

REQUEST FOR PROPOSAL

CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC PROPERTY
ONE PARKWAY BLDG., 1515 ARCH STREET
PHILADELPHIA, PA 19102

**CITY OF PHILADELPHIA
THE DEPARTMENT OF PUBLIC PROPERTY**

**REQUEST FOR PROPOSAL FOR
DESIGN PROFESSIONAL SERVICES
FISCAL YEAR 2009 CAPITAL BUDGET**

**PROJECT NO. 16-08-4591-99
Landscape Architectural Services Requirements Contract**



DATE: March 23, 2009

OPPORTUNITY POSTING PERIOD – March 23, 2009 TO April 15, 2009

PROPOSALS ARE DUE BY 4:00 PM April 15, 2009 and MUST be submitted online. In addition to the online submission, proposers MUST submit six (6) hardcopies to the DPP Office, 11th Floor, 1515 Arch Street, One Parkway Building, Philadelphia, PA 19102 (Attn. Eric Iffrig, Project Director)

CONTENTS

Section I**General Information****Section II****Project Summary**

- A Project Information
- B Specific Project Requirements
- C General Project Requirements

Section III**Proposal Requirements and Selection Criteria**

- A Understanding of the Project/Scope of Services/ Schedule
- B Project Team Organization and Team Resumes
- C Related Project Experience
- D Additional Required Statements
- E Fee Proposal
- F Additional Factors Affecting Selection
- G City Rights

Section IV**Contract Requirements, Award and Negotiation**

- A Architect and Engineer Professional Service Contract, General Provisions and Provider Agreement
- B The Philadelphia Tax Status and Clearance Statement Contract
- C Contract Preparation Fee
- D MBEC Requirements
- E Reservation of Rights and Contract Award

Appendices (separately attached)

- Appendix "A" Philadelphia Tax Status and Clearance Statement
- Appendix "B-1" MBEC Requirements
- Appendix "B-2" MBEC - Solicitation for Participation and Commitment Form
- Appendix "C" City of Philadelphia Provider Agreement (Architect and Engineer Services)
- Appendix "D" City of Philadelphia Architect and Engineering Professional Services Contract General Provisions
- Appendix "E" Contract Preparation Fee Schedule
- Appendix "F" Selection Criteria
- Appendix "G" Mayor's Executive Order 1-07
- Appendix "H" Cost Proposal Form

SECTION I - GENERAL INFORMATION

Effective February 1, 2006, eContract Philly is the new program for businesses to perform work with the City of Philadelphia on non-bid contract opportunities. The City is advertising non-bid contract opportunities on www.phila.gov/contracts for businesses to learn about contract opportunities and to manage the entire non-bid contracting process electronically. There are new eligibility requirements for vendors based on campaign contribution limits. All applicants and

contractors are required to provide certain information; such as their campaign contributions, consultants and contractors used, whether they have received any requests or certain types of advice from City employees regarding specific contract opportunities. For more information, please email econtractphilly@phila.gov or call #215-686-4914.

This Request for Proposal (“RFP”) provides information to enable design professionals to electronically submit online through the City’s website, www.phila.gov/contracts, a proposal for architectural, engineering and/or specialized consulting services for the Department of Public Property (“DPP”) for the City of Philadelphia (“City”).

The RFP is issued by the DPP, which is to be the sole contact for the proposal request. The DPP's Project Directors and Project Coordinators will manage and coordinate all aspects of the projects, on behalf of the City. Submit all questions, inquiries, and requests for information concerning this proposal request, in writing, by **April 10, 2009** to the DPP. Direct all questions to:

Name of Contact – Samuel D LePera, R.L.A.
City of Philadelphia
Department of Public Property, 11th Floor
1515 Arch Street, One Parkway Building
Philadelphia, PA 19102

Telephone: (215) 683-4486
Fax: (215) 683-4499
E-mail: Sam.lepera@phila.gov

For a firm’s proposal to receive consideration, the interested firm must register on-line and receive a secured identification number, file a completed disclosure form, file their proposal on-line and deliver six (6) hardcopies of the proposal by **4:00 P.M.** local time, **April 15, 2009**, to the DPP located on the 11th Floor, 1515 Arch Street, One Parkway Building, Philadelphia, PA 19102. Attention: Eric Iffrig, Project Director. These hardcopy submissions will not be returned. The City is not liable for any cost related to the development, preparation, transmittal or presentation of any proposal submitted in response to this RFP.

