

APPENDIX D

CHECKLIST FOR PROPOSALS

Yes No

- Is proposal content complete, clear, and concise? Proposals should include a comprehensive scope of work, and have enough detail to permit the responsible public entity to determine if pertinent PPTA criteria are met, including financial information. Incomplete proposals may result in lowered evaluation or the proposer may be allowed to submit omitted information.

Yes No

- Have proposal requirements listed below been met?

Conceptual Proposal Items (separated by tabs):

Qualifications and Experience – Tab 1

- Identify the legal structure of the firm, or consortium of firms making the proposal, including the specific liability structure (e.g. individual or joint and several). Identify the organizational structure for the project, the management approach and how each partner and major subcontractor in the structure fits into the overall team.
- Describe the experience of each firm and the key principals involved in the proposed project. Describe the length of time in business, business experience, public sector experience and other engagements of the firm(s). Describe experience with projects similar to the proposed project. Did the firm and key principles complete these projects within original contract completion dates and within original contract amount? Did the owner assess liquidated damages? Did the firm and key principles certify that it is not currently debarred or suspended by any federal, state or local entity? Has the firm and key principles provided a statement that covers items in Section 6.1 Item (2) (2) ? The lead organization must be identified.
- Identify the Project Manager, and if the person works for the principal firm? If not, is there a clear definition of the role and responsibility of the Project Manager relative to the member firms? Does the Project Manager have experience leading this type and magnitude of project?
- Include the address, telephone number, and the name of a specific contact person for an entity for which the firm/consortia or primary members of the consortia have completed a similar project.
- Identify the proposed ownership arrangements for each phase of the project and indicate assumptions on legal liabilities and responsibilities during each phase of the project?

- Include the history and level of commitment of the key principles to use small, minority and women-owned business enterprises in implementing this project. What is the planned participation of small, women, and minority-owned businesses during project development and implementation. To what extent will local subcontractors and suppliers participate in this project? Are job training opportunities offered to support the development and retention of an effective labor force during the life of the project? How will the proposer document and report on this commitment?
- Provide a safety record (minimum of five years) for lead construction partners and subcontractors, as well as a safety plan for project implementation. Do these records include: 1. The numeric Experience Modification Rating, the rating year, and name of issuing insurance company? 2. A list of OSHA violations to include dates and disposition? 3. Recordable Incidence Rates and Lost Time Incidence Rates? 4. OSHA 200 and 300A Summary Forms or the information contained in these forms in a combined format? Are the results of these records satisfactory? Does the proposed safety plan provide adequate means and methods for effective implementation and sustainability?
- Specify the liability structure among the team members. Provide a written commitment to joint and several liability and adequate evidence of parent company guarantees. Are there limits or caps on the proposer's liability and indemnification of the Department?

Project Characteristics – TAB 2

- Provide a description of the transportation facility or facilities, including the conceptual design and all proposed interconnections with other transportation facilities. Describe the project in sufficient detail so the type and intent of the project, the location, and the communities that may be affected are clearly identified. Describe the assumptions used in developing the project. The project description should be prepared in a way that fully recognizes any federal and/or Commonwealth requirements to analyze other project alignments and alternatives.
- Is the proposed project consistent with applicable state and federal statutes and regulations, or reasonably anticipated modifications of state or federal statutes, regulations or standards? Does the proposed design meet appropriate state and federal standards?
- Identify and fully describe any work to be performed by the Department or other public or private entities.
- Include a list of all federal, state and local permit and approvals required for the project, a schedule for obtaining such permits and approvals, and how any regulatory issues will be addressed. Identify

which, if any, permits or approvals are to be obtained by the Department and have specific oversight requirements.

