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**Request for Proposal of Interest
for the development of the
Detroit River International Crossing Project
under one or more
Public-Private Partnerships**

**Issued
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Transport Canada

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1. Introduction

1.1. Purpose of this Request for Proposal of Interest

The Michigan Department of Transportation (MDOT) and Transport Canada (TC) are pleased to present this Request for Proposal of Interest (RFPOI) to individual firms or teams with experience in developing and/or financing large transportation infrastructure projects either in North America or internationally and that are interested in the development of the Detroit River International Crossing (DRIC or Project) under one or more public-private partnerships. Individual firms or teams interested in responding to this request (“Respondents”) are invited, on a non-binding basis, to express their interest in the project.

MDOT and TC are looking forward to the feedback of the private sector in response to this RFPOI. The responses will be used in developing governmental policy, in structuring the procurement process and the project agreement, as well as briefing the legislative branch of the State of Michigan and the executive branch of the Government of Canada.

Respondents are informed that their submittals at this stage of the process will not lead to a short-list and other interested parties will not be precluded from participation in a future qualifications process.

1.2. Project Summary

The proposed project is a U.S./Canadian, I-75 to Highway 401, end-to-end connection consisting of a new Detroit River bridge (Bridge); the associated border inspection areas in the U.S and Canada (US Plaza and Canadian Plaza); and a connecting link to I-75 in Detroit (U.S. Interchange). The connecting link to Highway 401, known as “The Windsor Essex Parkway,” is being currently procured as a stand-alone component and as such the Windsor Essex Parkway is not part of the project described by this document. It is anticipated that one or more public - private partnerships will be used for the delivery of the remaining four primary elements.

2. Background

2.1. Project Purpose and Need

In 2000, the Federal Highway Administration (FHWA), MDOT, TC, and the Ontario Ministry of Transportation (MTO) formed the Border Transportation Partnership to engage in a cooperative bi-national effort to provide for the safe, efficient movement of people and goods across the U.S.-Canadian border at the Detroit River, including improved connections to national, provincial and regional highway systems such as I-75 and Highway 401.

The Record of Decision¹ (January 2009) states that the project’s purpose is to:

Provide safe, efficient and secure movement of people and goods across the U.S.-Canadian border in the Detroit River area to support the economies of Michigan, Ontario, Canada, and the United States.

Support the mobility needs of national and civil defense to protect the homeland.

The project is needed to address future mobility requirements across the U.S.-Canada border. More specifically it is needed to:

- provide new border-crossing capacity to meet increased long-term demand;

¹ The Record of Decision (ROD) is the final U.S. environmental document allowing design and construction.

- improve system connectivity to enhance the seamless flow of people and goods;
- improve border operations and processing capability in accommodating the flow of people and goods; and,
- provide reasonable and secure crossing options in the event of incidents, maintenance, congestion, or other disruptions.

In addition to the need of the additional capacity, the Final Environmental Impact Statement for the Project mentions that the development of the DRIC does not appear to threaten the viability of other border crossing, including the Ambassador Bridge, the Detroit-Windsor Tunnel, and the Blue Water Bridge².

Transport Canada, in its final environmental approval document, the Canadian Environmental Assessment Act Screening Report (November 2009), states:

The objective of the Partnership is to provide for the safe, secure and efficient movement of people and goods between southwest Ontario and southeast Michigan, while minimizing environmental and community impacts. Approximately 28 percent of surface trade between the United States and Canada passes through the Detroit River area.

Of the 37.6 million vehicles (7.3 million of which were commercial vehicles) that used a bridge or tunnel to cross the U.S. Canadian border between Sault Ste. Marie, Michigan and Massena, New York, 41.2 percent of the total and 62.2 percent of the commercial vehicles used one of the three crossings connecting southeast Michigan to southwest Ontario, as illustrated in the table below:

² The corridor travel demand study included in the Final Environmental Impact Statement for the DRIC can be found at <http://www.partnershipborderstudy.com/pdf/TTRExisting&future2005-09-15.pdf>.

