**REQUEST FOR INFORMATION**

**REGARDING AN INNOVATIVE PROJECT DELIVERY APPROACH
FOR THE INTERSTATE 55 MANAGED LANE PROJECT**

**BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION (“IDOT”)**

**RFI Title: Request for Information – I-55 Managed Lane Project**

**RFI Issuance Date:** August 11, 2016

**Information Due Date:** September 8, 2016

**Information Due Time:** 4:00 p.m. Central Time

**Response Page Limit:** 25 pages

**Industry Forum:** September 20, 2016; 9:00 – 10:00 a.m.

**One-on-One Meetings:** September 20-21, 2016

**Forum Location Information:** Holiday Inn Chicago O'Hare Area

 5615 N. Cumberland Avenue

 Chicago, Illinois 60631

 [www.hiohare.com](http://www.hiohare.com)

 T: (773) 693-5800

**Reference No.:** P31601

**Official Procurement Site Bulletin:** <http://www.idot.illinois.gov/doing-business/procurements/other-procurement-opportunities/index>

**Project Official Website:** <http://www.i55managedlaneproject.org/>

**Industry Forum Website:** <https://www.regonline.com/I55IndustryForum>

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| **QUESTIONS**:Questions regarding the RFI should be directed to:**Roger L. Driskell**Illinois Department of TransportationOffice of Planning and Programming2300 S. Dirksen Parkway, Room 339BSpringfield, Illinois 62764Telephone: (217)782-6289dot.p3projects@illinois.gov  | **SUBMITTALS**:Send RFI response by the above due date and time electronically to dot.p3project@illinois.gov Responses received after the deadline or not submitted in the manner specified will not be accepted.If requesting a one-on-one meeting, email the RFI One-on-One Meeting Request Form by September 1, 2016 at 4:00 p.m. Central Time to dot.p3projects@illinois.gov  |

# INTRODUCTION

IDOT is issuing this Request for Information (“**RFI**”) in connection with the proposed Interstate 55 (“**I‑55**”) Managed Lane Project (the “**Project**”). This RFI is being issued consistent with the provisions of the Illinois Public-Private Partnerships for Transportation Act, 630 ILCS 5/1 *et seq.* (the “**Illinois P3s for Transportation Act**”). The RFI is intended to elicit responses to the questions presented in the attached RFI Questionnaire and to provide an opportunity to receive feedback prior to an industry forum and associated one-on-one meetings with industry participants.

The purpose of this RFI is to generate responsive information to help IDOT confirm or refine certain assumptions in connection with innovative procurement and delivery of the Project. This RFI is intended solely to obtain such information to assist IDOT on an administrative level. IDOT will consider responses to this RFI in connection with the evaluation of procurement and delivery options.

This RFI does not constitute a Request for Qualifications (“**RFQ**”), a Request for Proposals (“**RFP**”), or other solicitation, nor does it constitute the commencement of any other type of procurement process for the Project. Moreover, it does not represent a commitment to issue an RFQ or an RFP in the future. Therefore, those choosing to respond to this RFI will not, merely by virtue of providing any manner of response, be deemed to be “bidders” or “proposers” on the Project in any sense, and no such respondent will have any preference, special designation, advantage or disadvantage whatsoever in any subsequent procurement process related to the Project. Furthermore, submission of a response to this RFI will not be considered a prerequisite to a response to an RFQ, should one be issued in the future.

# THE PROJECT

The Project is currently undergoing a preliminary engineering and environmental (Phase 1) study for the improvement of I-55. The I-55 study area extends from I-355 (Veterans Memorial Tollway) in the southwestern Chicago Metropolitan region (south terminus) to I-90/94 (Dan Ryan Expressway) serving the Chicago Business District (north terminus), a distance of approximately 25 miles. A copy of the Environmental Assessment (the “**EA**”) for the Project, dated April 2016, is available for review on the Project’s official website. A public hearing was held concerning the proposed improvements on May 17, 2016, and the public comment period on the EA concluded on June 1, 2016. Based on comments received from the public and resource agencies, the EA report indicated a finding of no significant impact. On July 20, 2016, FHWA issued a Finding of No Significant Impact (FONSI) for the Project based on its independent evaluation of the EA. For the most recent information on any planning and/or engineering details, please visit the Project website: <http://www.i55managedlaneproject.org/>

