NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION
REQUEST FOR PROPOSALS:
FREIGHT AND PASSENGER RAIL SERVICE ON THE
MOUNTAIN DIVISION AND/OR THE CONWAY BRANCH RAILROAD LINES

1. Introduction

The New Hampshire Department of Transportation (NHDOT) requests proposals from entities (“Respondents”) interested in providing freight and/or passenger rail service on the State-owned Mountain Division Railroad Line (between Mile Post P51.13 in Conway at the Maine Border to Mile Post P111.57 in Lunenburg, Vermont), and/or the State-owned portions of the Conway Branch Railroad Line (between Mile Post B111.0 in Ossipee to Mile Post B162.2 in Madison, and Mile Post B162.3 in Madison to Mile Post B132.35 at the Conway Town Line). The remainder of the Conway Branch Railroad Line is owned by NH Northcoast Railroad to the south, 700 linear feet in Madison owned by the Silver Lake Railroad Station and Conway Scenic Railroad owns to the north. See the charts below for more detailed information on each of these rail lines.

The NHDOT wishes to select a qualified Respondent to enter into an Agreement with NHDOT for the rail operating rights and maintenance responsibilities for one or both of these lines, for a term of up 10 years, with an option for an additional 10-year extension that requires notice one year in advance and is subject to negotiation. The Proposal is intended to permit NHDOT to determine each Respondent's ability to provide operating services on these lines.

The Agreement to be executed between the NHDOT and a Railroad Operator will define the parameters of the Operator's use of the rail line and may include, without limitation, provisions on liability, insurance, maintenance standards, service levels, indemnification, termination, affirmative action and environmental impact. NHDOT retains all other property rights and management responsibilities, including revenue from all easements, crossings, etc. The 45G Tax Credit does apply. Information on actual credits taken is not available to NHDOT.

No car storage, other than that as required to provide service on the Lines, and as approved by NHDOT and included in an Operating Agreement with NHDOT, will be permitted.

2. Physical Description of the Line

To better understand the Mountain Division Railroad Line NHDOT Rail staff will schedule a Site Visit (to be conducted via hi-rail vehicle on tracked sections) with interested Respondents so that all interested parties will have first-hand knowledge and an opportunity to view the line. Information on the date of the Mountain Division inspection can be found in a later section of this document.

Inspection opportunities of the Conway Branch Line will be as follows:

(1) State-owned portions:
   a. With prior approval of NHDOT obtained through emailing Shelley Winters (SWinters@dot.state.nh.us), individual Respondents will be granted permission to conduct walking inspections of the state-owned portion of the line and may or may not be accompanied by NHDOT staff.

(2) Privately-owned portions:
a. Individual Respondents will be required to contact owners (see table) to schedule inspections of privately-owned sections of the line. There will be no NHDOT participation in the inspections of the privately-owned sections.

In the interim, please refer to the information provided below:

**Mountain Division Rail Line conditions of note:**

Conway Scenic Railroad (CSRR) is currently under agreement to NHDOT and has the exclusive right to operate tourist excursion trains between Mile Post P56.0 in Conway to Mile Post P101 in Whitefield. As CSRR is under agreement to NHDOT and provides seasonal tourist excursion train service, other potential operators shall be required to enter into a mutually acceptable agreement with CSRR regarding the terms and conditions relating to the use of the rail facilities, including, without limitation, commercially reasonable terms and conditions relating to liability protection for CSRR and compensation due to CSRR relating to the use of the rail facilities. At all times CSRR’s service shall have priority over all other users and CSRR shall retain dispatching control of the Line.

NH Central Railroad (NHCRR) operates freight service between Mile Post P101 in Whitefield to Mile Post P103.2 in Whitefield and has operating rights to Mile Post P111.57 in Lunenburg, Vermont. Any proposed train movements through this portion of the Line must be covered by a mutual agreement with NHCRR, including train movements that are coordinated with NHCRR.

The tracks between Mile Post P51.13 and Mile Post P56.0 in Conway have not been used in many years and will require substantial track and drainage work before train service of any type can be restored. Additionally, there is a lengthy bridge and trestle over the Saco River that will also require inspections and repairs prior to resumption of rail service.

