



LOWER MANHATTAN DEVELOPMENT CORPORATION

REQUEST FOR PROPOSALS WORLD TRADE CENTER SITE MEMORIAL ASSOCIATE ARCHITECT

*The Lower Manhattan Development Corporation, a subsidiary of
the New York State Urban Development Corporation
d/b/a Empire State Development Corporation,
seeks proposals to provide architectural services
relating to the World Trade Center Site Memorial.*

Lower Manhattan Development Corporation
John C. Whitehead, Chairman
Kevin M. Rampe, President

March 1, 2004

Pre-proposal conference: March 10, 2004, 9:00 AM EST
Deadline for responses: March 22, 2004, 5:00 PM EST

A pre-proposal conference will be held on March 10, 2004 at 9 AM at LMDC's offices located at 1 Liberty Plaza, 20th Floor, New York, NY 10006. Questions must be submitted in writing no later than March 10, 2004 to David Ridley by mail to LMDC or by facsimile to: (212) 962-2431. Addenda to this RFP, including responses to any questions submitted in writing or asked at the pre-proposal conference, will be posted on the LMDC web site www.renewnyc.com by March 15, 2004. LMDC will not accept, and cannot respond to, questions via any other methods.

I. GENERAL INFORMATION

A. Mission and Structure of the Lower Manhattan Development Corporation

The Lower Manhattan Development Corporation (“LMDC”) was established in late 2001 to develop and revitalize Lower Manhattan in the aftermath of the September 11, 2001 terrorist attacks. As it relates to the work of LMDC, Lower Manhattan refers to all areas in Manhattan south of Houston Street.

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 by the Mayor of the City of New York. LMDC, or its designee, is referred to as the “Client” throughout this RFP.

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 \$2.8 billion has been allocated to LMDC under such appropriations. (*See* Defense Appropriations Act of 2002, Public Law 107-117 and Supplemental Appropriations Act of 2002 for Further Recovery from and Response to Terrorist Attacks on the United States, Public Law 107-206). Partial Action Plans relating to the expenditure of some of these funds are available on LMDC’s web site:

<http://www.renewnyc.com>.

B. Overview of Planning and Design Process for the World Trade Center Site

Preliminary Blueprint and Principles

The Preliminary Blueprint and Principles laid the groundwork for the LMDC rebuilding and revitalization efforts. It set forth principles to guide LMDC in developing, coordinating, and evaluating plans for a memorial. The Preliminary Blueprint proposed goals and objectives of the revitalization as well as actions required to realize these goals.

The creation of a fitting memorial is the first goal in the Preliminary Blueprint, symbolizing its importance to the mission and objectives of LMDC. The first Preliminary Blueprint goal proposes to “[r]espect the site of the World Trade Center as a place of remembrance, and reserve an area of the site for one or more permanent memorials.”

The Preliminary Blueprint and Principles may be viewed on the website of LMDC at <http://www.renewnyc.com/content/pdfs/PrinciplesBlueprint071102.pdf>.

Preliminary Design Concepts

In July 2002, LMDC and the Port Authority of New York and New Jersey released six design concepts for the World Trade Center site. These designs sparked a public debate, which culminated in "Listening to the City," a town hall forum attended by over 5,000 interested individuals. Through this public forum, LMDC was able to enrich and refine its redevelopment planning goals.

Innovative Design Study

In the fall of 2002, LMDC launched an international design competition for an innovative land use plan for the World Trade Center site. Seven teams were selected out of 406 submissions. The teams were guided by the Innovative Design Study Program, which called for a fitting setting for the memorial, a distinctive skyline, mixed uses on the site, and enhanced transportation. After the release of the seven plans on December 18, 2002, LMDC embarked on Plans in Progress, an extensive public outreach campaign. The outreach initiative involved an exhibition of the seven site plans at the World Financial Center Winter Garden that drew over 100,000 visitors, the distribution and collection of comment cards at the exhibition, and a documentary of the seven teams each describing its design. Presentations of the seven designs could be viewed and comments submitted on the LMDC website. In addition, LMDC held two public hearings simulcast to all five boroughs and Long Island, and a separate hearing in New Jersey. In total, the outreach campaign yielded over 12,000 comments.

