



REQUEST FOR PROPOSALS

SURFACE TRANSPORTATION BOARD

ENVIRONMENTAL CONSULTANT SERVICES

DATE OF ISSUANCE:

June 9, 2020

***Proposals will only be accepted from approved list of STB Third-Party Contractors.***

***<https://prod.stb.gov/resources/environmental/third-party-contracting/>***

## REQUEST FOR PROPOSAL

### ENVIRONMENTAL CONSULTING SERVICES

#### **INTRODUCTION**

The Port Authority of Kansas City, Missouri (“Port KC”), a political subdivision authorized under Chapter 68, RSMo, is inviting companies to submit their proposal for performing environmental consulting services as a third-party contractor for the Surface Transportation Board’s (“STB”) Office of Environmental Analysis (“OEA”) as specified in this Request for Proposal (“RFP”).

Port KC intends to file a Petition for Exemption (“Petition”) seeking authorization from the STB to operate a new rail line (“Proposed Line”) at the Missouri River Terminal Project (“MRT Project”). When making its decision on the Petition, the STB will consider the potential environmental impacts of operating the rail line and any rail-related alternatives. The STB will be the lead agency for preparing the environmental documentation required for the project, either an Environmental Impact Statement (“EIS”) or Environmental Assessment (“EA”), as required by the National Environmental Policy Act (“NEPA”).

The selected proposer (“Contractor”) will work under the exclusive direction of and submit all work items to OEA.

The Contractor will furnish all personnel, necessary coordination with any subcontractors, equipment, materials, supplies, incidentals, and transportation necessary to complete the appropriate environmental documentation to fulfill the STB’s obligations under NEPA.

#### **PORT KC BACKGROUND**

Port KC’s mission is to grow the economy of Kansas City’s port district through transportation, global commerce and development.

Port KC possesses broad governmental and business enterprise powers for promoting economic development and job creation. The most important of these powers include the following:

- To acquire, own, construct, redevelop, lease, maintain, and conduct land reclamation, residential, commercial and mixed-use development, industrial parks, facilities, terminals, terminal facilities and any other type of port facility;
- To promote and expand inland and river port commercial throughput of cargo and freight;
- To identify and pursue redevelopment opportunities at blighted and historic preservation sites;
- To redevelop the Downtown Kansas City Riverfront to promote and develop new opportunities for residence, commerce and leisure; and
- To promote the full integration of multi-modal transportation assets to increase commercial opportunities locally, nationally and internationally.

#### **OVERVIEW**

Port KC is a political subdivision of the State of Missouri with a mission to grow the economy of Kansas City through transportation, logistics, and revitalization. Port KC currently operates the Woodswether

Terminal, a 9-acre multi-modal facility incorporating barge, rail, and motor carrier transportation. Further, Port KC also operates an industrial park utilizing a former military facility offering an intermodal connection to a neighboring Kansas City Southern intermodal facility.

Port KC is developing the MRT Project as a multimodal freight center that will expand the region's capacity for efficient management of intermodal containers into and out of the local area and regional freight market. The terminal will increase the efficiency of moving freight utilizing rail, barge, and motor carriage transportation through Kansas City to and from West, Gulf and East coast ports. It will also offer trans-loading of grains and oil seeds to the regional market. Once the Proposed Line is complete, Port KC anticipates operating 3 trains per week.

The Proposed Line will extend from the Missouri River to its interchange point with the Kansas City Terminal Railway Company ("KCT").

## **RFP TIMELINE AND GROUND RULES**

### Anticipated Timeline Summary

- June 8, 2020: RFP Issuance
- June 22, 2020: Deadline for questions submittal (at 3:00 PM CST)
- June 30, 2020: RFP submittal deadline (at 3:00 PM CST)
- July 1, 2020 – July 15, 2020: Selection of preferred proposal(s) and interviews
- July - August, 2020: Contract awarded

Submittal. Submission of one (1) electronic format of proposal will be accepted by Port KC, until **June 30, 2020 at 3:00 PM CST**. Due to the COVID-19, restrictions, in person submissions will no longer be accepted. All submissions must be emailed instead, and must be sent to [info@portkc.com](mailto:info@portkc.com).