- Without completing the anticipated Environmental Document, identify any anticipated adverse social, economic and environmental impacts of the project. Specify the strategies or actions to mitigate known impacts. Identify the projected positive social, economic and environmental impacts of the project.
- List the critical factors for the project's success.
- Is the proposed project consistent with applicable state and federal environmental statutes and regulations? Does or will the proposed design meet appropriate state or Federal environmental standards? Does the proposal adequately address air quality conformity?
- Propose allocation of risk and liability for post agreement work, and assurances for timely completion and safe operation of the project.
- Clearly state the assumptions related to ownership, legal liability, law enforcement and operation of the facility.
- Provide information on any phased (partial) openings proposed prior to final completion of the work.
- Include a schedule and plan to maintain this facility in conformance with standards acceptable to the Department? Does the proposal clearly define assumptions or responsibilities during the operational phase including law enforcement, user fee collection and maintenance?

Project Financing – TAB 3

- Provide a preliminary estimate and estimating methodology of the cost of the work by phase and/or segment (e.g. planning, design, construction).
- Submit a plan for the development, financing and operation of the project, showing: the anticipated schedule on which funds will be required; and proposed sources and uses for such funds, including any grants or loans requested by the private entity for the development and/or operation of a qualifying transportation facility.
- Include a list and discussion of assumptions (user fees or toll rates, and usage of the facility) underlying all major elements of the plan.
- Identify the proposed risk factors for all participating entities and methods for dealing with these factors.
- Provide the proposed total life-cycle cost-specifying methodology and assumptions of the facility or facilities and the proposed project start date. Include anticipated commitment of all parties; equity, debt, and other financing mechanisms; and a schedule of project revenues and project costs. Include in the life-cycle cost analysis a detailed analysis of the projected return and/or rate of return.
- Identify any local, state or federal resources that the proposer contemplates requesting for the project and investments the proposer anticipates making towards the project. Describe the total commitment (financial, services, grant, loans, property, etc.), if any, expected from governmental sources, private investors and the timing of any anticipated commitment (e.g., preliminary estimate and methodology of cost by phase and/or segment (planning, design, construction); plan for development, financing, and operation of facility, including funding schedule and proposed sources and uses of funds; list and discussion of assumptions supporting all major plan elements; risk factors and strategies for dealing with them; local/state/federal resources that may be requested for the project, along with total commitment, if any from public sector sources, and when these resources may be needed.
- Provide a financial statement of the firm/consortia and each major partner. Submit the most recent Securities and Exchange Commission 10-K and 10-Q reports, if such reports have been filed.

Public Support –TAB 4

- What are the transportation are economic benefits of this project to the community,, region and state? Do these benefits include impacts upon tax revenues, number of jobs generated and related pay and benefits of such jobs, training opportunities and programs, and the number and value of subcontracts generated for Virginia subcontractors? Identify who will benefit from the project, how they

will benefit and how the project will benefit the overall transportation system.

- Identify any known government support or opposition, or general public support or opposition for the project. Government/public support should be demonstrated through resolutions of official bodies, minutes of meetings, letters, etc.
- Explain the strategy and plans that will be carried out to involve and inform the agencies and the public in areas affected by the project.

Project Benefit/Compatibility – TAB 5

- Describe the project's significant benefits to the community, region or state. Identify any state benefits resulting from the project including the achievement of state transportation policies or other state goals and compatibility with existing and planned multi-modal facilities.
- Describe significant benefits to the state's economic condition to include steps taken for coordination with local land use and comprehensive plans. Discuss whether this project is critical to attracting or maintaining competitive industries and businesses to the state or region. What is the impact upon local economy, jobs and job market?
- Describe how the project has been coordinated with local land use and comprehensive plans. What steps have been taken with local officials to coordinate land use and proposed transportation facilities? Does the project support improving safety, reduce congestion, increase capacity, and/or enhance economic efficiency?

Specific Deliverables (delivery dates to be determined on case-by-case basis):

- Provide a topographical map (1:2,000 or other appropriate scale) depicting the location of the proposed facility or facilities.
- Provide a list of public utility facilities that will be crossed or affected by the transportation facility and a statement of the private entity's plans to accommodate such utility facility.
- Provide a statement setting out the plan for securing all necessary property. The statement must include the names and addresses, if known, of the current owners of the property as well as a list of any property the proposer intends to request the Commonwealth to condemn.
- Provide a detailed listing of all firms that will provide specific design, construction and completion guarantees and warranties. Include a brief description of the guarantees and warranties.

