



## **LOWER MANHATTAN DEVELOPMENT CORPORATION**

### **REQUEST FOR QUALIFICATIONS:**

#### **Memorial Competition Development Consultant**

*The Lower Manhattan Development Corporation, a subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development Corporation, seeks Statements of Qualifications for memorial competition development consultant services relating to the creation of a memorial at the World Trade Center site to the events of September 11, 2001.*

#### **Lower Manhattan Development Corporation**

John Whitehead, Chairman  
Louis R. Tomson, President

December 16, 2002

#### **Deadline for responses: January 6, 2003, 5:00PM (EST)**

Questions must be submitted in writing to John Hatfield, Assistant Vice President, Memorial, Cultural & Civic Programs, no later than December 20, 2002. Addenda to this RFQ, including responses to any questions, will be posted on the LMDC web site [www.renewnyc.org](http://www.renewnyc.org) by December 27, 2002. LMDC will not accept questions via any other methods.

## **1. GENERAL INFORMATION**

The Lower Manhattan Development Corporation ("LMDC") was established in the fall of 2001 to redevelop and revitalize Lower Manhattan in the aftermath of September 11, 2001. LMDC is a subsidiary of the New York State Urban Development Corporation, doing business as Empire State Development Corporation ("ESDC"), a political subdivision and public benefit corporation of the State of New York, created by Chapter 24 of the Laws of New York, 1968, as amended. LMDC is governed by a sixteen member Board of Directors, eight of whom were nominated by the Governor of the State of New York and eight of whom were nominated the Mayor of the City of New York. LMDC is funded by federal appropriations administered by the United States Department of Housing and Urban Development ("HUD") through its Community Development Block Grant ("CDBG") program. To date, approximately \$2.7 billion has been allocated to LMDC under such appropriations.

In fulfilling its responsibility of creating a memorial at the World Trade Center site, LMDC will need the services of a consulting firm to develop competition guidelines and coordinate the review process of submissions.

Firms interested in submitting their Statements of Qualifications to provide such services are requested to follow the recommended guidelines and instructions contained in this Request for Qualifications ("RFQ"). In the event it becomes necessary to revise any part of this RFQ, revisions will be provided by addendum posted on the LMDC web site: [www.renewnyc.org](http://www.renewnyc.org).

Firms may propose to provide one or more categories of services. Statements of Qualifications should provide a straightforward and concise description of the respondent's capabilities to satisfy the requirements of the RFQ. Emphasis should be on the completeness and clarity of content. Each copy of the Statement of Qualifications should be bound in a single volume and include any documentation you may wish to submit.

LMDC reserves the right to reject any or all Statements of Qualifications submitted in response to this RFQ. LMDC assumes no obligation, no responsibility and no liability for costs incurred by the firm prior to the issuance of a contract.

If you respond to this RFQ, please prepare seven (7) copies of your Statement of Qualifications and work samples and deliver them to:

John Hatfield, Assistant Vice President  
Program Manager for Memorial, Cultural & Civic Programs  
Lower Manhattan Development Corporation  
One Liberty Plaza, 20<sup>th</sup> Floor  
New York, NY 10006  
Attn: Memorial Competition Development Consultant RFQ

Statements of Qualifications must be received no later than **5:00PM (EST), January 6, 2003.**

The current schedule for this RFQ effort is as follows

- ? December 16 2002 – RFQ Issued
- ? January 6 2003 – Responses Due
- ? January 13-17, 2003 - Oral presentations if necessary
- ? January 31, 2003 – Consultant Selected

### **Oral Presentation**

Firms submitting a Statement of Qualifications in response to this RFQ may be required to give an oral presentation of their Statement of Qualifications to LMDC. This will provide an opportunity for the firm to clarify or elaborate on the Statement of Qualifications but will in no way change the original submission. LMDC's request for an oral presentation shall not constitute acceptance of a consultant.