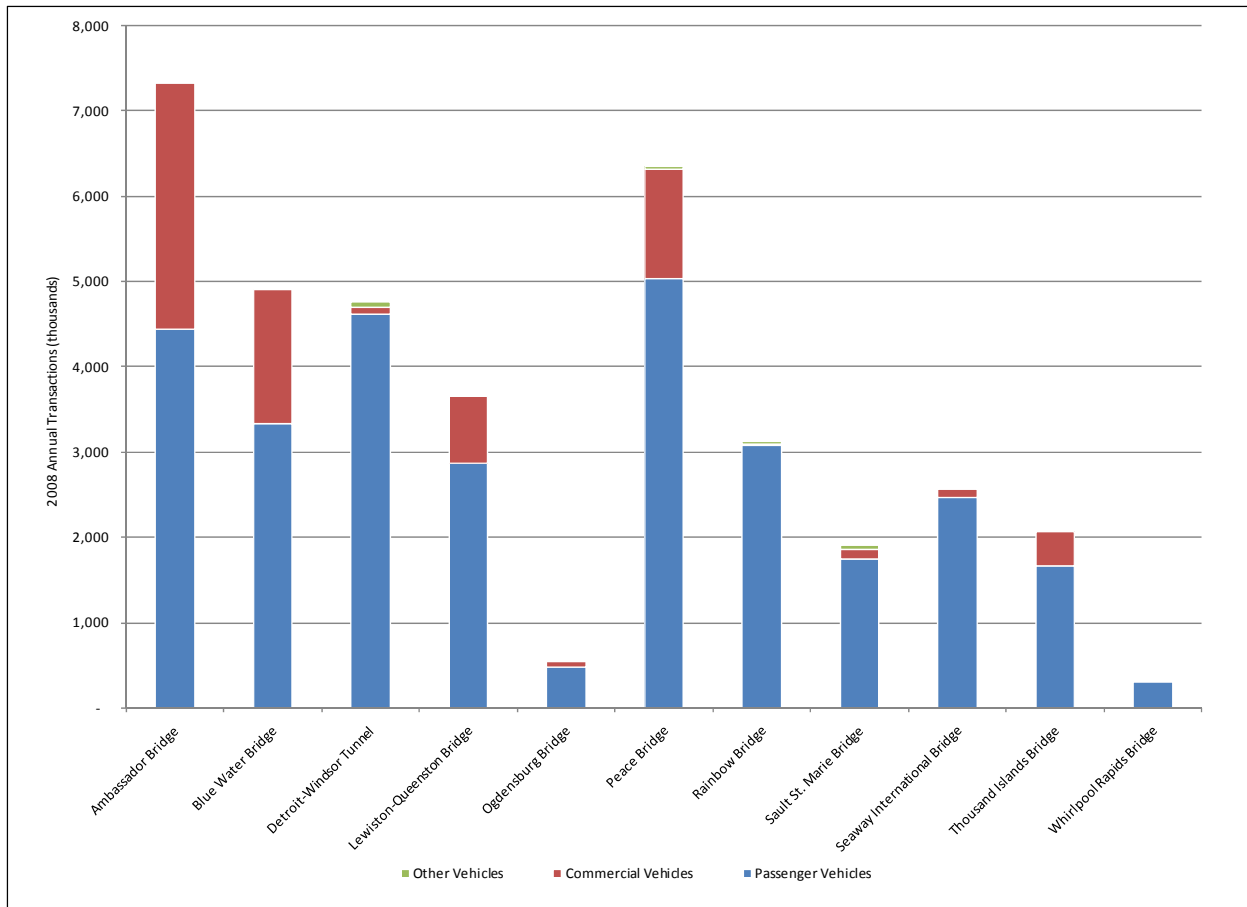


Table: Canada – United States Border Crossing Transactions (both directions), 2008

Source: Public Border Operators Association

Appendix D provides more statistical information on the U.S. and Canada trade relationship and the importance of the secure, free and reliable cross border flow of goods.