Questions. Any general questions must be submitted to [info@portkc.com](mailto:info@portkc.com) before June 22, 2020 at 3:00 PM CST. Interested proposers shall not contact individual Port KC staff members before proposals are due. Rather, unless otherwise specified, any and all inquiries must be directed to [info@portkc.com](mailto:info@portkc.com). Such questions will then be routed from [info@portkc.com](mailto:info@portkc.com) to the appropriate Port KC staff member(s) without further action by the inquirer. Failure to follow this procedure may result in a proposer's disqualification. A response will be generated promptly, with a goal of within one to two (1-2) business days of receipt of email. All questions and answers will be posted anonymously in the form of an addendum to this RFP on the Port KC website at [www.portkc.com/rfpsrfqs](http://www.portkc.com/rfpsrfqs).

Any proposals, modifications, or revisions received after the time specified for proposal closing may not be considered.

### **Communication with OEA**

Contractor will report directly to and deliver information to the OEA project manager through email, phone, fax, or mail.

### **Communication with Port KC**

All communications related to preparation of the environmental document will be channeled through OEA.

## **REQUIRED SCOPE OF SERVICES**

Port KC is seeking a Contractor that will act as an independent third party to assist OEA in conducting the environmental review and preparing the environmental documentation (to include draft, supplemental, and final EAs or EISs, and any other reports, studies, surveys, or related documents) related to the Petition. The Contractor's and any subcontractor's scope of work, approach, and activities shall be under the sole supervision, direction, and control of OEA.

Contractor will enter into a Memorandum of Understanding ("MOU") with STB and Port KC agreeing to assist OEA in preparing environmental documentation for the Petition.

The Contractor will provide:

1. Appropriate expertise in the areas of environmental concern (including, but not limited to, air quality, wetlands, biological resources, geotechnical resources, hydrology, land use, safety, noise, social and economic, and cultural/historic resources);
2. A good working knowledge of environmental laws, applicable laws and regulations (including environmental regulations) administered or promulgated by STB, CEQ regulations and guidelines, other applicable federal regulations, state laws and regulations, and applicable local ordinances and regulations;
3. The capacity to perform environmental impact analysis and prepare appropriate environmental documentation;
4. Thorough, readable, technically sound, and informative environmental documents, as well as related charts, maps, diagrams, etc.;
5. Representatives to attend and/or facilitate meetings with federal, state, regional, and local agencies, other interested parties, and Port KC for exchanging and obtaining information, explaining the notice and related environmental concerns and impacts, and receiving comments in preparing the required environmental documentation;
6. Expertise in data management; and
7. Assistance to OEA in ensuring that the data collection, analyses, and methodologies for the environmental documents are complete, accurate, and relevant to OEA's needs for the environmental review under NEPA.

The Contractor will be required to maintain and provide to OEA upon request:

1. Adequate record-keeping and reporting systems to assure preservation of all data gathered, including surveys, studies, etc.;
2. Logs summarizing all telephone calls, meetings, document reviews, and other substantive communications with OEA, Port KC, local governments, governmental agencies, citizens' groups, and any other interested parties; and
3. Lists of all agencies, other railroads, citizens' groups, organizations, and individuals (including their respective addresses and telephone numbers) contacted in preparing the environmental documentation.

Further, the Contractor shall:

1. Perform the work in a timely, responsive, satisfactory, and cost-effective manner, pursuant to a work schedule developed with OEA in coordination with Port KC and approved by OEA;
2. Assist OEA in coordinating the exchange of all relevant environmental information and technical data/studies related to the notice and all required environmental documentation among OEA staff, Port KC's staff and representatives, the Contractor, and any subcontractors;
3. Submit directly to OEA any and all work the Contractor performs in preparing all required environmental documentation, studies, surveys, etc. The Contractor, and any subcontractors,

shall not disclose the results of their work or release any of the underlying work papers, drafts, or other materials prepared under the contract to anyone, including Port KC, without OEA's express authorization. In no case shall Port KC be provided the opportunity to modify or edit the Contractor's work prior to submission to OEA, without OEA's express authorization;

