disruptions and emergencies.

6. Office Space for Contractor

Workspace for contractor's operations managers will be made available to the contractor as part of contract negotiations.

7. Train Operations Staffing

Bidders shall present their train operations staffing plans as a component of each bidder's proposal to INDOT. Staffing plan shall include back-up staffing to address issues such as sickness or incapacitation.

a. Locomotive engineers:

Locomotive engineers shall be qualified by virtue of training and experience, by virtue of compliance with FRA regulations, and ability to trouble-shoot and fix any mechanical problems that may arise. Locomotive engineers shall be strictly prohibited from the usage of cell phones and personal electronic devices, including the sending of text messages, as required by FRA regulations. Locomotive engineers shall be qualified, certified and trained in accordance with 49 CFR Part 240, Qualification and Certification of Locomotive Engineers.

b. Conductors

Conductors shall be able to perform their functions in a professional manner, and must be able to assist passengers with their questions and requests.

Bidders' staffing plans shall include an Operations Manager as a single point of contact to oversee Hoosier State service. The Operations Manager shall be on duty at a designated location on the Hoosier State rail route at all times during operation of Hoosier State Service.

Operations Manager shall be responsible for maintaining an up-to-date record of Hoosier State operations, including on- and off-boardings by station by date, on time performance (OTP) data, dates and causes and lengths of delays, instances of passenger misconduct, and customer complaints and responses thereto.

Train operations staffing plan shall include sufficient qualified personnel to back up or replace any crew members who may become ill or incapacitated, to assist passengers, to assist passengers who may become ill or incapacitated, to ensure observance of common courtesy rules (including no loud talking), to assist INDOT with rider surveys as needed, to ensure proper functioning of on-board equipment including heating and air conditioning, to provide assistance to the disabled (in particular, to assist the disabled in boarding and de-boarding), to report instances of vandalism or trespassing, and to police and ensure cleanliness of all train facilities, including rest rooms.

All Hoosier State crew members shall wear clean, complete uniforms.

The Contractor shall establish appropriate drug and alcohol testing programs for all Contractor personnel in full compliance with the most stringent interpretation of applicable Federal regulations governing control of drug use and alcohol abuse in railroad and/or transit operations.

G. Reports

The contractor shall provide INDOT with the following reports, at minimum:

1. Immediate written report in any train delay, crew or customer incident, vandalism or trespass.
2. Weekly written report including boardings and de-boardings by station, revenue collected, and OTP information.

3. Monthly report summarizing daily and weekly reports, providing detailed information on all costs and revenues, and providing information on equipment and facility maintenance.
4. Annual report summarizing the monthly reports, and showing detailed annual ridership, cost and revenue data, and equipment and facility maintenance.

Monthly and Annual Reports shall show comparisons with prior month and prior year performance.

H. Dispatching

Host freight railroads are responsible for the movement and dispatching of all trains. All Contractor personnel shall be trained and instructed to cooperate fully with and respond to the dispatcher's instructions. Contractor shall coordinate closely with the host freight railroads.

I. Management

Except where a bidder chooses to bid only on some portions of the functions presently performed by Amtrak, INDOT envisions that the successful contractor(s) will assume at least all of the Hoosier State operations and functions presently performed by Amtrak.

INDOT will perform the function of overall manager of the Hoosier State service.

It is intended that the State of Indiana and the contractor will work in close coordination to improve the service and to reduce costs. It is important that the bidder's proposal address this specifically and in detail.

III. Bid Proposals

A. General Instructions for Preparing and Submitting a bid proposal

1. Bid proposals shall include the information as required in this advertised RFP. Hyperlinks within a bid proposal to additional item specific information are not allowed.
2. Provide all the information requested in the RFP advertisement and the bid proposal shall be signed by an officer of the bidder's company. Scanned signed documents or electronically applied signatures are both acceptable.

B. Identification, Qualifications, and Key Staff

1. Provide the bidder's name, address of the responsible office from which the work will be performed and the name and email address of the contact person authorized to negotiate for the associated work.
2. List all proposed sub-consultants, including DBE/MBE/WBE status (if applicable), a description of work to be performed by each sub-consultant and the percentage of work to be performed by the prime bidder and each sub-consultant.
3. Describe the proposed project team and organizational structure, including designation of the individuals who will be responsible for the performance and delivery of each task component and deliverable. Include title, education, current responsibilities, and experience of key staff the proposer will assign to perform under the contract.
4. Describe the capacity of Prime bidder's staff and their ability to perform the work in a timely manner relative to present workload and the availability of the assigned staff.