2.2. U.S. – Canada Partnership

2.2.1. History

In January 2005, TC, MDOT, FHWA and MTO began an environmental process in both countries that met the legal requirements of all four jurisdictions. The environmental processes received all required approvals in both countries in 2009.

TC, MDOT, FHWA and MTO formed a Partnership Steering Committee (Steering Committee). The role of the Steering Committee is to provide overall coordination of the project.

2.2.2. Guiding Principles

The four elements of the DRIC project covered in this RFPOI have guiding principles including:

- government ownership of the lands required for the project;
- government oversight and contractual administration of the bridge;
- minimizing public sector project financing;
- efficient and unified operations and management; and,

- ensuring continuous dedication of the structure to its public purpose.

2.2.3. Ownership

The Bridge will be jointly owned by MDOT and Canada. The U.S. plaza will either be owned by MDOT and the Federal Inspection Station (FIS) portion of the plaza leased to the General Services Administration (GSA) of the U.S. federal government, or the plaza will be jointly owned by MDOT and GSA. The connection to the U.S. Interstate System will be owned by MDOT. The Canadian plaza will be owned by the Government of Canada.

Neither the Government of Canada nor the State of Michigan have any plans to transfer ownership or sell the Bridge.

2.2.4. Joint Governing Entity

The preferred governance model, as expressed by MDOT and TC officials, is for MDOT and TC to enter into a joint partnership agreement that will create the means for joint governance and oversight of the Bridge. The idea is to have an agreement established for the life of the asset (e.g., 100 years). A final decision on the governance structure will be made in the future.

In the interest of facilitating the construction and financing of this project, TC and MDOT are considering utilizing public-private partnership delivery approaches. An agreement (Concession Contract) between the joint partnership and the private sector partner (Concessionaire) will outline the roles, responsibilities, policies, procedures, reporting requirements, operating standards, etc., of the Concessionaire, as well as the obligations of the owners.

It is expected that prior to entering into the formal procurement process TC and MDOT will formalize their intention to cooperate between parties. It is anticipated that this formalized relationship will establish a blueprint for a joint partnership agreement mapping out the intended deal principles and terms.

Formalized relationships would also be necessary between the various other parties involved in the project (e.g., MTO, FHWA, GSA and Canada Border Service Agency (CBSA)).

A Canada-Michigan Joint Governing Entity³ may be formed prior to the time the formal procurement process begins. It is anticipated that the owners, directly and through the Joint Governing Entity, would continue to oversee the procurement process until the Concession Contract is signed between a Joint Governing Entity and the Concessionaire.

The mandate of the Joint Governing Entity would be to oversee and manage/enforce the Concession Contract with Concessionaire selected through the procurement process. This would create a single window through which the private sector and owners can cooperate, and would provide an effective means of ensuring joint representation, including dispute resolution.

2.2.5. Protecting the Public's Interest

The primary goal of the owners is to act in the interest of the public. The public interest will be protected through the terms and conditions defined in the Concession Contract with the Concessionaire. Items such as safety, security, maintenance and environmental compliance of project components will be outlined in the Concession Contract. The respondents to a future formal procurement process will, as one of the many criteria, be evaluated on proposed Good Neighbour Policies. The Concessionaire will be

³ If the U.S. plaza is part of the concession agreement, then the Joint-Governing entity might also include the U.S. government through the General Services Administration.

required to uphold these policies during all phases of the project and is expected to provide an avenue for the public input.

2.2.6. Relationship between Governments

2.3. Other stakeholders

In addition to the agencies that formed the Partnership Steering Committee (i.e. TC, MDOT, FHWA and MTO) there are several other agencies, those mainly involved in border security and inspections that will have a role in the specifications and development of parts of the project.

The Federal Inspection Station (FIS), which is comprised of the secure inspection areas of the U.S. plaza, is primarily under the operational jurisdiction of US Customs and Border Protection (CBP), with other US Federal agencies such as US Department of Agriculture, Animal Plant Health Inspection Service, and US Food and Drug Administration operating in the plaza.