4. Follow the directions and instructions of OEA, and incorporate them into the environmental document(s) in a timely and responsive manner. The Contractor shall submit preliminary and final drafts of any documents to OEA for final review and approval;
5. Provide OEA access to and the right to review all procedures and underlying data used in the Contractor's development and preparation of any and all environmental documents. This includes, but is not limited to, field reports/surveys, technical studies and analyses, subcontractor reports, and interviews with concerned private and public parties, whether or not such information may be reflected in draft, supplemental, or final environmental documents submitted to OEA;
6. Cooperate fully with OEA in organizing, participating in, and conducting any public workshops, informational meetings, and other meetings, as OEA determines are necessary, to foster public understanding of and/or participation in the environmental review process, and to assess potential environmental impacts and develop mitigation measures related to the Petition;
7. Assist OEA in reviewing comments received during the environmental review process, will draft a summary or rail-related comments, and will coordinate analysis of these comments with OEA;
8. Assist OEA in preparing the required environmental documentation, environmental recommendations, selection of alternatives, and development of mitigation measures;
9. Require a project manager and other technical experts, as appropriate, to attend all meetings, briefings, consultations, and site visits as OEA deems necessary. The project manager shall devote as much time to environmental review of the Petition as is necessary to assure the Contractor's performance of its responsibilities under the MOU entered into with OEA and Port KC. This work commitment will extend for the entire time necessary to complete the environmental review for the Petition;
10. Refer all media/press inquiries directly to OEA, except as expressly authorized by OEA;
11. Provide technical expertise and administrative support to OEA during preparation of STB's decision and in addressing any environmental issues arising in STB's consideration of the Petition. In the event of any appeal from an STB decision in this proceeding, the parties will, at that time determine the need for and terms of the Contractor's services in connection with judicial review of that decision;
12. Retain all project-related environmental and historic documents, including supporting documentation, emails, project files, reports and drafts for at least 3 years beyond issuance of the final decision by the Board for at least 3 years beyond the close of any Board imposed oversight period, whichever is longest. Documentation for Memorandum of Agreements (MOA) or Programmatic Agreements (PA) under the National Historic Preservation Act shall be maintained for 3 years after the stipulations of the MOA or PA have been satisfied; and
13. Submit invoices to Port KC on a monthly basis and concurrently provide a copy of each invoice to OEA. An invoice shall be considered unpaid if Port KC fails to pay the invoice within 60 days of receipt. In the event of two consecutive unpaid invoices, the Contractor shall notify OEA as soon as practicable. If the Contractor determines that it will stop work associated with the environmental review process because of two or more consecutive unpaid invoices, the Contractor will notify OEA and Port KC within three business days of making that determination.

Following execution of the MOU with OEA and Port KC, the Contractor shall submit a draft Work Plan to OEA for preparing the required environmental documentation within 10 business days. The draft Work Plan shall contain at least the following elements:

1. A description of all work to be performed (including preparing and sending any consultation letters; participating in public and agency meetings; outlining and drafting environmental documents; reviewing, analyzing, and summarizing public comments, conducting analyses, etc.);
2. The projected schedule for completing the various tasks described;
3. Identification of the Contractor’s staff members who will be responsible for preparing, analyzing, and reviewing the work; and
4. An outline of the environmental analysis.

**PROPOSAL FORMAT/SELECTION TEAM/ EVALUATION CRITERIA**

The proposal shall be evaluated under the six sections listed below. Each section will be reviewed and assigned a point score not to exceed those shown below. The selected firm will be the one with the highest overall point score. A short list of firms may be invited to interview for this project if scores are close, but Port KC is not required to do so. Port KC reserves the right to reject any and all proposals. No compensation will be provided to consultants preparing proposals for the project.

Evaluation of the proposals will be made by Port KC’s team members that will evaluate and score the proposals in accordance with the criteria specified below. Port KC reserves the right to extend the evaluation process by selecting a shortlist of two or more of the highest ranked firms to provide oral presentations. If oral presentations are required, the selected firms will be provided with additional information about the format, length, content, and scoring to be used.

Section	Evaluation Criteria	Maximum Points
1	Project Team	20
2	Capability of the Consultant/Experience	25
3	Approach to the Project	25
4	Local Knowledge and Experience	10
5	Cost	10
6	Schedule Control	10

**Proposal Content**

The Proposal must contain all the information identified in the Guidelines for Preparing the Proposal (refer to Attachment A).