C. Bidders Proposed Cost of Operating Hoosier State Service

Each bidder's proposal shall include a discussion of the bidder's plan to optimize the Hoosier State Service and to reduce Hoosier State Service costs, and a specific statement of what the total cost to the State of Indiana and Hoosier State Partners is expected to be.

Bidders proposing to provide all services currently provided by Amtrak, or all currently provided services plus additional services, must show their total costs and provide a breakdown of those costs. The breakdown shall follow the following format and include at least the following items:

1. Revenues include:
 - a. Ticket revenue
 - b. Other revenues
2. Expenses include:
 - a. Third Party Costs
 - b. Host Railroad (Maintenance of Way (MoW) & Performance Incentives)
 - c. Route Costs
 - d. Train & Engine Crew Labor
 - e. Car & Locomotive Maintenance And Turnaround
 - f. Reservations & Call Centers
 - g. Stations
 - h. Regional/Local Police
 - i. Terminal Yard Operations
 - j. Terminal MoW
 - k. Insurance

3. Additives
 - a. Marketing
 - b. Train & Engine (T & E)
 - c. Maintenance of Equipment (MoE) – Equipment includes the locomotives and passenger railcars
 - d. Railroad police
 - e. General and Administrative (G & A) – Expenses related to the day to day operation of business

Bidders may propose an increase in fares and other revenues as a component of their breakdown of proposed costs of operating Hoosier State Service. Bidders must include justifications for these increases.

D. Communications

Bidders shall include in their proposals a brief description of a communications plan which will ensure immediate communications between Hoosier Service train operations crews and the contractor's Operations Manager, and a back-up plan in the event that those communications fail.

The communications plan shall include plans for announcements at Indianapolis station and for responding to inquiries from customers at unmanned stations.

The communications plan shall include method for disseminating information regarding delays to on-board passengers.

The communications plan shall include plans for timely communications with host freight railroads and other host railroads.

E. Safety and Security Responsibilities

Bidders shall describe briefly their Safety and Security Plans, which shall include safety issues, plans for responding to passenger illness or incapacitation, on board and station security, lost and found procedures including unclaimed items found left at stations or on board, and plans for communication with local authorities.

F. System Safety, Security and Emergency Preparedness

Bidders shall provide data on their past safety performance.

Prior to start of operations, the selected contractor shall prepare a Hoosier State Service Safety Plan and present it to INDOT for approval.

The successful contractor(s) shall provide to INDOT an Emergency Preparedness Plan (EPP), as required by FRA 49 CFR 239. The plan shall be

updated annually and shall detail the Contractor's emergency preparedness policies, procedures and programs.

G. Equipment and Facilities

In accordance with PRIIA Section 217, contractor may plan on utilizing facilities currently used by Amtrak for Hoosier State train storage, turn around, and servicing.

Bidders shall present brief plans with regard to the maintenance and servicing of Hoosier State locomotives and passenger cars, including daily cleaning and servicing, and including various levels of maintenance when required.

Bidders shall present brief plans for upkeep and maintenance of Amtrak facilities including train storage and turnaround, and stations, as well as any alternative facilities which bidders may propose.

The Contractor shall document and maintain all inspection, defect, and repair records as required by FRA. Repair sheets must include any defects repaired in accordance with FRA regulations, including 49 CFR 238.303 and 238.305 and as required for locomotives in 49 CFR 229 Subpart B.

H. Schedule of Actions

Bidders shall include in their proposals a Schedule of Preparatory Actions. This schedule is to include specific actions to be taken by the bidders (with completion dates and including coordination with INDOT and other parties as may be required) leading to readiness to take over operation of Hoosier State Service, or, where bidding on some portion of the Hoosier State Service functions, leading to readiness to take over those functions.

Those bidders interested in assuming all functions presently performed by Amtrak shall identify a date on which the bidder expects to be completely ready to take over Hoosier State Service.

The State of Indiana has an agreement with Amtrak which ends on September 30, 2014, and which may be extended (by mutual written agreement of INDOT and Amtrak) to January 31, 2015. The State of Indiana must be prepared to act vis-à-vis the current service operator, Amtrak. Regarding those bidders interested in assuming all functions presently performed by Amtrak, if those bidders cannot be ready to assume all responsibilities by September 30, 2014, or January 31, 2015 at the latest, the State of Indiana must be able to take appropriate action based on this information.

