

REQUEST FOR PROPOSALS

Fort Berthold Rail Transportation Plan

MHA NATION
Planning and Grants Department
P.O. Box 1693
New Town, ND 58763



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REQUEST FOR PROPSALS

Fort Berthold Rail Transportation Plan

Introduction/ Overview

Project Summary

The Three Affiliated Tribes (Mandan, Hidatsa and Arikara Nation) Planning and Grants Department is soliciting proposals from qualified companies to develop a Rail Transportation Plan. The resulting agreement shall be for the supply of professional services and related expenses required to perform data collection, research, analysis, public involvement, economic analysis, development options, policy recommendations and plan development. The plan will assess the rail system, provide recommendations for policies, programs, processes and projects to improve rail-related safety and service and serve as a practical roadmap for future rail investment and policies on the Fort Berthold Indian Reservation. Work products, including but not limited to public involvement efforts, are intended to be accessible to the public through web-based media, including documents, video and images.

Proposals can be submitted either electronically via email, or three (3) hard copies can be mailed to the contact and address below. Proposals may not exceed 15 pages in length, excluding the subcontractor letters of commitment.

Bubar & Hall Consulting, LLC
Attn: Ron Hall, Project Manager
2625 Redwing Road, Suite 305
Fort Collins, CO 80526
ron@bubarhall.com

Proposals must be received by Bubar & Hall Consulting, LLC no later than 4:30 p.m. mountain time, September 10, 2018

If awarded, the contract will commence immediately after the contract is signed and filed by the MHA Nation.

An award, if made, will be made to the best responsive and responsible company whose proposal is most advantageous to the MHA Nation, taking into consideration all factors set forth in this RFP. The MHA Nation reserves the right to use at its discretion other factors or criteria in the evaluation or selection of the proposals received.

Project Location

The Fort Berthold Indian Reservation is the home to the Three Affiliated Tribes, also known as the Mandan, Hidatsa and Arikara Nation. Fort Berthold consists of about 1 million acres and is located 100 miles south of the Canadian border in western North Dakota. Fort Berthold sits in the Missouri River basin and over the Bakken Shale Formation. Major cities and towns close to the reservation include Minot to the northeast, Williston to the northwest, Dickinson to the southwest, and Bismarck to the southeast.



Background

Rail-based transportation is an important part of a multi-modal infrastructure network that efficiently supports economic development and efficient movement of goods. While rail service is limited on Fort Berthold, it is an important component in the movement of energy and agriculture-based goods that are directly produced within the reservation and across North Dakota. The State is the largest originator of agricultural products and, until the crash in oil prices, had become the largest origin of crude oil shipped by rail. The economy of Fort Berthold is significantly impacted by both oil and gas and agriculture (cattle and crop production).

The Three Affiliated Tribes are federally recognized and have a government-to-government relationship with the United States as negotiated through the Treaty of Fort Laramie in 1851. The land currently occupied by the Tribe is a small part of 21 million acres originally reserved by the Tribe in that Treaty. North Dakota's railroads were largely built in the 1890s and were based on generous grants of rights of way and lands by Congress. The 1875 General Railroad Right of Way Act permitted railroads to obtain a 200-foot federal right of way.

This plan will be the first effort by the Three Affiliated Tribes to formally address the issues and opportunities that rail transportation presents and establish policies, programs, processes and projects related to rail safety and service. As such, it is important that the project deliverables be drafted for the educational benefit of the public and to serve as the primary source document for rail-related issues.

The Fort Berthold Reservation is divided into six segments; Four Bears, Mandaree, New Town (North Segment), Parshall (Lucky Mound), Twin Buttes and White Shield. Similarly, there are six main reservation communities: Twin Buttes, White Shield, Parshall, Mandaree, Four Bears, and New Town. The Four Bears Complex is located about three miles west of New Town on State Highway 23.

Inquiries

All inquiries must be submitted in writing to ron@bubarhall.com by Friday, August 31, 2018 at 4:00 p.m. mountain time. The Project Manager will respond to all questions by posting answers on the Rail Plan RFP website <http://www.bubarhall.com/rail-plan-rfp/> by Wednesday, September 5, 2018. **Questions must be submitted via email** to Project Manager Ron Hall at ron@bubarhall.com.

Scope of Work

Task 1: Technical Memorandum 1 – Project Management Plan

Objective

The objective of Task 1 is to establish a Project Management Plan (PMP) for the study, in collaboration with the Project Management Team (PMT). The PMP will be based on the selected proposal and shall include a detailed description of tasks, associated deliverables, schedule, staffing requirements, and a project management framework to ensure that the objectives of the Three Affiliated Tribes are achieved. The PMP also includes the Public Involvement Plan (PIP) that will be developed by the by the contractor in coordination with the PMT.

