

**ENGINEERING, FINANCIAL, LEGAL AND RELATED SERVICES**  
**May 9, 2008**

**STATE PROJECT NO. 736-99-1505, 736-99-1552, 736-99-1553, 736-99-1554, AND  
736-99-1555**  
**RETAINER CONTRACTS FOR COMPREHENSIVE STRATEGIC ADVISORY  
SERVICES RELATED TO LOUISIANA TRANSPORTATION AUTHORITY  
(LTA) PARTICIPATION IN PUBLIC-PRIVATE PARTNERSHIPS (PPP)  
STATEWIDE**

**INTRODUCTION**

Under Authority granted by Title 48, Section 2071 et seq, of Louisiana Revised Statutes, the Louisiana Transportation Authority (LTA) hereby issues a Request for Qualification Statements (RFQ) on Standard Form 24-102 (SF 24-102), "Engineering and Related Services", from a Consultant/Team consisting of an individual Prime Consultant and Sub-Consultants; to provide engineering, financial, business, management, legal and related services. For firms and personnel that are to be engaged in tasks that are considered engineering, all requirements of Louisiana Professional Engineering and Land Surveying (LAPELS) Board must be met prior to the execution of the contract. One Consultant, or Prime Consultant and Sub-Consultant team (Consultant/Team), will be selected for each of the Contracts. The Consultant or the Prime Consultant as listed on SF 24-102 must be appropriately registered with the Louisiana Secretary of State prior to submission of the RFQ.

**Project Manager** – Mr. Michael Bridges, DOTD Undersecretary, Office of Management and Finance. Mr. Bridges may be contacted at (225) 379-1200.

**SPECIAL NOTICE**

The LTA intends to select a maximum of five (5) Consultant(s)/Team(s) for five (5) separate retainer contracts as set forth herein. Services to be performed will be assigned by Task Order. The LTA does not guarantee that any or all potential services identified in this request and in the contract will be assigned.

**PROJECT DESCRIPTION**

The LTA anticipates that it may receive unsolicited and solicited proposals from private infrastructure development teams to construct and/or improve transportation infrastructure in Louisiana. These proposals will be in the form of a Public-Private Partnership (PPP), and may be directed towards construction or improvements to any transportation mode(s) which fall within the auspices of LTA. Should such a PPP proposal be received by the LTA, the agency finds it in the public interest to engage a strategic advisor to assist it in engineering, financial, business, management, legal and

related matters pertaining to the evaluation, economic feasibility, contract negotiation and possible award and management of a PPP contract.

### **SCOPE OF SERVICES**

The Consultant/Team selected from this advertisement will be required to provide strategic engineering, financial, management, legal, public information and administrative advice and services to LTA; relative to administering the proposal process under LSA R.S. 48:2071 et seq., analyzing and evaluating PPP proposals received, soliciting competing proposals, negotiation and preparing PPP contracts, along with PPP contract administration and management.

The following is a list of potential services to be provided under this contract. This list is not all inclusive. Services required of the Consultant/Team under this proposed contract may be further defined or refined as needed by the LTA, with advice and cooperation of the selected Consultant prior to the beginning of each proposed annual contract period.

1. Advise and assist the LTA in establishing guidelines for procurement of PPP proposals in accordance with LSA RS 48: 2084.2
2. Advise and assist the LTA in the advertisement and procurement of solicited PPP proposals should LTA receive an unsolicited proposal, in accordance with statutes and guidelines established above.
3. Advise and assist the LTA in receiving, evaluating and ranking PPP proposals, either unsolicited or solicited as the case may be.
4. Written evaluation of a PPP above is to include the following components:
  - a. Evaluation of private partner(s) reputation and abilities to construct, improve and operate a public transportation facility under previous PPP contracts.
  - b. Evaluation of private partner(s) financial resources available to support the proposed effort.
  - c. Evaluation of private partner(s) management and financial plans proposed for a project.
  - d. Valuation and financial analyses of specific projects or programs.
  - e. Analyses of policy, investment and risk associated with PPP project.
  - f. Evaluation of traffic projections and influences of PPP project on local and through traffic.
  - g. Evaluation of proposed improvements in facility Level of Service due to PPP Project.
  - h. Evaluation of the anticipated public benefit as a result of the PPP project
  - i. Evaluation of anticipated condition and level of service of the facility when turned over to DOTD at end of operational period.
  - j. Evaluation of other factors that may be offered by the proposer or the agency.

5. Participate and/or represent the LTA at public meetings, legislative hearings, trade groups meetings etc. Participation and representation shall facilitate a positive public perception of the LTA and the projects approved by the LTA.
6. Advise LTA relative to contract language, assist in negotiations, prepare PPP contract, and facilitate execution of same.
7. Monitor and report on the progress of all aspects of the PPP project relative to terms of the PPP contract.
8. Provide PPP Program and PPP Project management/engineering support services.

### **COMPENSATION**

Compensation to the Consultant/Team for services rendered in connection with Task Orders issued under this Contract will be made on the basis of actual cost plus a negotiated fixed fee.