The tracks between Mile Post P103.2 in Whitefield and Mile Post P111.57 in Lunenburg, VT have not been used in many years and will require substantial track and drainage work before train service can be restored. There is a long bridge over the Connecticut River and two short bridges over the Johns River that will need inspections and repairs.

### State-Owned Mountain Division Railroad Line: Type of Rail & FRA Classification of the Line

<table>
<thead>
<tr>
<th>Mile Post</th>
<th>Location Names</th>
<th>Rail Type</th>
<th>Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>P51.13</td>
<td>Maine Border to Redstone</td>
<td>85#</td>
<td>Inactive</td>
</tr>
<tr>
<td>P56.0</td>
<td>Redstone to Mountain Junction</td>
<td>85#</td>
<td>Class I</td>
</tr>
<tr>
<td>P61.0</td>
<td>Mountain Junction to Notchland</td>
<td>85#</td>
<td>Class II</td>
</tr>
<tr>
<td>P76.5</td>
<td>Notchland to Crawford Station</td>
<td>100#</td>
<td>Class II</td>
</tr>
<tr>
<td>P85.0</td>
<td>Crawford Station to Whitefield</td>
<td>85#</td>
<td>Class I</td>
</tr>
<tr>
<td>P103.0</td>
<td>Whitefield to Lunenburg, VT</td>
<td>85#</td>
<td>Inactive</td>
</tr>
</tbody>
</table>

There are a total of 65 at-grade crossings on the in-service portion of the Mountain Division Line from MP P56.0 to MP P103.0; 24 passively protected public crossings, 11 actively protected public crossings, and 30 private crossings. On the inactive section of the Line there are 2 passively protected public crossings and 6 private crossings.
There are existing Temporary Use Agreements, Crossing Agreements and Leases on this Line, but none impact railroad operation and all are handled by the NHDOT Bureau of Rail & Transit.

Installation of crossing gates at crossings would require the petition process, in accordance with NH RSA 373 to establish change of protection and apportionment of cost.

On the active section of the Mountain Division Line from MP P56.0 to MP P103.0, there are 53 bridges. On the inactive sections of the Line in Conway, Dalton and Luneburg, VT., there are 8 bridges. The following bridge information is available for viewing at NHDOT (7 Hazen Drive, Concord, NH).

- NHDOT has bridge load ratings and weight limit information for all of the bridges on the active section of this Mountain Division Line.
- NHDOT does not have any bridge load rating or weight limit information for the bridges on the inactive section of this Mountain Division Line.
- NHDOT has plans for some of the bridges on the Mountain Division Line.
- Inspections of all of the bridges on the active section of the line were completed in 2014 by NHDOT staff or outside bridge inspectors.
- NHDOT has established its Bridge Management Program for this Line. The bridges on the inactive section of the Line need to be inspected and evaluated by the Operator to determine their condition, weight limits and required repairs prior to moving equipment over the bridges.

There are no current weight or dimensional restrictions on the active section of the Line based on the service provided to date. If the Operator wants to haul heavy or wide loads on the Line, then the Operator will be required to inspect and evaluate the Line to determine if the traffic can pass over the track and the bridges. All information related to bridge evaluations, ratings, inspections and reports is available from the NHDOT.

NHDOT has valuation plans and historic track charts on file from the Boston & Maine Railroad and they are available to view and copy at NHDOT (7 Hazen Drive, Concord, NH).

There are no known rail tests (Sperry or equivalent) conducted during the State’s ownership.

An annual Memorandum of Agreement (MOA) is signed with the New Hampshire Department of Resources and Economic Development’s Bureau of Trails (NHDRED), allowing snowmobile access during winter shutdown of railroad operations on the Mountain Division Line from MP P51.1 to MP P60.0 and MP P71.0 to MP P74.2. If a selected Operator on the Line wants to operate year round, then NHDOT will modify its MOA with NHDRED to allow for year round rail service.

