

Norfolk Southern Railway Company
Request for Pre-Qualification (RFPQ)
Birmingham Regional Intermodal Facility Project
January 31, 2011

1) Introduction and Purpose

Norfolk Southern Railway Company (NSRC) is requesting Pre-Qualification Statements from prospective General Contractors for construction of the Birmingham Regional Intermodal Facility (BRIMF) Project at McCalla, AL. This project will be partially funded by USDOT Transportation Investment Generating Economic Recovery ("TIGER") funding administered by the Federal Highway Administration (FHWA). All prospective contractors must pre-qualify to be considered for selection, and only contractors deemed pre-qualified by NSRC will receive a bid solicitation package for this project. The Request for Proposal (RFP) package will be distributed following conclusion of the pre-qualification process and only pre-qualified contractors will receive RFP packages and be allowed to submit proposals. The firm selected to perform the work will be awarded a contract, with that selection based upon the prospective contractor's submission of a responsive and responsible proposal in accordance with Federal Acquisition Regulations.

2) Project Description

The Birmingham Regional Intermodal Facility (Exhibit A) will be built in the McCalla area of unincorporated Jefferson County, Alabama. The site is approximately eight miles southwest of downtown Bessemer; adjacent to Railroad's mainline connecting Birmingham with Meridian, Mississippi. The terminal development will occupy approximately 261 acres of 313 acres of secured right-of-way.

Construction of the Birmingham Regional Intermodal includes: clearing; demolition work; earthwork; sub-grade preparation; installation of drainage structures; erosion control; landscaping; installation of irrigation system; placement of sub-ballast; track construction; turnout installation; placement of roller-compacted concrete; installation and adjustments of utilities (electrical, water, sewer); lighting system; installation of security fencing; installation of a closed circuit television systems; installation of automated gate system; administration, maintenance, and operations buildings; and equipment maintenance pad(s) with spill control and storm water management features and site appurtenances.

Primary components of the Birmingham Regional Intermodal Facility include:

- Three storage tracks providing 14,000 feet of total clear length;
- Two intermodal tracks providing 8,400 feet of total clear length;
- One 1,000 foot long engine track;
- One 20,900 foot long replacement siding adjacent to the existing mainline;
- Running track including 7,000 foot tail track on north end and 5,800 foot tail track on south end;
- Paved areas composed of roller compacted concrete for parking and storage of approximately 699 trailers and containers;
- Infrastructure for Automatic gate system.

- Approximately 1.4 Million CY of Excavation

NSRC intends to contract with pre-qualified contractors for most of the construction. All signal work and installation of track switches will be performed by NSRC forces.

3) Pre-Qualification Statement Requirements

All construction firms responding to this RFPQ will be evaluated based on the following criteria. Qualification statements should be brief and concise and in no case shall exceed 10 single sided pages with a minimum 11 point font including covers, cover letters and any dividers but excluding the Safety Questionnaire and any supporting documentation for safety and financial qualifications.

a) Safety

- i) Complete the attached Health and Safety Questionnaire (Attachment B) including attachments.
 - (1) Provide supporting documentation from your insurance carrier for your Workman's Compensation Experience Modification Rate for the past three years.
 - (2) Provide a summary of your OSHA 200/300 logs for the last three years, specifically your Lost Work Day Case (Incident) Rate (LWCR) and Total Recordable Case (Incident) Rate (TRCR).
 - (3) Provide a list of any OSHA citations within the past three years.
 - (4) Provide a copy of your firm's Safety Program Manual.
- ii) Provide a narrative summarizing any trends indicated by the Safety Statistics and efforts in place to improve Safety.