On February 27, 2003, Governor George E. Pataki and Mayor Michael R. Bloomberg announced the selection of Memory Foundations by Studio Daniel Libeskind as the design for the World Trade Center Site. As the master planner for the World Trade Center Site, Studio Daniel Libeskind, L.L.C. is responsible for the Master Plan and Design Guidelines for the World Trade Center site. A significant part of Studio Libeskind's work on the Master Plan was the planning of an integrated memorial and cultural district that could accommodate the selected memorial design. Principal design concepts of Memory Foundations included the exposure of the slurry wall, the development of a memorial and cultural district adjacent to the slurry wall, and the creation of a 1,776 ft. tall building, the Freedom Tower, which would restore the majestic skyline of Manhattan.

Master Planning Phase

In September 2003, LMDC, the Port Authority of New York and New Jersey, and Daniel Libeskind presented a revised master site plan. The revised site plan enhances the key design principles by relocating portions of commercial space off the site, providing for park space in the area south of Liberty Street, and placing truck and bus-servicing infrastructure away from the memorial area. The revised master plan may be viewed on the LMDC website at

http://www.renewnyc.com/plan_des_dev/wtc_site/new_design_plans/Sept_2003_refined_design.asp.

In December 2003, Governor George E. Pataki and Mayor Michael R. Bloomberg unveiled the revised design for the Freedom Tower, the tallest building in the world. The design, which was conceived by Daniel Libeskind, was realized by architect David Childs of Skidmore, Owings and Merrill. The Freedom Tower reflects the main design principles set forth in Memory Foundations. The torqued geometric shape of the building resembles the Statue of Liberty. The Freedom Tower will contain 2.6 million square feet of office space, retail, rooftop restaurants, and an observation deck. A network of cables will rise above the occupied space to 1,550 feet and within the cables will be wind turbines capable of generating 20% of the building's energy. On top of the cables, a 276 foot spire will be placed. The building will include state of the art security technology including extra fireproofing, structural redundancy, and chemical and biological filters for the air supply.

Environmental Review of the Redevelopment of the World Trade Center site

An important component of the planning process for the World Trade Center site is the development of a comprehensive strategic plan and the environmental review of this plan. LMDC is proposing to undertake, in cooperation with the United States Department of Housing and Urban Development (HUD) and the Port Authority of New York and New Jersey (Port Authority), a World Trade Center Memorial and Redevelopment Plan (the Proposed Action). This Proposed Action includes the construction of a World Trade Center Memorial and memorial-related improvements, as well as commercial, retail, museum and cultural facilities, new open space areas, new street configurations, and certain infrastructure improvements at the World Trade Center Site (WTC Site) and certain adjacent sites, including (a) the two City blocks south of the WTC Site and portions of Liberty and Washington Streets, and (b) possibly below-grade portions of Site 26 at Battery Park City. The sites are referred to, collectively, as the "Project Site".

LMDC is conducting a coordinated environmental review of the Proposed Action, pursuant to federal statute, as the recipient of HUD Community Development Block Grant program funds (42 USC § 5304(g)) and as lead agency under both the National Environmental Policy Act (NEPA) and the New York State Environmental Quality Review Act (SEQRA) and its implementing regulations (6 NYCRR Part 617). LMDC is preparing a Generic Environmental Impact Statement (GEIS) as part of that review.

To guide the preparation of the GEIS, LMDC prepared a Draft Scope. The Draft Scope was first reviewed at a public scoping meeting held at the TriBeca Performing Arts Center at the Borough of Manhattan Community College in July 2003. Public comments on the Draft Scope were received at the scoping meeting and in writing until August 4, 2003. LMDC addressed these comments in a Final Scope of the GEIS issued in September 2003. The Final Scope of the GEIS may be viewed on the LMDC website at

http://www.renewnyc.com/content/pdfs/WTC_GEIS_Final_Scope.pdf. In January 2004, the LMDC Board approved the Draft GEIS and it was released for public comment until March 15, 2004. Public hearings were held to solicit comment on the plan and the Draft GEIS at Pace University on February 18, 2004.