**Conway Branch Rail Line conditions of note:**

Privately-owned portions:

- Conway Scenic Railroad (CSRR) owns the Conway Branch Railroad Line from Mile Post B132.35 at the Conway Town Line to Mile Post B139.6, which is the junction with the State-owned Mountain Division Railroad Line at Mile Post P61.0.
- NH Northcoast (NHNC) owns the line from Mile Post 70.0 in Rollinsford to Mile Post B111.0 in Ossipee. Any proposed train movements through the CSRR or NHNC owned portions of the line will require coordination with and trackage rights from CSRR and NHNC.
• Pan Am Railways owns the track from Rollinsford south to Dover.
• Approximately 700 feet of track (Mile Post B126.2 to B126.3) is currently owned by the Silver Lake Railroad Station in Madison and any proposed train movements through this section will require Agreements with the Silver Lake Railroad. (Note: NHDOT is currently working to obtain a railroad easement through this section, but has yet to do so.)

State-owned portions:

• The State-owned portions of the tracks, as identified in the table below, have not been used in many years and will require substantial track, drainage and bridge work before any train service can be restored.
  o The Department completed a “Conway Branch Railroad Line Feasibility Study (dated June 30, 2004)” and this has been made available to Respondents and may provide additional baseline information of interest.
• The State’s purchase of the Conway Branch, mileage noted below, included a provision that grants Boston and Maine Railroad a perpetual exclusive freight rail transportation easement and therefore Respondents that propose freight rail service on this line would be required to contact Boston & Maine Corporation to discuss their deeded right. (A copy of the deed for the Conway Branch has been made available for Respondents to review)
• NHDOT has allowed the Silver Lake Station Railroad to operate a motor car excursion service on the tracks from Silver Lake Station to Boulder Road in Madison. Permission to operate this service must be obtained from the NHDOT Bureau of Rail & Transit each year. NHDOT would modify this permission should the Line be required for service.

**Conway Branch Railroad Line: Type of Rail, Track Status & Ownership**

<table>
<thead>
<tr>
<th>Mile Post -</th>
<th>Location Names</th>
<th>Rail Type</th>
<th>Ownership</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>B70.0 - B111.0</td>
<td>Rollinsford to Route 28 in Ossipee</td>
<td>112#</td>
<td>NH Northcoast RR</td>
<td>Active (washout at MP B108.6-109.3 currently being repaired)</td>
</tr>
<tr>
<td>B111.0 - B118.6</td>
<td>Route 28 in Ossipee to Ossipee Main Street</td>
<td>75#-85#</td>
<td>State of NH</td>
<td>Inactive</td>
</tr>
<tr>
<td>B118.6 - B126.2</td>
<td>Ossipee Main Street to Silver Lake Station in Madison</td>
<td>75#</td>
<td>State of NH</td>
<td>Inactive</td>
</tr>
<tr>
<td>B126.2 - B126.3</td>
<td>Silver Lake Station in Madison</td>
<td>75#</td>
<td>Silver Lake Station</td>
<td>Inactive</td>
</tr>
<tr>
<td>B126.3 - B130.6</td>
<td>Silver Lake Station to Coleman Plant in Madison</td>
<td>75#</td>
<td>State of NH</td>
<td>Inactive</td>
</tr>
<tr>
<td>B130.6 - B131.9</td>
<td>Coleman Plant</td>
<td>none</td>
<td>State of NH</td>
<td>Track out - Encroachments</td>
</tr>
<tr>
<td>B131.9 - B132.35</td>
<td>Coleman Plant to Conway Town Line</td>
<td>75#</td>
<td>State of NH</td>
<td>Inactive</td>
</tr>
<tr>
<td>B132.35 - B138.5</td>
<td>Conway Town Line to West of Saco River Bridge</td>
<td>75#</td>
<td>Conway Scenic RR</td>
<td>Active</td>
</tr>
<tr>
<td>B138.5 B139.6</td>
<td>West of Saco River Bridge to Mountain Division Line (Mile Post P61.0)</td>
<td>85#</td>
<td>Conway Scenic RR</td>
<td>Active</td>
</tr>
</tbody>
</table>

Note: Information provided is to the best of NHDOT’s knowledge, but Respondents may want to verify above information for privately-owned rail miles.
There are a total of 20 crossings on the State-owned portion of the Conway Branch Line; 10 passively protected public crossings and 10+ private crossings.

- There are existing Temporary Use Agreements, Crossing Agreements and Leases on this Line, but none impact railroad operation and all are handled by the NHDOT Bureau of Rail & Transit.
- Installation of crossing gates at crossings would require the petition process, in accordance with NH RSA 373 to establish change of protection and apportionment of cost.