The preferred alternative for the Project includes constructing two express toll lanes (“**ETL**”), one in each direction, within the existing I-55 median, with the existing three general purpose lanes in each direction remaining as free, non-tolled lanes. The scope of work for the preferred alternative would also include pavement and structure widening, bridge reconstruction, drainage improvements and noise walls.

Tolling is intended to be a key element of the Project. Under the preferred alternative for the Project, the existing inside shoulders will be reconstructed to provide one new lane in each direction. These new lanes would be dedicated managed lanes available to all passenger vehicles in exchange for payment of a toll. The preferred type of managed lane is an ETL, in which all passenger vehicles would be tolled, regardless of the number of passengers, and trucks would be prohibited from use. The ETL would utilize congestion pricing strategies to manage lane performance. Two types of access to the ETL are currently being evaluated—controlled access and continuous access. An All Electronic Open Road Tolling system will be utilized on the Project.

# PROJECT GOALS

IDOT’s goals for the Project include: (a) providing much needed mobility enhancements and travel time reliability to the I-55 corridor and region, while minimizing adverse impacts on the adjacent communities; and (b) developing state infrastructure in a financially responsible manner that also ensures proper operations and maintenance. Additional details on Project goals are provided below.

**Mobility enhancements to the I-55 corridor and region**

* Provide an improved I-55 transportation facility, addressing the existing and year 2040 transportation needs by improving mobility, travel time reliability and operational efficiency;
* Better accommodate the movement of people and goods, facilitate congestion management along the I-55 corridor;
* Alleviate additional traffic congestion caused by the future construction of the I-290 Project;
* Provide a new travel choice;
* Provide an adaptable and sustainable transportation solution; and
* Optimize use of the existing facility.

**Developing state infrastructure in a financially responsible manner**

* Minimize upfront expenditures of public funds by utilizing private financing that leverages future project revenues;
* Complete the Project on time and on budget;
* Attract private sector investment and technical and financial innovation; and
* Transfer risks to a private developer/operator that are best managed by the private sector.

# PROJECT DELIVERY AND PROCUREMENT

IDOT is considering procuring and delivering the Project under various structures. IDOT is evaluating a variety of public-private partnership (“**P3**”) structures, which may include a Design-Build-Finance-Operate Maintain (“**DBFOM**”) approach, as well as other project delivery methods. IDOT is currently anticipating that if a P3 is implemented, it will involve a revenue risk toll concession with private financing.

The Illinois P3s for Transportation Act requires that a joint resolution of the Illinois General Assembly be adopted before commencement of a P3 procurement process by IDOT. Consistent with this requirement, Senate Joint Resolution 40 and House Joint Resolution 125 have been introduced with respect to the Project, but have not yet been adopted.

IDOT anticipates issuing an RFQ promptly after adoption of the joint resolution, and shortlisting of qualified respondents is expected within about 8 to 10 weeks after issuance of this RFQ. IDOT is currently targeting award and initial notice to proceed in the first or second quarter of 2018.

# DBE PARTICIPATION

DBE, equal opportunity, and veteran participation are important and encouraged on all elements of the Project, including any long-term operations and maintenance responsibilities. IDOT will ensure DBE and other opportunities are identified in accordance with applicable law and policies.

# INFORMATION REQUESTED

In issuing this RFI, IDOT is seeking the non-binding views, opinions and feedback of respondents on the innovative delivery models and potential project configurations under consideration by IDOT, as well as the technical aspects of the Project and potential financial and commercial terms for any public-private agreement. IDOT intends to use the information gathered through responses to this RFI and in the one-on-one meetings referenced in Section 7 below to refine certain assumptions, evaluate delivery alternatives and inform the selection of a procurement and project delivery method for the Project. This RFI does not commit IDOT to any specific form of procurement, including a potential P3 procurement.