Memorial Mission Statement and Program

LMDC made an early commitment to the establishment of a fitting memorial to honor those that were killed in the terrorist attacks on September 11, 2001 and on February 26, 1993, as well as to recognize the outpouring of emotional, material, and financial support provided by businesses, government agencies, nonprofit organizations, and individuals in response to the attacks. To guide the development of a memorial LMDC has developed a clearly defined process that is closely coordinated with the planning and redevelopment of the World Trade Center site. Two major components of the Memorial development process are the creation of a memorial mission statement and a memorial program. The LMDC Families Advisory Council developed the preliminary mission statement and program in the spring of 2002. The mission statement described the purpose of the memorial, while the program described the principles that the memorial must embody and the elements it must feature to be considered in the memorial competition.

The mission statement and program were released for public comment from January 8, 2003 through February 2, 2003. Public hearings about the statement and program were held in each of the five boroughs on January 14, 2003. By the end of the comment period, LMDC received over 2000 comments. Two separate committees, convened by LMDC and comprised of family members, residents, survivors, first responders, arts and architecture professionals, and community leaders drafted a revised version of the mission statement and program which incorporated the public comments. The finalized Memorial mission statement and program are viewable on the LMDC's website at <http://www.renewnyc.com/Memorial/memmission.shtml.htm>.

Memorial Competition

In April 2003, the Lower Manhattan Development Corporation launched a worldwide competition to design a memorial at the World Trade Center site to honor the victims of the terrorist attacks of September 11, 2001 and February 26, 1993. LMDC received 5,201 memorial design submissions from 63 nations and 49 states making it the largest design competition in history. On November 19, 2003, LMDC unveiled the eight finalists' designs for the World Trade Center Site Memorial Competition. The designs reflected a refinement process through which each finalist took measures to enhance their design concepts. These measures, such as developing a three dimensional representation of the memorial design and presenting a written or oral description of the proposal to the jury, enabled the jury to select a winning Memorial design. Similarly, these measures allowed the public to understand the magnitude and symbolic significance of each design. Images of three-dimensional models of the designs, of key

design elements, as well as animations of the finalists' concepts for their designs are viewable on the Memorial Competition website: <http://www.wtcsitememorial.org/>.

On January 6, 2004, the thirteen-member World Trade Center Site Memorial jury announced the winner of the memorial design competition: *Reflecting Absence* by architect Michael Arad and landscape architect Peter Walker. On January 14, 2004, World Trade Center Site Memorial winners Michael Arad and Peter Walker presented a refined memorial design. The design proposes a space that conveys the feelings of loss caused by the destruction of the World Trade Center and the loss of thousands of lives on September 11, 2001 and February 26, 1993. The design features reflecting pools within sunken voids that encompass the footprints of the Twin Towers within a grove of trees and provides a final resting place for all of the unidentified remains of those killed in the terrorist attacks of September 11, 2001 and February 26, 1993.

Cultural Institutions

LMDC issued an Invitation to Cultural Institutions on June 30, 2003 to solicit information from cultural institutions and organizations interested in developing an interpretive museum for the events of February 26, 1993 and of September 11, 2001. The Invitation also sought information from organizations interested in locating on or participating in cultural programming at the World Trade Center Site. The interpretive museum is integral to honoring and memorializing those that died on February 26, 1993 and on September 11, 2001. The museum will educate and inform visitors through stories about the victims' lives and about the heroic rescue, recovery, and relief efforts, as well as allow for changing programming. In addition to the museum, a cultural institution will contribute energy and diversity to Lower Manhattan while helping to establish Lower Manhattan as a cultural hub. The cultural institution will celebrate life and provide a fitting environment for remembrance. LMDC received 113 submissions, demonstrating the large interest in the historic effort.

In February 2004, LMDC issued a *Report on the Memorial Center and Cultural Complex at the World Trade Center Site* which can be found on LMDC's web site:

http://www.renewnyc.com/content/pdfs/ICI_report_2-10.pdf.

C. Overview of the World Trade Center Site Memorial Foundation, Inc.

On February 6, 2004, Governor George E. Pataki and Mayor Michael R. Bloomberg announced the appointment of a nine-member search committee to select the Chair of the World Trade Center Site Memorial Foundation, Inc. The Foundation is a non-profit entity that will raise funds for and coordinate the planning and construction of the Memorial, the interpretive museum, and related cultural facilities on the World Trade Center site.