Compensation for Engineering, Economic, Legal and Related Services shall be based on the Consultant/Team's office overhead rate or a self-imposed overhead rate.

### **CONTRACT TIME**

This Contract shall commence upon the issuance of the Notice to Proceed (NTP) and shall continue for one (1) year unless renewed. On an annual basis, at the discretion of the LTA, this contract may be renewed for up to nine (9) additional one-year periods. The LTA, at its sole discretion, may exercise any, all or none of the options to renew the contract.

### **ASSIGNMENT OF WORK**

The LTA shall request Consultant/Team services on an as-needed basis. All Consultant/Teams selected for the five (5) separate retainer contracts will be provided a Scope of Services for each potential Task Order assignment and asked to submit a price proposal within the timeframe specified by the Project Manager. It will be up to the individual Consultant/Team to determine whether they submit a price proposal or not. Award of each Task Order will be based on a best value determination for the proposals received that will take into consideration such factors as price, conflict of interest, workload, available budget, specific qualifications and/or expertise, availability of key personnel or other factors that may be deemed necessary by the LTA.

### **DELIVERABLES**

The deliverables will be stated in each Task Order.

## **MINIMUM PERSONNEL REQUIREMENTS**

The Consultant/Team, at a minimum, must demonstrate that qualified and experienced personnel within each functional area (Engineering Services, Financial Services, Business & Management Services and Legal Services) are, or will be available to fully and timely support this effort. The Consultant/Team member within each functional area must have at least five years experience advising, managing, or facilitating a highway PPP for a state or provincial Transportation Agency within continental North America.

### **EVALUATION CRITERIA**

The criteria to be used by DOTD in evaluating responses for the selection of a Consultant/Team to perform these services are:

1. **Consultant /Team’s, firm experience on similar programs:**

Engineering Services	weight of 6
Financial Services	weight of 6
Business & Management Services	weight of 5
Legal Services	weight of 3
  
2. **Consultant/Team’s, personnel experience on similar programs:**

Engineering Services	weight of 3
Financial Services	weight of 5
Business & Management Services	weight of 5
Legal Services	weight of 3
  
3. **Consultant/Team’s, firm size as related to the total estimated contract cost:**

Engineering Services	weight of 1
Financial Services	weight of 1
Business & Management Services	weight of 1
Legal Services	weight of 1
  
4. **Consultant/Team’s past performance on similar DOTD projects:**

Engineering Services	weight of 1
Financial Services	weight of 1
Business & Management Services	weight of 1
Legal Services	weight of 1
  
5. **Consultant/Team’s current DOTD work load:**

Engineering Services	weight of 1
Financial Services	weight of 1
Business & Management Services	weight of 1
Legal Services	weight of 1
  
6. **Location where the work will be managed and performed:**

Engineering Services	weight of 5
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Financial Services	weight of 4
Business & Management Services	weight of 4
Legal Services	weight of 3

**Evaluation:** All Consultants will be evaluated as indicated in Items 1-6. The evaluation will be by means of a point-based rating system. Each of the above criteria will receive a rating on a scale of 0-4. The rating will then be multiplied by the corresponding weighting factor with a maximum of 256 points.

Should a Prime or Sub-consultant significantly participate in performing the work under two or more of the above subcategories (engineering, financial, business/management and legal) then they will receive a rating within each subcategory. Should more than one team member contribute significantly to work under an individual subcategory then the rating of each contributor will be averaged prior to multiplying the rating for that subcategory by the weighting factor for that subcategory. DOTD's Consultant Evaluation Committee will be responsible for performing the above described evaluation, and preparation of the short-list. Since the LTA intends to select Consultant(s)/Team(s) for a maximum of five (5) contracts, the short-list will be greater than three (3).

### **CONTRACT REQUIREMENTS**

The selected Consultant will be required to **return the executed contract to DOTD prior to 10:00am CST on June 30, 2008.** .

**INSURANCE** - During the term of this contract, the Consultant will carry professional liability insurance in the amount of \$1,000,000. The Prime-Consultant may require the Sub-Consultant(s) to carry professional liability insurance. This insurance will be written on a “claims-made” basis. Prior to executing the contract and at the beginning of each new policy period, the Consultant will provide a Certificate of Insurance to LTA showing evidence of such professional liability insurance.

**AUDIT** - The selected Consultant/Team will allow the DOTD Audit Section to perform an annual overhead audit of their books, or provide an *independent* Certified Public Accountant (CPA) audited overhead rate. This rate must be developed using Federal Acquisition Regulations (FAR) and guidelines provided by the DOTD Audit Section. In addition, the Consultant/Team will submit semi-annual labor rate information, when requested by LTA.

**COSTS SYSTEM** - The selected Consultant/Team will maintain an approved Project Cost System, and segregate direct from indirect cost in their General Ledger. Pre-award and post-award audits, as well as interim audits, may be required. For audit purposes, the selected Consultant/Team will maintain accounting records for a minimum of five years after final contract payment.

