



**LOWER MANHATTAN DEVELOPMENT CORPORATION**

**REQUEST FOR PROPOSALS  
for  
SUSTAINABLE DESIGN REVIEW SERVICES**

*The Lower Manhattan Development Corporation, a subsidiary of  
the New York State Urban Development Corporation  
d/b/a Empire State Development Corporation,  
seeks proposals for  
Sustainable Design Review Services relating to the  
World Trade Center Memorial and Cultural Program*

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

**March 21, 2005**

**Deadline for responses: Monday, April 18, 2005, 5:00 PM EST**

Questions must be submitted in writing no later than Thursday, March 31, 2005, 5:00 PM EST to  
“RFP Processor” by email at [wtcenvironmental@renewnyc.com](mailto:wtcenvironmental@renewnyc.com). Addenda to this RFP,  
including responses to any questions, will be posted on LMDC’s website [www.renewnyc.com](http://www.renewnyc.com)  
by Thursday, April 7, 2005, 5:00 PM EST

LMDC will not accept, and cannot respond to, questions via 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. For information about the World Trade Center Memorial and Cultural Program General Project Plan, the World Trade Center Redevelopment Master Plan, and other projects and initiatives in Lower Manhattan, visit LMDC’s website: [www.renewnyc.com](http://www.renewnyc.com).

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 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 billion has been allocated to LMDC under such appropriations and another \$783 million is anticipated through a second grant. (*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 website: [www.renewnyc.com](http://www.renewnyc.com).

### **B. Overview of Services Requested and the Submission Process**

In fulfilling its responsibility of revitalizing Lower Manhattan, including developing the WTC Memorial, Memorial Center, Performing Arts Complex, and Museum Complex, LMDC will need to obtain the services of one firm that provides sustainable design architectural review services, including review of and comment on WTC Memorial and Cultural Program project design submissions in conformance with LMDC’s Sustainable Design Guidelines, consultation with LMDC project design teams during design phases, and provide assistance and advice to LMDC during the United States Green Building Council’s Leadership in Energy and Environmental Design (“LEED”) accreditation process. LMDC seeks a qualified firm to provide such services in the future. Firms interested in submitting a proposal to provide such services are required to follow the recommended 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 website: [www.renewnyc.com](http://www.renewnyc.com).

Proposals should provide a straightforward, complete and concise description of the firm's capabilities and qualifications to provide environmental testing and consulting services to the LMDC. Please prepare seven (7) copies of your proposal and work samples. Each copy of the proposal should be bound in a single volume and include any documentation you may wish to submit.

Any firm submitting a proposal in response to this RFP may be required to give an oral presentation of their qualifications to LMDC. This oral presentation may provide an opportunity for the firms to clarify or elaborate on their qualifications 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 retention of the firm for future services.

Proposals must be received no later than **5:00 PM EST, on Monday, April 18, 2005**. Deliver all proposals to:

**RFP PROCESSOR**

Lower Manhattan Development Corporation  
One Liberty Plaza, 20<sup>th</sup> Floor  
New York, NY 10006  
Attn: Sustainable Design Review Services RFP

LMDC may 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.

The current schedule for this effort is as follows:

- Monday, March 21, 2005 – RFP Issued
- Thursday, March 31, 2005 – Questions on RFP due
- Thursday, April 7, 2005 – Addenda Posted to LMDC Website (Including Answers to Consultant Questions)
- Monday, April 18, 2005 – Responses Due (5:00 PM EST)
- Week of May 9, 2005 – Oral Presentations Conducted (if necessary)
- Week of May 16, 2005 – Qualified Firm Selected

Subject to annual review and approval by the LMDC Board of Directors, the selected firm will be retained for two 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 services in connection with review of and comment on WTC Memorial and Cultural Program project design submissions and conformance with LMDC's Sustainable Design Guidelines, to consult with LMDC project design teams during design phases, and to provide assistance and advice to LMDC during the

LEED accreditation process. 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**

1. Memorial
2. Memorial Center

Proposed location: The Memorial and Memorial Center are located on the southwest quadrant of the WTC Site on the block bounded by Fulton Street, Greenwich Street, Liberty Street, and West Street (Route 9A).

Proposed size/volume: The Memorial contains approximately 4.87 acres of open space at grade, and approximately 470,000 gross square feet (gsf) of program below grade. The Memorial Center will contain between 60,000 and 125,000 gsf of program.