The search committee includes several family members and other distinguished New Yorkers such as John C. Whitehead, Chairman of the Lower Manhattan Development Corporation,

Richard Parsons, Chairman and CEO of Time Warner, Inc. and former U.S. Senator George Mitchell.

The Chair of the Foundation will lead a distinguished board of directors in undertaking the historic fund-raising campaign to implement architects Michael Arad's and Peter Walker's design for the memorial on the World Trade Center site. The Foundation will undertake coordination of funding and construction of an interpretive center that will preserve artifacts from the attacks and convey individual stories of lives lost and the related cultural facilities.

D. Overview of Services Requested and the Submission Process

In fulfilling its responsibility over the development and revitalization of Lower Manhattan, LMDC will need to obtain the services of a firm to provide architectural services in connection with the World Trade Center Site Memorial. Firms interested in submitting proposals to provide such services are required to follow the guidelines and instructions contained in this Request for Proposals ("RFP"). In the event it becomes necessary to revise any part of this RFP, revisions will be provided by addenda posted on the LMDC web site: <http://www.renewnyc.com>.

Proposals should provide a straightforward, complete, and concise description of the firm's capabilities to satisfy the requirements of the RFP. Please prepare twelve (12) copies of your proposal and work samples. Each copy of the proposal should be bound in a single volume, excluding the fee proposal which must be submitted separately, and include any documentation you may wish to submit.

Firms submitting a proposal in response to this RFP may be required to give an oral presentation of their proposal to LMDC. This oral presentation may provide an opportunity for the firms to clarify or elaborate on the proposal but will in no way change the original submission. Engagement staff should be present at the oral presentation. LMDC's request for an oral presentation shall not constitute acceptance of a proposal.

Proposals must be received no later than 5:00 PM EST, March 22, 2004. Deliver all proposals to:

RFP/RFQ PROCESSOR
Lower Manhattan Development Corporation
One Liberty Plaza, 20th Floor
New York, NY 10006
Attn: WTC Site Memorial Associate Architect RFP

LMDC reserves the right to reject any or all proposals submitted if such election is deemed to be in the best interest of LMDC. LMDC assumes no obligation, no responsibility, and no liability for costs incurred by the responding firms prior to the issuance of a contract.

LMDC will be holding a pre-proposal conference for this RFP. While a proposer's attendance at the pre-proposal conference is not mandatory to propose on the contract described in this RFP, it is strongly encouraged.

The current schedule for this effort is as follows:

- March 1, 2004 – RFP issued
- March 10, 2004 – Questions due
- March 10, 2004, 9AM – Pre-proposal conference
- March 22, 2004, 5 PM – Responses due
- March 29 - 31, 2004 – Oral presentations conducted
- April 9, 2004 – Firm(s) Selected

Subject to annual review and approval by the LMDC Board of Directors, the selected firm(s) will be retained for five years with an option for LMDC to renew.

II. ANTICIPATED SCOPE OF SERVICES

LMDC is seeking a firm to assist LMDC in its planning, development, and revitalization work in Lower Manhattan. Specifically, LMDC seeks architectural services in connection with the World Trade Center Site Memorial. LMDC requests proposals for one or more firms to provide services including but not limited to the scope of work described generally below.

A. Purpose and Project Area

On January 6, 2004, the thirteen-member World Trade Center Site Memorial jury announced the winner of the memorial design competition: *Reflecting Absence* by architect Michael Arad and landscape architect Peter Walker. On January 14, 2004, World Trade Center Site Memorial winners Michael Arad and Peter Walker presented a refined memorial design. The design proposes a space that conveys the feelings of loss caused by the destruction of the World Trade Center and the loss of thousands of lives on September 11, 2001 and February 26, 1993. The design features reflecting pools within sunken voids that encompass the footprints of the Twin Towers within a grove of trees and provides a final resting place for all of the unidentified remains of those killed in the terrorist attacks of September 11, 2001 and February 26, 1993.

Architect Michael Arad and landscape architect Peter Walker are the "Design Team" for the World Trade Center Site Memorial (the "Memorial"). LMDC is committed to ensuring that the design of the Memorial as envisioned by the Design Team and chosen by the jury and presented to the public will be built. The Associate Architect, selected through this RFP process, will work with the Design Team in the realization of the design for the Memorial. LMDC will also be hiring a Construction Management Firm, through a separate process.