b) Related experience

- i) How many years has your organization been in business as a contractor under your present business name?
- ii) Indicate if your firm is prequalified by Alabama Department of Transportation to bid as a contractor or subcontractor on their projects. (Not a Requirement)
- iii) Indicate your firm's gross annual receipts to the nearest \$500,000 for the most recent fiscal year.
- iv) Summarize your firm's record of on-time-completion for projects relevant to the proposed projects.
- v) List all affiliates to your firm.
- vi) Within the past ten years, has your firm, or any related entities been or proposed to be suspended, disbarred or determined to be non-responsive based on an allegation of unsatisfactory performance or fraud? If yes, provide details.
- vii) Within the past ten years has your firm or an affiliate associated with your firm filed for bankruptcy? If yes, provide details.
- viii) Within the past ten years, has your firm ever had a contract terminated for any reason either as a prime, subcontractor or as a partner in a joint venture? If yes, provide details.
- ix) Within the past ten years, has your firm ever filed a claim for a default termination, the imposition of liquidated damages, a termination for convenience that adversely affected your firm, or any damages caused by an owners determination that your firm was not performing in a timely, safe or contractual manner? If yes, provide details.
- x) Within the past ten years has your firm or an affiliate associated with your firm had a surety take over the payment and/or performance obligations on your construction contract? If yes, provide details.

- xi) Within the past ten years has your firm or an affiliate associated with your firm had liens, claims or stop work orders filed against it? If yes, provide details.
- xii) Has your firm, an affiliate associated with your firm, or a general partner, officer, owner or representative of your firm been convicted or is currently under indictment for any of the following:
 - Violation of federal and state antitrust statues, including those laws and/or regulations that prohibit price fixing between competitors and bid rigging. If yes, provide details.
 - The commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims or obstruction of justice. If yes, provide details.
 - The commission of any offense indicating a lack of business integrity or business honesty that seriously and directly affects such person's or the firm's present responsibility. If yes, provide details.
- xiii) Has your firm, an affiliate associated with your firm, or a general partner, officer, owner or representative of your firm been convicted or is currently under indictment for any criminal violation of the Federal Water Pollution Control Act; or has been convicted of any criminal violation of any state water quality, water pollution act or any other environmental law or regulation? If yes, provide details.
- xiv) Has your firm, an affiliate associated with your firm, or a general partner, officer, owner or representative of your firm received an enforcement order finding a violation of Federal Water Pollution Control Act or any other federal and state water quality regulation or environmental regulation? If yes, provide details.
- xv) List your firm's experience on projects funded by federal funds.
- xvi) Does your firm have experience on active railroad projects? If yes, provide details.
- xvii) List your firm's experience with projects involving roller compact concrete.

c) Capabilities

- i) Summarize your capability to complete the proposed project addressing financial resources, human resources and their geographical location.
- ii) Address your ability to meet applicable State contracting license requirements, e-RailSafe certification (Security), <http://www.e-railsafe.com/>, and FRA Roadway Worker/Bridge Worker regulation training, <http://www.fra.dot.gov/us/content/1719>, at the time of award. State the number of employees that are currently:
 - (1) qualified under FRA Roadway Worker Protection rules, and
 - (2) have completed FRA Bridge Worker Safety training, and
 - (3) have e-RailSafe identification badges for working on NSRC
- iii) Summarize equipment that can be mobilized for the project or projects and identify available and intended sources for any additional necessary specialized equipment. Specifically identify those pieces of equipment that are presently compliant with FRA Roadway Machinery Maintenance Safety (RMMS) regulations and state the timeframe to make all necessary work-required pieces compliant.
- iv) On previous projects of this type, what percentage of the work did you subcontract? Describe any existing working relationships with subcontractors. (Note that it is not necessary to commit to using specific subcontractors at this time but it will be a requirement of the RFP to identify specific subcontractors and their overall percentage of the work. The contractor will have to get written authority from NSRC to substitute subcontractors listed in the RFP.)