On the State-owned portion of the Conway Branch, there are 13 bridges.

- NHDOT does not have any bridge load rating or weight limit information for the bridges on the Conway Branch.
- NHDOT has not inspected the bridges on the Conway Branch since it is an inactive section of the line.
- NHDOT has bridge plans available for some of the bridges on this Line and they are available for viewing at NHDOT (7 Hazen Drive, Concord, NH).
- NHDOT has established its Bridge Management Program for the active State-owned railroad lines. The bridges on the inactive section of the Conway Branch need to be inspected and evaluated by the Operator to determine their condition, weight limits and required repairs prior to moving equipment over the bridges.

There are no known weight or dimensional restrictions on the Conway Branch. NHDOT has not done any inspections on the line to determine if there are weight or dimensional restrictions. It will be the Respondents responsibility to determine the operating limits on the Conway Branch. The bridges on the inactive section of the Line need to be inspected and evaluated by the Operator to determine their weight limits prior to moving equipment over that section of the Line. If the Operator wants to haul heavy or wide loads on the Line, then the Operator will be required to inspect and evaluate the Line to determine if the traffic can pass over the Line. All information related to evaluations, ratings, inspections and reports shall be provided to NHDOT.

NHDOT has valuation plans and historic track charts on file from the Boston & Maine Railroad and they are available to view and copy at NHDOT (7 Hazen Drive, Concord, NH).

There are no known rail tests (Sperry or equivalent) conducted during the State’s ownership.

An annual Memorandum of Agreement (MOA) is signed with the New Hampshire Department of Resources and Economic Development’s Bureau of Trails (NHDRED), allowing snowmobile access during winter shutdown of railroad operations on the entire State-owned portion of the Conway Branch Line. If a selected Operator on the Line wants to operate year round, then NHDOT will modify its MOA with NHDRED to allow for year round rail service.

3. Scope of Services: Operating Requirements

The Respondent selected to receive an Operating Agreement from NHDOT will be required to provide freight or passenger rail services, described below, on the Mountain Division and/or Conway Branch Railroad Lines:

- The selected Respondent shall provide adequate service to satisfy future customers on the lines selected for operation. If the Operator does not provide adequate service, as
determined by the customer and NHDOT, and provides less than 60 days of operations per operating calendar year, then the Operating Agreement may be terminated by NHDOT.

- Note: NHDOT may waive the 60 day minimum level of service requirement during the “Start-up” phase of the operation.

- The Respondent shall furnish appropriate locomotive power to maintain operations and furnish fuel, crews, maintenance and supplies. All equipment and crews must meet Federal Railroad Administration (FRA) qualifications and licensing requirements at all times.

- The Respondent will be responsible for maintaining track to the classification as noted in the Physical Description of the Line section and will continue to maintain the Line and not let it deteriorate to a lower Class as stated in the Physical Descriptions.
  - Note: If the proposed service necessitates the classification of track to be increased from what is noted in the Physical Description of the Line, the Respondent will be responsible for maintaining the track to the enhanced classification as necessitated by their proposed service.

- The Respondent will be responsible for maintenance of track, bridges, culverts, highway grade crossings including signal systems, brush cutting and weed control, ditching, and other rail facilities required for safe operation of the railroad.

- The Respondent will be responsible for car hire, car accounting, and record keeping according to the Association of American Railroads, and other pertinent standards. The Operator must provide necessary car and other equipment for the service.

- The Respondent is responsible for providing the required service and may subcontract portions of the service as outlined in the Operating Agreement (See Draft Operating Agreement attached). Subcontractors are subject to approval of NHDOT.

- The Respondent shall coordinate all maintenance requirements listed above with other Railroad(s) currently operating on sections of the subject State-owned railroad lines described in this RFP.

- The Respondent shall make and pay for all repairs and improvements to the subject State-owned railroad lines that are necessary to operate their proposed service.

4. **Contract Requirements**

The selected Respondent (Operator) will be subject to the following State contracting requirements:

1. The Operator must pay the State a User Fee equal to 5% of its gross monthly freight revenue, 10% for passenger service, and conduct maintenance work on the State-owned Line not less than 20% of gross annual revenue for both types of rail service.