The PMP will also include project management and project coordination activities, such as regular communication with the Project Manager and submittal of monthly progress reports.

Work Activities

Review and refine the Study boundary to include all areas of the Fort Berthold Reservation and travel to cities in the region.

Develop a project schedule including the identification of project milestones and deliverables for all tasks. Consultant will include key dates associated with all appropriate rail transportation grants that can be accessed by the Three Affiliated Tribes.

Identify staffing requirements for the efficient delivery of this rail planning project.

Develop a project coordination plan, which will include communication and coordination processes to address tribal communications protocol, list prospective stakeholders and specify in detail all project activities, roles and responsibilities. This plan will also identify a study management structure which will include the PMT.

Coordinate/facilitate the kick-off meeting with the PMT to discuss the PMP and Public Involvement Plan. This meeting may be conducted via web conferencing if necessary.

The PMP will be produced within 20 days of Notice to Proceed.

Deliverables

Project Management Plan

Public Involvement Plan

PMT Meeting 1 agenda

PMT Meeting summary

Monthly progress reports

Task 2: Working Paper 1 – Historical and current rail system assessment of the Fort Berthold Reservation

Objective

The objective of Task 2 is to develop a historical and contemporary understanding of the rail system serving the Fort Berthold Reservation. This initial in-depth research is critical to bring to light informational components about the history of rail development and service, right of way details, socio-economic characteristics, land-use patterns, existing infrastructure, travel patterns and needs. These informational components will help establish an understanding of the Three Affiliated Tribes and develop baseline conditions to properly conduct this study.

Work Activities

Conduct data collection and research to document historical, and contemporary conditions for the Three Affiliated Tribes with respect to:

- Geographic location
- Existing rail regulatory system
- Governance and jurisdiction
- Cultural and natural resources
- Employment and economic development
- Economic Factors
- Safety Factors

Interview staff and stakeholders to discuss current rail needs and issues, and future events/developments that have been planned or are in the planning stages that might affect mobility within and outside the study area.

Attend the second PMT meeting to present Working Paper 1 and prepare a meeting summary, this meeting may be held via web conference.

Address PMT comments, prepare the final draft of Working Paper 1, and submit to Project Manager for posting on the project website within two weeks of said meeting.

Deliverables

Working Paper 1

PMT Meeting 2 agenda

PMT Meeting summary

Task 3: Interim Report - Public Involvement Plan

Objective

The objective of Task 3 is to provide a broad, community-wide forum and opportunity to inform and solicit feedback and support from interested residents, stakeholders, elected officials and other community leaders. It is important to address the following:

- Broaden the dissemination of project information and awareness to community residents and interested stakeholders to include print and social media and website content
- Describe what will/has occurred in the study process and future/present tasks and present existing conditions, future projections and deficiencies
- Encourage active participation in the community area planning process
- Solicit and document any feedback or guidance that may influence this study

Work Activities

Develop public engagement material for use in public meetings and the project website.

Attend all PMT meetings to provide public involvement updates and post and/or publish minutes to the final agency and public summary report.

Engage with public and share information. Coordinate with Project Manager to host a public meeting to present, review and discuss the study and potential rail transportation policies, procedures and projects.

Technical Consultant will present study details to local officials, i.e. elected and others, if a need is determined.

Deliverables

Interim Report – Public Involvement Plan

Task 4: Draft Fort Berthold Rail Transportation Plan

Objective

The objective of Task 4 is to use the data collected in the section above to estimate rail transportation demand and safety issues over a 20-year period and identify the options to meet these demands. The scope includes a description of facilities required to effectively manage and maintain the proposed delivery system. Additionally, the objective is to identify corridors that could be fully utilized, connections that should be made and supporting infrastructure needs.

Work Activities

Identify a method of estimating rail transportation demand.

Estimate rail transportation demand for the Fort Berthold area using the selected methodology.

Identify key corridors for travel, key connection points and analyze infrastructure needs (bus stop locations and facilities) to develop the corridors and connections for increased mobility and efficient transportation of people and commerce.

Investigate any changes necessary to the ordinances, codes and policies of the Tribe to accommodate or support rail transportation service.

Provide baseline estimates for cost of developing a public transportation system (estimated capital, e.g. vehicles, and operating costs, e.g. staff, for services) within the Fort Berthold Reservation. Include forecasted or phased costs associated with investing in rail transportation.

Identify rail safety and development funding opportunities.

Attend the PMT meeting to present the Draft Rail Transportation Plan and prepare a meeting summary. This meeting may be conducted via web conference.

Address PMT comments, prepare the final draft of Working Paper 2, and submit to the Project Manager for posting on the project website within two weeks of said meeting.