2.3.1. GSA

The US General Services Administration (GSA) acts as what can be termed the landlord on behalf of all Federal agencies. All building construction on the plaza shall conform to both GSA and CBP design standards. During design and construction those agencies shall have review and approval authority.

GSA's intention is to either purchase the FIS portion of the plaza or lease it from MDOT.

2.3.2. Michigan State Police

The Michigan State Police (MSP), Motor Carrier Division, will operate an inspection facility on the plaza just outside the secure FIS. These inspection facilities will be constructed to the MSP design standards and be subject to their review and approval.

2.3.3. Canada Border Services Agency/Canadian Food Inspection Agency

Transport Canada has responsibility for procuring the Canadian plaza. Under Section 6 of the *Customs Act*, the owner or operator of any international bridge or tunnel, for the use of which a toll or other charge is payable, shall provide, equip and maintain free of charge to Her Majesty at or near the bridge adequate buildings, accommodation or other facilities for the proper detention and examination of imported goods or for the proper search of persons by customs officers. As well, under section 31 of the *Health of Animal Act* (HAA) and Section 20 of the *Plant Protection Act* (PAA) the owner or the operator of an international bridge must, if required by the Minister of Agriculture, provide and maintain adequate facilities for the Minister to administer the HAA and the PAA.

As such, TC has worked closely with the CBSA in the development of the design of border inspection facilities at the Canadian port of entry. Similarly, TC has worked with the Canadian Food Inspection Agency to ensure their requirements are incorporated into the functional design of the plaza.

3. Project Description

3.1. Description of Segments

3.1.1. Overview

The proposed project consists of four primary elements: the new Detroit River bridge, the associated US and Canadian plazas and a connection to I-75 in Detroit. The Record of Decision (ROD), the Final Environmental Impact Statement (FEIS), the Canadian Environmental Assessment documentation and all the supporting technical reports that document how the analysis and selection of the U.S. and Canadian elements were selected can be found at <http://www.partnershipborderstudy.com/reports.asp>.

It is anticipated that one or more public private partnerships will be used for the delivery of the remaining four primary elements. As mentioned earlier, the connection from the Canadian Plaza to Highway 401, known as the “The Windsor-Essex Parkway,” is currently being procured by the Province of Ontario as a stand-alone project, and is not part of this document. The new bridge will connect Detroit, Wayne County, Michigan, and Windsor/Essex County, Ontario. The project area is two miles southwest (downriver) of the Ambassador Bridge and less than one mile from the Port of Detroit and Wayne County. The Port of Windsor is also within one mile of the project area.

A detailed description of all four elements of the DRIC project included in this RFPOI follows. Full size graphics of the elements may be found in the Appendix A: Technical Information.

3.1.2.U.S. Interchange

Because of the close proximity of I-75, the U.S. plaza will be directly connected to this freeway via a Y-style interchange centered near Livernois Avenue. The ramps will be elevated over the Norfolk-Southern (NS)/CSX rail line, and also as they cross Fort Street (M-85) (see Appendix A).

The I-75/U.S. Plaza interchange is proposed as a three-level trumpet interchange. I-75 is at the bottom level, the crossroad bridges and the service drives are at the middle level, and the plaza ramp bridges are at the highest level. Based on this configuration of the interchange, Dragoon Street, Waterman Street and Junction Street bridges need to be removed and cannot be replaced due to vertical alignment conflicts with these crossroads.

The U.S. Interchange work includes modifications and improvements to the local roadway system to accommodate the proposed U.S. Plaza. These improvements include the reconstruction of Green Street and Campbell Street as well as intersection improvements along Jefferson Avenue. Finally, the existing NS/CSX rail line will be improved by adding a “Y” to the west of the Plaza to allow a direct connection to Zug Island.

3.1.3. U.S. Plaza

The bridge will connect to a U.S. Plaza, which will connect directly to I-75 and Campbell Street (see Appendix A). The plaza area will cover approximately 170 acres, bounded by Jefferson, Post, and Campbell Streets and the NS/CSX rail line. The plaza area will generally consist of the U.S. FIS and operating authority facilities (e.g., tolls, maintenance, motor carrier inspection, etc.). In addition to providing general traffic lanes for both passenger and commercial vehicles, the plaza will include dedicated NEXUS and Free and Secure Trade program (FAST) lanes to improve border crossing processing capabilities.