2. The Operator will be required to submit reports including, but not limited to: (1) quarterly marketing reports, (2) monthly operations reports, which includes traffic, revenues, and maintenance expenditures, and (3) inspection reports in accordance with CFR 49 Part 213-233.
3. The Operator will provide inspection and maintenance reports to NHDOT in accordance with the terms of the Operating Agreement, which states, in part, that, “The Contractor shall patrol the active service area and formally inspect the track as per FRA Track Safety Standards subpart F (49 CFR 213.233) and submit an inspection report in a timely manner but no more than one (1) month after each inspection. Should any defects be found, the Operator shall take the appropriate remedial action and notify the Contracting Officer in writing of said remedial action.” In addition, the Operator is required to make daily inspections of the tracks ahead of the first train of the day between MP P76.5 at Notchland and MP P85.0 at Crawford Station to look for track blockages.

4. Any incident that meets the NHDOT Bureau of Rail & Transit’s Notification Requirement for Incidents Involving Railroads, per RSA 367:56, must be immediately reported to NHDOT and service resumed within 48 hours.

5. The selected Operator will be required to obtain a decision from the Surface Transportation Board (STB) declaring that the Operator is authorized to operate as a railroad common carrier.
   - Upon the expiration of the terms of the Agreement or upon any breach thereof by the Operator, the selected Operator will be required to terminate its operations, relinquish the property, and file any required STB documents for discontinuance of service. Any expenses incurred will be at the Operator’s sole expense.

6. The Operating Agreement shall not be effective until Governor and Council approval. Note: Governor & Council approval is the State’s formal contract approval process.

7. The Operating Agreement will be for a term of up to 10 years and with an option for one 10-year extension with notice one year in advance and subject to negotiation (See Draft Operating Agreement attached). Operator’s rights could be revoked for the following reasons: failure to perform the Service satisfactorily or on schedule; failure to submit any report required in the Operating Agreement; failure to maintain the records required in the Operating Agreement, or to permit access thereto; failure to perform any other covenant, term or condition in the Operating Agreement; operation of the Service fewer than sixty (60) days during any Operational Year; failure to meet the conditions of the Operating Agreement.

8. State railroad tax (RSA 82) still applies to the state-owned line, but there is no municipal property tax liability.

9. The Operator must be registered with the Secretary of State’s Office to do business in the State of NH.

10. Operators are required to carry a minimum of $3 Million in Railroad and Commercial Liability Insurance, or, if providing passenger rail, a minimum of $10 Million in Railroad and Commercial Liability Insurance.

11. The Operator must fully comply with all applicable State and Federal regulations.

5. Submission Requirements: Content of Proposals

The following information shall be included in the proposal. If the firm proposes to use any subcontractors in its operation, this same information shall be provided for the proposed
subcontractors. Please provide detailed responses for the following and label your responses and attachments accordingly:

1. Respondent’s Contact Information
   A. Name of the Corporation
      I. Location of incorporation
      II. Date of incorporation
   B. Certificate of Good Standing from the NH Secretary of State’s Office
   C. Respondent’s Contact Person
      I. Name
      II. Address
      III. Telephone Number
      IV. Email Address
   D. Stockholder Information
      I. Name & place of residence for any Stockholder owning more than 5% of corporation’s stock
   E. Corporation Officers (provide for all officers):
      I. Names
      II. Titles
      III. Resumes

2. Proposed Maintenance Plan (10%)
   A. Detailed Maintenance plan for the lines on which service is proposed for the length of the operating agreement for the items referenced in the Scope of Services.
   B. List maintenance equipment to be used and indicate if the equipment is Operator-owned or leased.

