

## RFP Addendum No. 14

### Central Florida Commuter Rail Transit Design/Build and Maintain for Civil, Systems and Trackwork Volusia, Seminole, Orange and Osceola Counties Financial Project ID #412994-4-52-01

The Department has decided to re-solicit price proposals for this project under the terms and conditions of this Request for Proposals as modified by this Addendum No. 14. Technical Proposals will not be re-solicited and the prior scores assigned to the Technical Proposals will continue to be used through the remainder of this selection process as described herein.

This Request for Proposals is hereby amended as shown below.

Please respond upon receipt and direct any questions to Roger Masten at 386-943-5536 or at [roger.masten@dot.state.fl.us](mailto:roger.masten@dot.state.fl.us)

**Revision 1** *Page 1 – Section I – Introduction, second paragraph – DELETE the following paragraph:*

The Department has set a maximum bid price of \$156,000,000.00 for this project. Each Design/Build Firm is to develop design approaches with corresponding schedules that maximize the amount of scope in the RFP and that can be designed and built and meets the maintenance services requirements as specified herein without exceeding this maximum bid price. The scope may be modified by a Proposer to meet this maximum bid price. A scope change is defined as physical items actually altered from the RFP and all scope changes shall be shared with the other Design/Build Firms. The competition is on project scope, qualifications, quality, innovation, schedule and costs (not to exceed the maximum bid price). If this maximum bid price is exceeded, the Design/Build Firm Proposal shall be non-responsive.

*In place of the foregoing deleted paragraph, ADD the following paragraph:*

The Department has established a budget estimate of \$158,000,000.00 for this project. This amount shall be used by the Department in determining the award of the contract pursuant to this RFP as hereinafter described; however, this amount shall not be binding on the Department as an upset limit and the Department reserves the right to in its sole discretion add funds to this project as the Department deems necessary or appropriate.

**Revision 2** *Page 6 – Section I. – Roadway Maintenance Services, last paragraph, ADD the following sentences:*

The Central Florida Dispatch Desk will be operational prior to issuance of the Notice to Proceed for construction. Attention of the Design/Build Firm is also directed to the Appendices to the Transition Agreement which is attached to this RFP, which Appendices contain requirements and obligations binding on CSX applicable to this project.

**Revision 3** *Page 7 – Section I. – Other Project Elements, fifth paragraph, REPLACE the full paragraph in its entirety with the following:*

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The Design/Build Firm shall not start design, maintenance mobilization, construction or maintenance activities within the railroad right-of-way prior to the Department’s issuance of a Notice to Proceed as to such activities. The Department will issue a single Notice to Proceed for both design and maintenance mobilization services and separate Notices to Proceed as to construction work and maintenance services. It is currently anticipated that the Notice to Proceed as to design and maintenance mobilization services will be issued on or about April 2, 2009. It is currently anticipated that the Notice to Proceed for maintenance services will be issued on or about June 30, 2009 and a Notice to Proceed for construction work will be issued on or about September 30, 2009. Under no circumstances will Notices to Proceed for construction work or maintenance services be issued prior to the Department’s formal closing of the acquisition of the CFCRT Corridor from CSX Transportation, Inc. In the event the Department actually issues such Notice to Proceed for construction work subsequent to September 30, 2009, the Design/Build Firm shall be entitled to relief solely limited to the extent provided under Sections 4-3.2 and 5-12 of the Division I Specifications. Under no circumstances shall the Department have any liability, claim, or cause of action whatsoever for any monetary compensation, damages, or other relief of any nature or kind if a Notice to Proceed for construction work and/or maintenance services is never issued by the Department as a result of failure of the conditions precedent to issuance of those Notices to Proceed as set forth in this RFP.

**Revision 4**     *Page 11 - Section I. – Other Project Elements, last paragraph on page 11 prior to Section A. that begins on page 12, DELETE the last two sentences of the paragraph.*

**Revision 5**     *Page 12 – Section II – Schedule of Events – REPLACE the dates and events after January 15, 2009 with the following:*

Date	Event
February 23, 2009	Price Proposals due in District Office by 4:00 p.m. local time.
February 23, 2009	Public Meeting to open Price Proposals and determine apparent low bidder at 4:30 p.m. local time in the District offices at 719 South Woodland Boulevard, DeLand, Florida
February 24 , 2009	Public Meeting of Selection Committee to determine intended Award at 8:15 a.m. local time in the District offices at 719 South Woodland Boulevard, DeLand, Florida
February 24 , 2009	Posting of the Department’s intended decision to Award (will remain posted for 72 hours)
February 25, 2009	Anticipated Award Date
March 20, 2009	Anticipated Execution Date
April 2, 2009	Anticipated Notice to Proceed Date for Design and Maintenance Mobilization Services
June 30, 2009	Anticipated Notice to Proceed Date for Maintenance Services
September 30, 2009	Anticipated Notice to Proceed Date for Construction Work

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**Revision 6** Page 16 – Section III.G – Non-Responsive Proposals – DELETE the following sentence:

Proposals will be found non-responsive if any bid submitted by the Design/Build Firm is in excess of the maximum bid price.