I. Project Approach

Provide a description of your approach to the advertised services. For all items address your firm's technical approach, understanding of the project or services, cost containment practices, innovative ideas and any other relevant information concerning bidder's qualifications for the project. Bid proposals must include response to and discussion of the following headings in the following order:

1. Name of proposer
2. Type of business
3. Experience in passenger train operations
4. Experience working with freight railroads
5. Purpose of RFP
6. Improvements Desired in Hoosier State Intercity Passenger Rail Service
7. PRRIA and Its Encouragement of Competition
8. Description of the Hoosier State Intercity Passenger Rail Service
9. Present Station Functions and Ownership
10. Present Agreement with Amtrak
11. Bidder's Proposed Cost of Operating Hoosier State Service
12. Amtrak Access to Freight Railroads
13. Train Operations
 - i. General
 - ii. Track Access
 - iii. Rules for Train Operations
 - iv. Ticketing, Revenue Collection and Advertising
 - v. Plan for Customer Information, Service Disruptions and Emergencies
 - vi. Office Space for Contractor
 - vii. Train Operations Staffing Plan
 - viii. Communications
 - ix. Safety and Security Responsibilities
 - x. Reports
 - xi. Dispatching
14. Management
15. System Safety, Security and Emergency Preparedness
16. Equipment and Facilities
17. Schedule of Preparatory Actions
18. Any additional information bidder wishes to provide

Bidders proposing to provide all services currently provided by Amtrak, or to provide all current services plus additional services, must show their total costs, and provide a breakdown of those costs.

IV. General Information for Bidders

A. Communications

INDOT Department owner offices associated with this RFP will not participate in communication with bidder (or their agents) or interested parties regarding the status of the selection process, or entertain any communications related to marketing, etc., during the time period between advertisement and the announcement of final selection for this RFP. This policy will not apply during special marketing events advertised and scheduled by INDOT.

Communications that are always permissible include project administration activities for awarded contracts, scope and negotiation activities for projects selected but not under contract and training or related activities.

B. RFP Questions

Interested parties shall promptly notify INDOT of any ambiguity, inconsistency or errors they may discover upon examination of this RFP. All questions, inquiries and/or request for information related to this RFP should be sent to the following address: ContractsRFP@indot.in.gov. All questions, inquiries and/or request for information relating to this RFP must be in writing and received no later than **10:00 a.m. on Tuesday, April 22, 2014.**

Questions and answers will be posted on INDOT's website at: <http://pscapp.indot.in.gov/ucmrfp/default.aspx?view=1>.

After the deadline for submitting questions, inquiries and/or request for information passes, INDOT will review the questions, inquiries and/or request for information received, but INDOT reserves the right to determine whether to respond and post the questions and answers on INDOT's website. INDOT will not respond to telephone or other oral questions, inquiries and/or request for information.

C. Supporting Documents

Supporting documents may/may not be available for items advertised in this RFP. All supporting documents for this advertised RFP are available for review at: <http://pscapp.indot.in.gov/ucmrfp/default.aspx?view=1>.

Bidders may also want to review the Amtrak website. Although INDOT makes no endorsement of the content, additional information is available in magazine and professional publications, for example, "Passenger Train Journal 2013-3, Issue 256, pages 18-26.

D. Equal Opportunity - Title VI

INDOT, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49 Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies respondents that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and that minority businesses are afforded the opportunity to participate as sub-consultants. INDOT will not discriminate against any respondent on the grounds of race, color, sex, or national origin in consideration for an award.

E. Bid Affirmations

Submittal of a bid to INDOT from a bidder for this RFP constitutes an affirmative statement that the responsive bidder, or any member of the bidder's team, is ready, willing, qualified, and able to perform the scope of work within the advertised time requirements. All bid responses are considered Public Record at the time the Notice to Proceed is issued to the selected bidder and will be published on the INDOT website. Submittal of a bid proposal constitutes an irrevocable release to freely reproduce, distribute and publish all submitted material without limitation.

INDOT's list of mandatory contract terms is available as supporting documents. If a mandatory contract clause is not acceptable as worded, bidders shall note this in the Identification and Qualifications portion of their bid proposal immediately following team identification, and shall include specific suggested alternative wording. If additional contract terms are required they shall also be documented. It is INDOT's strong desire to not deviate from the mandatory terms and conditions and as such INDOT reserves the right to reject any and all suggested changes.

F. Conflict of Interest

Bidders submitting letters of interest in response to this RFP shall notify INDOT in writing of any conflict or potential conflict of interest, according to the INDOT Conflict of Interest Policy. Bidders shall fully explain the conflict or potential conflict, provide suggestions or protocol to remedy the conflict, and reference the applicable RFP number and Item number in an e-mail to: ContractsRFP@indot.in.gov. Conflicts or potential conflicts of interest shall be submitted within forty-eight (48) hours after the response due date for this RFP. The policy is available for review at: <http://www.in.gov/indot/2730.htm>, under the "Consultant Contract Information" section.