- Provide the proposed total life-cycle cost-specifying methodology and assumptions of the facility or facilities and the proposed project start date. Include anticipated commitment of all parties; equity, debt, and other financing mechanisms; and a schedule of project revenues and project costs. Include in the life-cycle cost analysis a detailed analysis of the projected return and/or rate of return.
- Include a detailed discussion of assumptions about user fees or toll rates, and usage of the facility such as traffic forecasts and assumptions.
- Identify any known government support or opposition, or general public support or opposition for the project. Government/public support should be demonstrated through resolutions of official bodies, minutes of meetings, letters, etc.

- Demonstrate how the proposal will address the needs identified in the state or local transportation plans and local comprehensive plan by improving safety, reducing congestions, increasing capacity, or enhancing economic efficiency. Proposer will also indicate if necessary, the steps required for acceptance into such plans.
 - Provide an explanation of how the proposed transportation facility would impact local transportation plans of each affected locality.
 - Include a detailed discussion that provides the means and methods that the private entity will implement to guarantee cost and completion of the project within the schedules identified in project characteristics.
 - Such additional material and information as the Independent Review Panel or the Department may reasonably request.
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Format/Submittal Items:

- Proper format followed:
 - Executive summary;
 - Pages numbered, cross-referenced by citing tab number, subletter, and repeating text of requirement;
 - If response covers more than one page, tab number and subletter should be repeated at top of next page;
 - Table of contents should be included, with cross-references requirements by category
 - Supplemental information not required may be inserted where appropriate or placed at the end and designated as additional material; and
 - Each copy of a proposal must be bound or otherwise contained in a single volume, where practical, with all necessary documentation included.

Note: Proposals deviating from this format may be eliminated from consideration.

- Non-refundable, non-negotiable minimum Proposal Review Fee, for unsolicited proposals only, assessed as follows:
 - For projects whose total cost is expected to exceed \$50 million, a fee of \$50,000 is assessed to offset review costs. This fee will be broken down into two components based on progression of the proposals through the combined evaluation and selection process. A fee of \$10,000 must accompany each conceptual proposal submitted for the first part of the combined review phase; prior to entry into the fourth phase, the balance of \$40,000 must be submitted for each proposal.

- For projects whose total cost is expected to be equal or less than \$50 million, a \$5,000 fee is assessed at the conceptual proposal stage and a \$20,000 fee is assessed at the detailed proposal stage.
- Proposers submitting multiple project proposals must submit a Proposal review fee for each project.
- If the cost of reviewing the detailed proposal exceeds the fees noted above, the Department may assess the proposer the additional state cost to evaluate the detailed proposal.

Note: Failure to submit all fees will result in suspension of consideration of a proposal.

- Fee submitted in the form of a cashier's check payable to the Treasurer of Virginia.
- Proposal signed by authorized representative of firm/consortium.
- Twenty paper copies and one electronic copy in PDF format of proposal, sealed in a mailing envelope or package bearing proposer's name, address, and the phrase "Public-Private Transportation Proposal" clearly shown on the outside of proposal shall be delivered to the coordinating public entity. The Department or responsible coordinating public entity shall designate one individual to receive all proposals and to act as the point of contact. In the absence of such a designation, proposals shall be delivered to the Agency Administrator.
- Copies of proposal also prepared and sent directly to the governing body of each jurisdiction (city, county, town, etc.) affected by the proposed project. A list of all jurisdictions provided a proposal must accompany the conceptual proposal, with name and address of recipient and date delivered.

Proposers should send more detailed proposals developed during review and advisory phase to affected jurisdiction at the same time it is submitted to Department.