- d) Bonding – Provide a statement that your firm is capable of providing performance and payments bonds for 100% of the contract value. Include the names and addresses of all bonding companies and agencies which have written performance and payment bonds covering construction contracts during the last three (3) years. Note that bid bonds will not be required.
- e) Insurance – Provide a statement that your firm is capable of providing evidence of insurance coverage, with the funding agencies identified as additional insured, including:
 - i) Employer’s Liability – \$1,000,000 per accident and \$1,000,000 per disease, each employee
 - ii) Commercial General Liability – combined single limit of not less than \$2,000,000 per occurrence, and in a form that does not deny contractual liability coverage for operations within fifty (50) feet of any railroad hazard.
 - iii) Railroad Protective Liability – \$2,000,000 / \$6,000,000
 - iv) Automotive Liability – \$2,000,000 per occurrence
 - v) Workman’s Compensation – per state regulations; provide experience modifier rates
 - vi) References – Provide at least 3 references from past projects that best illustrate your firm’s ability to perform the required work. Include a brief description of the project, classification of work performed, contract amount, if the work was completed on time and if there were liquidated damages or disincentives assessed? References should include projects that were funded using public funds and any rail facility projects.

4) General Provisions

All responses and all information contained within the responses will become the private and confidential property of NSRC. Respondents are reminded that while NSRC may request individual respondents to provide supplemental qualification information, the burden of proof of acceptability rests with the respondent. A selection committee will review and evaluate prospective contractor qualifications and will make the determination of whether the respondent is qualified or not qualified. Contractors who satisfactorily meet the qualifications stated in Sections 3 “Pre-Qualifications Statements Requirements” and show in the references provided the ability to successfully construct on time and without any liquidated damages similar projects of the size and complexity of the Birmingham Regional Intermodal Project will be considered pre-qualified. Only pre-qualified contractors shall receive bidding instructions and RFP documents, and receipt of the RFP documents shall constitute a prospective contractor’s notice that they have been deemed pre-qualified.

NSRC is not committed to any course of action as a result of its issuance of this RFPQ and further reserves the right to accept or reject any and all responses for any reason whatsoever.

5) Submission Information

- a) Point of Contact
Technical questions should be directed to:

Charles McMillan
System Engineer, Facilities
Norfolk Southern Railway
1200 Peachtree Street
Atlanta, GA 30309
cbmcmill@nscorp.com

404-529-1252

Questions regarding the pre-qualification or procurement process, as well as RFPQ submissions should be directed to:

Mr. Don Smith
Manager Service Contracts
Norfolk Southern Railway
110 Franklin Road
Roanoke, VA 24042-0072
donald.smith@nscorp.com
540-981-3644

b) Submission

All pre-qualification items are due by 12:00 Noon Eastern Standard Time on Thursday February 24, 2011.

i) One copy each and a CD of the response shall be submitted to:

Mr. Don Smith
Manager Service Contracts
Norfolk Southern Railway
110 Franklin Road
Roanoke, VA 24042-0072
540-981-3644

ii) One copy each of the response shall be submitted to:

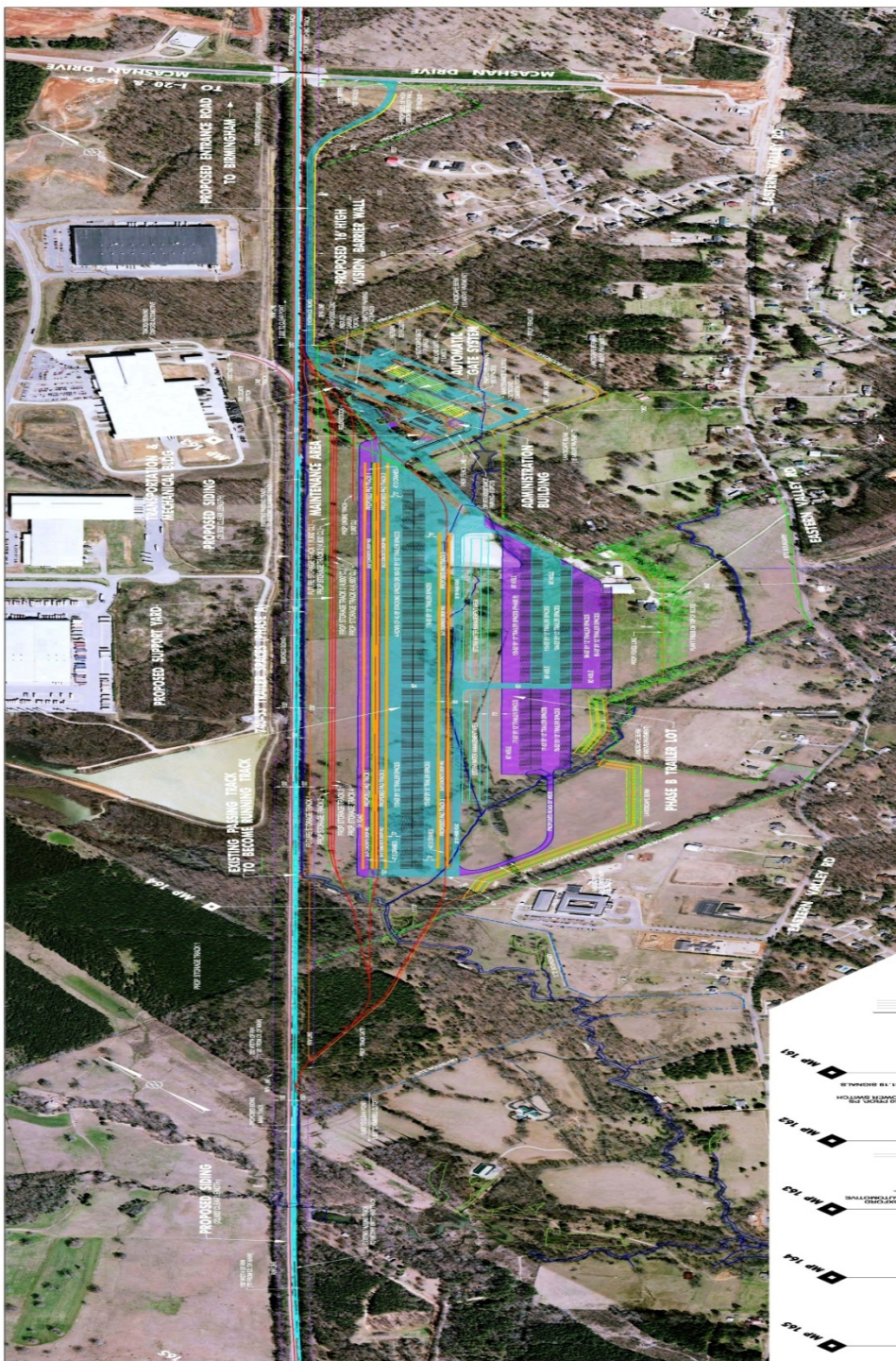
Mr. James Lamkin
Chief Engineer Construction
Norfolk Southern Railway
1200 Peachtree Street
Atlanta, GA 30309
jim.lamkin@nscorp.com
404-626-4067

iii) Eight Copies (Only one copy of the safety manual) shall be submitted to:

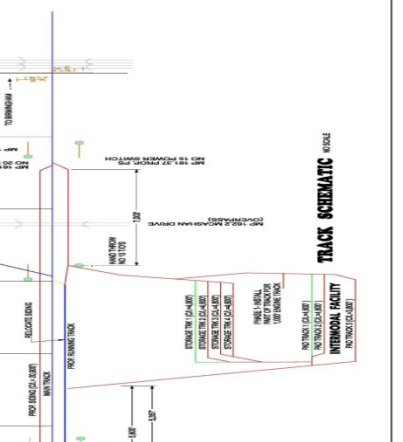
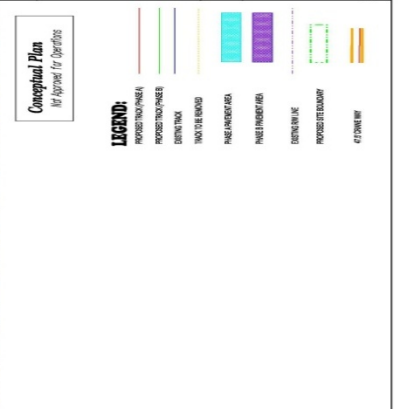
Charles McMillan
System Engineer, Facilities
Norfolk Southern Railway
1200 Peachtree Street
Atlanta, GA 30309
cbmcmill@nscorp.com
404-529-1252

