

REQUEST FOR PROPOSALS
CONSULTING SERVICES FOR
“NEW YORK CITY PERFORMS” PILOT PROGRAM

New York City Economic Development Corporation

New York City Economic Development Corporation (“NYCEDC”) is seeking proposals for the development and implementation of a performing arts program that utilizes select properties (the “Properties”) owned by the City of New York (the “City”) to stage musical, dramatic, and other artistic performances by emerging New York City performance artists (the “Services”) as more specifically set forth in Exhibit A.

A. PROJECT OVERVIEW.

NYCEDC is a not-for-profit corporation designed to protect and enhance the job and revenue base in the City through the provision of comprehensive economic development services.

The City has a large and diverse arts and cultural community (the “Arts Sector”) that includes organizations of virtually every size in every branch of the arts. The positive contribution of the Arts Sector on the City’s economy and neighborhoods is enormous.

For the purposes of this Request for Proposal, the Arts Sector includes the nonprofit organizations located in the City involved in generating and exhibiting the visual and performing arts. The Arts Sector includes large and well-known institutions and organizations such as museums and zoos, as well as lesser known and/or smaller organizations such as art galleries, historical houses, botanical gardens, and independent theaters.

In order to promote the work of emerging musical, dramatic and other performing artists, the NYCEDC seeks a Consultant to develop and implement a performing arts program to assist these artists in gaining exposure for their art by providing short-term public performance venues at the Properties and to host at least one kick-off reception to launch the program. More details about the program can be found in Exhibit A.

B. PROPOSAL STRUCTURE AND CONTENT.

Selection will be based on NYCEDC’s evaluation of the quality of the written proposals, the quality and relevant experience of the proposers, confirmation to meet the launch dates, and a projected project budget. A Consultant’s proposal should emphasize the consulting organization’s relevant experience, with a statement describing the proposed approach to the project. Specifically, the proposal should include the following:

- A description of the organization’s qualifications, including 3-5 references and descriptions of 3-5 similar projects undertaken by your organization (including the website address if applicable). References should include the names and telephone numbers of contact persons at the client organizations.
- A description of the organization’s experience and expertise in all of the specific Services contemplated under this RFP, including production management, experience working with performing artists, budget implementation, and working knowledge of the Arts Sector in New York City.
- A statement of the proposed approach to the structuring, marketing, and implementation of the Program (as defined in Exhibit A), including the anticipated Program timeline and budget. This should clearly demonstrate the Consultant’s ability to coordinate and

complete the project by the required launch dates and in a cost-efficient manner, acknowledging that the City will make no financial contributions to the success of the project.

- A description of the consulting firm's history, if any, in contracting or doing business with the City and/or NYCEDC.
- A detailed breakdown of all project costs required to complete each of Task 1 through Task 4 described in Exhibit A. This breakdown should include sources and uses of funding, including pay to staff and subcontractors.
- A complete Staffing Schedule, which includes the names and resumes of all individuals in the consulting firm who will be performing and/or supervising the Services (described in Exhibit A).
- A general description of the qualifications of any subcontractor firms that will be performing the Services, if any, as well as the names and resumes of individuals who will be performing and/or supervising the work of any subcontractors. Note that the Consultant shall retain, directly supervise, and coordinate the activities of as few or as many sub-consultants as necessary to perform and complete the Services. Notwithstanding anything to the contrary contained in the foregoing, the Consultant is encouraged to utilize in-house resources to minimize costs.
- Insurance policies. All respondents must submit insurance policies for General Liability and Workers' Compensation coverage required for compliance with this Contract.
- Submission of a Doing Business Data Form which can be found at www.nycedc.com in the "Available Projects" section. If you cannot access or download these forms, the NYCEDC may, upon request, send you the required forms.

C. CONTRACT. Consultant will be expected to execute a consulting contract with NYCEDC which, among other things, will include the provisions contained herein.

D. QUESTIONS REGARDING PROPOSAL

Respondents may submit questions and/or request clarifications from NYCEDC no later than 4:00 p.m. on Monday, October 26, 2009.