**COMPENSATION STRUCTURE**

The Proposer must identify its proposed fee structure.

**Proposals will only be accepted from approved list of STB Third-Party Contractors.**

**RESERVATION OF RIGHTS**

Port KC reserves the right to waive informalities or irregularities in proposals, to accept or reject any or all proposals, to cancel this RFP in part or in its entirety, and to re-advertise for proposals if it is in the best interest of Port KC.

Port KC reserves the right to award a contract solely on the basis of the initial proposal without any interviews or negotiations. Therefore, proposals should be submitted to Port KC on the most favorable terms possible, from a cost or price and technical standpoint.

Port KC reserves the right to reject any and all proposals submitted, to accept portions of any proposal(s), and to negotiate the terms of any proposal(s) in determining whether to award any contract(s).

## ATTACHMENT A

### Guidelines for Preparing the Proposal

#### **Introduction**

These guidelines were developed to standardize the preparation of proposals. The purpose for these guidelines is to assure consistency in format and content of proposals submitted to Port KC. The proposal must contain the following information in the order listed, and be no longer than thirty (30) pages.

- Introductory Letter - No Points
- Section #1 - Project Team - 20 Points
- Section #2 - Capability of Consultant / Experience - 25Points
- Section #3 – Approach to the Project - 25 Points
- Section #4 – Local knowledge and Experience - 10 Points
- Section #5 – Cost – 10 Points
- Section #6 – Schedule Control – 10 Points

**Note:** All submittals must be clear, concise and in recommended format, so the proposals can be evaluated in an efficient and objective manner. The six (6) sections in all proposals should be tabbed for easy reference (#1, #2, #3, #4, #5, #6). Statements not tabbed or otherwise labeled will receive a three-point penalty.

#### **Introductory Letter:**

The Introductory Letter should be addressed to: Port KC – Environmental Consulting Services

This one-page letter should contain an expression of the proposer's interest in the work, a statement regarding the qualifications of the proposer to do the work, and any summary information on the project team or the proposer that may be useful or informative to Port KC.

The introductory letter does not count as one of the 30 pages. Begin page numbering with the first page in Tab #1.

TAB 1

#### **Project Team:**

The proposal should outline how the qualifications, experience, and time allocation of the project team are beneficial to the project.

Identify consultant and subconsultant key individual qualifications and experience as related to the work disciplines.

Identify principals in charge. Identify strengths of key personnel.

Provide a brief description of why Port KC should select your team.

Identify current obligations and time availability for team members during the duration of the project.

TAB 2



**Capability of Consultant / Experience:**

Include detailed experience on similar or related projects.

Describe your capability to perform the work. Explain internal policies and procedures related to quality and cost control.

List project types, locations, and size (total project value) of similar work performed in the last five years, that best characterizes the firm's capabilities and experience.

Provide project description, contact name, address, and phone number of references for work experience examples.

Identify resources, including management and organization capabilities, currently available for performing the work.

TAB 3

**Approach to the Project:**

Provide a detailed description of the approach to execute the project in the most efficient manner possible.

Identify the risks that should be anticipated and any solutions that may allow the project to proceed most efficiently.

Outline the communication plan to ensure that all project delivery team members, including Port KC, are synced throughout the development of Work Plan.

How will the Consultant interface with the regulatory affairs legal consultant to ensure that all critical steps are taken to efficiently complete the STB authorization process?

TAB 4

**Local knowledge and Experience:**

Provide a summary of your local knowledge and experience on similar projects in the region. Provide details of the work your firm completed and any local experience that will benefit the MRT Project. Local relationships and knowledge should be clearly demonstrated. Understanding of local issues should be indicated along with possible solutions.

TAB 5

**Cost**

Provide a proposed project schedule for completion of the project.

Provide an outline of the total cost of the elements listed in the detailed scope of work in the RFP.

Itemize the costs between the primary scope elements and include a summary of the assumed number of hours by key personnel category for each of the primary scope elements.

What is the estimated cashflow schedule based on the project timeline (on a quarterly basis)?

TAB 6

### **Schedule Control**

Provide examples of when and how your organization has completed similar projects within tight time constraints, especially for projects with the proposed project manager.

Provide a critical path schedule for the delivery of the project and listed above and estimate the timeline.