An electronic copy of the RFPQ response shall also be e-mailed to the attention of cbmcmill@nscorp.com. If the electronic copy of the Safety Manual is too large to e-mail, include a digital copy on electronic media (CD, etc.) with Mr. McMillan's copy of the RFPQ.

Appendix A



Conceptual Plan As Reported for Operating	
SUMMARY OF PHASE A CAPACITIES	<p>TWO INTERMODAL TRACKS - 400 FT TOTAL CLEAR LENGTH FACILITY OPERATED BY 40' TRAINS</p> <p>70 - 80 FT OF TRAILER SPACES 30 - CONTAINER STAGING SPACES</p> <p>80 - 85 FT OF TRAILER SPACES INCLUDING INCLUDING CONTAINER STAGING AREA 4 STORAGE TRACKS - 400 FT TOTAL CLEAR LENGTH REPAIR TRACKS - 800 FT CLEAR LENGTH</p> <p>REPAIRING THE EXISTING PAVING TRACK ON NORTH END & 400 FT CLEAR TRACK ON SOUTH END LOW PROFILE TRACKS</p>
SUMMARY OF PHASE B CAPACITIES	<p>THREE INTERMODAL TRACKS - 400 FT TOTAL CLEAR LENGTH FACILITY OPERATED BY 40' TRAINS</p> <p>100 - 80 FT OF TRAILER SPACES 30 - CONTAINER STAGING SPACES</p> <p>4 STORAGE TRACKS - 400 FT TOTAL CLEAR LENGTH REPAIR TRACKS - 800 FT CLEAR LENGTH</p> <p>REPAIRING THE EXISTING PAVING TRACK ON NORTH END & 400 FT CLEAR TRACK ON SOUTH END LOW PROFILE TRACKS</p>



NS NORFOLK SOUTHERN
ALABAMA DIVISION
NORFOLK SOUTHERN RAILWAY CORP.
ALABAMA DIVISION

SCALE: 1" = 100'

DATE: 11/15/2023

DRAWN BY: J. W. BROWN

CHECKED BY: J. W. BROWN

APPROVED BY: J. W. BROWN

PROJECT: PHASE 3 TRAILER LOT

SHEET 81

Appendix B

Health & Safety Questionnaire

PREAMBLE			
<i>This information is to be used to determine the safety record.</i>			
<i>A poor safety record will be grounds to not pre-qualify any prospective contractor or sub-contractor.</i>			
CERTIFICATION			
The information provided in this questionnaire is an accurate summary of the Company's Health and Safety Management System:			
Company Name:			
Signed:	<i>(print name)</i>		
Position:		Date:	
1. SAFE WORK PERFORMANCE			
1A. Injury Experience / Historical Performance			
Use the previous three years injury and illness records to complete the following:			
	Year		
Number of Fatalities			
Number of Medical Treatment cases			
Number of Restricted Work Day cases			
Number of Lost Time Injury cases			
Total Work Injuries			
Total Work Injury Frequency			
Lost Time Injury Frequency			
Total Recordable Frequency			
Number of Man-hours			
1 – Lost Time Cases (LTI)	Any occupational injury illness that prevents the worker from performing any work for at least one day not counting the day of the injury/illness		
2 – Restricted Work Day Case	Any occupational injury or illness that prevents a worker from performing any of his/her duties		
3 - Medical Treatment Case	Any occupational injury or illness requiring treatment beyond first aid		
4 – Total Work Injuries (TWI)	Total number of LTI's, MTI's and FAI's		
5 - Total Work Injury Frequency	Number of TWI's multiplied by 200,000 and divided by hours worked.		
6 - Lost Time Injury Frequency	Total number of Lost Time Injury cases multiplied by 200,000 then divide by total manhours		
7 – Total Recordable Frequency	Total number of 1, 2 and 3 cases multiplied by 200,000 divided by total manhours		
1B. Workers' Compensation Experience			
Industry Code:	Industry Classification:		
	Year		
Experience Modification Rating			