This RFP information packet contains instructions governing the proposals to be submitted and the material to be included therein; a description of the project and specific services to be provided; requirements which must be met by a proposer to receive consideration; general evaluation criteria; and other pertinent requirements. The submission of a proposal shall be considered evidence that the proposer has read and is in acceptance with this RFP.

Any modifications or changes made in this RFP will be posted on the City’s website. Oral communications from City personnel or others concerning this proposal request shall not be binding on the City and shall not in any way be considered as a commitment by the City.

eContract Philly Mandatory Online Application Process

You must apply online in order to be eligible for award of the posted non-competitively bid contract opportunity; proposals or any other response to a Notice of Contracting Opportunity will not be considered unless you have filed, within the prescribed time period, an application through eContract Philly for the posted opportunity. All applications must be submitted electronically through the eContract Philly online application process at www.phila.gov/contracts, choose eContract Philly.

Applicants and contractors are now required to disclose their campaign contributions, any consultants used and contributions the consultants have made, prospective subcontractors, and whether they have received any requests or advice on satisfying minority owned business participation goals from City employees. This information, as well as a proposal or any other response document required, are part of the online application. For more information, please consult the reference materials found on the website, e-mail econtractphilly@phila.gov or call 215-686-4914.

Applicants who have failed to file complete applications through the eContract Philly online application process prior to the closing date and time will not be considered for the contract.

eContract Philly encourages applicants to start and complete their online applications as early as possible. Please be aware that internet connection speed depends on a variety of factors including: configuration of your computer, configuration of your business or home network, the condition of the wiring at your location, network or internet congestion (available bandwidth). Please prepare and plan accordingly to ensure a timely submission.

You can begin uploading (or attaching) your application materials at any time. It is especially prudent for you to start uploading your attachments earlier if you have a large number of attachments (e.g. over five documents) or larger-sized attachments (e.g. above 5 MB). Until you sign and submit your application, your materials are not accessible to any staff with the City of Philadelphia. Once you have signed and submitted your application, your application is accessible only to appropriate contract staff within the City of Philadelphia.

Pre-proposal Meetings

Optional, held at 1515 Arch Street, 11th floor on **Tuesday April 7, 2009**.

Form of Proposal

Proposals must be submitted both electronically via **on-line to our website, and through the delivery of six (6) hardcopies** in letter size, stapled, three-ring, or spiral-bound format. Conform the organization of your proposal to the following order and divisional sectioning, separated by index tabs for easy reference. Proposers are reminded to be clear and concise in their response. The proposal shall be of a quality appropriate to the level of the project for which you are proposing.

Section

Description

Letter of Transmittal

Section 1	Understanding of the Project Requirements/Scope of Services/Schedule
Section 2	Project Team Organization and Team Resumes
Section 3	Related Project Experience
Section 4	Additional Required Statements
Separate Enclosure (one copy only)	Fee Proposal

In addition to electronic and written proposals, prospective design professionals and subconsultants may be required to give verbal presentations and to meet with the selection committee for interviews and discussion.

Form of Contract

The selected design professional will execute a Professional Design Services Contract, which will consist of the Provider Agreement (“PA”) set forth in Appendix “C”, the General Provisions (“GP”) set forth in Appendix “D” and the Specific Project Requirements contained in Section II of this RFP. The Department of Public Property Commissioner or designee shall have complete charge and management of the contract and shall be the source of authority, direction, and control of the project. Please review these items in detail as exceptions or waivers to these documents are discouraged and could affect the selection process.