Deliverables

Technical Memorandum 2 – Draft Fort Berthold Rail Transportation Plan

PMT Meeting agenda

PMT Meeting summary

Task 5: Final Fort Berthold Rail Transportation Plan

Objective

Provide a final Fort Berthold Rail Transportation Plan that accurately describes the process used to develop the plan; describes the background and current operational environment of rail transportation on Fort Berthold; provides a proposed final plan of actions or activities related to rail transportation; identifies any policies, programs and processes needed for Tribal adoption; and identifies a financial plan for sustaining or supporting the recommendations.

Deliverables

Final Report based on review and comments

Executive summary

Presentation on Final Plan

Incidental Elements - Discovery:

The consultant shall allocate a reserve budget to cover incidental elements. The contractor acknowledges that during the development of the Plan, additional issues and concerns may be discovered that should be addressed as elements of the study. These additional work elements, critical to the study's efficacy and necessary for the attainment of the goals of the study shall be submitted in writing by the contractor to the Project Manager at the time of discovery. No work shall proceed without the express written approval of the Three Affiliated Tribes' Project Manager.

Method of Source Selection

The MHA Nation will use the Competitive Sealed Proposals Method as source selection for this procurement. The MHA Nation, as it deems necessary, may conduct discussions with individual contractors for information, fact-finding or for clarification to assure understanding of, and responsiveness to solicitation requirements.

Consultant Scoring and Selection Process

Proposals will be verified for all submission requirements. Any proposal not meeting submission requirements will be deemed not-responsive and disqualified for review.

The selection process will be qualifications and price based. The allocation of effort (number of hours) across tasks required in the proposal will be a factor in the evaluation process to identify the most qualified firm for this project. The following criteria will be used to evaluate and rank-order proposals, and select the most qualified consultant for the project:

- Experience working on projects of similar scope and complexity
- Firm/Team and subcontractor strength and ability to complete the scope of services
- Ability and availability of the firm/team to provide quick turn-around and direct consulting
- Project understanding
- Proposal layout and appearance
- Price

Include as a separate attachment:

Proposal cost/fee

Overall cost

Proposal Requirements

Proposal Content:

- Company name, address, and phone number
- Point of contact (name, title, email and phone number)
- Description of skills, experience, and ability to meet project requirements
- Identification and role/responsibility of key staff
- Project approach for all tasks
- Scope of services
- Other information that the proposer deems relevant for consideration of this project
- Experience working on Three Affiliated Tribes transportation projects and other tribal transportation projects

- 3 References
- Statement of acceptance, ability and willingness to:
 - enter into a Professional Services Contract, and
 - obtain Three Affiliated Tribes TERO Business License
- Detailed project timeline and deliverables
- Budget/Price Sheet – **submit as separate document**: The maximum not-to-exceed budget for this project is \$60,000.00. Provide a project budget/price sheet that reflects the costs expected to be invoiced to the Three Affiliated Tribes in each month beginning on the estimated proceed date of October 1, 2018 through the expected completion date of as determined by your proposal.
- Page Count: The proposal must not exceed **15 pages**. This page limitation applies to all sheets in the response, including but not limited to: letter of transmittal, external protective or decorative cover sheets, cover letter, and table of contents, text, graphs, divider sheets, tab sheets, index and appendices. (Exception: Letters of commitment from sub-consultants included in the submission as an appendix will not be counted as part of the page count.)

Proposal Submission Deadlines:

Hard copy submittals:

- If submitting by mail or courier, 4 hard-copy and one (1) digital (.pdf) version must be physically received no later than 4:30 PM Mountain Time on Monday, September 10, 2018
- Hard Copies may be delivered to: Ron Hall, Project Manager, Bubar & Hall Consulting, LLC, 2625 Redwing Road, Suite 305, Fort Collins, CO 80526.

Email submittals:

- Electronic Copies must be submitted to: ron@bubarhall.com by Monday, September 10, 2018 at 4:30 p.m. Mountain Time. Four hard-copy versions must be delivered to the Project Manager within three business days of the submission deadline.

Right to Reject or Cancel

The MHA Nation reserves the right to reject any and all bids, in whole or in part, and to waive minor irregularities and informalities therein, and further reserves the right to award the contract in the best interest of the MHA Nation.

Licenses, Permits and Fees

The Contractor is responsible for furnishing all proper licenses, fees, and permits required by law to do business in the MHA Nation and State of North Dakota in completion of the requirements stated herein, including but not limited to the MHA Nation Tribal Employment Rights Office. All work shall be done in accordance with the latest building codes, fire codes, electrical codes and all tribal, state and federal laws relative to this project.