GSA’s plaza requirements consist of a minimum of 80 acres of building, inspection, and circulation space for the FIS. The space is divided into inbound and outbound inspection with the inbound inspection area divided between passenger vehicle and commercial vehicle inspection areas. The facilities include four outbound inspection booths, 20 inbound primary inspection lanes. The GSA plaza buildings include two office buildings, two loading dock areas to inspect and unload cargo (CBP and USDA), five commercial secondary exit control booths, as well as other non-intrusive inspection buildings. Space is also included for the future flexibility and installation of new inspection technologies as they are developed.

The remainder of the plaza space will be managed by the operating authority and will include toll collection, administration building, maintenance facilities and space for the MSP, Motor Carrier Division. In addition to the space required for the operating authority, space will also be provided for both a duty free shop for outbound travelers and a commercial broker’s office building.

The plaza footprint will also include a 100-foot-wide landscaped buffer between the edge of plaza and the adjacent street or railroad line. Drainage facilities will include a storm water management/retention pond to treat runoff from the plaza and bridge. Existing utilities that currently underlie the proposed plaza area will be allowed to relocate to this buffer area around the plaza as part of the project.

3.1.4. Bridge

In general terms, the Bridge will land in the Delray area of the City of Detroit and in the Brighton Beach area of Windsor. The new bridge will be either a suspension or a cable-stayed bridge. Bidders for the project will be asked to propose on these designs.

Regardless of the type selected, the bridge will have a cross-section of six 12-foot-wide vehicle travel lanes (three in each direction), ten-foot-wide outside shoulders, a three-foot-wide flush median, and a five-foot-wide sidewalk on one side of the bridge (see Appendix A). The design is flexible to allow future expansion to eight-11.5-foot-wide lanes.

On the U.S. side of the border, the bridge main tower, or pylon, depending on bridge type, will be located onshore between the LaFarge Cement facility, and the McCoig Aggregate dock in the Delray area of Detroit. On the Canadian side of the river, the main tower (or pylon) will be located onshore between McKee Street and Prospect Avenue in the Sandwich Towne area of Windsor.

As there are no piers in the water, the proposed bridge will have no impact on the level or flow of the Detroit River. The project is being designed to direct all runoff water from the structure into onshore retention ponds in both the U.S. and Canadian plazas.

3.1.5. Canadian Plaza

The new international plaza on the Canadian side of the Detroit River crossing will be situated within the Brighton Beach industrial subdivision. The plaza will be bounded by the Detroit River, Chappus Road, Ojibway Parkway, and Broadway Street (see Appendix A).

The design of the plaza now incorporates a local access road along the edge of the plaza that will provide continuity for traffic between Sandwich Street and Broadway Street, as well as access for plaza employees. Local access will also be provided at the north end of the plaza from a realigned Sandwich Street to the Brighton Beach Power Station and Keith Transformer Station.

The major facilities that will be included within the fully developed plaza include nine outbound toll booths, 29 primary inspection lanes for inbound vehicles, and a secondary inspection area for inbound vehicles. Both the primary and secondary inbound inspection areas will be divided into passenger and commercial areas. Some primary inspection lanes may be flexible for use by both cars and trucks. In addition to providing general traffic lanes for both passenger and commercial vehicles, the plaza will include dedicated NEXUS and Free and Secure Trade program (FAST) lanes to improve border crossing processing capabilities.

The plaza will also contain a duty free shop for use by outbound vehicles, a maintenance building, a building designated for CBSA use, and drainage facilities including, but not limited to, storm water management/retention ponds to treat runoff from the plaza and bridge. A local service road will also be provided within the plaza for internal use.

3.1.6. Ontario Access Road (not part of the Project)

The Windsor-Essex Parkway will connect Ontario's Highway 401 to a new inspection plaza and Detroit River bridge. The Windsor-Essex Parkway will be owned and operated by the Ontario government and will not be tolled.

