



RAIL AND TRANSIT DIVISION

10 PARK PLAZA

BOSTON, MA 02116

REQUEST FOR INFORMATION (RFI)

**DOCUMENT TITLE: Maintenance and Operation of Selected MassDOT
Rail Lines**

COMMBUYS Bid#: BD-17-1030-0T100-0T281-14754

Document # / Project Info #: 100064

Release Date: 04/04/17

1. GENERAL INFORMATION

1.1. Background

The Massachusetts Department of Transportation (“**MassDOT**”) owns approximately 283 route miles of active railroad lines within the Commonwealth, including approximately 132 miles of railroad right-of-way located in southeastern Massachusetts. These railroad properties are separate from, and in addition to the nearly 360 route miles owned and operated by the Massachusetts Bay Transportation Authority (“**MBTA**”); however, the MBTA provides seasonal and special event services over some of the MassDOT rail lines.

The MassDOT rail lines located in southeastern Massachusetts include the several lines of railroad generally referred to as the “Southeast Rail Lines”, as well as the South Coast Rail Lines, the Framingham Secondary, and the Middleboro Subdivision (collectively, the “**MassDOT Rail Lines**”):

<u>Southeast Rail Lines (“SE Lines”)</u>	Active <u>Route Miles</u>
Cape Main / Buzzards Bay Secondary	18.3
Cape Main / Hyannis Secondary	24.4
South Dennis Secondary	2.8
Falmouth Secondary	6.7
Watuppa Branch / North Dartmouth Industrial Track	8.5 ¹
Dean Street Industrial Track	<u>1.5</u>
	62.2

The SE Lines range in condition from FRA Excepted to FRA Class 3. The SE Lines are shown on Attachment 2 to this RFI, and Attachment 2.1 describes the existing track conditions for the SE Lines.

<u>Framingham Secondary</u>	21.2
<u>Middleboro Subdivision</u>	
Attleboro Secondary	9.4
New Bedford Secondary	3.9
Middleboro Branch (MassDOT owned)	<u>4.9</u> ²
	18.2

¹ The Watuppa Branch / NDIT is comprised of a total of approximately 8.5 active route miles: 6.5 miles are currently operated by the Bay Colony Railroad pursuant to rail freight rights acquired from CSXT (MassDOT owns the railroad property, and Bay Colony Railroad owns the track), and 2 miles are operated by Bay Colony pursuant to arrangements with MassDOT’s licensee, Mass Coastal Railroad.

² The Middleboro Subdivision also includes approximately 2.9 miles of right-of-way owned by the MBTA.

The Framingham Secondary and the Middleboro Subdivision (collectively referred to herein as the “**Framingham / Middleboro Lines**”) range in condition from FRA Class 1 to FRA Class 2; however, MassDOT has programmed capital improvements to these lines to bring them both up to sound FRA Class 2 operating condition. Attachment 3 shows the location of the Framingham / Middleboro Lines; and Attachment 3.1 describes the existing track conditions for these Lines.

South Coast Rail Lines (“SC Lines”)

Fall River Secondary	12.5
New Bedford Secondary	<u>17.9</u>
	30.4

The location of the SC Lines are shown in Attachment 4 to this RFI. The SC Lines are referenced herein for information purposes only: these Lines are operated and maintained by Mass Coastal Railroad pursuant to a retained freight easement and related operating agreement.

Operation

The MassDOT Rail Lines are subject to a variety of operating agreements and maintenance and repair arrangements.

The SE Rail Lines are operated and maintained by Massachusetts Coastal Railroad, LLC (“**Mass Coastal**”) pursuant to a MassDOT / Mass Coastal License and Operating Agreement executed in 2007 (the “**2007 License and Operating Agreement**”). Current freight traffic on the lines amounts to approximately 2,500 cars per year, down from a high of 5,000 cars moved in 2009. Commodities include municipal solid waste, cullet, scrap metals, rock salt, grain and feed, and frozen fish. The Cape Cod Central Railroad operates seasonal tourist and excursion passenger service over the Cape Main under a separate License Agreement. In addition, the MBTA operates the Cape Flyer service, a seasonal tourist passenger service, between South Station (Boston, MA) and Hyannis, MA, during the summer months.

CSXT operates rail freight service over the Framingham Secondary and the Middleboro Subdivision, pursuant to a retained freight rail easement and various operating agreements between CSXT and the MBTA. CSXT runs daily freight rail service, and moves approximately 24,000 carloads along the Framingham Secondary annually. MassDOT and the MBTA are responsible for the maintenance, repair, inspection, regulatory compliance and dispatching for these lines (the “**Framingham / Middleboro Services**”). Mass Coastal currently performs the Framingham / Middleboro Services pursuant to a MassDOT / Mass Coastal Services Contract executed in 2015 (the “**2015 Services Contract**”).

