

REQUEST FOR QUALIFICATIONS

BY THE

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY

FOR

**TRAFFIC AND REVENUE CONSULTING AND TRAFFIC
ENGINEERING SERVICES**

ADDENDUM NO. 1

RFQ Issue Date: **July 12, 2019**

Response Due: **4:00 PM C.S.T., August 5, 2019**

North East Texas Regional Mobility Authority
1001 ESE Loop 323
Suite 420
Tyler, TX 75701
Attn: Everett Owen, Project Director

**NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY
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AND TRAFFIC ENGINEERING SERVICES
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1.0 INTRODUCTION

The North East Texas Regional Mobility Authority (NET RMA) is requesting information from firms interested in providing the NET RMA with Traffic and Revenue Consulting and Traffic Engineering Services in support of the development and operation of current and future NET RMA toll projects. The selected firm(s) will be responsible for conducting complex traffic modeling and forecasting, which may include forecasting of revenues for bond-financed toll projects, projects receiving financial assistance from the Texas Department of Transportation (TxDOT) or other governmental entities, and/or projects developed through public-private partnerships, and rendering opinions and other analyses concerning traffic and revenue projections as required under agreements governing the NET RMA's financing for existing and future projects.

Any firm submitting a response must be an independent professional engineering firm with skill and experience in traffic engineering, and recent and extensive experience in transportation and toll applications, complex modeling and forecasting tools, and demonstrated success in forecasting revenues generated by revenue generating transportation projects. The NET RMA is seeking to hire one or more Traffic and Revenue Consultants for these purposes.

2.0 DESCRIPTION OF NET RMA

The NET RMA was established as the fifth RMA in Texas on October 28, 2004 by the Texas Transportation Commission. The NET RMA is granted powers under state law to develop "transportation projects", as defined in the Chapter 370 of the Texas Transportation Code, including the authority to study, design, construct, operate, expand, enlarge, and extend a turnpike project within the jurisdictional limits of the NET RMA (currently Smith, Gregg, Cherokee, Rusk, Harrison, Bowie, Wood, Panola, Titus, Van Zandt, Upshur, and Kaufman Counties). The NET RMA acts through its Board of Directors.

The NET RMA is responsible for the operation and maintenance of Toll 49, a tollway located in Smith County. The NET RMA is currently pursuing the development of future segments of Toll 49, including Segments 6 and 7, as well as other projects not connected to Toll 49.

3.0 SCOPE OF SERVICES

The Scope of Services to be provided by the firm(s) providing Traffic and Revenue Consulting and Traffic Engineering Services may include, but not be limited to, the following:

- 3.1 Perform all duties imposed on the "Traffic Consultant" or similar entity under the terms of existing and future trust agreements, loan documents (including Transportation Infrastructure Finance and Innovation Act credit assistance), financial assistance agreements, development agreements, and other documents

related to project financing, and provide certificates and opinions related to annual reviews, proposed changes in toll rate schedules or toll classifications, and periodic bond issuances.

- 3.2 Develop traffic and revenue projections for various proposed and/or existing toll projects as requested. This shall include, but will not be limited to, an investment grade traffic and revenue study for Segments 6 and 7 of Toll 49. This investment grade traffic and revenue study will be included with financial offering documents.
- 3.3 Prepare evaluations, studies and opinions as necessary to determine recommended toll rates and periodic toll rate adjustments for the NET RMA's toll road projects.
- 3.4 Provide and maintain traffic modeling tools pertinent to the NET RMA's projects and potential projects, working closely with metropolitan planning organizations located within the jurisdiction of the NET RMA, TxDOT, NET RMA member counties, and other state and local planning organizations, as necessary, to update economic, demographic and land use data.
- 3.5 Perform special studies or reports as requested, including peer review analyses regarding traffic, toll revenues, mobility, toll collection methods and strategies and related technology and industry trends, sensitivity analyses and scenario analyses for rating agencies and investors, and review projections and analysis presented by potential private developers of NET RMA projects.
- 3.6 Present reports, findings and opinions to the NET RMA Board of Directors, rating agencies and investors, local interested parties, or otherwise upon request.
- 3.7 Work at the direction and supervision of the NET RMA's Executive Director.
- 3.8 The firm(s) will also be required to work cooperatively and collaboratively with other consultants serving the NET RMA, including but not limited to the NET RMA's General Engineering Consultants (currently Atkins North America Inc. and HNTB), General Counsel (currently Locke Lord LLP), financial advisors (currently Hilltop Securities Inc.), and Bond Counsel (currently Bracewell LLP).