**Subject to annual review and yearly approval by the LMDC Board of Directors the successful firm will be retained for one year with an option for LMDC to renew for one year**

## **2. CONTENT OF STATEMENT OF QUALIFICATIONS**

Please letter and number your responses exactly as the questions are presented herein, and limit it to ten one-sided pages, except items A.4 and E.1-3, which may be included in a separately bound appendix

Interested firms are invited to submit Statements of Qualifications that contain the following information:

### **A. Background and Experience.**

1. A history of the firm's experience in the past 5 years, including experience providing consultant services for architectural competitions, public art and/or memorials to governmental entities, private developers, not-for-profits and civic organizations
2. A description of services to be provided, your approach and methodology.
3. A description of your organizational structure, including resumes of the principals and professional staff who would provide memorial competition consulting for LMDC projects
4. A list of up to 5 major projects for which the firm has provided consulting services, along with up to 2 samples of the work produced. Include the client, the name of a contact person who is able to provide a reference, a description of the nature of the work, the size and complexity of the project, and the amount and the agreed on fee arrangements
5. Any other information that you believe would make your work on behalf of LMDC superior to that of other firms

**B. Fees and Costs**

**NOTE The fee proposal must be submitted in a separate clearly marked sealed envelope. The fee envelope will not be opened until all Statements of Qualifications have been initially evaluated.**

Although proposed fees will be taken into account, LMDC reserves the right to negotiate a lower or different fee structure with any firm that is selected. Please detail the following:

1. The normal hourly rate of each principal and professional staff member whose resume is provided or whose job category may be required, and the hourly rate you propose to charge.
2. Costs of any anticipated administrative support.
3. A schedule of all disbursements that you anticipate will result in a charge and the rate of each.
4. Any reduced fees charged other municipalities, economic development or nonprofit organizations, and governmental entities.
5. Whether you would be willing to agree to a cap on fees.
6. Any other fees or charges.

**C. Contact Information and Personnel.**

1. Lead firm or individual name.
2. Contact person.
3. License or certification information of lead consultant principal or individual.
4. Telephone, fax and wireless numbers.
5. E-mail address.
6. Street address of lead firm or individual.
7. Year firm or individual practice was established.
8. Indicate if **MBE/WBE** (Minority Business Enterprise or Women owned Business, as certified by New York State or qualified to apply).
9. The number of full time employees in New York State.

**D. Conflicts of Interest.**

1. Please submit a statement describing whether providing memorial competition consulting to the LMDC would create any potential conflict of interest, or appearance of impropriety, relating to other clients of the firm or officers, directors, and employees of LMDC.
2. Please indicate what procedures will be followed to detect and notify LMDC of, and resolve any conflicts of interest.
3. Indicate any pending litigation and/or regulatory action by any oversight body or entity that could have an adverse material impact on the firm's ability to serve as memorial competition consultants to LMDC.

4. Indicate if the firm has ever had any prior contact with a government entity terminated for any reason, and provide a detailed explanation.

**E Non-Discrimination Policy. (NOTE Does not count toward ten page limit)**

1. All firms with 50 or more employees shall submit a copy of their nondiscrimination or affirmative action plan.
1. All firms with less than 50 employees shall submit a statement of commitment to equal opportunity and affirmative action executed by the chief executive officer.
2. Completed Attachment A-1.

**3. CRITERIA FOR SELECTION**

In evaluating Statements of Qualifications submitted pursuant to this request, LMDC places high value on the following factors, not necessarily in order of importance:

- A. Quality of work as demonstrated through submitted work samples and results of previous competitions for architectural, public art or memorial projects
- B. Effective presentation, writing and communication skills as exhibited in facilitation of group decision-making;
- C. Innovative or outstanding work by your firm, or a process or methodology which demonstrates your unique qualifications;
- D. Number, complexity, and nature of memorial, architectural or public art competition projects handled by the firm;
- E. Experience with governmental entities;
- F. Firm's staff stability and availability, and facility for working with LMDC and other consultants;
- G. Anticipated cost of services

An oral presentation may be required from the finalists and such presentation (if required) will be a rating factor. Anticipated staff should be present at the oral presentation. (See schedule outlined in "General Information" above)

**4. ANTICIPATED SCOPE OF SERVICES**

**A. Provide strategic recommendations to LMDC**

Firms will be expected to have the experience and expertise to make strategic recommendations to LMDC concerning competition issues, including but not limited to the following:

- ? Advantages and disadvantages of a one stage or two stage process;
- ? Language and graphic requirements
- ? Outreach;
- ? Sequence and timelines
- ? Interface with media;
- ? Interface with concerned constituencies

## **B. Draft competition guidelines**

Firms will be asked to draft guidelines for an open international competition for the memorial at the World Trade Center site to the events of September 11<sup>th</sup>, 2001. The draft guidelines will contain a complete description for all elements outlined below. The report should be in a format suitable for LMDC to edit and a designer to create a publication and/or web site display and may include the following elements

### Overview

- Introduction

- Background and context

Mission Statement (LMDC to provide text)

Program:

- Memorial Program (LMDC to provide text)

- Site description, including maps and schematic drawings

- Site conditions

Process

- Timeline of dates

- Registration method and procedure

- Submission format guidelines – requirements of size, type of visuals, wrapping etc.

