

## **Request for Information**

Regarding the procurement of FRA-compliant single-level push-pull coaches and cab cars to replace its existing push-pull fleet

CONNECTICUT DEPARTMENT OF TRANSPORTATION  
BUREAU OF PUBLIC TRANSPORTATION

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## 1. Introduction

The Connecticut Department of Transportation (CTDOT) intends to procure 50 to 100 single-level push pull and cab car fleet currently in service on its **CTrail** service as further described in table 1 below. CTDOT intends to procure rail cars on an expedited timeline to address the popularity of, and demand for, **CTrail** service. CTDOT plans to release a Request for Proposals (RFP) in late 2019 and award a contract in 2020.

CTDOT will base the RFP vehicle specification on PRIIA Specification No. 305-003, Revision B.1, June 5, 2018, Specification for PRIIA Single-Level Passenger Rail Car, customized to reflect any unique features or variables required by CTDOT, including without limitation those considered in light of feedback received from this RFI.

The successful Proposer, upon contract award, will provide all design, engineering, testing, manufacturing, delivery, warranty, training, spare parts, tools, diagnostics, test equipment and other services necessary.

Timely replacement of the existing Rail Car Fleet is critical to **CTrail** service provided by CTDOT. Therefore, via this Request for Information (RFI), CTDOT seeks from those in the industry constructive feedback as soon as possible. CTDOT appreciates the value of information that all involved in this industry can provide in response to this RFI and thanks you in advance for your participation.

## 2. Request for Information (RFI) Purpose and Conditions

The purpose of this RFI is to generate responsive information that may help CTDOT confirm and/or refine assumptions regarding any future RFP issued in connection with this procurement. CTDOT is interested in, and soliciting, comments that will help address the overall customer experience, accessibility and ease of car maintainability.

THIS IS A REQUEST FOR INFORMATION (RFI) ONLY. This RFI is issued solely for information and planning purposes – it does not constitute or represent a commitment to issue a request for qualifications (RFQ), a request for proposals (RFP), or any other solicitation, nor does it constitute the commencement of any other type of procurement process.

CTDOT is not at this time seeking proposals and will not accept any such unsolicited proposals. This RFI does not commit CTDOT to contract for any supply or service whatsoever.

Therefore, those choosing to respond to this RFI will not be deemed “bidders” or “proposers” in any sense. No such respondent will have any preference, special designation, advantage or disadvantage whatsoever in any subsequent procurement process related to the procurement.

All costs associated with responding to this RFI will be solely at the Respondent’s expense.

Responding to this RFI is not a required prerequisite in order to does not preclude participation in any future RFP that may be issued by CTDOT

CTDOT reserves the right to amend or cancel this RFI prior to or after the submittal deadline, if it is in the best interests of CTDOT or the State, as determined by CTDOT in its sole discretion.

CTDOT reserves the right to request clarifications in the Responses submitted.



By submitting a Response, the Respondent represents that its Response is not made in connection with any other Respondent submitting a separate Response, and its Response is in all respects fair and has not been subject to collusion or fraud.

### 3. Agency Background

CTDOT’s Fleet procurement will support the operation of the following passenger rail lines in Connecticut:

**CTrail** Shore Line East services currently operated by the contract with service provider Amtrak serve stations from New London to New Haven, with select trains continuing to Bridgeport and Stamford on the New Haven Line.

**CTrail** Hartford Line service currently operated by the contracted service provider TransitAmerica Services, Inc./Alternate Concepts, a Joint Venture (TASI/ACI) and serving stations along the New Haven, Hartford and Springfield corridor.