Questions regarding the subject matter of this RFP should be directed to NYCPerforms@nycedc.com.

Answers to all questions will be posted by Monday, November 2, 2009 to www.nycedc.com/RFP.

E. INTERVIEWS

Interviews may be held with any, none or all of the respondents after the receipt of proposals. Interviews with NYCEDC would be scheduled after its initial review of proposals.

F. SELECTION

NYCEDC will review each respondent's proposal in its totality. The selected respondent, if any, will be a responsible respondent whose proposal is responsive to this solicitation and, in NYCEDC's sole determination, provides the best quality, creativity, and effectiveness in execution of the project. NYCEDC reserves the right to decline to select a Consultant or to select more than one Consultant. In the event that more than one Consultant is selected, the selected Consultants

may be required to modify their proposal to ensure coordinated delivery of the project. The selected respondent(s) shall be subject to clearance of NYCEDC's Internal Background Investigation Questionnaire and/or the City's Department of Investigation Vendex background investigation program.

G. SUBMISSION

Proposals are due on Monday, November 9, 2009 no later than 4 pm. Please submit five (5) sets of your proposal to the location listed below. Proposals can be submitted by hand or via regular mail, express mail, or another nationally known overnight courier. Proposals received after the indicated date and hour and/or at a different location may not be considered.

Maryann Catalano, Senior Vice President, Contracts
New York City Economic Development Corporation
110 William Street, 6th floor
New York, NY 10038

EXHIBIT A

SCOPE OF SERVICES

I. Introduction

The Consultant shall develop and implement “New York City Performs” as a pilot program (the “Program”). By utilizing the Properties to showcase the performances of emerging New York City musicians, actors, and other performing artists, the Program aims to further the continued growth and sustain the vitality of the City’s Arts Sector. The objective of is to enable emerging local artists to gain exposure to wider audiences by providing short-term opportunities to perform in nontraditional venues. Additionally, as a public benefit to New York City residents and visitors, the proposed events and/or programming related to the use of the Properties are intended to be free of charge and open to the general public. NYCEDC envisions that the Program shall target New York City artists who are in the early stages of their career and could benefit from greater exposure and publicity.

While the Properties will be made available by the City for the purposes of staging these performances, neither the NYCEDC nor the Department of Parks & Recreation will provide any funds, liability or insurance coverage to launch or maintain the Program. The Program is expected to be self-sustaining and budgetary needs may be met through such other funding sources as donations, sponsorships, or institutional or federal funding. The Program is anticipated to launch in the Spring of 2010, with a one-time performance at each individual Property. All performances should be complete by October 2010. A performance schedule will be agreed to with NYCEDC and NYCEDC provided. NYCEDC shall have the ultimate decision making authority with respect to the performance schedule.

II. Properties

The Properties will be in each of the 5 boroughs and may include (see Exhibit B): West Harlem Piers Park, Yankee Stadium Waterfront Park, Socrates Park, the St. George Esplanade, and the Fulton Ferry Landing. Property portfolio is subject to change and availability.

NYCEDC and the Department of Parks & Recreation shall grant the Consultant access to the Properties for the purpose of executing the aforementioned Program of public performances. This access will be granted by means of a permit or otherwise as specified by NYCEDC and/or Parks. Each Property shall be made available subject but not limited to the following terms and conditions:

- The Consultant accepts the Property in the condition in which it is found when the Consultant first entered into possession thereof, or as it was on the date of the Program commencement, whichever is earlier;
- The Consultant accepts that the Property at which the Program will take place may include a variety of surfaces, including grass and concrete;
- The Consultant may use the Property for the sole designated purpose of the Program and preparations at the Property related thereto (the “Work”). The Work may not include any permanent alteration to the Property.
- The Work must be no longer than 3 hours in duration for set-up and no longer than 3 hours in duration for take-down and clean-up;
- In the course of the Work, no vehicles may enter Parks property;
- The Program at each Property may be no longer than 3 hours in duration and must be contained in a 900 square feet area (dimensions 30 feet X 30 feet);