The Design Team is the principal designer of the Memorial. The Design Team will provide the design services through design development, working with the Associate Architect. The

Associate Architect will produce the construction documents, working with the Design Team. Within parameters determined by the Client, the Design Team will approve documents produced by the Associate Architect and construction submittals to ensure that they meet the design intent. It is anticipated that the Design Team will provide all landscape architecture services for the design of the memorial and be the landscape architect of record.

B. Scope of Project

The Associate Architect will work with the Design Team from the beginning of schematic design and will be required to develop a close working relationship with the Design Team. The Associate Architect must demonstrate the ability to work with the Design Team in the realization of the design of the Memorial.

The Associate Architect will be required to demonstrate an understanding and commitment to our goal of design excellence. The design should incorporate a cost effective design approach fully considering life cycle analysis in selection of materials and systems, a balance of innovative design and traditional operating and maintenance practices including durability and ease of maintenance, layout and systems that provide safety, high performance systems that provide value while protecting citizen's health and environment, and accessibility for all citizens.

The specific scope of work of the Associate Architect may include, but is not limited to, the following:

1. The Associate Architect will support the Design Team in the production of all schematic design documents and design development documents. This support may include, but is not limited to, providing required staff to assist the Design Team and/or the production of drawings.
2. The Associate Architect will be responsible for producing all construction documents. Within parameters determined by the Client, the Design Team will approve construction documents produced by the Associate Architect to ensure that they meet the design intent.
3. Subconsultants will be required for this project including but not limited to: MEP; Structural Engineering; Civil Engineering; Water Features; Pedestrian Movement; Lighting Design; Security; and Code Compliance/ Life Safety. All subconsultant contracts, excluding the landscape architect which is part of the Design Team, will be hired by the Associate Architect and will be part of the contract resulting from this RFP. The Design Team part may include, but is not limited to, elements on the memorial's at-grade plaza including paving, stairs and ramps required to access the plaza, and landscaping.

4. The Associate Architect will not include any subconsultants in their proposal. However, if the Associate Architect has divisions that provide these services within their firm, they may be included as an attachment to your proposal response and should list the services offered and hourly rates of principals and staff members. LMDC reserves the right to utilize these services provided directly by the Associate Architect or require the Associate Architect to procure these services.
5. All subconsultants required for this project will be hired through a quality-based competitive process managed by the Associate Architect. The Associate Architect shall hold all subconsultant contracts. The Associate Architect will be responsible for coordination and management of all work of the subconsultants. The Design Team will provide input into the selection of all subconsultants. All subconsultant contracts shall be subject to the prior written approval by LMDC.
6. The Associate Architect will be responsible for issuing documents that are in compliance with the program, the budget, and the schedule as set forth by LMDC.
7. The Associate Architect will be responsible for all liability with respect to the full project and will be the Architect of Record.
8. The Associate Architect will be responsible for final approval of and ensuring compliance with the construction documents of all construction submittals including shop drawings, product specifications, and samples. Within parameters determined by the Client, the Design Team will approve construction submittals to ensure that they meet the design intent.
9. The Associate Architect will be responsible for all contract administration services during construction including, but not limited to, responding to requests for additional information, change order request review and approval, issuing supplemental drawings and specifications, evaluation of the work, and submittal review. Within parameters determined by the Client, the Design Team will approve supplemental drawings and specifications and construction submittals to ensure that they meet the design intent.
10. The Associate Architect will assign a project manager responsible for coordination of all of the design work including development and maintenance of a production schedule for all documents through all stages of design.
11. The Associate Architect will be responsible for all project administration services including, but not limited to, cost estimating, scheduling, document management, progress meetings, and regulatory approvals.

12. The Associate Architect will be responsible for facility operation services including, but not limited to, record drawings and warranty review.
13. The Associate Architect will participate in work sessions, project team meetings, public meetings, and Client meetings throughout each phase to assure full understanding of all aspects of the project.
14. The Associate Architect may be required to provide architectural services for other projects as requested by the Client.

