

**STATE OF NEW HAMPSHIRE
INTER-DEPARTMENT COMMUNICATION**

From: Victoria F. Sheehan 
Administrator, Bureau of Rail & Transit

Date: May 8, 2020

Subject: Request for Proposal (RFP) and Ground Lease Contract
Public-Private Partnership (P3) for Portsmouth and Dover Bus Terminals

To: Honorable Members of the Public-Private Partnership (P3) Infrastructure Oversight Commission

The public hearing for the Draft RFP and Ground Lease Contract for the P3 Long Term Lease/Concession Agreement of the Dover and Portsmouth Bus Terminals ([dated 2/5/20](#) & posted on the [P3 Commission website](#)) was held on February 20, 2020. Public comments were received during the meeting as well as during the 30-day comment period following the meeting. All public comments were carefully considered and appropriate changes based on the public comments were incorporated into the final RFP. Below is a section-by-section listing of the changes:

- RFP 3.2, Goal #1, the following bullet was added:
 - *“Foster and enhance relationships with all service providers using the facilities”*
- RFP 3.2, the following language was added to Goal #2 to be considerate of impacts to abutters:
 - *“... and mitigate impacts (e.g., noise, visual) on surrounding residential neighborhoods.”*
- RFP 3.2, Goal #5 was rewritten to delineate existing property to be leased to the Operator by NHDOT and additional property that the Operator may acquire.
- RFP 3.4 under *“Further, the following requirements apply with regard to the Ground Lease Contract,”* the 2nd bullet was added regarding Local Public Transportation Services (LPTS) being exempt from paying fees to the Operator for access to the facilities. LPTS is defined in this section and others.
- RFP Appendix C-3 Facilities Management Plan. The term *“narrative”* was added to Topics 5 & 6 respectively as the intention was for a narrative of the Operator’s proposed Facilities Management Plan be submitted, not an actual detailed Facilities Management Plan.
- RFP Appendix C-4 Operation and Maintenance Requirements was edited to be considerate of impacts to abutters and added the following: *This plan shall include the development of mitigations to address environmental impacts (e.g., noise, visual) to adjacent neighborhoods.”*
- RFP Appendix F, Section F-2.1 was added to reference the applicability of the Early Development Agreement to the ground lease contract.
- RFP Appendix F, Section F-6 Term added language to reference the applicability of termination provisions included in the Early Development Agreement, which are applicable to the ground lease contract.
 - *“Additional provisions relative to termination are set forth in Section 7.2 of the Early Development Agreement.”*
- RFP Appendix F, Section F-13.3.4 was edited to more appropriately cite the appropriate MUTCD laws and was thus changed from *“in accordance with the MUTCD as it exists from time to time and State and local laws”* to *“in accordance with the **most current** MUTCD and State and local laws.”*

- RFP Appendix F, Section F-13.3.6 Transit-Related Fees was edited to add language exempting Local Public Transportation Services (LPTS) from paying fees to the Operator for access to the facilities.
- RFP Appendix F, Section F-30 Termination Procedure added language to reference the applicability of termination provisions included in the Early Development Agreement, which are applicable to the ground lease contract. The following wording was added to the end of the section:
 - *“Additional provisions relative to termination are set forth in Section 7.2 of the Early Development Agreement.”*
- RFP Appendix G: Terms and Definitions added the definition of Local Public Transportation Services (LPTS).

The above changes to the RFP are highlighted in yellow for ease of review. In addition, other changes to the RFP were made based on internal review and those changes are also highlighted in yellow and include insertion of date placeholders instead of specific dates, information about Pease Development Authority’s role relative to the Portsmouth terminal, clarification on a specific drainage issue in Portsmouth, and other minor content and readability edits that help clarify requirements, terms, and conditions for all parties.

We are sending this information and the Final Draft RFP for your review in advance of next week’s P3 Commission meeting.

Cc: William Cass, P.E., Assistant Commissioner
Christopher M. Waszczuk, P.E., Deputy Commissioner
Patrick C. Herlihy, Director, Division of Aeronautics, Rail & Transit
Marie Mullen, Director, Division of Finance