

**GATEWAY DEVELOPMENT
COMMISSION**

GATEWAY DEVELOPMENT COMMISSION

REQUEST FOR INDUSTRY FEEDBACK

NEW JERSEY SURFACE ALIGNMENT

JULY 8, 2024

Deadline for Input to Commission:

July 26, 2024, 2:00 P.M.

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1. Introduction

This Request for Industry Feedback (this “**RFIF**”) is issued by the Gateway Development Commission (the “**Commission**”) to solicit input from entities interested in participating (i) as the Design-Builder, or (ii) in participating as either the Prime Contractor or the Lead Designer for the New Jersey Surface Alignment (“**Respondents**”), the scope of which is described generally in Section 1.2, and in detail in Appendix 1, (the “**Project**”).

The Project is a key element of the larger Gateway Program described below.

1.1 About the Gateway Program

Since November 2015, the National Railroad Passenger Corporation (“**Amtrak**”), The Port Authority of New York & New Jersey (“**PANYNJ**”), New Jersey Transit Corporation (“**NJ TRANSIT**”), and the States of New York and New Jersey, (collectively the “**Project Partners**”) have been coordinating efforts with U.S. Department of Transportation (“**USDOT**”) to plan the Gateway Program (“the **Program**”).

In July 2019, the Gateway Development Commission Act was enacted by the States of New York and New Jersey creating a public and government sponsored authority established by both states, which shall be deemed to be acting in the public interest and exercising essential government functions in taking action hereunder.

The Commission is overseen by a seven-member Board of Commissioners (the “**GDC Board**”), with three Commissioners from the State of New York, three Commissioners from the State of New Jersey, and one Commissioner directly appointed by Amtrak.

The Gateway Program is a multi-billion dollar set of passenger railroad projects on the Northeast Corridor (the “**NEC**”), between Newark Penn Station in Newark, New Jersey and Pennsylvania Station in New York, New York (“**PSNY**”).

The Program is urgently needed to address travel time reliability and asset condition concerns. While the NEC is predominantly a four-track railroad, within the Program area it narrows to a two-track railroad, creating a bottleneck at the epicenter of the NEC. Furthermore, the existing two-track rail lines are used by both Amtrak and NJ TRANSIT for approximately 450 weekday passenger trains and have reached full capacity. The rail lines also use the North River Tunnel to cross under the Hudson River; built over 100 years ago, these tunnels sustained major damage from flooding during Superstorm Sandy in 2012.