CHECKLIST FOR SELECTION AND EVALUATION CRITERIA

The proposal evaluation and selection criteria contained in these guidelines have been developed so the Department can critically evaluate the attributes each proposer submits in their proposal. Each conceptual unsolicited proposal submitted to the Department should follow the attached evaluation and selection criteria. Solicited proposals can utilize the attached evaluation criteria or develop specific criteria that are consistent with the priorities of the Department and the attributes and merits of the RFP. Any modifications in the evaluation and selection criteria will be noted in the RFP or the Request for Detailed Proposals (RFDP). The Department reserves the right, at its sole discretion, to modify the evaluation and selection criteria to meet the needs of the project and the Department.

Satisfactory Assessment?	Criteria
Yes No <input type="checkbox"/> <input type="checkbox"/>	A. Qualifications and Experience - Does the proposer propose a team that is qualified, led, and structured in a manner that will clearly enable the team to complete the proposed project?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Experience with Similar Infrastructure Projects</i> - Have members of this team previously worked together constructing, improving or managing transportation infrastructure? Has the lead firm managed, or any of the member firms worked on, a similar privatization project? Has the proposer experience with similar projects and were these completed within original contract completion dates and within original contract amounts? Did the owner assess liquidated damages?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Past Performance</i> – Has the firm and key principles provided certification that it is not currently debarred or suspended by any federal, state, or local government entity? Has the firm and each key principle provided a statement that confirms its business integrity to include bonding capacity, insurance and available equipment? Does this statement provide the disclosure of information as listed in Section 6.1 item (2) (2)?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Demonstration of Ability to Perform Work</i> - What commitments has the team made to carry out the project? Does the team possess the necessary financial, staffing, equipment, and technical resources to successfully complete the project? Do the team and/or member firms have competing financial or workforce commitments that may inhibit success and follow-through on this project?

Satisfactory Assessment?	Criteria
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Leadership Structure</i> - Is one firm designated as lead on the project? Does the organization of the team indicate a well thought out approach to managing the project? Is there a written agrmt. in place between members?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Project Manager's Experience</i> - Is a Project Manager identified, and does this person work for the principal firm? If not, is there a clear definition of the role and responsibility of the Project Manager relative to the member firms? Does the Project Manager have experience leading this type and magnitude of project?

Satisfactory Assessment?	Criteria
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Management Approach</i> - Have the primary functions and responsibilities of the management team been identified? Have the members of the team developed an approach to facilitate communication among the project participants? Has the firm adequately described its approach to communicating with and meeting the expectations of the Commonwealth?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Project Ownership</i> - Does the proposal identify the proposed ownership arrangements for each phase of the project and indicate assumptions on legal liabilities and responsibilities during each phase of the project?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Participation of Small Businesses and Businesses Owned by Women and Minorities and local firms</i> -What is the history and level of commitment by the proposers to use small, minority-, and women owned business enterprises in developing and implementing the project? To what extent will small, minority and women owned businesses and local subcontractors and suppliers be expected to participate in project development and implementation? Are job training opportunities offered to support the development of an effective workforce throughout the life of the project? How will this commitment be documented and reported?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Safety Record and Plan</i> – To what extend does the proposal identify the construction partners and subcontractors safety records for a minimum of five years? Do records include Experience Modification Rating, OSHA citation, Recordable and Lost Time Incidence Rates, and OSHA 200 and 300A forms or comparable information in combined similar format? Do these records indicate a satisfactory rating for all activities? Was a safety plan developed and does it include means and methods for implementation and sustainability?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Liability</i> - Is the liability structure among the team members clearly specified? Is there a written commitment to joint and several liability? Are there adequate parent company guarantees? Are there limits or caps on the proposer’s liability and indemnification of the Department
Yes No <input type="checkbox"/> <input type="checkbox"/>	B. Project Characteristics - Is the proposed transportation facility technically feasible?