3. Proposed Business & Marketing Plan (20%)
   A. Business and marketing plan for developing new customers on the line.
      I. Include letters of commitment and other detail to demonstrate commitment to long-term growth of service on the line.
   B. Proposed Cost & Revenue Structure
      I. Detailed cost & revenue information, including, at a minimum:
         a. All expenses incurred to operate this service, per year, for initial 10-year operating period
            i. Labor, equipment, maintenance, taxes, fees, etc
         b. Anticipated number of carloads, per year, for initial 10-year operating period
            i. Rates to be charged
            ii. Anticipated annual revenue generated, per year, for initial 10-year operating period
         c. Anticipated annual State User Fees to be paid per year, for initial 10-year operating period
            Note: State User Fee = 5% of gross freight revenue or 10% of gross passenger revenue

4. Proposed Operating Plan (10%)
A. Operating Plan providing a detailed narrative describing actual train consist and movements to service the new customers.
   I. How many trips and carloads are anticipated during a normal workday and annually.
B. Description of the proposed operating rights or trackage or interchange agreements, if any, with Operators currently using the subject State-owned Railroad.
   I. Provide copies of current operating rights or trackage or interchange agreements as referenced above

5. Proposed Operating Equipment Provided (10%)

A. Description of the means of accomplishing the following:
   I. Supplying motive power for the line
   II. Supplying freight or passenger car needs

6. Financial ability to operate proposed service & financial references (20%)

A. A detailed annualized cash flow statement and balance sheet; published financial statement
B. Letters of reference:
   I. From an officer of a financial institution with whom the Respondent does business;
   II. From another operating railroad with knowledge of the Respondent's ability to provide rail service.
C. Funding available
   I. Indication of the amount of funds currently available, as well as funds that will become available upon selection, to sustain rail service for at least 10 years.
   II. If funding is contingent upon selection as Operator, Respondent must provide documentation as to the availability of funding if selected.
D. Insurance
   I. Letter of insurability from an insurer qualified to do business in the State with details of the proposed insurance coverage, including general liability, Federal Employee's Liability Act (FELA), cargo and foreign rolling stock liability, workmen's compensation, fire coverage, etc.
      a. If any of the insurance policies has a deductible, identify the source of funds to cover deductible amounts.
         i. Note: Operator’s insurance policy must name the NHDOT as an additional insured, and the operator shall indemnify, defend, and hold harmless the State and its officers, agents, representatives and employees harmless from any and all claims, actions, causes of actions, losses, expenses, damages and liabilities.
         ii. Provide policy information or other documentation explaining insurance coverage for those portions of the State-owned Railroad Lines on which other Operating Railroads have Agreements with NHDOT to operate.
E. Pro-forma financial statement for the proposed operation, clearly indicating all expenses and revenues for the service, and clearly includes, at a minimum:
   I. Anticipated revenues and costs, per year, for initial 10-year operating period
   II. Carloads, per year, for initial 10-year operating period
   III. Personnel required for initial 10-year operating period
7. Operating and management experience and overall ability to perform the required services, including its ability to provide freight and/or passenger service (30%)

A. Name, location and characteristics of other railroad property, if any, presently operated
   I. If other railroad property is operated, provide a copy of the two most recent annual reports from that property or, at a minimum, provide a narrative (summary) of the last two years of operations from that property.

B. Description of the experience and skill level of each key management employee and each officer to be assigned to operate and maintain the property, and to perform the following functions:
   I. Operation of trains
   II. Maintenance of rail facilities
   III. Performance of timekeeping, billing, interline settlement, demurrage, accounting and other administration functions, including a proposed tariff schedule
   IV. Negotiation and implementation of contracts and agreements
   V. Development and maintenance of performance standards
   VI. Marketing

C. Providing experienced railroad supervision, sufficient track laborers, track tools and equipment for initial start-up and continued maintenance of track to permit rail operation at the track conditions (FRA Class Standards) as indicated in the Physical Description of the Line.

Respondents shall ensure that all information required herein is submitted with the proposal. Failure to provide a complete and detailed response to all information, inaccuracy or misstatement shall be sufficient cause for rejection of the proposal or withdrawal of an award. Respondents are encouraged to provide any additional information describing abilities. Responses to each requirement listed above should be in order and be clearly marked with the section number to which they respond.

6. Evaluation Criteria and Selection Procedure

Incomplete proposals will be considered non-responsive and will not be evaluated.

For the Respondent’s proposal to be considered responsive, and therefore scored and further evaluated, the Respondent must provide: (1) complete responses for all requirements listed in the Content of Proposals, and (2) proof of operating or trackage rights or ability to obtain rights on the portion of the Mountain Division currently utilized by other Railroad Operators.