Project Schedule and Budget

The schedule requirements for design and construction phases are included in Section II of this RFP. The proposers shall thoroughly familiarize themselves with these requirements. Regardless of the actual project schedule, it is expected that the term defined by the contract shall be for the period of 24 months or until completion of the work.

END OF SECTION I

SECTION II - PROJECT SUMMARY

A. Project Information

Project Number: 16-08-4591-99
Sponsor Agency: Department of Public Property
Project Name: Landscape Architectural Services Requirements Contract
Facility Names and Addresses: Various Locations, Philadelphia

Project Director: Eric Iffrig, P.E., (215) 683-3655
Project Manager: Sam LePera, R.L.A., (215) 683-4486
Project Coordinator: **Francesco Cerrai, (215) 683-4449**

Goals/Intent of Project

To improve and/or enhance the ability of the Fairmount Park Commission and the Department of Recreation's facilities to better serve their users. The emphasis in recreation facility construction is to provide safe, durable, tested building materials, ease of maintenance and operation, accessibility, and minimized opportunities for vandalism. The Fairmount Park and Recreation Teams of the Department of Public have met and discussed the goals and objectives of this project with the User Agency, District Councilperson and staff.

Existing Physical Conditions

These are to be determined at each separate location when the need arises. On most projects the consultant will be provided with an AutoCad file of the existing conditions.

General Description of Work Required

Some projects will require a site assessment and programming effort to determine the needs for each project with relation to vehicular, pedestrian and all uses and functions of the particular site.

- Site Work (play areas, athletic fields, courts, vehicular access/parking, pedestrian access, security, lighting, landscaping, drainage, utilities, etc.)
- ADA Requirements
- Stormwater management and other environmental requirements.
- Other work may be required depending on project needs

Project Schedule

Expected Notice to Proceed: July 1st, 2009
Design Phase: **Eighteen** (18) Months
Bid Phase: Four (4) Months per Project
Construction Phase: Determined on individual project basis

Project Financial

Estimated Construction Cost/Budget: To be determined during the design and documentation process or will be given prior to the start of the project. The exact available budget should be confirmed with the DPP during schematic design.

B. Project Services Requirements

This section is intended only as an overview of specific services to be provided by the design professional for this project(s). It should not be considered as an exhaustive list:

Conceptual/Programming Phase

During this phase, the design professional shall work with the DPP and the User Agency to define overall goals, parameters and guidelines for the design and construction of the project. This effort shall generally include the definition of functional criteria and standards. The ultimate goal of this phase is to develop a design concept that will satisfy the functional requirements of the User Agency within the limits of the funds available. **Projects with area over 10,000 s.f. of either building renovation or new building construction must meet LEED Silver certification. See Attachment "G" for additional details.**

Tasks may include:

- Evaluation of Existing Conditions
- **LEED Silver Certification for projects over 10,000 s.f.**
- Site Analysis and Selection
- Scope Prioritization
- Environmental Review w/DPP and PWD
- Conceptual Phasing Plan for Construction
- Cost Estimates

Schematic Design Phase

This phase will translate the design concept into alternative spatial and material solutions. The design shall consist of appropriate plans and sections, as may be necessary, outline specifications, a general narrative description of basic systems and materials, and other documents that illustrate the scale and relationship of project components. Landscape architectural concepts will be represented. **Projects with area over 10,000 s.f. of either building renovation or new building construction must meet LEED Silver certification. See Attachment "G" for additional details.** Tasks may include:

- Review and Validation of Program
- Collection of Project Site Information
- Environmental Investigation coordinated with DPP
- Schematic Design Alternatives
- **LEED Silver Certification for projects over 10,000 s.f.**
- Materials Selection
- Cost Estimates
- Preliminary Project Schedule (Construction Phasing)

Design Development Phase

Design development documents present the approved schematic design in greater detail. A conceptual design is developed into a product. Design drawings are organized according to construction contract which include site plans and details. Design development documents are submitted for regulatory review and approval. Projects with earth disturbance greater than 5,000 s.f. will require an erosion and sediment control plan. **Projects with area over 10,000 s.f. of either building renovation or new building construction must meet LEED Silver certification. See Attachment “G” for additional details.** Tasks may include:

- Design Development Documents
- **LEED Silver Certification for projects over 10,000 s.f.**
- Specification Development
- Preliminary Regulatory Review
- Updated Project Schedule
- Cost Estimate

Final Design Phase

Construction documents describe in drawings, specifications, and other contract documents, the requirements for construction of the project. All schedules of equipment, materials and finishes are finalized. Technical and supplementary general specifications are completed. Receipt of all permits and regulatory approvals must occur before the completion of this phase. **Projects with area over 10,000 s.f. of either building renovation or new building construction must meet LEED Silver certification. See Attachment “G” for additional details.** Tasks may include:

- Detailed Construction Drawings
- **LEED Silver Certification for projects over 10,000 s.f.**
- Final Specifications (Divisions 0 and 1 to be edited/coordinated from/with DPP Master)
- Project Special Conditions to be coordinated with User Agency
- Regulatory Approvals
- Development of Bid Alternates
- Construction Phase Schedule
- Final Construction Cost Estimate
- Submit Final Documents on diskettes

Construction Bid Phase

The design professional will assist the DPP in explaining the requirements of the project and evaluating the responsiveness of construction bids. Tasks may include:

- Preparation of Addenda
- Pre-Bid Conferences
- Evaluation of Bid Differential (required if not within 10% of estimate)

Construction Phase

The design professional will assist the DPP in the administration and management of the construction contract(s). Tasks may include:

- Construction Monitoring
- Project Meetings (minimum two per month)
- Project Site Visits as required
- Response to Contractor Questions and RFIs
- Review/Approval of all required Submittals and Shop Drawings
- Review of Requests for Substitutions/Approved Equals
- Review/Approval of Sample Fabrications and Installations
- Contract Document Interpretation
- Contractor Payment Approval
- Change Order Evaluation
- Construction Schedule/Coordination Review
- Attend Final Inspections and prepare Punch Lists
- Commissioning as is generally required by current codes and to meet LEED Silver certification. Submit separate allowance if appropriate.
- Updated drawings and disks, reflecting all changes to plans and any significant systems

C. General Project Requirements

The following requirements apply to all architectural, engineering and related professional service contracts: (Please note that if this RFP is for preliminary design services only, many of these items do not apply).

1. The Design Professional shall perform all services in an expeditious manner consistent with the interests of the City and of the highest professional quality. All work shall be in conformance with all applicable City of Philadelphia standards and requirements, including Mayor's Executive Order No. 1-07 (see Attachment "G").
2. All drawings for design submissions shall be prepared using AutoCAD Systems. All submissions to the DPP shall be compatible with AutoCAD LT Version 2000 and in accordance with the AIA "CAD Layer Guidelines" and CSI guidelines for page numbering format (only). Milestone submissions should be provided for City review (8 sets maximum). The City shall provide any further additional printing of bid packages. Final drawings shall be provided on mylar (not paper) as well as electronically (saved as both .pdf and .dwg on CD-ROM).
3. The DPP Project Coordinator shall chair all design review meetings and construction progress meetings with administrative support by the Design Professional. Minutes shall be prepared by the Design Professional and distributed to all attendees. Design Professional shall provide and keep logs of all submittals, RFIs, and change orders and shall be cognizant of all schedule and budget updates.
4. Periodic progress reports shall be prepared describing accomplishments, decisions and overall progress made during the period. It shall contain updated project schedule and budget

information and shall specifically include information regarding RFIs, change orders, submittals as well as the Design Professional's invoice status. Progress reports will be submitted with each payment request, or monthly, whichever represents the shorter duration.