Yes	No	<i>Project Definition</i> - Is the project described in sufficient detail to determine the type and size of the project, the location, all proposed interconnections with other transp. facilities, the communities that may be affected, and alternatives (e.g. alignments) that may need to be evaluated?
<input type="checkbox"/>	<input type="checkbox"/>	

Satisfactory Assessment?	Criteria
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Proposed Project Schedule</i> - Is the time frame for project completion clearly outlined? Is the proposed schedule reasonable given the scope and complexity of the project? Does the proposal contain adequate assurances that the project will be completed and will be completed on time?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Operation</i> - Does the proposer present a reasonable statement setting forth plans for operation of the facility, including a schedule defining initiations of operations?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Technology</i> - Is the proposal based on proven technology? What is the degree of technical innovation associated with the proposal? Does the technology proposed maximize interoperability with relevant local and statewide transportation technology?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Conforms to Laws, Regulations, and Standards</i> - Is proposed project consistent with applicable state and federal statutes and regulations, or reasonably anticipated modifications of state or federal statutes, regulations or standards? Does the proposed design meet appropriate state and federal standards?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Federal Permits & Oversight</i> – Will the project require some level of federal involvement or oversight? Does the proposal include how federal regulatory and approval requirements will be met and how issues will be addressed?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Meets/Exceeds Environmental Standards</i> - Is the proposed project consistent with applicable state and federal environmental statutes and regulations? Does or will the proposed design meet appropriate state or federal environmental standards? Does the proposal adequately address air quality conformity?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>State and Local Permits</i> - Does the proposal list the required permits and schedule to obtain them? Are there negative impacts known for the project? If so, is there a mitigation plan identified? Are alternatives to standards or regulations needed to avoid those impacts that cannot be mitigated?

Satisfactory Assessment?	Criteria
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Rights of Way</i> - Does the proposal set forth the method by which the private entity proposes to secure all property interests required for the transportation facility?
Yes No <input type="checkbox"/> <input type="checkbox"/>	Maintenance - Does the proposer have a plan to maintain this facility in conformance with standards acceptable to the Department? Does the proposal clearly define assumptions or responsibilities during the operational phase including law enforcement, user fee collection and maintenance?
Yes No <input type="checkbox"/> <input type="checkbox"/>	C. Project Financing - Has the proposer provided a financial plan and financial guarantees which will allow for access to the necessary capital to finance the facility?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Financing</i> - Did the proposer demonstrate evidence of its ability and commitment to provide sufficient equity in the project as well as the ability to obtain the other necessary financing?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Financial Plan</i> - Does the financial plan demonstrate a reasonable basis for funding project development and operations? Are the assumptions on which the plan is based well defined and reasonable in nature? Are the plan's risk factors identified and dealt with sufficiently? Are the planned sources of funding and financing realistic? Does the proposer commit to sharing risk and/or cost on the project? Does the proposer clearly identify any necessary public funds to develop and/or operate the project?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Estimated Cost</i> - Is the estimated cost of the facility reasonable in relation to the cost of similar projects? A significant portion of the final determination will rely on a cost/benefit analysis.
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Life Cycle Cost Analysis</i> - Does the proposal include an appropriately conducted analysis of projected rate of return and life-cycle cost estimate of the proposed project and/or facility?

Satisfactory Assessment?	Criteria
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Concessions</i> - Does the proposer clearly quantify the public sector commitments for financing and duration of operations?
Yes No <input type="checkbox"/> <input type="checkbox"/>	D. Public Support - Has the proposer garnered sufficient public support for the proposed project?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Community Benefits</i> - Will this project bring a significant transportation and economic benefit to the state, region, and/or localities? Do these benefits include increases to tax revenue, the number of jobs, available training opportunities and programs, and subcontracts awarded to Virginia subcontractors? Are there ancillary benefits to the communities because of the project?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Community Support</i> - What is the extent of support or opposition for the project? Does the project proposal demonstrate an understanding of the national and regional transportation issues and needs, as well as the impacts this project may have on those needs? Is there a demonstrated ability to work with the community?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Public Involvement Strategy</i> - What strategies are proposed to involve local and state elected officials in developing this project? What level of community involvement has been identified for the project? Is there a clear strategy for informing, educating and obtaining community input through the development and life of the project?
Yes No <input type="checkbox"/> <input type="checkbox"/>	E. Project Compatibility - Is the proposed project compatible with appropriate transportation and land-use plans?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Compatibility with the Existing Transportation System</i> - Does this project propose improvements that are compatible with the present and planned transportation system? Does the project provide continuity with existing and planned state and local plans and facilities?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Fulfills Policies and Goals</i> - Does the proposed project help achieve performance, safety, mobility or transportation demand management

Satisfactory Assessment?	Criteria
	goals? Is the project compatible and coordinated with existing and planned multi-modal facilities and does the project improve connections among the transportation modes?