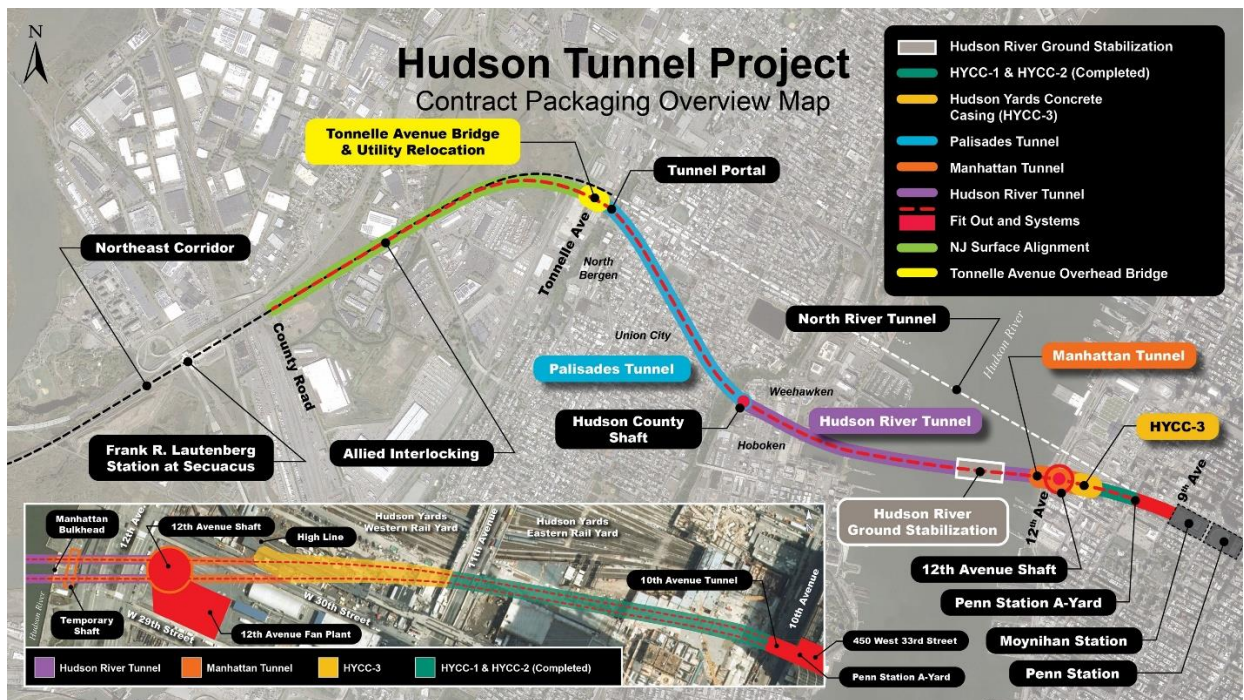
The Program will replace and repair critical infrastructure and ultimately (approximately) double the number of passenger trains that run under the Hudson River to meet current and near-future demand for growth in service. The Program will improve the function and reliability of one of the busiest, strategically critical passenger railroad corridors in the world and address one of America's most urgent transportation needs. These improvements will be accomplished through (i) the repair and rebuilding of existing infrastructure, including the existing North River Tunnel, and (ii) by creating additional tunnel, track, and station capacity. The Program's individual projects are at various stages of development, with some undergoing environmental analysis, some in design and others ready for construction.

The Program's initial phase is focused on improving resiliency and reliability along the NEC through the following projects:

- Portal North Bridge Project: Led by NJ TRANSIT, this project is not within the Project scope and involves replacing the existing Portal Bridge with a new, fixed, high-level bridge; and
- Hudson Tunnel Project (“HTP”): Led by the Commission, the project involves improving the operating reliability and creating tunnel resiliency and redundancy, which is essential to reducing the risk associated with dependency on the two century-old tunnels of the North River Tunnel. The Hudson Tunnel Project includes: (1) the construction of two parallel rail tunnels, with a single track contained within each tunnel, from New Jersey to Manhattan, NY (the “Hudson Tunnel”) that will directly serve PSNY, including a 2-track surface connecting section between the existing Northeast Corridor track alignment in Secaucus, NJ and the start of the new tunnel in North Bergen, NJ, consisting of retained fill, bridge and viaduct structures, the scope of which this Project, the New Jersey Surface Alignment, consists; (2) the rehabilitation and modernization of the existing North River Tunnel, which will commence after the Hudson Tunnel is commissioned; and (3) the completion of the third section of the concrete casing beneath Hudson Yards on the west side of Manhattan through the western portion of the Long Island Rail Road’s West Side Storage Yard (the “Hudson Yards Concrete Casing Section 3” or “HYCC-3”).

This Project is a package of the larger Hudson Tunnel Project. The Hudson Tunnel Project Final Environmental Impact Statement (“FEIS”) and Record of Decision (“ROD”) are available at <https://www.hudsonunnelproject.com>.