G. Mandatory Pre-bid Meeting

A mandatory pre-bid meeting will be held at the offices of the Indiana Department of Transportation on **Wednesday, April 16, 2014**, from 10:00 a.m. to 12:00 p.m. (Indianapolis Time). The location of the mandatory pre-bid meeting will be held at:

**Indiana Government Center South Building, Conference Room 19
100 N. Senate Avenue
Indianapolis, IN 46204**

Interested parties must be in attendance of the mandatory pre-bid meeting to bid on this RFP. INDOT will be hosting a light lunch open to bidders following the mandatory pre-bid meeting. Bidders shall RSVP for the light lunch by 4:30 p.m. on April 14, 2014. Please send RSVP email responses to vkeefe@indot.in.gov with "Light Lunch April 16, 2014" in the subject line of the RSVP email response. Questions regarding the RFP will not be allowed during this luncheon.

H. Date Proposals Due

Proposals will be due no later than **Tuesday, April 29, 2014 at 10:00 a.m. (Indianapolis time)** via delivery or email. Bid proposals are to be delivered to the following INDOT office:

**Indiana Department of Transportation
100 N. Senate Avenue, N755
Indianapolis, IN 46204
Attention: Hoosier State Intercity Passenger (HSIP) Rail RFP**

Proposals may also be emailed to: ContractsRFP@indot.in.gov with Hoosier State Intercity Passenger (HSIP) Rail RFP in the "Subject" line of the email. Only one emailed submission is permitted and the file in the email must be less than 20MB.

Faxed bid proposals will not be accepted.

I. Schedule

The Indiana Department of Transportation plans the following schedule:

1. **Friday, March 25, 2014** - Publication of Request for Proposal
2. **Wednesday, April 16, 2014** - Pre-Bid Meeting at INDOT
3. **Tuesday, April 22, 2014** - Questions about the advertised RFP are due
4. **Tuesday, April 29, 2014** - Proposals due at INDOT

5. Monday, June 30, 2014 - Anticipated negotiation completion date with successful bidder(s)
6. Friday, August 29, 2014 - Anticipated execution of contract(s)

J. Negotiations

INDOT may, in its sole discretion, undertake negotiations with bidders whose proposals, as to rights, fees and other factors, show them to be qualified, responsible, and capable of delivering and servicing all necessary elements to sufficiently and effectively provide the services required in this advertised RFP. INDOT may:

1. Enter into discussions;
2. Schedule oral presentations; and/or
3. Request revised proposals.

K. Rejection of Proposals

INDOT reserves the right to reject any and all proposals received as a result of this request, or to negotiate separately with competing bidders.

L. Additional Information

INDOT reserves the right to request additional information which, in INDOT's opinion, is necessary to assure that the Bidder's competence, number of qualified employees, business organization, and financial resources are adequate to perform according to the contract. INDOT may make such investigations as it deems necessary to determine the ability of the Bidder to perform the work, and the Bidder shall furnish to INDOT all such information and data for this purpose as requested by INDOT. INDOT reserves the right to reject any proposal if the evidence submitted by, or investigation of, such Bidder fails to satisfy INDOT that such Bidder is properly qualified to carry out the obligations of the contract and to complete the work specified.

M. Incurring Costs

INDOT is not liable for any costs incurred by bidders prior to or after issuance of a contract.

N. Addenda to the RFP

If it becomes necessary to revise any part of this RFP before the proposal response date, an addendum will be posted to the INDOT website. If INDOT revises a published advertisement less than ten days before the RFP due date, the due date may be extended to maintain the minimum ten-day advertisement duration if the revision alters the project scope or selection criteria and this will be

at INDOT's discretion. Bidders are responsible to monitor INDOT's website for advertisements and/or addendum(s) to the advertised RFP.

O. Discussions for Clarification

Bidders who submit proposals may be required to make an oral or written clarification of their proposals to INDOT to ensure mutual understanding and bidder responsiveness to the RFP requirements.

P. Confidential Information and Use of Materials

Bidders are advised that materials contained in proposals are subject to the Access to Public Records Act (APRA), IC 5-14-3 *et. seq.*, and, after contract award, the entire RFP file may be viewed and copied by any member of the public, including news agencies and competitors. The INDOT reserves the right to make determination of confidentiality in its sole judgment. All material submitted by any proposer becomes the property of INDOT. Proposals submitted to the INDOT may be reviewed and evaluated by any person other than competing bidders at the discretion of the INDOT. The INDOT has the royalty-free right to use any or all ideas presented in any proposal without any compensation. Selection or rejection of the proposal does not affect this right.