Satisfactory Assessment?	Criteria
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Enhance Community-Wide Transportation System</i> - Are there identified project benefits to the affected community transportation system? Does this project enhance adjacent transportation facilities?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Address the needs of the Local, Regional and State Transportation Plans</i> - Does the project addressing the needs of the state, regional and local transportation plans? Does the project improve safety, reduce congestion, increase capacity, and/or enhance economic efficiency? Is this project addressing the needs of plans and documents of the Virginia Multimodal Long Range Plan? If not, are steps proposed that will achieve coordination and meeting the needs with such plans?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Land Use Impacts</i> –Has the proposed project been coordinated with local land use and comprehensive plans? What steps have been proposed with local planning officials to coordinate land use with proposed transportation facilities?
Yes No <input type="checkbox"/> <input type="checkbox"/>	<i>Economic Development</i> - Will the proposed project enhance the state's economic development efforts? Is the project critical to attracting or maintaining competitive industries and businesses to the region, consistent with stated objectives?

CHECKLIST FOR TERMS AND CONDITIONS OF COMPREHENSIVE AGREEMENT

Specific terms and conditions will vary, depending on the circumstances and situations unique to each proposal. However, the following terms and conditions must be included:

- Private entity's rights to acquire, construct, improve and /or operate the transportation facility, duration of rights, and conditions under which the facility will be dedicated to the responsible public entity;
- Method by which user fees (if any) may be established, plus:
 - Copy of any service contract must be forwarded to the Department;
 - Schedule of current user fees shall be made available by the private entity to any number of the public on request;
 - Classifications according to reasonable categories for assessment of user fees may be made.
- Performance milestones required of the private entity;
- Right of the private entity to cross, as granted by permit or other laws or regulations, any canal or navigable water course;
- Issues regarding utilities, including crossings, relocations, related cost obligations;
- Method by which the private entity and the Department will incorporate the transportation into the existing transportation system;
- Procedures and conditions under which the Commissioner may exercise the power of eminent domain;
- Design, construction, operation and maintenance standards the private entity must follow;
- Requirements of the private entity to submit plans and specifications for the transportation facility to the Department for approval;
- Rights of Department to inspect construction or improvements to the transportation facility, plus the right of Department to monitor maintenance to ensure private entity obligations are met;
- Right of the private entity, with Department approval, to make and enforce rules for the transportation facility;

- Terms for Reimbursement from the private entity to the responsible public entity for services provided;
- Reasonable maximum rate of return or return on investment authorized for the private entity to earn, along with the formula used to calculate this rate and the manner in which revenues will be distributed;
- Terms and conditions under which the Department may contribute resources (e.g., financial, in-kind, etc.) for the transportation facility;
- Events that will be considered defaults, plus the rights to notice and cure, and the remedies available to the Department and the private entity, respectively;
- Lender's rights and remedies with respect to private entity defaults and the Department's remedies;
- Events that will constitute *force majeure* and the remedies the parties will have if these events occur;
- Insurance and bonding requirements the private entity must meet at each stage;
- Allocation between the private entity and the Department of liabilities for items such as (but not limited to) property damage, personal injury, transportation facility repair and hazardous waste remediation;
- Private entity's obligation to maintain records, to allow inspection and audit and provide regular reports to the Department or appropriate state or federal regulatory agency that may be providing funding or oversight;
- Conditions under which the private entity may assign its rights under the comprehensive agreement and/or its rights to the transportation facility; and
- Other requirements of the PPTA (specify):