C. Anticipated Project Schedule

Contract Award: April 15, 2004

Subconsultant selection complete: May 15, 2004

Approved Schematic Design Complete: August 15, 2004

Approved Design Development Complete: December 15, 2004

Approved Construction Documents Complete: May 1, 2005

Construction Complete: 2008

Project Close-out Complete: 2008

III. SUBMISSION REQUIREMENTS

Please letter your responses exactly as the questions are presented herein. Please limit your submission to twenty (20) one-sided pages, not including work samples, which must be included in the same single volume. Interested firms are invited to submit proposals that contain the following information:

A. Experience, Structure, and Personnel

1. A history of the firm's experience providing architectural services to economic development organizations, municipalities, other governmental entities, private developers, not-for-profits and civic organizations.
2. A history of the firm's experience providing architectural services on major projects in collaboration with other design principals.
3. A description of the firm's organizational structure, including resumes of the principals, project manager(s), and professional staff who would work directly with LMDC and the Design Team on this project.
4. Samples of up to five (5) major projects that the firm has completed in the area of architectural services involving major public projects in complex urban environments. 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, construction cost, and the amount and the agreed fee arrangements.

5. Provide examples of projects where the firm worked as the primary associate architect with another firm or individual architect that was the Design Team. Include the client, the Design Team, the name of contact persons who are able to provide references from the Design Team and the client, a description of the nature of the work, the size and complexity of the project, construction cost, and the amount and the agreed fee arrangements.
6. Provide references from subconsultants and contractors including the projects worked on and the names of contact persons who are able to provide references.
7. A representation that the firm can devote significant and appropriate design staff and support staff to the project for all phases of design and construction.
8. Any other information that you believe would make the firm's work on behalf of LMDC superior to that of other firms or information about your firm's specialty or particular skill to perform a specific requested service.

B. Methodological Approach

1. A description of how the firm would work with and support the work of the Design Team in the realization of the Design Team's design for the Memorial.
2. A description of how the firm intends to address the anticipated scope of services set forth in Section II of this RFP.
3. A statement explaining the firm's approach to architectural services, including methods, analytical techniques, or models, etc. that would be employed.

C. Fee

1. The normal hourly rate of each principal and staff member whose resume is provided or whose job category may be required, and the rate used in the proposal.
2. A list of anticipated reimbursable expenses and the rate charged for each.
3. Any reduced fees offered to other municipalities, governmental entities, economic development or nonprofit organizations, and civic organizations.
4. Any other fees or charges.

NOTE: The fee proposal must be submitted in a separate, clearly marked, sealed envelope. The fees will not be opened until all proposals 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.

D. Contact Information (NOTE: does not count toward 20-page limit)

On a single cover sheet in your proposal, please provide:

1. The lead firm or individual name;
2. The lead firm's contact person;
3. License or certification information of lead firm principal or individuals working on the LMDC project;
4. Telephone, fax, and wireless numbers for firm principals or individuals working on the LMDC project;
5. E-mail address for firm principals or individuals working on the LMDC project;
6. The Street address of lead firm or individual;
7. The year the firm or individual practice was established;
8. The MBE/WBE status of the firms (Minority-owned Business Enterprise or Women-owned Business Enterprise, as certified by New York State);
9. The type of work or specialty and size of firm; and
10. The signature of the lead individual, and the date of the signature.

E. Conflicts of Interest (NOTE: does not count toward 20-page limit)

1. Submit a statement describing any potential conflict of interest or appearance of impropriety, relating to other clients of the firm (including, but not limited to, projects located in Lower Manhattan), or officers, directors, and employees of LMDC, that could be created by providing services to LMDC.
2. Indicate what procedures will be followed to detect and notify LMDC and to 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 LMDC.
4. Indicate if the firm has ever had a prior contract with any governmental entity terminated for any reason, and provide an explanation.
5. Submit a completed Standard Business Background Questionnaire (Attachment 3).

F. Non-discrimination Policy (NOTE: Does not count toward 20-page limit)

1. Firms with 50 or more employees shall submit a copy of their nondiscrimination or affirmative action plan.
2. Firms with less than 50 employees shall submit a statement of their commitment to equal opportunity and affirmative action from their chief executive officer.
3. Each responding firm must also complete and submit both
 - (a) Attachment 1 relating to the anticipated workforce to be utilized on the contract, and
 - (b) Attachment 2 relating to the anticipated participation of minority and women-owned business enterprises as subcontractors, if any.

All information and documents described in subsections A through F above must be included or addressed in the submission.