4.0 CONTENT OF THE RESPONSE:

4.1 History and Description of the Firm

Each respondent should provide a brief history and general description of its firm.

4.2 Overall Project Experience

Provide a listing of relevant infrastructure development projects for which the respondent provided Traffic and Revenue Engineering Services since January 1, 2014, including the following:

- 4.2.1 Project name.
- 4.2.2 Project location.
- 4.2.3 A brief description of the project and the work performed, including the date of the Official Statement related to financing the project and a comparison of (a) the Official Statement estimate and (b) actual revenue for the project's opening year, and provide the same comparison for the project's fifth (5th) year of operation.
- 4.2.4 An explanation of whether projected-related obligations were rated by bond rating agencies and, if so, the role the firm's work played in the ratings process.
- 4.2.5 Name, address, and telephone number of client contact.

4.3 Other Appropriate Experience:

The respondent should include the following information demonstrating the ability and experience of the firm:

- 4.3.1 A summary client list for the past five (5) years separated into the following categories: (a) public toll agencies; (b) public transportation agencies; and (c) private companies.
- 4.3.2 A summary of the firm's experience with performing duties imposed on traffic engineers under requirements of trust indentures, loan agreements, and other documents related to project financing, including providing certificates and opinions related to annual reviews and periodic bond issuances.
- 4.3.3 A summary of the firm's experience in providing and maintaining traffic modeling tools, including development of traffic and revenue projections for existing and proposed toll road projects.
- 4.3.4 A summary of the firm's experience in preparing evaluations, studies and opinions as necessary to determine recommended toll rates and periodic toll rate adjustments for toll road projects, including reports regarding traffic, revenues, mobility, toll collection methods and strategies and related technology and industry trends.
- 4.3.5 A summary of the firm's experience in providing services to toll road agencies.

4.4 Disputes

- 4.4.1 A summary of all regulatory and legal proceedings initiated since January 1, 2014, in which the firm has been named as a claimant, plaintiff, respondent, or defendant, including the nature of the proceeding, the claims made, and resolution or current status thereof.
 - 4.4.2 A summary of any protest filed by the firm related to procurement of services by any other entity since January 1, 2014, including the nature of the protest and the resolution or current status thereof.
 - 4.4.3 Any early termination of the firm's work or contract for services by any authority or entity since January 1, 2014, including an explanation of the types of services and the reason for termination.
- 4.5 Firm Organization, Staffing and Procedures:
- 4.5.1 Provide an organizational chart identifying key project management and lead personnel for both the firm and any of its anticipated sub-consultants. The relevant areas of project responsibility for lead personnel should be indicated. Designate the firm's principal office and officer to be directly responsible for potential NET RMA projects. Provide in detail, including a resume in the appendix, the identified personnel's experience in traffic and revenue engineering for bond-financed toll road projects.
 - 4.5.2 Number of staff, broken into professional and sub-professional groupings, by specialty and by geographic location, who will be assigned to NET RMA work. ~~The response should be based on the prospect that the Traffic and Revenue Engineering.~~
 - 4.5.3 A summary of those significant active projects expected to be underway in the firm's designated project office during the calendar years 2019 through 2024. The summary should indicate staff levels by discipline that the firm has precommitted to such projects, in sufficient detail to establish the firm's ability to provide the level of staffing required for NET RMA's high priority assignments.
 - 4.5.4 A comprehensive description of the procedures used by the firm to supervise the provision of Traffic and Revenue Consulting services in a timely and cost effective manner.
 - 4.5.5 Provide an abstract of the firm's quality assurance procedures and cost control procedures.
 - 4.5.6 A summary of how the firm charges professional fees for the services described in this RFQ. Do not quote any fees except for representative hourly fees if relevant to the method for how the firm proposes to charge for its services.