- The sound level of the Program at each Property must comply with all applicable City regulations;
- The Consultant shall be responsible for obtaining all permits necessary to implement the Program, including without limitation a Temporary Place of Assembly (“TPA”) permit;
- The Consultant shall be responsible for obtaining all required insurance policies including but not limited to insurance for the Property, materials used for artistic performances, and persons on the premises. Each policy of insurance required to be carried, except workers’ compensation/employer’s liability, shall contain a provision that no act or omission of the Consultant shall affect or limit the obligation of the insurance company to pay the amount of any loss sustained by the City of New York, the NYCEDC (“Permit Administrator”), or Apple Industrial Development Corporation. (“Apple”). All policies shall be primary protection and neither the City of New York, nor NYCEDC, nor Apple will be called upon to contribute to a loss sustained by the Consultant, NYCEDC, or Apple;
- Neither the City of New York nor NYCEDC shall be responsible or liable in any way for the security of the Consultant’s property on the Property during the Program;
- To the extent that the Consultant makes use of utilities at the Property, the Consultant shall reimburse the City of New York for its use thereof during the permitted period and only to the extent that the City of New York provides the Consultant with copies of any bills or invoices from the utility provider evidencing the Consultant’s use;
- The Consultant is solely responsible for workmen’s compensation;
- The Consultant shall forever defend, indemnify, and hold harmless the City of New York, NYCEDC, and Apple, and their respective representatives and employees from any and against any and all liabilities, claims, demands, penalties, fines, settlements, damages, costs, expenses and judgments of whatever kind or nature, known or unknown, contingent or otherwise (“Losses”), arising out of or related to the agreed upon permitted use of the Property for the permitted term. All policies of insurance required, except workers’ compensation/employers’ liability, shall contain a written waiver of the right of subrogation with respect to all of the named insureds and additional insureds, including the City of New York, the NYCEDC, and Apple;
- The Consultant shall, at its sole cost and expense, comply with and observe the provisions of its Permit and any and all laws, rules, regulations, requirements, ordinances, resolutions and orders of the City of New York and of any and all administrations, departments, bureaus, and boards of federal, state, and local authorities (“Laws”) applicable to the Permit, the Property, and/or the use of the Property.

III. The Services

Although the Consultant is expected to adhere to the outlined Tasks and Program timeline, the Consultant may suggest alternative approaches to the Program and additional tasks it deems necessary to effectively achieve the Program objectives. Such alternative approaches include, but are not limited to, flexibility in the selection of the Properties, the number of emerging artists to be showcased, and the format of the kick-off event. If an alternative approach is accepted by NYCEDC, the Services shall be amended to reflect such changes.

All deliverables shall be submitted to NYCEDC in both written and electronic format in draft form after completion of each task. The Consultant shall be subject to all applicable rules and regulations and subject to NYCEDC background investigations.

In consultation with NYCEDC, the Consultant shall implement the following four tasks:

Task 1: Program proposal

- Task 1.1 Develop a detailed program that outlines the Consultant's proposal to manage the artists' performances, which shall include but not be limited to: program concept and structure; selection criteria and quantity of participating artists; duration and schedule of performances; construction, installation, and de-installation of any necessary set pieces or stages; responsible party for insurance, liability coverage, and security; and obtaining required permitting and approvals from local authorities as necessary and applicable; etc.
- Task 1.2 Develop an overall timeline for the Program (from Contract Start Date to Final Completion), including time required to obtain permitting and approvals, and timing of performances.
- Task 1.3 Submit an overall Program budget which shall include a breakdown, by sources and uses, of the planning and implementation costs of the Program.
- Task 1.4 Provide resumes of the proposed Consultant team which may include the firm's staff, and qualifying individuals, organizations, and/or associations (i.e., designers, installers, local BID's, local artist groups, etc).
- Task 1.5 Develop metrics to measure the Program's success, such as performance attendance and press mentions.