Proposed program:

- A Memorial representing and connecting the two 1-acre former Twin Tower footprints. The recessed tower footprints contain water features
- A landscaped Memorial Plaza
- A museum (the Memorial Center) interpreting the events of both February 26, 1993 and September 11, 2001, and placing them into greater context

3. Museum Complex

Proposed location: The Museum Complex will be within the memorial quadrant and adjacent to the north and south tower footprints. The Museum Complex will be at the southwest corner of the restored extensions of Fulton Street and Greenwich Street.

Proposed size/volume: The building will contain approximately 250,000 to 275,000 gross square feet with a maximum footprint of approximately 40,000 square feet.

Proposed program:

The Museum Complex will house five distinct programs:

- A 175,000 gsf museum with associated administrative support
- A 50,000 gsf museum with associated administrative support
- A 16,000 gsf Visitor Center for the WTC Site
- Mechanical ventilation equipment for the Port Authority below-grade transportation program
- A rooftop events space

#### 4. Performing Arts Complex

Proposed location: The Performing Arts Complex will be located at the northwest intersection of the restored Greenwich Street and Fulton Street, directly east of the Freedom Tower.

Proposed size/volume: Approximately 250,000 to 300,000 gross square feet with a maximum footprint of approximately 35,000 square feet.

Proposed program:

- A 900-1,000 seat proscenium theater
- A theater complex with theaters of various sizes ranging from 99 to 499 seats.
- Other program associated with the two performance institutions, such as galleries, rehearsal space, cafés and bookstore, and rooftop terrace.
- Mechanical ventilation equipment associated with the Port Authority below-grade transportation program

#### **B. Scope of Project**

The selected firm will be required to perform the following services for **each** of LMDC's four development projects (Memorial, Memorial Center, Museum Complex, and Performing Arts Center):

Task 1: Meet and consult with Project Design Teams

- Understand design intent and sustainable design specifics (assume two (2) meetings),
- Interpret LMDC sustainable design guidelines for design team (assume ten (10) consultation sessions),
- Advise LMDC on design options related to meeting sustainable design guideline objectives (assume consultations at 50% and 90% progress submissions for each phase for a total of six (6) meetings)

Task 2: Review and comment on final design submissions, including one resubmission per design phase.

- Schematic Design (assume three (3) meetings and one (1) report),
- Design Development (assume three (3) meetings and one (1) report),
- Construction Documents (assume three (3) meetings and one (1) report)

Task 3: Coordinate with the Port Authority of New York and New Jersey

- Review site-wide sustainable plans submitted by design team. Assist LMDC projects in conforming to WTC site-wide sustainable strategies (Review and comment on twelve (12) site-wide sustainable plans for each project in draft and final form)
- Coordinate sustainable review with the Port Authority's Tenant Alteration Application process or with sustainable review by the WTC Sustainable Design Guidelines Implementation Authority, as applicable. Attend meetings with LMDC and the Port Authority and prepare correspondence to advocate on behalf of LMDC projects (assume four (4) meetings with the Port Authority)

Task 4: Advise LMDC during LEED consultation process

- If individual LMDC projects apply for LEED accreditation, consultant would advise LMDC on procedure, options, timing and strategy to best address (assume six (6) additional meetings in person, preparation of correspondence on behalf of LMDC, and additional meetings by telephone as necessary)

**C. Project Schedule**

The selected firm will be selected by May 20, 2005, with contracting expected to occur in June 2005.

1. Memorial

Approved Schematic Design Complete: December 16, 2004  
Approved Design Development Complete: Spring 2005  
Approved Construction Documents Complete: Fall 2005

2. Memorial Center

Approved Schematic Design Complete: Summer 2005  
Approved Design Development Complete: Fall 2005  
Approved Construction Documents Complete: Early 2006

3. Museum Complex

Approved Schematic Design Complete: Spring, 2005  
Approved Design Development Complete: Winter 2005  
Approved Construction Documents Complete: Summer 2006

4. Performing Arts Complex

Design schedule in development, but assume similar periods for review

**III. SUBMISSION REQUIREMENTS**

Please letter your responses exactly as the questions are presented herein. Please limit your submission to ten (10) one-sided pages, not including work samples, which must be included in a separate, bound, appendix. 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 sustainable architectural design, design review, and LEED consultation services to economic development organizations, municipalities, other governmental entities, private developers, not-for-profits and civic organizations.
2. Unique, innovative and outstanding work experience with sustainability projects that exhibit extraordinary design excellence with an emphasis on environmental consciousness and sustainability to create long-lasting economic and social value.
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.
4. A representation that the firm can devote significant and appropriate staff to the project for all phases of design.
5. Samples of up to five (5) major projects that the firm has completed in the areas of sustainable design and/or design review. Include the client, the name and telephone number 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 fee arrangements.
6. 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 intends to address the anticipated scope of services set forth in Section II of this RFP.
2. A statement explaining the firm's approach to sustainable design review and LEED consultation, including process, methods, or analytical techniques, etc. that would be employed.
3. Please describe how your firm will promote the participation of Minorities and Women on this project. If appropriate, please identify

M/WBE subconsultant business participation outlining responsibilities, key staff and qualifications.