**Revision 7** Page 20 – Section III – Section K. – Design/Build and Maintain Contract – REPLACE the last sentence of Section III with the following:

The Design/Build Firm's submitted bid, as the same is determined in accordance with the terms of this RFP, is to be a Lump Sum bid for completing the scope of work detailed in this RFP.

**Revision 8** Pages 30 and 31 – Section V.N – Coordination with Railroad Operations – DELETE the last paragraph of Section V.N. on page 31 in its entirety and add the following at the end of the third paragraph of Section V.N. on page 30:

In the event that there are, under the terms of the Transition Agreement (see in particular Section 10 at pages 24 through 29 thereof), Qualifying Delays for which the Department is entitled to make claims against CSX, then the Design/Build Firm shall be entitled to relief solely limited to the extent provided under Sections 4-3.2 and 5-12 of the Division I Specifications.

**Revision 9** Page 64 – Section VI.Q – Trackwork Plans – replace the interlocking table and paragraph below the interlocking table with the following:

Track upgrades at crossovers and turnouts will be required at the following locations:

**Interlocking Locations**

<b>Interlocking</b>	<b>Milepost</b>	<b>Positioning</b>
CP 763 – St. Johns Bridge 2 – 1 – 2 tracks	763.1	Fixed
CP 764 – Single Crossover and VSMF Entrance	764.5	Fixed
CP 765 – Single Crossover and VSMF Entrance	765.3	Fixed
CP 766 – Single Crossover & Auto Train Entrance	765.9	Fixed
CP 779 – Universal Crossover for siding access	779.1	Fixed
CP 783 – Begin/End of double track	782.8	Fixed
CP 784 – Begin/End of double track	784.7	Fixed
CP 788 – Florida Hospital Hold Signal	787.9	Fixed
CP 791 – Kaley Yard/ORMC 2 – 3 tracks	791.1	Fixed
CP 792 – Kaley Yard/ORMC 3 – 2 tracks	791.9	Fixed

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Interlocking	Milepost	Positioning
CP 793 – Universal Crossover for side tracks	793.1	Fixed
CP 796 – Universal Crossover for access to storage track	796.3	Fixed

The Design/Build Firm shall be responsible for the design and construction of all interlockings, including all track, signal and communication elements, including all materials.

The project includes options for two additional interlockings (including track, signal and communications elements). The Option 3 and Option 4 interlockings are as follows:

Interlocking	Milepost	Positioning
Option 3 - CP 787 – Universal Crossover for maintenance	787	non-fixed
Option 4 - CP 775 – Universal Crossover for maintenance	775	non-fixed

The bid requirements for these Options is outlined in Section VIII of this RFP.

**Revision 10**    *Page 67 – Section VI.R – Grade Crossing Plans – REPLACE the last paragraph on Page 67 with the following:*

The Design/Build Firm shall include in the base project all of the Priority 1 required improvements listed in the following table. Priority 2 and 3 required improvements shall be included in accordance with the Bid Options described in Section VIII of this RFP. The actual design of the individual crossings shall be developed by the Design/Build Firm using FRA Standards, FDOT Grade Crossing Standards, the Diagnostic Field Review and public safety.

**Revision 11**    *Page 81 and 82 – Section VI.T – Railroad Signal System Plans – REPLACE the first paragraph with the following:*

The Design/Build Firm shall prepare plans for the railroad signal system in accordance with the Design Criteria and the Signal Route and Aspect Chart Drawings included as Attachments to this RFP. CP 775 and CP787 shown in the Route and Aspect Chart included with Addendum 11 shall be replaced with Automatic Signals if Bid Options 3 and 4, as described in Section VIII of this RFP, are not included in the scope of work. An updated Route and Aspect Chart will be provided to the successful DBM Firm upon determination of the Control Points to be included in the design. The signal system shall be a Traffic Control System (TCS) consisting of bi-directional, 4-Aspect Wayside signaling using the signal aspects provided in the Design Criteria included as an Attachment to this RFP. Block layout shall support 79 mph passenger train and 60 mph freight train operations (except where a lower Maximum Authorized Speed is designated and documented in the Design Criteria included as an Attachment to this RFP). Intermediate signals shall operate on electronic-coded track circuits. Solid-State microprocessor-based systems will be used for new control points and control points shall use typical DC track circuits in the control

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point. Control points shall use data-radio for CP to Operations Control Center communication. The wayside signal system shall provide protection for all hand throw switches to prevent unauthorized access until expiration of a pre-determined time interval. The Traffic Control System shall be compliant with all applicable FRA regulations.

