

REQUEST FOR INFORMATION
REGARDING OPERATIONS, MAINTENANCE,
COMMERCIALIZATION AND EXPANSION OF THE
PENNSYLVANIA TURNPIKE FIBER OPTIC NETWORK

RFI Issuance Date: April 24, 2019

RFI Closing Date: May 14, 2019

Solicitation # P319R06



Keystone Building
400 North Street
Harrisburg, PA 17120

REQUEST FOR INFORMATION

OPERATION, MAINTENANCE, COMMERCIALIZATION, AND EXPANSION OF THE PENNSYLVANIA TURNPIKE FIBER OPTIC NETWORK

TABLE OF CONTENTS

CALENDAR OF EVENTS	iii
PART I – GENERAL INFORMATION	1-4
ATTACHMENT A – RESPONSE TEMPLATE	
ATTACHMENT B – TRADE SECRET/CONFIDENTIAL PROPRIETARY INFORMATION NOTICE	

CALENDAR OF EVENTS

PennDOT and PA Turnpike Commission will review responses to this RFI and re-evaluate assumptions specific to different procurement and delivery alternatives for the Project. This RFI does not commit either PennDOT or PA Turnpike Commission to any specific form of procurement, including a potential P3 procurement. However, it is the intent of this RFI to solicit ideas to inform PennDOT and PA Turnpike Commission of how to best implement this Project.

Activity	Responsibility	Date
<p>Please monitor the eMarketplace website for all communications regarding this RFI. www.eMarketplace.state.pa.us</p>	<p>Responding Entity</p>	<p>Ongoing</p>
<p>An electronic version of the written response may be submitted via email to p3forpa@pa.gov no later than the date and time established on this Calendar of Events.</p> <p>Five paper copies and one electronic copy of the responses must be delivered to the Issuing Office no later than the date and time established on this Calendar of Events on or before the cutoff date and time.</p> <p>Pennsylvania Department of Transportation Office of Public Private Partnerships ATTN: Michael Bonini 400 North Street, 6th Floor Harrisburg, PA 17120 RE: P3 Office Request for Information – PA Turnpike Fiber Optic Network</p>	<p>Responding Entity</p>	<p>No later than 1:00 PM on May 14, 2019</p>

PART I

GENERAL INFORMATION

I-1 Purpose

This request for Information (“RFI”) provides an opportunity for entities (hereinafter “Responding Entities”) to provide feedback, information and materials for the deliberative decision-making of the Pennsylvania Turnpike Commission (“PTC”) to consider in the operation, maintenance, development and potential commercialization of its fiber optic network project. The purpose of this RFI is to:

- Identify any design changes to increase the post-construction commercial value of the PTC’s design/build fiber optic network project;
- Determine if operations and maintenance (O&M) services should be procured in conjunction with commercialization of the PTC’s fiber optic network; and
- Determine the extent to which commercialization might support the expansion of the PTC’s fiber optic network west of Harrisburg.

I-2 Issuing Office

PennDOT’s Private Public Partnerships Office has issued this RFI on behalf of the PTC. The sole point of contact for the RFI shall be the Issuing Officer, Michael Bonini, PennDOT, Private Public Partnerships Office, Commonwealth Keystone Building, 400 North Street, 6th Floor, Harrisburg, PA 17120, p3forpa@pa.gov. Please refer all inquiries to the Issuing Officer.

Electronic version of the written response (in a searchable format) may be sent via email to p3forpa@pa.gov. Five (5) paper copies and one (1) electronic copy (email attachment is acceptable) of the responses must be submitted on or before May 14, 2019. Responses should include the name and address of the respondent and the phrase “P3 Office Request for Information Response – PA Turnpike Fiber Optic Network” clearly indicated in the subject line of the email accompanying the electronic copy of the response and /or on the outside of a sealed envelope containing the five (5) paper copies and one (1) electronic copy of the written response.

I-3 Response Instructions

Responding entities are asked to complete and submit *Attachment A, Response Template*. Responding entities may submit additional information that they determine to be relevant.

This RFI does not constitute nor should it be construed as a solicitation or as an obligation on the part of the Commonwealth, including PennDOT and the PTC to issue a procurement or award a contract. Neither PennDOT nor the PTC will pay for the preparation of any response or information submitted for PennDOT or PTC’s use of such information.

PennDOT or the PTC may, in their sole discretion, use information provided in response to the RFI. It is not, however, obligated to use any information so received.

To the extent that information to be provided in response to this RFI may be considered as divulging a responding entity's intellectual property, including copyrights and trade secrets, or confidential proprietary information ("CPI"), the following shall apply:

A. Confidential Information. CPI or trade secrets are not required to be submitted to the PTC.

B. Commonwealth Use. All material submitted with the response shall be considered the property of the Commonwealth of Pennsylvania, including PennDOT and the PTC, and may be returned only at the Issuing Office's option. PennDOT and PTC, shall have the right to use any or all ideas, concepts, or know how that are presented in any response, unless a responding entity, as part of its response, affirmatively notes any and all objections in its response. Notwithstanding any copyright designations contained on the face of responses, the PennDOT and the PTC shall have the non-exclusive right to reproduce and to distribute responses internally and to comply with public record or other disclosure requirements under the provisions of any Commonwealth or United States statute or regulation, or rule or order of any court of competent jurisdiction.

C. Public Disclosure. All responses are potentially subject to disclosure in response to a request for public records made under the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101, *et seq.* If a proposal submission contains CPI, information protected by intellectual property rights or trade secrets, a signed written statement to this effect must be provided with the submission in accordance with 65 P.S. § 67.707(b) for the information to be considered exempt under 65 P.S. § 67.708(b)(11) from public records requests under the Right-to-Know Law. **Attachment B – CPI and Trade Secret Form**, is attached hereto and should be utilized for any designations.