Deliverable: A submission that provides a detailed outline of the Consultant's Program proposal which shall include the Program, budget, timeline, Consultant team list, success metrics, and relevant assumptions.

Task 2: Program participant outreach and recruitment

- Task 2.1: Through a public Request for Proposal (RFP) process, develop and issue a solicitation for performance proposals to be submitted by emerging New York City-based performance artists. The RFP should note that each property is subject to certain applicable City rules and regulations.
- Task 2.2: Develop and implement a plan to market and advertise the Program and RFP to potential artist participants, including individual artists and local groups/associations.
- Task 2.3: Provide outreach and recruitment services to potential artist participants, including without limitation: to screen, interview, answer questions of potential participants, confirm and contract with final program participants. Establish selection criteria of potential participants and proposals; selection criteria shall take into consideration the content, logistics, and regulatory issues entailed in staging performances in public spaces and Properties defined above.

Deliverable: A Request for Proposal publicly soliciting work proposals from emerging NYC-based performance artists, a marketing plan to advertise the RFP and the Program to potential artist participants, a detailed description of outreach and recruitment services, and a final artist participant list.

Task 3: Program Implementation

- Task 3.1: Manage, coordinate, and implement the Program, including without limitation:
- i. Overall Program Management

- Manage Program costs and adhere to Program budget;
 - Manage and coordinate Program-related staff and participating performance artists;
 - Liaise with the general public; manage inquiries related to the Program.
- ii. Exhibition program
- Plan and schedule exhibitions of participating performance artists at each property, and provide on-site coordination (e.g.: arrival and departure of materials and equipment including set pieces, electronics, and musical equipment);
 - Provide management and coordination services needed to produce the scheduled performances, such as conceptualization, research, selection of work, promotional writing, preparation, and clean-up; services include installation and de-installation
 - Secure location for the performances, satisfying without limitation all applicable City rules, regulations, and permitting requirements specific to each property (e.g.: Temporary Place of Assembly permit, on-site security, insurance, etc.);
- iii. Exhibition promotion and networking opportunities
- Develop and implement a plan to promote and advertise scheduled performances to the general public, communities of emerging NYC artists, agents, industry and media people throughout the term of the Program; promotion of the Program and performances may include without limitation: advertising, receptions, press packets, invitations, and brochures.
 - Develop and implement, at minimum, one kick-off reception intended as:
 - i. a marketing effort for the NYC Performs series; and
 - ii. a social networking event for communities of emerging NYC artists, agents, industry and media people.

Deliverable: Implementation of the Program.

Task 4: Final Report

Task 4.1: Analyze the success of each exhibition and the Program's overall success by using metrics and methodology developed in Task 1.5.

Task 4.2:

- i. Prepare a first draft report of findings (including an executive summary, which can be reproduced as a stand-alone document, along with the detailed Program outline and description) for NYCEDC review.
- ii. Following review and approval by NYCEDC and the incorporation of any required changes, Consultant shall submit and present a final written report of findings on or before the Final Completion Date. This report must be submitted in hard copy and electronic format. All supporting documentation, including, without limitation, notes, interview summaries, and reference materials, shall be included in appropriate appendices.

Deliverable: Final report of findings in electronic files, and printed, bound, color documents (10 copies); format to be determined.

St George Esplanade

Borough: Staten Island

Block: 2 / **Lot:** 20

Address: Waterfront west of St George Ferry Terminal, Staten Island, NY 10301

Permitter: The City of New York, acting through the New York City Economic Development Corporation ("NYCEDC") as permit administrator



 Premises
  Access point
  Recommended area for performance



PROPERTY DESCRIPTION

The esplanade is immediately north of the St George Ferry Terminal, commuter public parking lot, and Richmond County Bank Ballpark (home of the Minor League Staten Island Yankees). The Staten Island 9/11 Memorial is also located along the esplanade. The pathway is approximately 48" wide.

Utilities: no utilities available.

Amenities: public restrooms in the nearby Ferry Terminal.