Current CTDOT system information is in the tables below:

**Table 1: Ownership and Mileage (CT Portions)**

PASSENGER RAIL	RAIL INFRASTRUCTURE OWNER	SERVICE OPERATOR	ROUTE MILES
NHL Main & Branch Lines	CTDOT to CT-NY line	Metro-North Railroad	103
Shore Line East	Amtrak	Amtrak	51
Hartford Line	Amtrak	TASI	62
Total			216

**Table 2: Current Fleet by Line**

	OWNED BY CTDOT			OWNED BY OTHERS <sup>2</sup>	TOTAL
	NHL	SLE	Hartford Line		
Push/Pull Coaches	48	33	16 <sup>3</sup>	-	104
EMU Cars <sup>1</sup>	274	-	-	131	405
Diesel Locomotives	10	14	4	-	28

<sup>1</sup> Operated by MNR on the NHL

<sup>2</sup> MNRR/MTA funds the purchase of EMUs for the NHL service

<sup>3</sup> Leased by CTDOT

### 4. Requested Response

Interested parties who wish to respond to this RFI must submit via **e-mail only** to [DOT.trains@ct.gov](mailto:DOT.trains@ct.gov) the following information:

- Company name, mailing address, number and designated point of contact.



No other information or materials should be included with the e-mail.

CTDOT intends to meet with all interested parties responding to this RFI (“Respondents”) in order to obtain feedback on the upcoming procurement and PRIIA specification and discuss questions and/or concerns that Respondents may have. Respondents may present materials at the time of the meeting, subject to all terms and conditions of this RFI.

## 5. Respondent Discussions

To ensure that the specifications reflect the latest available technological advances and the contract conditions do not unduly restrict competition, CTDOT is requesting that issues that may be of concern to the industry be addressed to CTDOT during this RFI process.

To ensure a timely process and a successful competitive procurement, it is the intent of CTDOT to meet, in a one-on-one setting, with interested rail vehicle manufacturers. The purpose is to address as many questions and concerns as possible during the development of the specifications and related procurement documents and prior to the release of any RFP document. CTDOT expects that responding rail vehicle manufacturers will also represent the concerns of the subcontractors and product vendors generally used in the manufacture of their vehicle.

At a minimum, respondents should be prepared to discuss issues related to the following:

- Project risk,
- Market related issues,
- Schedule/delivery related issues,
- Available new technologies, advantages/disadvantages,
- Ideas/products that improve customer experience, accessibility and ease of maintenance,
- Major areas of concern based on prior RFP experience including, but not limited to, contractual and technical concerns,
- Issues that have slowed the procurement/award process based on prior experience, and
- Recommendations to expedite the anticipated procurement process.

Please be advised that all information provided will be for the sole use by CTDOT for the purpose of planning future procurement actions related to the purchase of the rail cars identified above. CTDOT will not publicly disclose any information relating to the respondent or any information obtained in response to this RFI or subsequent discussions. However, CTDOT will have the right to use any information obtained through the RFI process in whole or part as it sees fit.

Information received from respondents during discussions will be not be shared with other respondents. To the extent possible, CTDOT will use its best efforts to ensure that information received during discussions will not favor one respondent over another or influence the overall competitive nature of the procurement.

This RFI does not commit CTDOT to any specific form of procurement. The responses will be used to inform CTDOT’s decision on how to best proceed with the procurement.



## 6. Planned RFI Schedule

It is anticipated that meetings will be scheduled during the second half of July 2019 and that the number of respondent attendees will be limited to no more than four (4). The number of CTDOT attendees will be approximately fifteen (15).