**Reponses to this RFI must be submitted by email no later than September 8, 2016 at 4:00 p.m. Central Time. Responses should be no longer than 25 single-sided pages, using a type font size no smaller than 12-point.** Respondents are encouraged, but not required, to respond to each question in the RFI Questionnaire. Marketing materials are not to be submitted as part of a written response. Follow-up questions, or requests to clarify comments, may be posed directly to respondents.

# INDUSTRY FORUM AND ONE-ON-ONE MEETINGS

IDOT will hold an industry forum for the Project on September 20, 2016.

In addition, IDOT believes one-on-one meetings provide a valuable platform to facilitate discussion and gather constructive feedback. Accordingly, IDOT will offer respondents the opportunity to request a one-on-one meeting to discuss their RFI response and provide further input to IDOT. There will be a limited number of meetings available, however, and IDOT does not guarantee any respondent a meeting. IDOT will determine which respondents it will meet at its sole and absolute discretion. Only respondents to this RFI will be considered for one-on-one meetings. Discussions held during one-on-one meetings will be memorialized in a standard format for the procurement file.

One-on-one meetings will be held on September 20 and 21, 2016. **Respondents desiring a one-on-one meeting must complete the request form attached to this RFI and submit it by email by no later than September 1, 2016 at 4:00 p.m. Central Time.** Respondents will be notified of acceptance and scheduling of any one-on-one meeting no later than September 9, 2016.

# CONFIDENTIALITY/PUBLIC RECORDS LAWS

Respondents are advised that all written materials submitted by a respondent to IDOT in response to this RFI or in a one-on-one-meeting are public records subject to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (the “**Illinois FOIA**”).

Under Section 7 of the Illinois FOIA, certain public records may be exempt from the Illinois FOIA. This includes information which, if it were disclosed, would frustrate a procurement or give an advantage to any proposer. (See Section 7(1)(h) of the Illinois FOIA.) Generally, however, responses to RFIs and information documented in the procurement file are subject to disclosure once an award is made or the procurement is otherwise concluded. Please be advised that IDOT will not accept confidential proprietary information pursuant to this RFI and does not intend to invoke Section 7(1)(g) of the Illinois FOIA as grounds for withholding information provided by respondents to IDOT pursuant to this RFI. Accordingly, respondents are advised not to include in RFI responses any information that the respondent considers trade secrets or commercial or financial information that is proprietary, privileged or confidential or that would cause competitive harm if disclosed.

A person whose request for public records is denied by IDOT, on the grounds of exemption under Section 7 or otherwise, has the right to request a review of such denial by the Public Access Counselor established in the Office of the Illinois Attorney General, in accordance with Sections 9 and 9.5 of the Illinois FOIA. A person whose request for public records is denied also has a right to judicial review of such denial pursuant to Section 11 of the Illinois FOIA.

Respondents are encouraged to familiarize themselves with the Illinois FOIA and any other laws and regulations applicable to the disclosure of documents submitted in connection with this RFI and to the issue of confidentiality and public information (collectively, the “**Public Records Laws**”). IDOT will not advise a respondent as to the nature or content of documents entitled to protection from disclosure under the Public Records Laws or as to the interpretation of such laws. Each respondent shall be solely responsible for all determinations made by it under applicable laws. Each respondent is advised to contact its own legal counsel concerning the effect of Public Records Laws on that respondent’s own circumstances.

In the event of any proceeding or litigation concerning the disclosure of any response or portion thereof, or any other documents submitted by a respondent to IDOT, the respondent shall be responsible for prosecuting or defending any action concerning the materials at its sole expense and risk; provided, however, that IDOT reserves the right, in its discretion, to intervene or participate in the litigation in such manner as it deems necessary or desirable. All costs and fees (including attorneys’ fees and costs) incurred by IDOT in connection with any litigation, proceeding, or request for disclosure shall be reimbursed and paid by the respondent whose response or other documentation is the subject thereof.