The Windsor-Essex Parkway will be a below-grade six-lane freeway with 11 tunnels and will enable long distance international traffic to travel unimpeded by traffic signals to a new inspection plaza and river crossing. The Windsor-Essex Parkway extends approximately 11 km (6.8 miles) from the proposed plaza location to North Talbot Road. A four-lane service road will provide access to the local road network. The Windsor-Essex Parkway will also provide community benefits with more than 300 acres of green space, 20 km of recreational trails and extensive landscaping.

On December 28, 2009, Infrastructure Ontario and the Ontario Ministry of Transportation released a Request for Proposals to three short-listed companies to submit proposals to design, build, and finance and maintain The Windsor-Essex Parkway. The companies were short-listed through a Request for Qualifications process. The successful bidder will be announced in 2010.

3.2. Project Status

3.2.1. U.S. Environmental Approvals / Permits

The U.S. National Environmental Policy Act (NEPA) process was completed with the signing of the Record of Decision (ROD) on January 14, 2009.

Approvals and permits pursuant to the mitigation program in the ROD and independently required by state and federal agencies remain to be acquired. Principal among these is the Presidential Permit required for a new international crossing by the U.S. Department of State. MDOT will seek this permit. The State Department has indicated that permit conditions include approval of the project by the Michigan Legislature.

The U.S. Coast Guard of the Department of Homeland Security is responsible for issuing permits related to navigable waters of the U.S. A Section 9 Permit would allow construction of the bridge over the Detroit River. Issuance of this permit includes a public review process, and issuance can occur only after the Presidential Permit is received.

Bridge design and navigation lighting must satisfy the following agencies:

- U.S. Coast Guard, navigational lighting;
- Federal Aviation Administration, obstruction standards and warning lighting (Part 77 of the Federal Aviation Regulations); and,
- U.S. Fish & Wildlife Services, lighting and avian mortality.

A permit has been issued by the Michigan Aeronautics Commission for the bridge as a "Tall Structure."

Two archaeological sites must be excavated to conclusion and two historic sites must be recorded, all in accordance with the Memorandum of Agreement with the State Historic Preservation Office. City of Detroit parklands (South Rademacher Park and Recreation Center, plus Port-Jefferson Play lot) are needed for the project and compensation must be made to the City of Detroit for the property, facilities, and recreational functions. This will occur as MDOT acquires the properties.

A number of permits will be required from the Michigan Department of Environmental Quality, all customary for this type project. These include: Section 401 Water Quality Certification, Section 402/Part 31 – National Pollutant Discharge Elimination System (NPDES) Permit, Part 31 Floodplain Permit, Section 404/Part 303 Permit, and Part 301 Inland Lakes and Streams Permit.

Project construction will entail demolition, building, and occupancy permits through the City of Detroit.

See appendix: Schedule for Permitting and Other Major Agency Actions

3.2.2. Canadian Environmental Approvals / Permits

In Canada, a coordinated environmental assessment was completed to meet the requirements of both the *Ontario Environmental Assessment Act* (OEAA) and *Canadian Environmental Assessment Act* (CEAA). The federal responsible authorities (Transport Canada, Fisheries and Oceans Canada and the Windsor Port Authority) approved the environmental assessment on December 3, 2009. The approval identified requirements for future work in relation to all three components of the project (the bridge, the plaza, and The Windsor-Essex Parkway). The Ontario environmental assessment approval included conditions specifically related the construction of The Windsor Essex Parkway only and was issued on August 24, 2009.

The Federal environmental assessment approval was subject to commitments with respect to follow-up/monitoring programs for migratory birds and species at risk, environmental management and public consultation plans, and meeting requirements under the Navigable Waters Protection Act and the Fisheries Act.

In addition to the commitments under the federal environmental assessment, several permits are required including the *International Bridges and Tunnels Act* requires Governor-In-Council approval for the construction and operation of a new international crossing. Transport Canada will be seeking these approvals.