The 2007 License and Operating Agreement, the 2015 Services Contract and the current MassDOT / Cape Cod Central Railroad License Agreement are all due to expire in December 2017. As indicated above, the SC Lines are operated and maintained by Mass Coastal Railroad, consistent with their rights pursuant to their rail freight easement and related operating agreement.

MassDOT is considering its options with respect to the future maintenance and operation of selected MassDOT Rail Lines and seeks to determine the level of interest by private railroads and firms with expertise in the management, development, maintenance, repair and operation of railroads in carrying out: (1) the ongoing maintenance, repair, inspection, regulatory compliance, dispatching and operation of the SE Lines; as well as (2) the required maintenance, repair, inspection, regulatory compliance and dispatching activities on the Framingham / Middleboro Lines.

1.2. Purpose of Request for Information

MassDOT is issuing this request for information (**RFI**) to receive responses to the inquiries included in this RFI from qualified railroad operators and firms in the railroad industry with expertise in the management, development, maintenance, repair and operation of shortline railroads and related freight and (to a limited extent) passenger services and facilities (**Respondents**). In order to maximize the ability for MassDOT to obtain input from as many interested parties as possible, firms are encouraged to combine efforts in preparing their responses (e.g., a potential proposer team may combine and submit a single response instead of having team members submit separate responses). Submission of responses is not a prerequisite for participating in a future procurement or procurements.

1.3. Submittal of Responses

Email response to James.Eng@dot.state.ma.us by **12:00 p.m. (Eastern) on May 1, 2017.**

Please specify the name and contact information for the Respondent's primary point of contact in the event MassDOT wishes to provide further information to, seek clarification from, or contact the Respondent. There is no page limit on the response, but MassDOT requests that each response be as succinct as possible and not include marketing materials and related information intended to establish the Respondent's overall experience and qualifications. Furthermore, MassDOT does not require Respondents to answer each and every question in Section 3, but encourages Respondents to answer as many questions as are within the Respondent's realm of expertise.

MassDOT requests responses no later than **12:00 p.m. (Eastern) on May 1, 2017**, but may consider responses if received after that date.

All inquiries regarding this RFI must be submitted by email and shall be directed to Amanda.Turni@dot.state.ma.us. Place “**RFI: Maintenance and Operation of Selected MassDOT Rail Lines**” in the subject line. Please do not directly contact other MassDOT staff with regard to this RFI.

1.4. One-on-One Meetings

MassDOT may hold one-on-one meetings to gain industry input with respect to the Maintenance and Operation of MassDOT Rail Lines, and specifically on the procurement options and other considerations identified in Section 3, including perceived advantages and disadvantages associated with those options and considerations. Entities capable of carrying out the maintenance and operation activities referenced herein (or potential proposer teams) may request a one-on-one meeting with MassDOT.

Decisions on offering a one-on-one meeting slot, as well as the time and date of such slot, shall be in MassDOT’s sole discretion and MassDOT does not guarantee that any requesting entity will receive a one-on-one meeting. MassDOT anticipates it will conduct one-on-one meetings in person or by conference call during the week of May 22, 2017 depending on the nature and number of responses received.

MassDOT intends to respond to one-on-one meeting requests by close of business on May 15, 2017. Confirmation of one-on-one meetings will be sent via email to the Respondent’s contact person identified in the RFI response.

1.5. Reserved Rights

No decisions have been made regarding the scope of any procurement for maintenance and/or operation of the MassDOT Rail Lines. Issuance of this RFI, and receipt of any response, does not obligate MassDOT to pursue any particular course of action and is without prejudice to any rights and remedies available to MassDOT under applicable law. Respondents acknowledge that any information submitted in response to this RFI is subject to disclosure under the Massachusetts Public Records Law, Massachusetts General Laws Chapter 66, section 10, and the applicable regulations at 950 CMR 32.00 (Public Records Access). As such, Respondents should not provide any information in response to this RFI that it deems confidential and/or proprietary. MassDOT shall have the right to use such information and ideas set forth in responses to this RFI without restriction.

2. MAINTENANCE AND OPERATION OF SELECTED MASSDOT RAIL LINES

2.1. Overview and Goals

MassDOT seeks to maintain its rail network in a state of good repair, expand access to rail service, support economic growth and secure environmental benefits associated with rail transportation throughout the Commonwealth. Those goals encompass and are built upon safe and reliable rail service and infrastructure.

MassDOT believes that the operation of rail transportation services over the SE Lines represents a business opportunity for qualified and motivated firms, who are committed to providing safe, efficient and

competitive rail services, developing new business opportunities, and working cooperatively with MassDOT and local communities.