In addition to the interplay between Sections 707(b) and 708(b)(11) of the Right-to-Know Law, records protected by a privilege, federal or state law or regulations or judicial order or decree are exempt from the presumption that a record in PennDOT's and PTC's possession is a "public record." 65 P.S. §§ 67.305 and 67.102. Furthermore, conflicting federal or state law, *e.g.* the Pennsylvania Uniform Trade Secret Act set forth at 12 Pa. C.S. §§ 5301 through 5308, is preeminent to the Right-to-Know Law. 65 P.S. § 67.3101.1.

I-4 Background

The PTC is developing a fiber optic network within the Mainline (I-76) east of Harrisburg and the Northeast Extension (I-476) to be delivered as two (2) design/build projects ("Eastern Network"). These design/build projects are comprised of the design and installation of a network of eight (8) micro ducts with an anticipated ½ inch diameter bundled inside two (2) ducts, junction boxes with an approximate size of 3'x4'x 2 ½' and

spaced at a maximum of 2,400 feet, two (2) fiber optic cables with 144 fibers in each cable, and associated equipment within the PTC's right-of-way. The fiber optic cables, micro-duct and junction boxes will be installed in the roadway utilizing micro-trenching, with an anticipated minimum depth of sixteen (16) inches. The installation includes approximately one-hundred and twelve (112) miles along the East-West Mainline from Harrisburg to the Delaware River Bridge and crossing over seventy-nine (79) bridges. Installation includes approximately one-hundred and ten (110) miles along the Northeastern Extension from Mid County (Plymouth Meeting, PA) to Clarks Summit (Scranton, PA) and crossing over seventy-seven (77) bridges and one (1) tunnel. Connections are required to approximately twenty-three (23) demarcation sites along the East-West Mainline and nineteen (19) along the Northeastern Extension. The Mainline section of the Eastern Network is scheduled to be bid in August 2019, awarded by November 2019, and Notice to Proceed issued before the end of 2019. The Northeast Extension will be bid in November 2019 and will follow a similar schedule. Both projects are schedule to be operational by the end of calendar year 2021.

Following construction of the Eastern Network, the PTC envisions that up to four (4) micro-ducts would be available for commercialization by private entities for revenue generation. Fiber optic cabling will need to be installed, operated and maintained by the private entity for commercialization activities.

Concurrent with the bidding and construction of the Eastern Network, the PTC is developing a request for proposals (RFP) for O&M services for the Eastern Network including preventative maintenance; critical maintenance; fiber locating; fiber management system development and operation; splicing for new connections and relocations; and staff support for O&M services.

The PTC has issued this RFI to determine if changes should made in its approach to the design/build documents and O&M RFP to accommodate commercialization. The PTC is also seeking industry feedback regarding the extent to which commercialization would support the expansion of the PTC's fiber optic network west of Harrisburg, potentially to Ohio and southwest Pennsylvania. The western network would cover approximately two-hundred and forty-seven (247) miles of the east-west mainline from Ohio state line to Harrisburg, Amos K. Hutchinson Bypass thirteen (13) miles, Beaver Valley Expressway sixteen (16) miles, Mon-Fayette Expressway forty-eight (48) miles and the Southern Beltway nineteen (19) miles. The Commission's objective is to have the western fiber optic network in place within the next five (5) years to accommodate open road tolling.

Under the provisions of Act 88, the Commonwealth of Pennsylvania and other public entities can enter into agreements with the private sector to participate in the delivery, maintenance, and financing of transportation related projects.

I-5 Meetings

Responding entities shall indicate whether they are willing to participate in a face-to-face meeting with PennDOT and PTC to provide additional feedback, information and materials that may assist PennDOT and PTC personnel in their decision-making. If a responding entity is willing to participate in a face-to-face meeting, it will be solely responsible for all costs associated with travel and attendance. Meetings will be scheduled as soon as possible following the submission deadline, and as a general guideline, subject to change, within six (6) weeks of that deadline. PennDOT and PTC reserve the right to meet with any, all, or none of the Responding Entities that indicate that they are willing to participate in a face-to-face meeting.

ATTACHMENT A – RESPONSE TEMPLATE

Number	Topic	Response
1.	Can the current design/build configuration support potential commercialization activities? What are the essential physical elements needed to support commercialization? What changes would you recommend incorporating into the design/build contracts (micro-duct size, junction box size/spacing, depth, number of available micro-ducts) to yield better opportunity for revenue generation?	
2.	What are the market needs with respect to the type of network infrastructure (long haul fiber, regional, local)? Does the PTC’s Eastern Network project schedule align with market timing and the ability to commercialize the project? To what extent does market timing impact future build out of the network west of Harrisburg?	
3.	To what extent could commercialization activities along the eastern fiber optic network support PTC’s build out of a western fiber optic network? What timeframe could be realized for the buildout of the Western Network?	
4.	West of Harrisburg, to what extent does the Turnpike provide opportunities for commercialization of a fiber optic network?	
5.	What is the preferred contract and payment structure to provide the commercialization and/or O&M services? What is the desired number of years for the term of such agreement(s)?	
6.	How can the PTC estimate the revenue potential for a project of this magnitude? What are some of the key factors that may go into this revenue potential determination?	
7.	How would PTC benefit from entering into a commercialization agreement with a private entity? (Fixed revenue; revenue share; other?)	
8.	Can you identify other project examples in which a transportation entity successfully commercialized fiber optic infrastructure like the PTC’s proposed fiber network?	