3.2.3. Other

Two lawsuits have been filed challenging the environmental clearance decision issued by the Federal Highway Administration. Two applications have also been filed in the Federal Court of Canada challenging the decision taken by federal (Canadian) responsible authorities, including Transport Canada, to approve the environmental assessment for the DRIC project.

4. Process Description

The initiation of a future competitive procurement process for the award of contracts for the development of the project elements under one or more public-private partnerships is subject to approval by the Michigan Legislature and the Government of Canada.

4.1. State of Michigan requirements

The State of Michigan, currently, does not have legislation authorizing public-private partnerships in transportation in general or the DRIC in particular. Currently, there is pending general legislation for the authorization of public-private partnerships in transportation (House Bill No 4961). In addition, the Michigan Public Act 116 of 2009, Section 384 (PA 116) introduced language that allows MDOT to proceed with work so it can solicit from the private sector requests for proposals for one or more public-private partnerships to construct the infrastructure related to the DRIC project (i.e., this document). PA 116 requires that MDOT submit proposals to the Michigan Legislature by May 1, 2010. PA 116 also requires MDOT to submit an investment grade traffic study to the Michigan Legislature on or before May 1, 2010. It is the intent of the Michigan Legislature to fully adopt or reject authorizing legislation by

June 1, 2010 to (i) construction a new international crossing jointly and in agreement with Canada; (ii) create an authorized tolling authority; and (iii) create a public-private partnership.

4.2. Government of Canada requirements

The Government of Canada does not need to pass specific legislation for the DRIC. The DRIC will, however, require Ministerial, and Cabinet (Governor in Council) approval as mandated under section 6 of the *International Bridges and Tunnels Act*. Other permits will also be required. 65 Cadillac Square, Ste. 1300 - Detroit

4.3. Indicative schedule

The following schedule lists the key milestones in the project and the anticipated completion dates for each milestone:

Milestone	Date
Michigan Legislative /Canadian Cabinet Approvals*	Summer 2010
Issue RFQ	Winter 2010-11
Issue RFP	Summer 2011
Bid Submittal	Winter 2011-12
Commercial Close	Summer 2012

*These approvals are conditions precedent in order to move to the next milestones.

5. Submittal Instructions

5.1. Content

Respondents to this RFPOI are encouraged to provide the following information (to the extent relevant based on the parts of this document the respondent wishes to submit a response):

- *Contact Information* – Name and contact information (address, phone, fax, and email) for the individual who will act as the Respondent’s principal contact throughout the process for this particular RFPOI and description of the individual members of the respondent’s team with experience related to the objectives of the Partnership as described in this Request.
- *Company Information* – Brief description of the firm’s or team members’ lines of business and experience in the delivery of transportation infrastructure projects under a public-private partnership model (i.e., design, build, finance, operate and maintain).
- *Letter of Interest* – A letter indicating, if applicable, the firm’s or team’s interest in developing this project on a non-binding basis and identifying the type of interest (e.g., developer, financial investor, design-build contractor, lender, or operator).
- *Scope* - An identification of all the elements of the project the respondent believes should be delivered by a single developer. Respondents may provide one or more solutions in their submission.
- *Business Model* - Assuming that the project will be developed as a tolled facility, a brief description of a public-private partnership business models that would be considered appropriate for the project (e.g. real tolls, availability payments, hybrid, other) and what would be the benefits

for the project and the public arising from each option. Also, examples of projects where such a business model has been successfully used.

- *Term of Agreement* - The preferred length (years) of the Public-Private Partnership agreement under such business model(s).
- *Other Revenue* - Identification of other business opportunities such as operation of duty free shops.
- *Financing* – An indicative, high-level, structure of private financing for the solution(s), including:
 - funding split (debt/equity);
 - types of debt facilities and main assumptions; and,
 - any innovative financing tools, including Transportation Infrastructure Finance and Innovation Act federal credit assistance (TIFIA) and Private Activity Bonds (PABs), that would be considered desirable.
- *Respondent's Experience* – A brief description of the respondent's experience in:
 - Public-private partnerships – provide brief examples to demonstrate the Respondent's experience and successful participation in the design, construction, financing, operation and/or maintenance of transportation infrastructure projects.
 - Local Contracting Partners – provide brief examples of past practice of partnering with local contractors and minorities, women, and other historically disadvantaged business enterprises on similar projects consistent with the Partnership's objective of maximizing participation by these groups.
- *Conditions Precedent* – A brief description of those items or impediments to the project's successful implementation that should be removed or dealt with prior to the initiation of the procurement process.