Q. Prime Bidder Responsibilities

Selected Prime Bidders shall be required to assume responsibility for all services offered in proposals, regardless of who provides them. Further, INDOT will consider the selected prime bidder to be the sole point of contact for all contractual matters.

R. Bidder's Representations and Authorizations

Each bidder by submitting its proposal understands, represents, and acknowledges that:

1. All representations provided and made by the bidder in the proposal are material and important and will be relied upon by INDOT in awarding the contract(s). Any misstatement will be grounds for dismissal of the proposal and/or early termination of the contract.
2. The payment amounts and costs of implementation have been arrived at independently and without consultation, communication or agreement with any other bidder or potential bidder.
3. The payment amounts have not been disclosed to any other firm, bidder or person who is a bidder or potential bidder and will not be disclosed on or before the proposal submission deadline specified in this RFP.
4. No attempt has been made or will be made to induce any firm, bidder or person to refrain from submitting a proposal on this contract, or to submit a

- proposal higher than this proposal; or to submit any intentionally high or noncompetitive proposal or other form of complementary proposal.
5. The proposal is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm, bidder or person to submit a complementary or other noncompetitive proposal.
 6. To the best knowledge of the person signing the proposal for the bidder, the bidder, its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency and have not in the last four (4) years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding or proposing on any public contract, except as disclosed by the bidder in its proposal.
 7. To the best of the knowledge of the person signing the proposal for the bidder and except as otherwise disclosed by the bidder in its proposal, the bidder has no outstanding, delinquent obligations to the State of Indiana including, but not limited to, any state tax liability not being contested on appeal or other obligation of the bidder that is owed to the State.
 8. The bidder is not currently under suspension or debarment by the State of Indiana, or any other state, or the federal government, and if the bidder cannot certify, then it shall submit along with the proposal a written explanation of why such certification cannot be made.
 9. Each bidder, by submitting its proposal, authorizes all State of Indiana agencies to release to INDOT information related to liabilities to the State of Indiana including, but not limited to, taxes, unemployment compensation, and workers' compensation liabilities.

S. Indiana Secretary of State Registration

Indiana Law requires that all corporations, limited liability companies, limited liability partnerships, and limited partnerships must be registered with the Indiana Secretary of State in order to do business in Indiana. This requirement does not apply to sole proprietorships or general partnerships. If selected, the successful bidder(s) must register to do business with the Indiana Secretary of State. Information concerning registration with the Indiana Secretary of State may be obtained by visiting: www.in.gov/sos/business/3672.htm .

T. Business Enterprise Goals

Bidders shall make good faith efforts to achieve the following Minority Business Enterprises (MBEs), Woman Business Enterprises (WBEs) and Indiana Veteran Business Enterprises (IVBEs) goals:

- MBE: 8% goal
- WBE: 8% goal
- IVBE: 3% goal

The bidder must identify the MBE, WBE and IVBE subcontractors the bidder intends to utilize as subcontractors for the services advertised herein. The bidder shall include in their bid proposal the MBE/WBE Affirmative Action Certification form (AAC) available for download at:
<http://pscscapp.indot.in.gov/ucmrfp/default.aspx?view=1>.

Any changes to a MBE, WBE and/or IVBE firm listed in a bid proposal must be requested in writing and approved by INDOT's Economic Opportunity Division.

If the successful bidder does not meet the MBE, WBE and/or IVBE goals, the successful bidder must contact INDOT's Division of Economic Opportunity (EOD) and provide documentation that evidences a good faith effort was made, on behalf of the successful bidder, to achieve the MBE, WBE and IVBE goals. Please review the State of Indiana's MBE/WBE/IVBE program, as applicable, based on the goals set for the items advertised herein. What constitutes good faith efforts is explained in detail within the MBE/WBE/IVBE program information referred to above. The DBE/MBE/WBE/IVBE Program Information is available for review at: <http://www.in.gov/indot/2730.htm>

MBE/WBE/IVBE subcontracting goals apply to all prime submitting consultants, regardless of the prime's status of MBE, WBE and/or IVBE.

V. **Evaluation Criteria**

Proposals responding to this RFP will be evaluated on the basis of the following criteria:

- A. Experience in passenger train operations
- B. Experience working with freight railroads
- C. Responsiveness to the instructions in this RFP
- D. Plans for improving Hoosier State Service
- E. Breakdown of proposed costs of operating Hoosier State Service (or functions thereof, where bidder is not proposing to assume all functions presently performed by Amtrak)
- F. Schedule of Preparatory Actions

INDOT will make selections for each of the items listed above and further described herein, based on bid responses and other required document.