Figure 1: Hudson Tunnel Project Overview¹



1.2 About the Project

The NJ Surface Alignment project of the Hudson Tunnel Project will construct the new and

¹ All figures provided are for illustrative purposes only.

expanded right-of-way adjacent to the existing Northeast Corridor (“**NEC**”), from the east side of County Road in Secaucus, NJ extending to the property west of Tonnelle Avenue and the Palisades Portal in North Bergen, NJ. The Project includes the widening of the existing embankment using retained fill from County Road to east of Secaucus Road, new viaduct over wetlands, an access road on fill with an open-grate trestle section, a railroad bridge over Secaucus Road, two railroad bridges over New York, Susquehanna and Western Railway (“**NYS&W**”) and Conrail freight railroads, culvert extensions, railway electrification, power systems, switches, emergency lighting, warning devices, traffic preemption, fire protection systems, catenary systems, traction power substations, telecommunication systems, gas mains, and the relocation of electrical underground cables and aerial lines. A significant portion of the construction will be occurring immediately adjacent to, and in some cases, upon and potentially above, the live railroad tracks of the heavily used NEC operated by both Amtrak and NJ TRANSIT, where more than 400 trains operate daily, and adjacent to and above live tracks of the Conrail and NYS&W freight railroads. Project planning and design must carefully consider the constructability of the proposed design solution within the allowable working parameters of the NEC and freight railroads, including the availability of track and catenary outages, roadway worker protection, and impacts on other railroad structures and assets, as well as, the adjacent private properties, warehouses, the surrounding community, and Penhorn Creek, its tributaries and wetlands.

The Project alignment is adjacent to the existing NEC alignment running through both developed and protected segments of the NJ Meadowlands. Fill material including boulders have been historically placed throughout the site in all developed areas and to construct the existing railroad embankments. The existing railroad embankments rise from 20 feet to 35 feet above the normal topography of the adjacent Meadowlands.

A summary of right of way and easement constraints is attached as [Appendix 1](#). Detailed scope information is provided in [Appendix 2](#).

Figure 2: New Jersey Surface Alignment, Overview



2. Request for Industry Feedback

2.1 About the RFIF

Prior to initiating the procurement process for the Project, the Commission is seeking industry input, regarding the opportunities and challenges a prospective Design-Builder may face in delivering the Project. The information obtained pursuant to this RFIF may be considered by the Commission in advancing the Project.

The goals of the RFIF are to:

- Perform outreach to the contracting community so that they may better understand the current project scope, limits, and timing such that they may begin to prepare for an upcoming RFQ and RFP;
- Seek input from the industry on the proposed Project Scope, which can offer the Commission insight into market interest, and into opportunities and challenges with the Commission's proposed strategy;
- Spread project awareness to the entities who may be interested in acting as the Design-Builder for the Project, to ultimately increase competition and encourage qualified responses to a future RFQ; and
- Seek input from the industry as it relates to Project's challenges, including environmental restrictions, contamination, utilities, access, contract size, and right-of-way limitations, which can help prioritize the Commission's approach and pre-construction activities.

This RFIF does not constitute a request for qualifications (RFQ), a request for proposals (RFP), or any other procurement document, nor does it represent a commitment to issue an RFQ or an RFP in the future. This RFIF does not commit the Commission to any specific form of procurement or to contract for any supply or service whatsoever.

Responding to this RFIF is not a pre-requisite to participating in a future procurement process. A respondent may choose to not respond to this RFIF and still participate in any subsequent RFQ or RFP process for the Project. Respondents choosing to respond to this RFIF will not, merely by virtue of responding, 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 for the Project.

Respondents will not receive payment or reimbursement from the Commission for work product, time, materials, or other expenses incurred as a result of this RFIF.

2.2 Industry Feedback Process

The Commission requests that firms interested in serving as the Design-Builder, the Prime Contractor, or the Lead Designer provide feedback at procurement@gatewayprogram.org. Responses should be received no later than July 26, 2024 at 2:00 PM. The Commission requests that responses be limited to 10 pages maximum.

Interested parties are asked to provide the following information:

- Entity Name and Name of Point of Contact.
- Address, Phone Number, and email of Point of Contact
- Potential role on the Project.