Any Consultant currently under contract with the LTA/DOTD and who has not met all the audit requirements documented in the manual and/or notices posted on the DOTD

Consultant Contract Services Website ([www.dotd.louisiana.gov](http://www.dotd.louisiana.gov)), will not be considered for this project.

**PROPOSER ELIGIBILITY FOR RELATED CONTRACTS/CONFLICTS OF INTEREST:** Consultant/Team members or their sub-consultants and subcontractors who assist in PPP proposal evaluation(s) and/or participate under this Contract will be prohibited from competing for full or partial award(s) or participate as a proposer, a team member, sub-consultant or subcontractor submitting or having submitted a PPP proposal to the LTA during the duration of this contract.

Any Proposer shall furnish a copy of this provision to each proposed team member, sub-consultant and subcontractor prior to submission of the RFQ. Any Consultant/Team, prior to entering into an agreement with a proposed sub-consultant or subcontractor to perform work, shall obtain from the sub-consultant or subcontractor a written statement acknowledging that the sub-consultant or subcontractor has received, read and understands this provision.

Finally, Proposers shall provide with their Proposals information concerning potential organizational conflicts of interest. The apparent successful Proposer shall disclose all relevant facts concerning any past, present or currently planned interests that may present an organizational conflict of interest. Proposer must state how those interests or those of their chief executives, directors, key project personnel, or any proposed sub-consultant or subcontractor may result in or could be viewed as an organizational conflict of interest. The information may be in the form of a disclosure statement or a certification.

The selected Consultant/Team members, under contract with LTA relative to this RFQ, may become aware during the life of this contract, of a real, potential or perceived organizational conflict of interest. Should LTA receive a PPP proposal and a real, potential or perceived conflict of interest exist that may affect the performance or perceived performance of the Consultant/Team members, the Consultant shall be required to submit to LTA a narrative describing the conflict. The Consultant shall further describe, in detail, how it will manage or mitigate the real, perceived or potential conflict to ensure that any proposer that has submitted a proposal has not or will not gain an unfair competitive advantage. Any Consultant/Team member determined to have an organizational conflict of interest that cannot be managed or mitigated to the satisfaction of the LTA may be immediately terminated by the LTA at its sole discretion.

### **SUBMITTAL REQUIREMENTS**

One original (**stamped original**) and four copies of the SF 24-102 must be submitted to LTA. This submittal will be considered for all five (5) retainer contracts. Any Consultant/Team failing to submit any of the information required on the SF 24-102, or providing inaccurate information on the SF 24-102, will be considered non-responsive.

Any Sub-Consultants to be used, including Disadvantaged Business Enterprise (DBE) Sub-Consultants, in performance of this contract, must also submit a SF 24-102, completely filled out and containing information pertinent to the work to be performed.

The Sub-Consultant's SF 24-102 must be firmly bound to the Consultant's SF 24-102. In Section 9, the Consultant's SF 24-102 must identify for each of the above listed evaluation criteria subcategories the percentage of the total work (during the first two years of the program) performed by the Prime and each of the sub consultants. Each subcategory under each criterion must equal 100% and each team member's effort must equal 100%.

The name of the Prime Consultant listed on the SF 24-102, must precisely match the name filed with the Louisiana Secretary of State, Corporation Division. The firms performing engineering functions must be registered with the Louisiana State Board of Registration for Professional Engineers and Land Surveyors.

The SF 24-102 will be identified with **State Projects No. 736-99-1505, 736-99-1552, 736-99-1553, 736-99-1554, and 736-99-1555**, and will be submitted **prior to 3:00 p.m. CST on June 9, 2008**, by hand delivery or mail, addressed to:

Department of Transportation and Development  
Attn.: Mr. Edward R. Wedge, P.E.  
Consultant Contract Services Administrator  
1201 Capitol Access Road, **Room 405-T**  
Baton Rouge, LA 70802-4438 or  
Post Office Box 94245  
Baton Rouge, Louisiana 70804-9245  
Fax: (225) 379-1859

### **CONSULTANT INQUIRIES**

DOTD will consider all written consultant inquiries regarding RFQ requirements and/or the Scope of Services. To be considered, written inquiries and requests for clarification of the content of this RFQ must be received **via fax** at (225) 379-1859 by **3:00 p.m. CST on May 27, 2008**. Any and all questions will be deemed to require an official response. Official responses to each of the questions presented by the consultant will be posted on the DOTD Consultant Contract Services website as an Addendum to the RFQ **on June 2, 2008**.

### **REVISIONS TO THE RFQ**

LTA reserves the right to revise any part of the RFQ by issuing an addendum to the RFQ at any time. Issuance of this RFQ in no way constitutes a commitment by LTA to award a contract. LTA reserves the right to accept or reject, in whole or part, all Qualification Statements submitted, and/or cancel this announcement if it is determined to be in LTA's best interest. All materials submitted in response to this announcement become the

property of LTA, and selection or rejection of a submittal does not affect this right. LTA also reserves the right, at its sole discretion, to waive administrative informalities contained in the RFQ.