- Anonymity

- Criteria for design selections

- Jury members

- Review process for design selection and development processes

Rules

- Eligibility requirements

- Registration requirements and process

- Anonymity

- Ownership and copyright

- Exhibition and publication

- Disqualification

## **C. Market competition guidelines**

Firms should be able to draft a marketing plan with LMDC for advertisement and distribution of competition guidelines. The marketing plan should include:

- ? Recommendations for advertising and public-service announcement placement;

- ? Strategies for reaching international and domestic target audience or participants

## **D. Design and printing of competition guidelines**

Firms will be asked to coordinate and manage the design and printing of the competition guidelines including:

- ? Consult with LMDC and subcontract design and production of competition guideline booklet (subcontractor qualifications to be reviewed and approved by LMDC);

- ? Consult with LMDC and draft specifications for competition guideline booklet;

- ? Provide LMDC with four written bids for design and printing services
- ? Collect all image and text necessary for design and production including procurement of all rights to image to be used after LMDC approval.

**E. Coordinate competition submissions**

Firm will be expected to work with LMDC and an administration consultant for submission handling, administration and management including:

- ? Prepare estimates and budget for competition handling and administration including:
  - (i) Submission handling, staffing, processing, reviewing, jury presentation, digital and hard copy archiving;
  - (ii) Competition advertisements and media outreach;
  - (iii) Design, printing and distribution of competition guidelines and booklets and discs;
- ? Draft competition registration policy and procedures with LMDC and administrative consultant;
- ? Develop procedures for administration and archiving of competition submissions with LMDC and administrative consultant;
- ? Draft procedural rules for review of submissions by selection jury;
- ? Coordinate with LMDC and administrative consultant all meetings for presentation of submissions to selection jury, including but not limited to determining jury review venue;
- ? Draft procedures for non-compliant submissions and recommend to LMDC acceptable tolerances for borderline submittals pursuant to format and content;
- ? Answer and record questions from competitors regarding registration, submission procedures and review process.

**F. Consultant administrate exhibition of competition selections**

Firms should be able to propose presentation formats of competition design selections including:

- ? Consult with LMDC on appropriate venues for exhibiting competition selections
- ? Coordinate logistics for presentation including transportation and installation at venue;
- ? Draft signage materials including labels, explanatory text and information;
- ? Work with LMDC administrative consultant on web-based exhibition of competition selections

**G. Produce reports participate in and facilitate meetings**

Firm will be expected to:

- ? Participate in and facilitate meetings with LMDC, its consultants, other government agencies, and other interested parties
- ? Attend public meetings and hearings, make presentations and/or respond to comments where appropriate;
- ? Produce complete reports as may be appropriate under applicable law. (LMDC may consider firm that specialize only in one or more, but not all, categories of competition consultant services. Firms should specify in their Statement of Qualifications in which such category or categories they specialize.)

## **5 ANTICIPATED SCHEDULE OF DELIVERABLES**

If selected, the firm will be expected to deliver to LMDC the following:

February 21	Draft of registration and competition guidelines
February 28	Report on cost estimates for competition
March 7	Marketing report
March - May	Registration and submission handling with LMDC and consultant
May - June	Submission handling and review process
July - September	Exhibition proposal

## **6 CONTRACT REQUIREMENTS**

Selected firms will be required to enter into a formal contract with LMDC that will include the terms and conditions set forth in Schedule A to this RFQ, subject to applicability and amendment. The contents of the proposal prepared by the selected firms, with any amendments approved by LMDC, will become a part of the contract awarded as a result of this RFQ process.

The selected firms will be required to:

- ? Work with LMDC and its consultants to provide memorial competition consultant services to LMDC on matters that may arise in connection with the planning, development, administration and management of a memorial competition.
- ? Maintain accurate accounting records and other evidence pertaining to costs incurred in providing services, and on LMDC request, make such records available to LMDC at all reasonable times during the contract period and for six (6) years after the date of the final payment to the firm under the contract.
- ? Assume sole responsibility for the complete effort as required by this RFQ, and be the sole point of contact with regard to contractual matters.
- ? Refrain from assigning, transferring, conveying, subletting or otherwise disposing of the contract or its rights, titles or interest therein or its power to execute such agreement to any other person, firm, partnership, company, or corporation without the prior consent and approval in writing of LMDC.
- ? Comply with applicable law governing projects initiated or supported by LMDC, including all applicable HUD requirements and regulations.