Access: 4 points of public access, via the pedestrian pathway from the St George Ferry Terminal, and areas from and adjacent to the commuter public parking lot

Special considerations:

- Sound level of the Program at each Property must comply with all applicable City regulations; noise permits may be required.
- A Temporary Public Assembly Permit from DOB may be required.

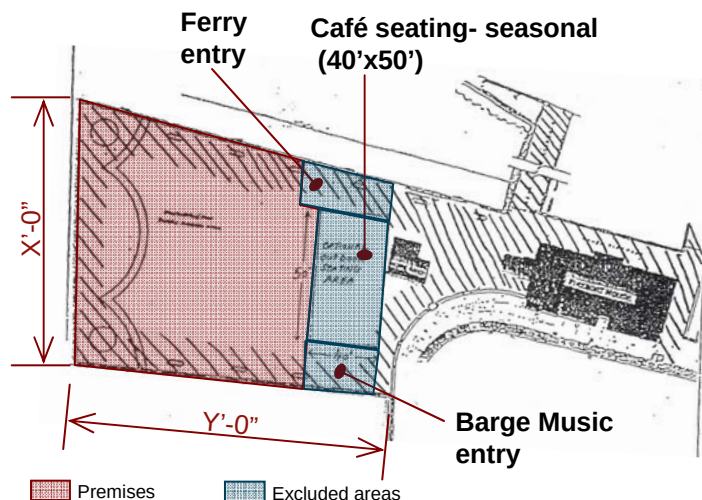
Fulton Ferry Landing

Borough: Brooklyn

Block: 25 / **Lot:** 1

Address: 2 Old Fulton Street, Brooklyn, NY 11201

Permitter: The City of New York, acting through its Dept of Small Business Services



PROPERTY DESCRIPTION

The property is an open public, active wood pier situated at the foot of the Brooklyn Bridge, and next to The River Café. The pier is used by various ferry operators, and the Brooklyn Ice Cream Company (which leases the old FDNY Fire House).

Excluded areas:

- Usage of pier cannot interfere with the seasonal café seating;
- Usage of the pier cannot interfere with the operation and flow of passengers to and from the ferry and Barge Music.

Utilities: none.

Amenities: none; no functioning restrooms on the property.

Access:

- Public and permittee access: ground level, 24 hours a day

Special considerations:

- A Temporary Public Assembly Permit from DOB may be required;
- If certain lighting is used on the pier, a permit may be required.

West Harlem Piers Park

Borough: Manhattan

Block: 352 / **Lot:** 1

Address: 125th Street and Hudson River, New York, NY

Permittor: The City of New York, acting through its Dept of Parks and Recreation



PROPERTY DESCRIPTION

\$20 million, two-acre park connects West Harlem to the Hudson River Greenway and features a docking pier, fishing pier, bicycle and pedestrian paths, public art and landscaped open space.

Access: Ground level access.

Special considerations:

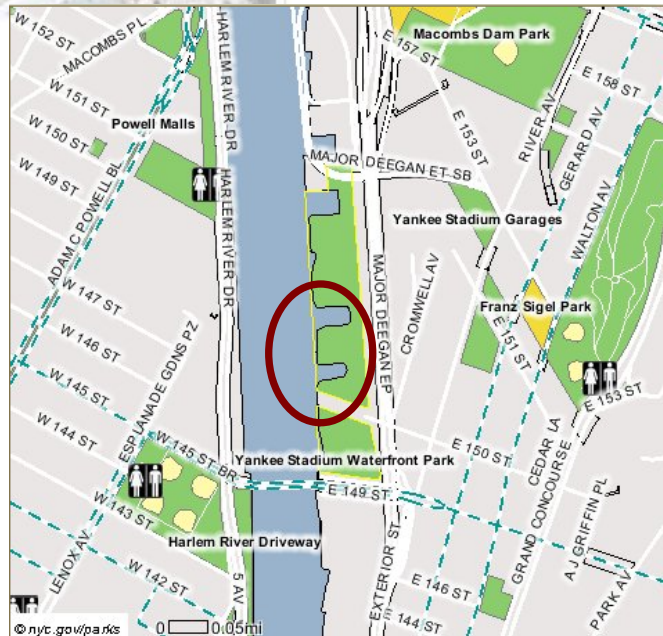
- Sound level of the Program at each Property must comply with all applicable City regulations; noise permits may be required.
- A Temporary Public Assembly Permit from DOB may be required.