5.2. Schedule and Interaction with market

Responses are due on March 17, 2010 by 3:00 p.m. Eastern Standard Time. Any questions regarding this RFPOI must be submitted in writing to Mohammed Alghurabi, Michigan Department of Transportation, at alghurabim@michigan.gov. The deadline for questions is March 2, 2010 by 3:00 p.m. Responses to questions will be distributed via email by March 9, 2010.

MDOT and TC reserve the right to interact with the market as they deem appropriate, which may include conducting one-on-one meetings with participants, if there are such requests from the private sector.

5.3. Requirements

5.3.1.Format

Responses shall not exceed 20 pages. Proposal pages shall be 8 ½ inches by 11 inches and bound. Font must be a minimum of 12 point. Pages must be numbered continuously throughout, and in the format of "Page 1 of ____". Electronic copies should be submitted via CD and include a PDF version of the response. Packages containing responses must be labeled as follows: "Response to the Request for Proposal of Interest for the development of the Detroit River International Crossing project under one or more Public Private Partnerships".

5.3.2. Delivery

Respondents must deliver 4 hard copies and 1 electronic copy to each of the following address by the deadline stated above:

Name: Mohammed Alghurabi

Title: Senior Project Manager

Address: Michigan Department of Transportation

425 W. Ottawa Street, P.O. Box 30050, Lansing, Michigan 48909

Phone Number: (517) 373-7674

Late responses will not be accepted. Respondents are solely responsible for assuring that MDOT receives responses by the specified delivery date and time at the addresses listed above.

6. Limitations

6.1. Inquiry only – no contract

This RFPOI is an inquiry only and no contract or agreement will be entered into as a result of this process. By responding to this document or otherwise participating in this process, no contract or agreement will be formed and no legal obligation between any respondent and MDOT and/or TC will arise. Individual firms or teams that have not responded to this RFPOI shall not be precluded from participating in any future qualification processes in relation to the project.

MDOT and/or TC are under no obligation as a result of this process and may decide not to proceed with any or all of the transactions contemplated herein or may proceed with such transaction or transactions by any other procurement means or delivery model deemed fit.

6.2. Right to alter

MDOT and/or TC reserve the right to alter any of this document, including any conditions and criteria outlined herein which may include, but is not limited to, deadlines for submissions. MDOT and/or TC reserve the right to cancel this RFPOI process at any time. MDOT and/or TC will make notification of any alterations or cancellations of this document by posting notice on the following website: http://www.michigan.gov/mdot/0,1607,7-151-9625_21540---,00.html

6.3. Cost and expenses – no reimbursement

Each respondent is responsible for its own costs and expenses related to this process, including cost and expenses associated with preparing and submitting a response to this RFPOI, participating in the process, and the provision of any additional information or attendance at meetings or interviews. No costs related to this RFPOI will be reimbursable from MDOT and/or TC.

6.4. Ownership of submissions

MDOT and/or TC will be entitled to retain all submissions and any other documentation received or related in response to, or otherwise related to, this RFPOI. MDOT and/or TC will not offer any pay or other compensation for submissions or documents received in response to this document.

6.5. Non-confidentiality of information

Respondents are advised that parts of the information included in the response documents might be presented to the Michigan State Legislature and to the Government of Canada. In addition, MDOT is subject to the Freedom of Information Act with respect to any documents or other records provided to MDOT and, by law, are subject to disclosure to the public upon request. Therefore, Respondents should consider that responses to this RFPOI will be public documents.

6.6. Conflicts

Respondents should advise of any public or private interest (including that of an affiliate) that they may have with any competing facilities in the Michigan-Ontario border.