Nothing contained in this RFI shall modify or change IDOT’s obligations under the Illinois FOIA or other applicable law.

**RFI QUESTIONNAIRE
INTERSTATE 55 MANAGED LANE PROJECT**

Reference No.: P31601

Completed by:

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| Representative Signature (or individual’s signature, if no affiliation) |

Please respond to the following list of questions to the extent relevant to your firm’s experience. Responses should be no longer than 25 single-sided pages, using a type font size no smaller than 12-point. **Reponses must be submitted by email to** **dot.p3project@illinois.gov** **no later than September 8, 2016 at 4:00 p.m. Central Time.** Responses received after the deadline or not in the manner specified will not be accepted.

1. What is the nature of your potential participation in this project (e.g., construction firm, design-build firm, toll operator, investor)? As applicable, please include in your response a description of up to six representative toll concession, managed lane or other tolled highway projects in which your firm has been involved. Each project description may be no longer than one page and should identify the specific nature of your firm’s responsibilities on the project, describe key challenges of the project, and identify key dates and the current status of the project.
2. IDOT is considering delivering the Project using a design-build-finance-operate-maintain (“**DBFOM**”) method, under which the developer would be compensated primarily by, and assume the risk related to, toll revenues from the Project. In connection with this type of financial structure, please provide your views on the following:
	1. Traffic data – What type of data on existing traffic conditions would you expect IDOT to provide during the procurement process? What would you consider to be the minimum period of time needed between a potential proposer’s access to this information and the due date for technical and financial proposals?
	2. Contract term – What would you consider to be a minimum contract term? What are your thoughts on the potential benefits or disadvantages of a variable-length contract term (i.e., the contract term would be reduced or lengthened depending on actually generated revenues)?
	3. TIFIA loan – Do you have experience with including TIFIA financing in the context of a revenue risk-based DBFOM project? Given IDOT’s project goals, including the goals of financial responsibility and prompt completion of the Project, do you think IDOT should consider facilitating use of a TIFIA loan to support the project’s financing?
3. In light of the Project goals, are there alternative project delivery structures or risk allocation regimes that you would recommend that IDOT consider, or not consider, for the Project, and that would be feasible, or not feasible, in light of market conditions and typical lender and credit rating agency requirements?
4. IDOT is considering an arrangement whereby the Illinois State Toll Highway Authority (the “**Tollway**”) would undertake back office services on behalf of the developer pursuant to a Tolling Services Agreement.
	1. What risks or challenges do you contemplate are associated with this arrangement? How would you recommend mitigating these risks and challenges?
	2. Under a DBFOM structure, should IDOT consider allocating any responsibility for back office toll processing and/or account handling to the developer? If so, which of the below-listed services should IDOT include within the developer’s scope? To the extent that any or all of the services listed below could be performed by the Tollway, which would be appropriate for the Tollway to perform rather than the developer?
* Transaction processing
* Toll collection
* Billing
* Customer service
* Customer account management
* Violation processing
* Enforcement
* System interoperability
	1. Are there additional toll-related services not listed above that should be considered for inclusion in the developer’s potential scope?
1. IDOT anticipates that value can be obtained by transferring appropriate maintenance and life-cycle risk for both the Express Toll Lanes and the general purpose lanes to the developer, so that interfaces and overlapping responsibilities are minimized. Operations and maintenance (“**O&M**”) services for the Project, whether the responsibility of IDOT or the developer, will include roadway and bridge maintenance, rehabilitation and reconstruction, incident response, snow and ice clearance, debris removal and customer information. The following approaches for the management of life-cycle risks and O&M scope are under consideration:

**Approach #1:** Developer is responsible for managing life-cycle risks and O&M for the ETL only.

**Approach #2:** Developer is responsible for all life-cycle risks and O&M for both the ETL and general purpose lanes on the Project corridor.