- Number of years of experience as a Design-Builder, a Prime Contractor, or a Lead Designer, designing or constructing projects with a similar scale, scope and complexity as the Project.
- Bonding Capacity

Additionally, the Commission is seeking constructive feedback on the following:

- For contractor firms, please respond with your firm (or joint venture)'s level of interest in the following:
 - I am interested in responding as a Prime Contractor, or as the Design-Builder for the entire Project scope of work.
 - In the event that the Project is split into sub-packages, I am interested in responding as a Prime Contractor or as the Design – Builder for only the following component or components of work. Please indicate whether your firm is interested in any or all components as a single sub-package, or as a combination of two sub-packages.
 1. Retaining structure and embankment widening from County Road to Secaucus Road.
 2. Elevated structure from Secaucus Road to NYS&W/Conrail Railroads.
 3. Bridge structure over NYS&W and Conrail railroads.
- What specific concerns or suggestions do you have regarding the project scope, size, and timeline?
- How can the Commission enhance its approach to increase industry interest and competition?
- Are there any additional factors, such as technical requirements or regulatory considerations, that the Commission should take into account?
- Are there potential risks that the Commission should be aware of, and how might they be mitigated?
- What design considerations or challenges should be addressed to ensure the project meets its objectives?
- What challenges or concerns do you foresee regarding compliance with the Build America Buy America Act?
- What challenges or concerns do you foresee regarding right-of-way, access, and staging for the project?

Upon receipt of industry feedback, the Commission may issue follow-up questions or request additional feedback. Any respondent who provides initial feedback is encouraged but not required to provide additional written feedback if requested.

2.3 Public Records Access and Access to Personal Information Policy

The Commission has adopted a Public Records Access and Access to Personal Information Policy, located on the Commission's website at: www.gatewayprogram.org (the "**Public Records Access Policy**"). Information submitted as part of this RFIF is subject to the Public Records Access Policy.

APPENDIX 1

ALIGNMENT CONSTRAINTS: ROW AND DRAFT EASEMENT LOCATIONS



APPENDIX 2

PROJECT DESCRIPTION; DESIGN-BUILDER'S SCOPE

Project Components

The subsections below describe the Project components that the Design-Builder will design and construct.

NJ Surface Alignment

- (a) The elements of work related to the Project includes, but is not limited to, the following:
- (b) Designing, furnishing, and installing retaining walls, Secaucus Road Bridge, viaducts, NYS&W / Conrail bridges, access and maintenance roads including the trestle section, culverts and weirs, drainage systems for the project as well as adjacent properties, and miscellaneous structures including walkways, stairs, equipment platforms, bungalow supports, and conduit supports;
- (c) Designing, furnishing, clearing and grubbing, installing, and maintaining temporary construction staging laydown areas and access roads during the term of the Project;
- (d) Performing Construction Condition Surveys and preparing Construction Impact Assessment Reports of facilities within the influence of construction activities;
- (e) Developing, implementing, and maintaining a comprehensive, Project-specific geotechnical instrumentation program to monitor, control construction operations and mitigate construction-induced movements, settlements, and vibrations, including the existing adjacent NEC embankment and tracks, NYS&W tracks, Conrail Tracks, Amtrak substation 42, existing NEC portal, utilities and private properties;
- (f) Coordinating with local utilities to coordinate any work that affects utility outages and operations in the area of the Work;
- (g) Furnishing and installing a field office, temporary mechanical and electrical systems for construction support, stormwater and groundwater discharge management systems for drainage and water discharges from surface drainage, maintenance, and protection of traffic;
- (h) Removing, transporting, temporary storage, and disposal of excavated materials, including staging, testing, transporting, and disposal of petroleum-contaminated materials; hazardous materials, and non-hazardous and non-petroleum contaminated materials, to approved, authorized disposal facilities;
- (i) See "**Utilities Work Scope**" below for additional information and details related to the required utilities work in connection with the Project;
- (j) Designing, furnishing, installing, testing, commissioning, operating, maintaining temporary systems, and monitoring safety of the Project site in accordance with OSHA, including the provision of the following temporary systems during the construction of the Project:
 - i. Temporary construction power systems.
 - ii. Temporary site drainage systems and storm water management.
 - iii. Temporary water supply systems.