Yankee Stadium Waterfront Park

Borough: Bronx

Address: East River & E 149th St Street, Bronx, NY

Permitter: The City of New York, acting through its Dept of Parks and Recreation



PROPERTY DESCRIPTION

The decayed industrial waterfront is being transformed into this new 10-acre park, the first significant park on the Bronx bank of the Harlem River in decades. It includes a pedestrian esplanade, open green space, and sixteen tennis courts with waterfront views. Rehabilitated piers and slips and a new esplanade for strolling connect the park's active recreation areas and a landscaped picnic area, with a children's spray shower located next to a sand play zone.

Available area: Performances can take place on the bowl-shaped open green space of the park.

Access: Ground level access

Special considerations:

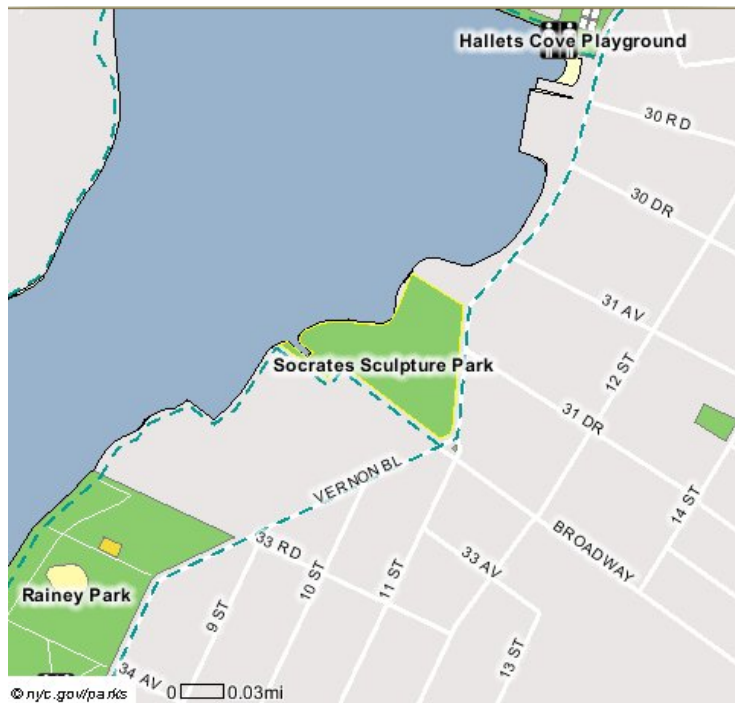
- Sound level of the Program at each Property must comply with all applicable City regulations; noise permit may be required.
- A Temporary Public Assembly Permit from DOB may be required.
- Performances, excluding set up and break down, may not exceed 9 hours on the premises.
- Vehicles are not permitted on Parks property.

Socrates Sculpture Park

Borough: Queens

Address: 3201 Vernon Blvd., Long Island City, NY, 11106-4925

Permitter: The City of New York, acting through its Dept of Parks and Recreation



PROPERTY DESCRIPTION

Socrates Sculpture Park is on Vernon Blvd, between Broadway and 31 Road. It is a 4.89 acre open space with access to the waterfront. It provides a variety of community programming, including movie screenings and arts events.

Access: Ground level access

Special considerations:

- Sound level of the Program at each Property must comply with all applicable City regulations; noise permit may be required.
- A Temporary Public Assembly Permit from DOB may be required.
- Performances, excluding set up and break down, may not exceed 9 hours on the premises.
- Vehicles are not permitted on Parks property.