LMDC may hire more than one firm that respond to this RFQ. LMDC has no preference that all services be provided by the same firm and firm may choose to submit Statements of Qualifications to provide less than all of the anticipated scope of services. Responding firms must specify which services they are proposing to provide. LMDC will review all proposals without prejudice regarding which services are proposed.



As set forth in Schedule A, LMDC may terminate any contract entered into as a result of this RFQ at any time, provided that written notice has been given to the firm at least thirty (30) days prior to such proposed termination date.

## **7. MISCELLANEOUS CONDITIONS**

The issuance of this RFQ and the submission of a response by any proposing firm or the acceptance of such response by LMDC do not obligate LMDC in any manner. Legal obligations will only arise on the execution of a formal contract by LMDC and the firms selected by LMDC.

LMDC reserves the right (i) to amend, modify, or withdraw this RFQ, (ii) to revise any requirements of this RFQ, (iii) to require supplemental statements or information from any firm, (iv) to accept or reject any or all responses hereto, (v) to extend the deadline for submission of responses hereto, (vi) to negotiate or hold discussions with any firm and to waive defects and allow corrections of deficient responses which do not completely conform to the instructions contained herein, and (vii) to cancel this RFQ, in whole or in part, if LMDC deems it in its best interest to do so. LMDC may exercise the foregoing rights at any time without notice and without liability to any firm or any other party for their expenses incurred in the preparation of the response hereto or otherwise. Responses to this RFQ will be prepared at the sole cost and expense of the firms. No copies of materials submitted in response to this RFQ will be returned.

## **8. LMDC NON DISCRIMINATION AFFIRMATIVE ACTION POLICIES**

It is the policy of the State of New York, and the LMDC, to comply with all federal, State and local laws, policies, orders, rules and regulations which prohibit unlawful discrimination because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status, and to take affirmative action in working with contracting parties to ensure that Minority and Women-owned Business Enterprises ("M/WBEs"), Minority Group Members and women share in the economic opportunities generated by LMDC's participation in projects or initiatives, and/or the use of LMDC funds. LMDC is a subsidiary of the Empire State Development Corporation ("ESDC") and its non-discrimination and affirmative action policy will apply to this contract. LMDC has established a 20% M/WBE participation goal for the entire redevelopment project. The selected consultant shall be required to use its best efforts to provide for the meaningful participation of American M/WBEs, Minority Group Members and women in the execution of this contract. A copy of each respondent's equal employment opportunity policy statement, Staffing Plan (Attachment A-1) of the anticipated workforce to be utilized on the contract and Schedule of Minority and Women-owned Business Participation (Attachment A-2), shall be included as part of the response to the RFQ. The ESDC Affirmative Action Unit ("AAU") is available to assist you in identifying New York State certified M/WBEs that can provide goods and services in connection with the contract. If you require M/WBE listings, please call the AAU at (212) 803-3224.

**ATTACHMENT A-1**

**STAFFING PLAN**

Project/RFP Title \_\_\_\_\_ Location of Contract \_\_\_\_\_

Contractor/Firm Name \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Check applicable categories: (1) Staff Estimates include: ( ) Contract/Project Staff ( ) Total Workforce ( ) Subcontractors  
 (2) Type of Contract: ( ) Construction Consultants ( ) Commodities ( ) Services/Consultants

TOTAL ANTICIPATED WORK FORCE											Total Percent Minority Employees	Total Percent Female Employees
Federal Occupational Category	Total Number of Employees		Black (Not of Hispanic Origin)		Hispanic		Asian or Pacific Islander		Native American Alaskan Native			
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female		
Officials/ Admin.												
Professionals												
Technicians												
Sales Workers												
Office & Clerical												
Craft Workers												
Operatives												
Laborers												
Service Workers												
<b>TOTALS</b>												

**CERTIFICATION:**

I, \_\_\_\_\_ (Print Name), the \_\_\_\_\_ (Title),  
do certify that (i) I have read this Staffing Plan and (ii) to the best of my knowledge, information and belief  
the information herein is complete and accurate.

Signature \_\_\_\_\_ Date \_\_\_\_\_ Telephone Number \_\_\_\_\_ ( ) \_\_\_\_\_

**CONTRACTORS STAFFING PLAN**  
*Instructions for Completion*

**PURPOSE:**

The Contractors Staffing Plan is prepared by all contractors providing good, products and merchandise, or services (skilled and non-skilled) or professional consulting services (inclusive of professional construction consultant services) to a state agency. The plan is required prior to the award of a contract and contains the anticipated staff assignments during the contract. **In instances where that cannot be identified, the contractor may identify the total work force of the company.** The form will be reviewed by state agencies for the purposes of equal employment opportunity requirements.