## 7. Confidentiality/ Freedom of Information

As described below, the Commissioner of CTDOT may withhold from disclosure any information until the completion of the procurement process. However, upon receipt by CTDOT, any information provided is considered a public record or file, subject to the Freedom of Information Act ("FOIA"). Accordingly, each respondent shall identify any and all information that it considers to be confidential as proprietary or trade secret. Those particular sentences, paragraphs, pages or sections that the respondent believes to be proprietary or trade secret shall be specifically and clearly identified as such. Each respondent seeking to claim an exemption for a trade secret or proprietary information must provide a convincing explanation and rationale consistent with the law sufficient to justify treating the identified information as proprietary or trade secret under § 1-210(b) of the Connecticut General Statutes, including the representation that such information is not already in the public domain. The rationale and explanation shall be stated in terms of the prospective harm to the competitive position of the respondent that would result if the identified material were to be released and set forth the reasons it believes the material is legally exempt from release pursuant to FOIA. If the respondent indicates that certain documentation is submitted in confidence, by specifically and clearly marking said documentation as CONFIDENTIAL, CTDOT will first review such claims to make sure they are consistent with FOIA (that is, the documentation is actually a trade secret or commercial or financial information and not required by statute), and if so, will endeavor to keep said information confidential to the extent permitted by law. See, e.g., Section 1- 210(b)(5) (A-B). The final administrative authority deciding whether to release or exempt any or all material so identified rests solely with CTDOT; subject to adjudication by the Freedom of Information Commission (FOIC) should the respondent's claim of proprietary or trade secret information be challenged. CTDOT, however, has no obligation to initiate, prosecute or defend any legal proceeding or to seek a protective order or other similar relief to prevent disclosure of any information that is sought pursuant to a FOIA request. Should CTDOT withhold such documentation from a FOIA requester and a complaint be brought to the FOIC, the respondent shall have the burden of cooperating with CTDOT in defense of that action and in terms of establishing the availability of any FOIA exemption in any proceeding where it is an issue. In no event shall CTDOT or the State of Connecticut (State) have any liability for the disclosure of any documents or information in its possession which the State or CTDOT believes are required to be disclosed pursuant to FOIA or other requirements of law.

By submitting a Response, each Responder agrees that the State may reveal any trade secret materials contained in such information Response to all staff and officials involved in the selection process, and to any outside consultants, legal counsel or other third parties included in meetings, discussions or interviews with the Responder. Each such individual who receives such information will be required to sign a confidentiality form. Furthermore, each Responder agrees to indemnify and hold harmless the State and each of its officers, employees, consultants, counsel and agents from all costs, damages and expenses incurred in connection with CTDOT refusing to disclose any material which the Responder has designated as a trade secret or proprietary. Any respondent that designates its entire proposal as a trade secret or proprietary may be disqualified by the CTDOT, in its sole discretion.



Subject to any particular FOIA request that may be made, pursuant to Section 1-210(b)(24) of the Connecticut General Statutes, the Commissioner of CTDOT may (subject to the balancing test required by Section 1-210(b)(24)) withhold from disclosure the provided information until the agreement contemplated by this RFI has been executed or when negotiations for the award of such agreement have ended, whichever occurs earlier.

Section 1-210(b)(24) provides that nothing in FOIA shall be construed to require the disclosure of:

“Responses to any request for proposals or bid solicitation issued by a public agency or any record or file made by a public agency in connection with the contract award process, until such contract is executed or negotiations for the award of such contract have ended, whichever occurs earlier, provided the chief executive officer of such public agency certifies that the public interest in the disclosure of such responses, record or file is outweighed by the public interest in the confidentiality of such responses, record or file.”

## 8. RESERVATION OF RIGHTS

- a) Any information provided within this RFI is subject to change and is not binding on CTDOT.
- b) Participation is voluntary and release of this RFI should not be construed as a commitment by CTDOT to purchase any of the items identified in this RFI or as authorization to proceed or incur cost for which reimbursement would be required or sought.
- c) CTDOT reserves the right to amend or cancel this RFI if it is in the best interests of CTDOT or the State, as determined by CTDOT in its sole discretion.
- d) CTDOT reserves the right to request clarifications in the Responses submitted.
- e) By submitting a Response, the Respondent represents that its Response is not made in connection with any other Respondent submitting a separate Response, and its Responses is in all respects fair and has not been subject to collusion or fraud.
- f) All submissions in response to or connection with this RFI are to be the sole property of CTDOT and are subject to the provisions of Connecticut General Statutes § 1-210 (Freedom of Information Act).