- iv. Temporary lighting systems.
- v. Temporary communication systems;
- (k) Furnishing and installing measures to ensure appropriate environmental compliance, construction dust, noise and vibration control, and mitigation of detrimental effects;
- (l) Furnishing, operating, and maintaining sumps, oil separators, sedimentation basins, and water treatment plants, as necessary, during the duration of the project, to meet NJDEP requirements;
- (m) Furnishing and installing site security fences and temporary construction barriers;
- (n) Coordinating with the current and follow-on contractors for the use of the Tonnel Avenue Lot 1 staging area, including the handover of the completed work to the follow-on contractor; and
- (o) Obtaining all construction-related permits, not furnished by the Commission.

Utilities Work Scope

The elements of utilities work related to the Project includes, but is not limited to, the following:

- (a) Permanent relocation of overhead PSE&G electric cables and overhead communications cables to underground ducts on Secaucus Road;
- (b) Permanent relocation of electric and communications service cables for NYS&W and Conrail pump facilities;
- (c) Permanent replacement of cast iron utilities within the zone of influence of open excavations in connection with construction operations, as required;
- (d) Temporary relocation, maintenance, support, protection, and relocation of existing utilities (e.g. water, gas, and electric, and communications) within the zone of influence of open excavations in connection with construction operations, as required; and
- (e) Temporary relocation and restoration of existing utilities (e.g., water, gas, and electric, and communications), to facilitate Design-Builder's proposed means-and-methods, as appropriate.

Design-Builder's Additional Scope and Responsibilities

The Design-Builder shall be responsible for furnishing all labor, material, plant, equipment, services, and support facilities for the Project, in addition to any other items that will be described in the RFP:

- (a) Secure and prepare site access, staging, and project office facilities required to perform the work;
- (b) Required licenses, construction easements, and permits for the Design-Builder's work, work sites, staging areas, temporary works access, storage areas, and any other impacted areas both on and off the Project site;
- (c) Project design and construction management, including preparation of Construction Protection Plans and Site-Specific Work Plans;
- (d) Resource loaded project schedule in Primavera P6, monthly schedule updates including scheduling narrative;

- (e) Submittal schedule;
- (f) Project Sustainability Plan;
- (g) Build America Buy America Act Compliance Plan;
- (h) Support to the Commission on Project-related public information activities;
- (i) Coordination with Project Stakeholders, other contractors;
- (j) Design and Construction Quality Control and Quality Assurance;
- (k) Environmental mitigation and compliance plan implementation, including monitoring, securing permits and approvals necessary for the Work and not acquired by the Commission;
- (l) Additional environmental investigations, permitting, monitoring and investigation associated with or resulting from the Design-Builder's actions, including staging areas, access roads, and other activities necessary for construction;
- (m) Design and construct private property mitigations including but not limited to relocating parking spaces, parking lots, re-striping, and drainage;
- (n) Maintenance and protection of traffic (MPT) and traffic devices;
- (o) Project safety and security, prepare Safe Work Plans and Safety Security Plans;
- (p) Engineering, such as surveys and additional geotechnical investigations, not provided by the Commission but needed for Design-Builder's means and methods;
- (q) Contaminated materials remediation, if required;
- (r) Material disposal and handling, prepare Materials Management Plans;
- (s) Ancillary works, work sites, servicing facilities, and temporary works;
- (t) Site clearing and grubbing;
- (u) Restoration of the Project site including landscaping, wetlands and Penhorn Creek;nd
- (v) Record drawings (as-built drawings) of the newly constructed Project components.