* 1. Please identify the most significant benefits and challenges you foresee with respect to each approach in achieving the Project goals. What are potential solutions for overcoming or mitigating any identified challenges?
	2. With respect to the transfer of life-cycle risk under Approach #2, are there specific elements of the ETL or general purpose lanes where implementation of risk-sharing mechanisms could help achieve Project goals? If so, what potential risk-sharing mechanisms would you recommend that IDOT consider?
	3. Are there any aspects of operations for which IDOT could take action to improve efficiency for the developer?
	4. Are there specific operational responsibilities that you would recommend be retained by IDOT? If so, please explain your reasoning.
	5. Would IDOT’s approach to the transfer of life-cycle risk and O&M scope be a key factor that you will consider in determining whether or not to pursue the Project?
	6. What pavement information would you consider necessary or desirable for the preparation of a proposal for complete O&M services on the existing general purpose lanes?
1. To the extent that IDOT establishes operational performance requirements, such as a minimum “target speed” related to the ETL, please discuss how any such requirements may impact the developer’s approach to operating and financing the Project. How could IDOT and a developer collaborate to optimize projected cash flows and operations objectives throughout the term of the contract? Please explain potential impacts and any risk-sharing or risk-management considerations that may be considered to mitigate such impacts.
2. What is the best method for IDOT to provide strong incentives under a public-private agreement for the developer to continuously seek out and implement innovative safety solutions, including physical improvements, technology solutions, enhanced maintenance standards and operational responses that will improve safety in the corridor?
3. As described on page 28 of the EA, managed lane alternatives being considered include a lane separated from the general purpose lanes by a painted buffer ranging in width from 0 to 4 feet and with either continuous access or access restricted to specific locations. Two alternative arrangements are shown on Figures 3-7 and 3-8 on page 40 of the EA. Please provide feedback on these configurations and other potential configurations and provide suggestions that would best achieve the Project goals.
4. Based on your experience in the development of similar projects and the information provided to date, please identify the most critical technical challenges that may be encountered with the improvement concepts described for the preferred ETL Alternative identified in the EA and how these challenges may be overcome. If additional information is needed to identify and/or resolve critical technical challenges, please advise.
5. Based on the information available to date, have you identified any engineering opportunities that would benefit the economics of the Project but may require environmental approvals or right of way acquisition beyond those already contemplated in the EA and other provided information? If so, is it appropriate for the developer to assume the risk of securing any additional environmental approvals or right of way?
6. IDOT anticipates significant advances in available technologies over the life of the Project, such as the increasing prevalence of connected vehicles and increased automation of functions to improve vehicle safety. What additional opportunities and/or risks do you foresee as a result of these technologies, and how should the opportunities and risks associated with these changes best be captured within the term of the proposed agreement?
7. The Project is being undertaken pursuant to the Illinois Public-Private Partnerships for Transportation Act, 630 ILCS 5/1 *et seq.* Do you have any particular concerns related to this statute and, if so, any proposed solutions or mitigants to address these concerns?
8. Please provide your thoughts on any other key issues that IDOT should consider in determining the project delivery method, procurement process, Project scope, financial structure, technical elements, or risk allocation. What are key factors you would consider in determining whether or not to participate in the Project?

**ONE-ON-ONE MEETING REQUEST FORM**

**IN RELATION TO THE**

**REQUEST FOR INFORMATION FOR THE
INTERSTATE 55 MANAGED LANE PROJECT**

**BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION**

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| Entity/Organization Name (if applicable) |
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| Entity/Organization Representative Name (or individual’s name, if no affiliation) |
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| Phone Number and Email Address |
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| Representative Signature (or individual’s signature, if no affiliation) |

Identify the number of attendees you anticipate participating in the one-on-one meeting, their names and their role in your organization.

Identify any preferences you might have for the date and time of any one-on-one meeting. (Please note that IDOT may not be able to honor respondents’ preferences.)

**Requests will be accepted until 4:00 p.m. Central Time on September 1, 2016 at** dot.p3projects@illinois.gov. **IDOT will determine which respondents it will meet with, and when, at its sole and absolute discretion.** Only respondents to the will be considered for one-on-one meetings. Respondents will be notified of acceptance and scheduling of any one-on-one meeting no later than September 9, 2016.