The Department of Transportation will evaluate responsive proposals, that have met the first-tier evaluation noted above, based on the following criteria:

- 10% Maintenance plan
- 20% Proposed business and marketing plan
- 10% Proposed operating plan
- 10% Operating equipment provided
- 20% Financial ability to operate short line service and financial references
- 30% Operating and management experience and overall ability to perform the required services
Respondents submitting responsive proposals may be requested to appear for an interview and/or to supply further information at the request of NHDOT.

7. **Submittal Information & Details**

**Proposals must be submitted on or before 3:00pm on August 17, 2015** to:

Shelley Winters, Administrator  
NHDOT – Bureau of Rail & Transit  
P.O. Box 483  
Concord, NH 03302-0483

All proposals must be date-stamped by NHDOT staff by the stated time to be considered. NHDOT does not accept facsimile or email submitted proposals. Proposals received after the due date will not be considered and any proposal that does not contain all requested information will be rejected.

Proposals shall be submitted in a sealed package and contain: one (1) original (identify as such) plus four (4) copies of all materials required for acceptance of their proposal. Printed copies should be typed and submitted on 8.5”x11” paper and be bound securely.

All proposals, upon submission, become the property of NHDOT. The information contained in proposals submitted for the NHDOT’s consideration will be held in confidence until all evaluations are concluded and contract approval has been reached. At that time, procurement documents, including proposals, will be available for public inspection pursuant to NH RSA 91:A.

The expense of preparing and submitting a proposal is the sole responsibility of the Respondent. NHDOT reserves the right to reject any or all proposals received, to negotiate with any qualified Respondent, or to cancel in part or in its entirety this RFP. This solicitation in no way obligates NHDOT to award an Operating Agreement.

Top-scoring Respondents, based on the evaluation of the written proposal, may be required to have interviews/presentations to support or clarify their proposals, if requested by NHDOT. Failure of the Respondent to complete a scheduled interview/presentation to NHDOT may result in rejection of that Respondent’s proposal. Interviews/presentations, if scheduled, will be part of the final selection process.

NHDOT reserves the right to negotiate the terms of the Operating Agreement with the selected Respondent prior to entering into an Agreement. If contract negotiations cannot be concluded successfully with the highest-ranked Respondent, NHDOT may negotiate an Operating Agreement with the next-highest Respondent and so on until an Operating Agreement is awarded.

NHDOT Rail staff will schedule a Site Visit (to be conducted via hi-rail vehicle where track is passable) with interested entities so that all interested parties will have first-hand knowledge and an opportunity to view the line. Site Visits will be conducted on Friday, July 10, 2015 or Monday, July 13, 2015 and must be requested via email with NHDOT Bureau of Rail & Transit Administrator Shelley Winters (swinters@dot.state.nh.us) no later than 3pm on Monday, July 6, 2015. The time for each site visit will be scheduled after all requests have been received. Respondents may bring no more than three representatives due to hi-rail
vehicle seating limitations. Additionally, hi-rail Site Visits are limited to potential Respondents and are not open to the general public or media, unless included as one of the representatives of a Respondent railroad corporation.

Questions about the project should be directed to NHDOT Bureau of Rail & Transit Administrator, Shelley Winters, via email; phone calls will not be accepted. Final questions and requests for clarification must be received by the Bureau by 3pm on July 20, 2015. Please email Ms. Winters at: Swinters@dot.state.nh.us

All clarifications and interpretations of the proposal specifications, individual questions and supplemental instructions will be in the form of written Addenda to the proposal documents which will be posted on the Bureau of Rail & Transit website (http://www.nh.gov/dot/org/aerorailtransit/railandtransit/index.htm) with the Final Addenda being posted no later than August 3, 2015.

Attachments Provided:

- Sample NHDOT railroad operating agreement (subject to customization and final negotiations)
- NHDOT Bureau of Rail & Transit’s Notification Requirement for Incidents Involving Railroads
- Conway Branch Railroad Line Feasibility Study (dated June 30, 2004)
- State of NH’s deed for Conway Branch (includes Boston & Maine Corporation’s perpetual exclusive freight rail transportation easement)
- Map of Mountain Division Railroad Line and Conway Branch Railroad Line