**GENERAL INFORMATION:**

1. **Project/RFP Title:** describe the project for which you are competing as indicated on the RFP/RFB document.
2. **Location of Contract:** the company's location and postal zip code.
3. **Contractor/Firm Name:** the company that will be providing workforce. Include *address*, city name, state and zip code.
4. **Check applicable categories:**
  - (1) *Staff Estimated include: Contract/Project Staff* (check in cases where the workers to be assigned can be determined, **Total Work Force** (check in the event the contract work force cannot yet be determined, **Subcontractors** (check if the work force for the project is that of a subcontractor).
  - (2) *Type of Contract: Construction Consultants, Commodities, Services/Consultants* (check appropriate box).

**TOTAL ANTICIPATED WORK FORCE:**

1. **Federal Occupational Category:** The contractor's work force is broken down and reported by the nine Federal Occupational Categories (FOC's) consistent with the Federal government's EEO-1 categories for the private sector labor force. The categories are general in nature, and include all related occupational job titles. The contracting agency can provide assistance in categorizing specific jobs.
2. **Total Number of Employees:** Record the total number of all persons employed in each FOC regardless of ethnicity (either to be assigned to the contract/project staff OR in the company's total work force, as indicated by the categories selected in number 4 (1) Staff Estimated, of the General Information. Report the number of male employees in column (1), and the total number of female employees in column (2) for each FOC. In columns (3) through (10), report the number of male and female *minority* group member, based on the following defined groups:

**Black (not of Hispanic origin):** all persons having origins in any of the Black African racial groups.

**Hispanic:** all persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American or either Indian or Hispanic origin, regardless of race.

**Asian or Pacific Islander:** all persons having origins in any of the Far East countries, South East Asia, the Indian subcontinent or the Pacific Islands.

**Native American or Alaskan Native:** all persons having origins in any of the original peoples of North America.

**TOTAL PERCENT MINORITY:**

Add all minority group members (male and female) columns (3) through (10), divide by the total numbers of all employees in that FOC (columns 1 + 2). Post the percentage result for that FOC. [Total number of minority employees (columns 3 thru 10) Total number of employees (columns 1 and 2)].

**TOTAL PERCENT FEMALE:**

Divide the number of female employees (column 2) in the FOC, by the total number of both Male and Female (column 1+2). Post the percentage result for that FOC. [Total female employees (column 2). Total number of employees (columns 1 and 2)].

**TOTALS:**

To compute the column totals, add vertically. *Total Percent Minority Employees and Total Percent Female Employees* should be calculated as shown above, using the summed column totals.

The Contractors Staffing Plan is to be completed by the prime contractor and signed and dated by an authorized representative before submission. The *Company Official's Name, Title, Telephone Number, Signature and Date* signed should be provided where indicated on the form.

**ATTACHMENT A-2**

**MBE/WBE COMPLIANCE REPORT**  
**NON-CONSTRUCTION**

*(to be filed quarterly)*

PROJECT SPONSOR/DEVELOPER: \_\_\_\_\_  
POOLE

ESD AA REPRESENTATIVE

ADDRESS: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

PROJECT START DATE: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

TOTAL NUMBER OF SUBCONTRACTORS: \_\_\_\_\_

*Attach M/WBE contract documentation, i.e. executed contracts, si*

TOTAL DOLLAR AMOUNT OF SUBCONTRACTS: \_\_\_\_\_

*This report should be completed by an officer of the reporting company  
AA Representative with the appropriate documentation*

PRIME CONTRACTOR (Name, Address, Contact Person and Phone)	TYPE OF CONTRACT (Trade/Service)	CONTRACT AMOUNT	M/WBE SUBCONTRACT DATE	MBE/WBE SUBCONSULTANT (Name, Address, Contact Person and Phone)

**CERTIFICATION:**

I, \_\_\_\_\_ (Print Name), the \_\_\_\_\_  
have read this Compliance Report and (ii) to the best of my knowledge, information and belief the information contained herein is complete and

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

*Forward to:*

Empire State Development  
Affirmative Action Unit - Laverne Poole  
633 Third Avenue  
New York, NY 10017-6754

Office: (212) 803-3224

Fax: (212) 803-3223