MassDOT seeks input from qualified firms interested in providing freight rail services along the SE Lines, and having the requisite, demonstrable competence, experience and motivation to manage, operate, maintain and repair the SE Lines at the FRA Class standards set forth in Attachment 2.2.

Similarly, MassDOT seeks input from qualified firms having the requisite, demonstrable competence, experience and motivation to maintain, repair, ensure regulatory compliance, and dispatch the Framingham / Middleboro Lines at the FRA Class standards set forth in Attachment 3.2.

3. QUESTIONS AND INFORMATION SOUGHT

Please note that the term “**Services Company**” below refers to a firm or team selected by MassDOT to carry out the services described, pursuant to a competitive procurement process. The term “Railroad Operator” refers to a railroad selected to operate the SE Lines: this entity may be the same as the Services Company.

- 3.1. Please describe: (a) your firm or proposed team; (b) your firm or proposed team’s relevant experience with respect to (i) and/or (ii) the maintenance, repair, regulatory compliance and dispatching of the Framingham / Middleboro Lines; and (c) the roles of proposed team members or the role your firm may wish to play in carrying out such activities.

Management, Operation, Maintenance and Repair of the SE Lines

- 3.2. Please describe your firm’s (or team’s) relevant experience and qualifications with respect to the management, maintenance and operation of the SE Lines;
- 3.3. Please identify your firm’s (or team’s) interest, if any, in the management, operation and maintenance of the SE Lines.
- 3.4. If your firm is interested in managing, maintaining and operating the SE Lines, would your firm be prepared to perform all maintenance, repair, inspections, regulatory compliance, dispatching, and all other activities required (the “**Services**”) to operate the SE Lines for rail freight service at the FRA Track Classes shown in Attachment 2.1 at no cost to MassDOT?
- 3.5. Does your firm believe there are opportunities for improving freight rail activity (transport, transload, etc.) to enhance revenue generation in connection with the operation of the SE Lines?
- 3.6. Please identify potential options for improving the marketability and enhancing revenue generation with respect to the SE Lines rail freight service.

- 3.7. Please provide comments on the advantages and disadvantages of the proposed geographical scope of the SE Lines.
- 3.8. MassDOT is currently considering a number of alternatives with respect to the maintenance and operation of the SE Lines, including, but not limited to:
 - 3.8.1. Option 1: Requiring the Services Company to perform all Services at the Selected Company's sole cost and expense. (Selected Company and Railroad Operator are the same.)
 - 3.8.2. Option 2: Requiring the Services Company to perform all Services, subject to reimbursement of the costs of such Services by MassDOT, and requiring any selected Railroad Operator(s) to pay fees for the use of the track and related railroad facilities.
 - 3.8.3. Option 3: Requiring the Services Company to perform all Services at the Selected Company's sole cost and expense, and either (a) reinvest revenues over a designated threshold by improving the track and related rail facilities, or (b) pay MassDOT a cash fee for revenues over a designated threshold.

Please provide comments on the advantages and disadvantages of each of the above options or any variations you would suggest.

- 3.9. Please identify what, if any, information could be provided with respect to an RFQ and/or RFP as reference documents which may assist proposers to properly scope and price the work for the purpose of submitting fully committed proposals to an RFP.
- 3.10. Given the potential capital costs involved (equipment, etc.), what minimum agreement term would you propose?
- 3.11. Please provide any additional comments you deem appropriate regarding key considerations for MassDOT and any private firms with whom MassDOT may choose to contract in connection with the management, maintenance and operation of the SE Lines.
- 3.12. Please offer any additional comments or suggestions regarding the management, maintenance and operation of the SE Lines and/or the procurement process.

Maintenance, Repair, Inspection, Regulatory Compliance, Dispatching and Related Services for the Framingham / Middleboro Lines

- 3.13. Please describe your firm's (or team's) relevant experience and qualifications with respect to carrying out the Services required on the Framingham / Middleboro Lines.
- 3.14. Please identify your firm's (or team's) interest, if any, in performing the Services required to permit operation of the Framingham / Middleboro Lines at FRA Track Class 2 to FRA Track Class 3 (or higher).
- 3.15. Does your firm (or team) currently own the equipment and tools necessary to carry out the full range of Services required with respect to the Framingham / Middleboro Lines?
- 3.16. Please identify what, if any, information could be provided with respect to an RFQ and/or RFP as reference documents which may assist proposers to properly scope and price the work for the purpose of submitting fully committed proposals to an RFP.
- 3.17. Please offer any additional comments or suggestions regarding key considerations for MassDOT to consider with respect to the Framingham / Middleboro Services and/or private firms with whom MassDOT may choose to contract for such Services.
- 3.18. Please offer any additional comments or suggestions regarding the Framingham / Middleboro Services and/or the procurement process.