4.6 Conflicts of Interest

- 4.6.1 Disclose any prior or existing relationships between the respondent and the NET RMA, any member of the NET RMA Board of Directors, or any entity that provides services to the NET RMA. For a list of NET RMA Board members and individuals and entities providing services to the NET RMA, please refer to the NET RMA Designation of Key Personnel on the NET RMA's website at <http://www.netrma.org>.
- 4.6.2 Disclose any prior or existing relationship with TxDOT, any of the NET RMA's member counties, or any governmental entity operating within any of the NET RMA's member counties.
- 4.6.3 In addition to the above, respondents must familiarize themselves with and comply with the NET RMA's Conflict of Interest Policy for Consultants (available on the NET RMA's web site at <http://www.netrma.org>).

4.7 References:

In addition to the foregoing, the respondent shall provide at least three (3) references. These references shall include client contacts for which the Project Principal and/or Project Manager has provided services similar to those required for this assignment. Reference information shall include name, title, organization, contact information (address, telephone number, and e-mail address) and associated project name for each. The NET RMA may contact and consider feedback from the references as part of the evaluation and selection process.

4.8 Disadvantage Business Enterprise (DBE) Participation:

- 4.8.1 Describe the provision for or the efforts made or that will be made for DBE participation if your firm were to receive the NET RMA assignment.
- 4.8.2 Provide the number of women/minority individuals employed by your firm whom you propose to assign to the NET RMA project, along with a description of their staffing category and the level of involvement and area of responsibility on the project.
- 4.8.3 If any portion of the NET RMA work will be sub-contracted to any state of Texas certified DBE firm, provide the name of the firm and the principals, with a summary of the work to be performed and the percentage of the total contract.
- 4.8.4 Provide all other pertinent information of women/minority participation within other sub-contracting firms, if available.
- 4.8.5 Describe the affirmative action plan of your firm.

- 4.8.6 State whether your firm will be able to conform with the requirements of NET RMA's Business Opportunity Program and Policy on the participation of DBE's in NET RMA Professional Services and Contracting Opportunities. A copy of such policy is available at www.netrma.org.

4.9 SUBMITTAL REQUIREMENTS AND RESTRICTIONS:

All submittals must be responsive to the general format and guidelines outlined within this RFQ. A responsive submittal is one that follows the general guidelines of this RFQ, includes all documentation requested, is submitted following the general format outlined herein, displays sound justification for recommendations, is submitted by the deadline, and has the appropriate signatures as may be required. Failure to comply may result in the submittal being deemed nonresponsive.

- 4.9.1 **All responses shall be received by the North East Texas Regional Mobility Authority, 1001 ESE Loop 323, Suite 420, Tyler, TX 75701, Attn: Everett Owen, Project Director, no later than 4:00 P.M. C.S.T., August 5, 2019. Six (6) copies of the response of a firm shall be submitted.**

Respondents must also include one (1) USB/flash drive with a copy of the submittal and any additional materials as noted in the RFQ. The file of the submittal itself must be labelled as follows:

NETRMATR2019-RFQ_Firm Name.pdf

Example: "NETRMATR2019-RFQ_ZebraFirm.pdf"

Submittals may be hand delivered to the address noted above.

Submittals will not be accepted by fax or electronic mail. Submittals must be provided in a sealed envelope or package with the package label and the firm's name and address clearly visible on the outside of the envelope or package. Submittals received after the deadline will not be considered.

The NET RMA reserves the right to request additional information or clarifications from any respondents or to allow corrections of errors or omissions.

Submittals must include a cover letter which identifies the respondent's primary contact, including that individual's phone number and email address.