2. Citations	
2A.	Has your company been cited, charged or prosecuted under Health, Safety and/or Environmental Legislation in the last 5 years? <i>If yes, provide details.</i> <input type="checkbox"/> Yes <input type="checkbox"/> No
2B.	Has your company been cited, charged or prosecuted under the above Legislation in another Country, Region or State? <i>If yes, provide details.</i> <input type="checkbox"/> Yes <input type="checkbox"/> No
3. Safety Program	
3A	Do you have a written safety program manual? <i>If yes, provide a copy for review</i> <input type="checkbox"/> Yes <input type="checkbox"/> No
3B	Do you have a pocket safety booklet for field distribution? <i>If yes, provide a copy</i> <input type="checkbox"/> Yes <input type="checkbox"/> No
4. Training Program	
4A	Is health and safety training conducted in your company? <input type="checkbox"/> Yes <input type="checkbox"/> No
4B.	Do you have an orientation program for new hires employees? <input type="checkbox"/> Yes <input type="checkbox"/> No
4C	Do you have a program for training newly hired or promoted supervisors? <input type="checkbox"/> Yes <input type="checkbox"/> No
5. SAFETY ACTIVITIES	
5A	Do you conduct safety inspections? <i>If Yes, how often?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Quarterly
Who follows up on inspection action items?	
5B	Do you hold site safety meetings for field employees? <i>If Yes, how often?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Biweekly
5C	Do you hold site meetings where safety is addressed with management and field supervisors? <i>If Yes, how often?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Weekly <input type="checkbox"/> Biweekly <input type="checkbox"/> Monthly
5D	Do you have a hazard assessment process? <input type="checkbox"/> Yes <input type="checkbox"/> No
5E	Are hazard assessments documented? <input type="checkbox"/> Yes <input type="checkbox"/> No
5F	Does your company have policies and procedures for environmental protection, spill clean-up, reporting, waste disposal, and recycling as part of the H&S Program? <input type="checkbox"/> Yes <input type="checkbox"/> No
5G	Does your company set safety targets and objectives? <input type="checkbox"/> Yes <input type="checkbox"/> No
5H	Does your company prepare and implement site-specific safety plans? <input type="checkbox"/> Yes <input type="checkbox"/> No
6. Safety Reporting	
6A	Are incident reports and report summaries sent to the following and how often?
	Yes No Monthly Quarterly Annually
	Project/Site Manager <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Vice President/Managing Director <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Safety Director/Manager <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	President/Chief Executive Officer <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

6B	How are incident records and summaries kept? How often are they reported internally?	Yes	No	Monthly	Quarterly	Annually
	Incidents totaled for the entire company	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Incidents totaled by project	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	• Subtotaled by superintendent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	• Subtotaled by foreman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6C	Does your company track non-injury incidents?	Yes	No	Monthly	Quarterly	Annually
	Near Miss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Property Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Security	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Environmental	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6D	Do you name the person(s) responsible for Safety on your projects? Who has overall responsibility and accountability for safety on your projects?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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6E	Does senior management demonstrate commitment to your company's safety policy and management system?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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7. Personnel

List key health and safety professionals in the organization.

Name	Position/Title	Designation