**Revision 12** Pages 94 and 95 – Section VII.E – Final Selection Process – REPLACE the title with the following title, DELETE the entire first paragraph on page 94, and DELETE the last sentence starting on page 94 and carrying over to page 95:

#### **E. Proposal Compensation**

**Revision 13** Page 95 – Section VIII.A – Bid Price Proposal – DELETE the following paragraphs:

For the purpose of bidding, the Department has established a maximum bid price. This amount is not the Department's official cost estimate for the work but is the maximum bid constraint established for this contract. Submission of a Price Proposal under the maximum bid price is not a guarantee of contract award and cannot be interpreted as an appropriate or awardable Price Proposal amount.

During preparation of the Price Proposal, if concerns regarding the Department's maximum bid price arise, submit a letter of budget concern by **December 1, 2008** to Frank O'Dea, FDOT District Construction Engineer, 719 South Woodland Boulevard, MS 3-506, DeLand, FL 32720 or by e-mail to [frank.odea@dot.state.fl.us](mailto:frank.odea@dot.state.fl.us) or by fax to Frank O'Dea at (386) 943-5716. The Department will review the letter of budget concern and determine its next course of action. This process is established to provide the opportunity for the Design/Build Firm to express budget constraint issues prior to submission of a Price Proposal.

The Price Proposal shall include a Lump Sum price for providing 1,000 hours of railroad Roadway Worker Protection Services for third party requests. The hourly rate used to develop the Lump Sum price shall be used by the Design/Build Firm for reimbursement by Third Parties.

The Price Proposal shall include a Lump Sum price for the clean-up of Rand Yard by the Design/Build Firm. The price shall not be included in the maximum bid price, but shall be used in the calculation of the adjusted score as shown on the Bid Proposal form. The clean-up of the Rand Yard site shall be an option that the Department may choose to exercise.

**Revision 14** Pages 95 and 96 – Section VIII.A – Bid Price Proposal – REPLACE the sixth and seventh paragraphs in their entirety with the following paragraphs:

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The Department has identified four (4) elements one or more of which may be added to the Base Bid as Bid options depending on the amount of the Proposer's Base Bid, the lump sum amount bid for each element, and the amount of funds the Department has available. These elements are:

- Priority 2 Grade Crossing Improvements
- Priority 3 Grade Crossing Improvements
- Interlocking CP 787 (Track and Signals)
- Interlocking CP 775 (Track and Signals)

These elements are listed in the Bid Proposal Form in the order of priority in which the Department desires to include these elements in the project. The Design/Build Firm shall indicate on the Bid Proposal Form the Lump Sum price for each of these individual elements, along with the Lump Sum amount that would apply if the Lump Sum amount for that element was added to the Base Bid along with the Lump Sum amount for each element of higher priority, as well as the applicable curfew hours for the Base Bid and each added element, all as indicated on the Bid Proposal Form. As provided in Section 8-13.3 of the Division I Specifications, the applicable curfew hours listed by the Design/Build Firm in the Bid Proposal Form shall become the total allowable number of Extended Curfew Hours and the Design/Build Firm shall not be limited to nor increased to the number of hours listed in the Technical Proposal.

**Revision 15** Page 96 – ADD the following new Section IX. – *Final Selection Process*

#### **IX. Final Selection Process**

At the opening of the Price Proposals, the budget estimate set forth in Section I of this RFP shall be compared to all the Lump Sum Prices listed on each of the Price Proposal Forms (including the Lump Sum Prices listed under each Bid Option). The apparent low bidder will be the Proposer that can provide, based on the Lump Sum Prices, the greatest number of Bid Options for an amount equal to or less than the Department's budget estimate.

If two or more proposers can provide an equal greatest number of Bid Options for an amount equal to or less than the budget estimate, an adjusted score will be determined for each such proposer using the Adjusted Score Formula set forth in Section VII. D. of this RFP. For purposes of applying the formula, the Bid Price Proposal and the Proposed Number of Curfew Hours for each Proposer shall be the Lump Sum Price and curfew hours listed by that Proposer for such greatest number of Bid Options provided within the budget estimate. The Proposer with the lowest adjusted score for the greatest number of Bid Options for an amount equal to or less than the Department's budget estimate will be the apparent low bidder.

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If the Lump Sum Price listed by each Proposer for each Bid Option exceeds the Department's budget estimate, the Proposer with the Base Bid that is equal to or less than the budget estimate will be the apparent low bidder. If two or more Proposers have a Base Bid that is equal to or less than the budget estimate, then the Adjusted Score Formula will be applied to each Proposer's Base Bid that is equal to or less than the budget estimate in the same manner as described above and the Proposer with the lowest adjusted score will be the apparent low bidder.