- 4.9.2 Submittals must not exceed twenty (20) pages (8.5 x 11 inches with 1-inch margins from all sides), type font size not less than 11 points, and printed on one side. Responses shall be submitted as a bound document and printed single-sided on standard 8½" x 11" paper. Graphics, charts, photographs,

and/or exhibits may be on 11” x 17” paper, but must be folded to the standard size; foldout pages count as one page.

The page limit does not include the cover letter (limited to 1 page), front/back cover sheets, dividers, table of contents, résumés (limited to 1 page each), or other items requested to be included in an appendix. Font sizes in graphics or attachments can be less than the body of the submittal, but should be reasonably legible.

Materials submitted in excess of the specified 20 pages will not be reviewed.

Any clarifications and addenda will be posted on the NET RMA website. The web address is: <https://www.netrma.org/current-procurements/>. All interested parties are responsible for monitoring the website for such materials and respondents shall be responsible for compliance with any clarifications or addenda posted thereon.

5.0 SELECTION OF TRAFFIC AND REVENUE CONSULTING AND TRAFFIC ENGINEERING SERVICES FIRM

The NET RMA will make its selection based on the criteria set forth herein, including demonstrated competence, experience, knowledge, qualifications, firm resources, and DBE participation in the NET RMA work. An Evaluation Committee established by the Executive Director will evaluate the submittals and make a recommendation to the NET RMA Board of Directors. The ultimate selection of a firm or firms, if any, will be at the sole discretion of the NET RMA Board of Directors. The NET RMA has not committed itself to employ a Traffic and Revenue Engineering Services Firm, and neither the suggested Scope of Services nor the terms of an agreement should be construed to require that a Traffic and Revenue Engineering Services Firm will be employed for any or all of the services described in this RFQ. The NET RMA Board of Directors reserves the right to make those decisions.

The NET RMA reserves the right to negotiate services to be provided, the fees therefore, and to reject any and all respondents.

In preparing responses, Respondents should be aware that the following scoring criteria will be assigned.

Scoring of Responses

Experience of Firm	45%
Firm Organization, Key Personnel and Procedures	45%
Project staffing, including process for enhancing DBE participation	10%

6.0 QUESTIONS CONCERNING RFQ

Any questions concerning this RFQ must be submitted in writing by email to Everett Owen at everett.owen@netrma.org and must include the phrase “T&R RFQ Question” in the subject. Responses may be posted on the NET RMA website (<https://www.netrma.org/current-procurements/>) for the benefit of all potential respondents. Questions must be received by 4:00 PM C.S.T., July 26, 2019.

The NET RMA reserves the right to contact the individual submitting a question to clarify the question received, if necessary. The NET RMA further reserves the right to modify, summarize, or otherwise alter the content of a question to protect the identity of the individual submitting the question and to provide responses that the NET RMA believes will best inform interested parties of potentially relevant information. The NET RMA further reserves the right to decline to answer questions.

7.0 MISCELLANEOUS

- 7.1 Term. The NET RMA seeks to secure a contract for up to seven (7) years with an initial term of five (5) years and an option to renew for up to two (2) additional years.
- 7.2 COST OF RESPONSES: All costs directly or indirectly related to preparation of a response to this RFQ, or in any oral presentation required to supplement and/or clarify the RFQ, shall be the sole responsibility of, and shall be borne by, responding firms.
- 7.3 RELEASE OF INFORMATION AND OPEN RECORDS: All responses to this RFQ shall be deemed, once submitted, to be the property of the NET RMA. Responses may be subject to public disclosure under the Texas Public Information Act (PIA). Any material believed by the responder to be proprietary, confidential, or otherwise exempt from disclosure under the PIA should be clearly marked as such. If the NET RMA receives a request for public disclosure of all or any portion of a response, the NET RMA will use reasonable efforts to notify the responder of the request and give the responder an opportunity to assert, in writing to the Office of the Attorney General, a claimed exception under the PIA or other applicable law within the time period allowed under the PIA.
- 7.4 ANTI-LOBBYING: During the pendency of this procurement prospective respondents may not contact members of the NET RMA Board of Directors, NET RMA employees or consultants performing work for the NET RMA concerning this procurement. Violation of this restriction is grounds for disqualification.