C. Fee (NOTE: does not count toward 10-page limit)

1. Total estimated firm fee for completion of the project, and whether the firm would be willing to agree to a cap. Please indicate the individual fee proposed for each of the four projects (Memorial, Memorial Center, Museum Complex, and Performing Arts Complex).
2. 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.
3. A list of anticipated reimbursable expenses and the rate charged for each.
4. An indication that the fees proposed are similar to or lower than those offered to other municipalities, governmental entities, economic development or nonprofit organizations, and civic organizations for similar services.
5. Any other fees or charges, including lump sums for a set number of consultative meetings, if applicable.

D. Contact Information (NOTE: does not count toward 10-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 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 10-page limit)

1. Submit a statement describing any potential conflict of interest or appearance of impropriety, relating to other clients of the firm, 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. Indicate whether or not the firm is currently working for any other stakeholders at the WTC Site, including, but not limited to, The Port Authority of New York and New Jersey, Silverstein Properties, the Metropolitan Transportation Authority, and/or LMDC.
  6. Submit a completed Standard Background Questionnaire (Attachment 3).
  7. Submit a completed Contractor Disclosure Contracts Form and the Contractor Disclosure of prior Non-Responsibility Determinations form (Attachment 5) in compliance with New York State Executive Order 127.
- F. Non-discrimination Policy (NOTE: does not count toward 10-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.
- G. Additional Information (NOTE: does not count toward 10-page limit)
1. Resumes of key staff only (principals, project manager(s) and senior professional staff).

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 places high value on the following factors, not necessarily in order of importance: Firms currently working as consultants or subconsultants to LMDC

- At least five years experience providing sustainable design and review services for projects of similar scope, complexity, and visibility.
- Experience on high profile projects including at least one with a total construction cost over \$15 million.
- Experience on at least two projects of a similar nature (i.e., Public Memorials, Public Parks/Plazas, Museums or other Visual Arts projects, Theaters or other Performing Arts projects and/or other Cultural Building projects) and scale.
- Approaches in methodology with respect to the anticipated scope of services that demonstrate maximum comprehension of and ability to provide such services to LMDC.
- Familiarity with World Trade Center Sustainable Design Guidelines for Memorial and Cultural Projects (Attachments 7 and 8 to this RFP)
- Experience of employees to be assigned to the project in general, and in particular, providing sustainable design, design review, and LEED consultation services to municipalities, economic development organizations, or other governmental entities.
- Quality of work product as demonstrated in submitted work samples.
- Demonstrated knowledge of sustainable design, design review processes, and LEED consultation services
- Number, complexity, and nature of sustainable design, design review, and LEED consultation services handled by the firm.
- Selected firm's staff ability, availability and facility for working with LMDC directors, officers, staff and consultants.
- Conformity with or exceeding of applicable LMDC policies as noted herein, including specific policies relating to nondiscrimination and affirmative 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 terms outlined throughout this RFP should be considered all inclusive.]

The selected firms will be required to:

- Work with LMDC staff and its consultants to provide sustainable design, design review, and LEED consultation services to LMDC on matters that may arise in connection with the design and development of the WTC Memorial and Cultural Program
- 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.

All work to be performed under an LMDC Agreement must be authorized by LMDC pursuant to signed work orders (prepared by LMDC and signed by both LMDC and the selected firm). Work orders will detail the cost and scope of individual tasks for which the firm shall be authorized to perform, and receive payment for, under the Agreement.

LMDC may hire more than one firm that responds to this RFP. LMDC has no preference that all services be provided by the same firm and firms may choose to submit 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.

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. LMDC will also prepare a "Schedule B" containing a scope of services and fee scale mutually agreed to by LMDC and the selected firm.

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 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.

September 11, 2001 Recovery – Consultant will make efforts to employ on this project individuals affected by September 11, 2001, specifically, but not limited to, individuals who (a) lost wages from their work below Houston Street due to September 11, 2001, or (b) lived below Houston Street on September 11, 2001 or currently reside there. Consultant shall submit quarterly reports to LMDC substantially in the form attached as Attachment 3, regarding its efforts to satisfy the obligations as set forth in this paragraph.