If the Lump Sum Price listed by each Proposer for each Bid Option exceeds the Department's budget estimate and the Base Bid of all Proposers is also in excess of the Department's budget estimate, the Department may in its sole discretion establish a new budget estimate and the foregoing selection process will be applied to the Price Proposals using the new budget estimate in order to determine an apparent low bidder. The new budget estimate will be determined by management personnel of the Department and not by the Technical Review or Selection Committees.

After the apparent low bidder is determined as set forth above, a public meeting of the Selection Committee will be held. The Selection Committee will review the evaluation of the Technical Review Committee and the Price Proposal of each Proposer and make a final determination of the low bidder. The Selection Committee has the right to correct any errors in the evaluation and selection process that may have been made. The Department is not obligated to award the contract and the Selection Committee may decide to reject all Proposals. If the Selection Committee decides not to reject all Proposals, the contract will be awarded to the Proposer determined by the Selection Committee to be the low bidder. The Lump Sum Price for the contract will be the applicable Lump Sum Price of the low bidder listed on the Price Proposal Form that was used to declare that Proposer to be the low bidder based on the above process.

#### ***Revision 16 Design-build Proposal Form***

The revised Design-build Bid Proposal Form attached to this Addendum 14 is hereby substituted for the prior Design-Build Bid Proposal Form and shall be used hereafter for submission of the Price Proposal.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
DESIGN-BUILD BID PROPOSAL FORM

CONTRACT NO: E5L71  
FPN: 412994-4-52-01

PROJECT LOCATION/DESCRIPTION: Central Florida Commuter Rail Transit Civil, Systems and Track Work Design/Build/ Maintain

The Design Build-Firm is required to state the Proposed Curfew Hours and a Lump Sum (LS) price and submit to Professional Services Unit, Florida Department of Transportation, 719 South Woodland Boulevard, DeLand, Florida 32720 by 4:00 p.m., local time, on **February 23, 2009**.

**Base Bid without Four Options**

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Total LS Price</u>
Initial Final Design and Mobilization Services (Not to Exceed \$6,000,000.00)	LS	1	\$ _____
Final Design and Construction Work <b>Without</b> Four Bid Options	LS	1	\$ _____
Design-Build Contingency	Not Bid	1	\$ 300,000.00
Railway Maintenance Services	LS	1	\$ _____
Maintenance Contingency	Not Bid	1	\$ 150,000.00
Roadway Worker Protection Services (Flagging)	LS	1	\$ _____
Partnering	Not Bid	1	\$ 23,100.00
Dispute Review Board	Not Bid	1	\$ 39,600.00

Lump Sum Price (Base Bid - Without Four Bid Options) \$ \_\_\_\_\_  
Lump Sum Price (Base Bid – Without Four Bid Options) Written Out: \_\_\_\_\_

Proposed Curfew Hours (for Base Bid without Four Bid Options): \_\_\_\_\_

**Base Bid with Options**

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Total LS Price</u>
Bid Option 1 – Grade Crossings Priority 2	LS	1	\$ _____
Lump Sum Price (with Bid Option 1)			\$ _____
Lump Sum Price (with Bid Option 1) Written Out:			_____

Proposed Curfew Hours (for the Base Bid with Bid Option 1): \_\_\_\_\_

Bid Option 2 – Grade Crossings Priority 3	LS	1	\$ _____
Lump Sum Price (with Bid Options 1 & 2)			\$ _____
Lump Sum Price (with Bid Options 1 &2) Written Out:			_____

Proposed Curfew Hours (for the Base Bid with Bid Options 1 & 2): \_\_\_\_\_

Bid Option 3 – Interlocking CP 787 (Track & Signals)	LS	1	\$ _____
Lump Sum Price (with Bid Options 1, 2 & 3)			\$ _____
Lump Sum Price (with Bid Options 1, 2 & 3) Written Out:			_____

Proposed Curfew Hours (for the Base Bid with Bid Options 1, 2 & 3): \_\_\_\_\_

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<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Total LS Price</u>
Bid Option 4 – Interlocking CP 775 (Track & Signals)	LS	1	\$ _____
Lump Sum Price (with Bid Options 1, 2, 3, & 4)			\$ _____
Lump Sum Price (with Bid Options 1, 2, 3, & 4) Written Out:			

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Proposed Curfew Hours (for the Base Bid with Bid Options 1, 2, 3 & 4): \_\_\_\_\_

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Design-Build Firm Name: \_\_\_\_\_

Design-Build Firm Vendor No: \_\_\_\_\_

Design-Build Firm Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Design-Build Firm Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_