IV. CRITERIA FOR SELECTION

In evaluating proposals submitted pursuant to this request, LMDC requires the following minimum qualifications of firms submitting proposals to be considered for evaluation:

- Ten years experience providing architectural services for projects of similar scope, complexity, and visibility.
- Experience on five projects of a high profile including at least one with a total construction cost over \$50 million.
- Experience managing large subconsultant teams.

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

- The ability of the Associate Architect to work with the Design Team in the completion of the Design Team's design for the Memorial.
- The expertise of the architectural firm and its experience on projects of similar scope, complexity, and visibility. The quality of those projects will be examined as well, including client satisfaction, and problems that may have arisen during construction reflecting on the constructability of the design drawings.
- Approaches in methodology with respect to the anticipated scope of services that demonstrate maximum comprehension of and ability to provide such services to LMDC. The ability of the architectural firm to complete projects with fast-track design schedules.
- Experience of firm and employees to be assigned to the project in general, and in particular, providing architectural services to municipalities, economic development organizations, or other governmental entities. Experience of firm on projects in New York City. Selected firm's staff availability and facility for working with LMDC directors, officers, staff, and consultants.
- Quality of work product as demonstrated in submitted work samples. Innovative or outstanding work by firm that demonstrates the firm's unique qualifications to provide architectural services.
- Conformity with or exceeding of applicable LMDC's policies as noted herein, including specific policies relating to nondiscrimination and affirmative action subcontracting goals.
- Projected cost of services.

V. CONTRACT TERMS AND REQUIREMENTS

The contents of the proposal prepared by the successful firms, with any amendments approved by LMDC, will become a part of the contract that is signed as a result of this RFP Process.

The selected firm(s) will be required to:

- Work with LMDC staff and its consultants to provide architectural services to LMDC on matters that may arise in connection with the planning, development, and revitalization of Lower Manhattan.
- Maintain accurate accounting records and other evidence pertaining to costs incurred in providing services, and on LMDC request, to 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 firms under the contract.
- Assume sole responsibility for the complete effort as required by this RFP, 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 responds to this RFP.

LMDC reserves the right to terminate any contract entered into as a result of this RFP at any time, provided that written notice has been given to the firm at least thirty (30) days prior to such proposed termination date.

VI. MISCELLANEOUS CONDITIONS

A. Obligation Only on Formal Contract

The issuance of this RFP, the submission of a response by any firm, and 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 firm(s) selected by LMDC. LMDC's formal contract will consist of more than one schedule, including one substantially in the form of the accompanying "Schedule A" (Attachment 4). LMDC provides this form for informational purposes only and may amend its schedules from time to time.

Responses to this RFP will be prepared at the sole cost and expense of the proposing firms. No materials submitted in response to this RFP will be returned.

B. LMDC Reservation of Rights

LMDC may (i) amend, modify, or withdraw this RFP, (ii) revise requirements of this RFP, (iii) require supplemental statements or information from any firm, (iv) accept or reject any or all responses hereto, (v) extend the deadline for submission of responses thereto, (vi) negotiate or hold discussions with any respondent and to waive defects and allow corrections of deficient responses which do not completely conform to the instructions contained herein, and (vii) cancel this RFP, 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 proposing firm or any other party for their expenses incurred in the preparation of the responses hereto or otherwise.

C. Nondiscrimination and Affirmative Action Policies

It is the policy of the State of New York and 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. As a subsidiary of ESDC, LMDC follows ESDC's non-discrimination and affirmative action policy and it will apply to any contract entered into as a result of this RFP. LMDC has established a 20% M/WBE participation goal for its entire redevelopment project. The selected firm(s) shall be required to use best efforts to provide for the meaningful participation of United States M/WBE's, Minority Group Members and women in the execution of this contract. A copy of each responding firm's equal employment opportunity policy statement, Attachment 1 relating to the anticipated workforce to be utilized on the contract and Attachment 2 relating to the anticipated participation by M/WBEs as subcontractors, shall be included as part of the response to the RFP. The ESDC Affirmative Action Unit ("AAU") is available to assist you in identifying M/WBEs certified by the State of New York that can provide goods and services in connection with the contract anticipated by this RFP. If you require M/WBE listings, please call the AAU at (212) 803-3224.