5. Provide all services necessary for design review by the agencies having jurisdiction over project. The Design Professional will be required to complete all paperwork (including applications) necessary for municipal, state and/or federal approvals and/or permits, prior to bid opening. Provide a list of all permits and approvals required for the projects to the Project Coordinator in writing.
6. As part of this contract, the Design Professional shall provide a minimum of four (4) sealed sets of plans (per site) for permitting purposes for the Licenses & Inspections Department and will be required to complete all paperwork (including applications) necessary for City of Philadelphia approvals and/or permits. Unless noted otherwise in Section II of this RFP, the DPP agrees to serve as the applicant for the L&I process, and any application or expediting fees relating to the approvals will be the responsibility of the DPP. Any supplementary (optional) reviews requested by the Design Professional will be the Design Professional's responsibility. Consultants should familiarize themselves with PWD stormwater regulations and requirements at www.phillyriverinfo.org.
7. Design Professional shall obtain sign-off of all utilities, government agencies having jurisdiction, using agencies, and coordinate with and/or present work to related or affected City agencies including the Office of Public Art (Art Commission), as required by the specific project(s).
8. Construction cost estimates shall be provided as described in the Scope of Services of this RFP. Estimates shall be organized in accordance with CSI format and incorporate contingencies and escalation appropriate to the project schedule. Estimates must be presented for each Prime contract and for each Alternate (if applicable).
9. The Design Professional shall accomplish the design services required under the contract so as to permit the award of a contract, pursuant to standard DPP practices, for the construction of the facilities designed at a price which does not exceed the estimate set forth in Section II.A or as otherwise determined during schematic design. If bids or proposals for the construction contract are received that exceed the estimated cost by more than 10%, the Design Professional may be required to perform such redesign and other services as are necessary to permit contract award within the estimated cost. These additional services shall be performed at no increase in the price of this contract. The Design Professional shall not be required to perform such services at no additional cost when the unfavorable proposals or bids are the result of conditions beyond the Design Professional's reasonable control. (Lack of knowledge regarding bid climate does NOT constitute beyond reasonable control.)

10. The DPP has a Division 0 and Division 1 master specification that is frequently revised and updated. The current version (available in Microsoft Word) will be provided by the DPP at the start of the construction documentation phase. The Master Specs must be fully coordinated and incorporated with the technical sections by the Design Professional as a complete Project Manual and resubmitted in Microsoft Word (without exception).
11. The City of Philadelphia is required to competitively bid all jobs under the Pennsylvania State Separations Act. Therefore, Design Professionals must completely and accurately define construction documents into clear scopes of work for each required discipline. **All work described in the specifications must be non-proprietary unless specific approval from the Procurement Department has been obtained.**
12. All work shall be reviewed and checked prior to submission to the DPP. Qualified design professionals not involved in the design work shall perform reviews. It shall be the responsibility of the Design Professional to thoroughly coordinate drawings representing the work of different disciplines (architectural, mechanical, electrical, etc.).
13. All work shall be performed by or reviewed and approved by landscape architects and engineers registered to practice the appropriate discipline in the State of Pennsylvania.
14. All designs produced under this program must be in accordance with the Americans with Disabilities Act, Title II.
15. If property line delineation or survey is required, these services shall be provided by the City through the Streets Department unless specified otherwise in this RFP.
16. Projects that are new construction greater than 10,000 s.f. or complete renovations affecting all systems of a building or site (mechanical, plumbing, and electrical systems) must be designed and constructed to meet LEED Silver certification at a minimum in accordance with Mayor's Executive Order 1-07 (see Attachment "G").
17. All products specified for inclusion in the scope of work for construction shall be Energy Star qualified products for all U.S. EPA – listed product categories. All electric motors over one (1) horsepower shall be National Electrical Manufacturers Association (NEMA) Premium labeled motors (see Attachment "G").

END OF SECTION II

SECTION III - PROPOSAL REQUIREMENTS and SELECTION CRITERIA

All proposals which meet the minimum respondent requirements, e.g. experience, financial capability, etc. and the minimum proposal submission requirements will be reviewed and evaluated for completeness and responsiveness according to standards and selection criteria determined by the DPP. Factors for consideration will be evaluated from information supplied in response to the RFP.

A. Proposal Section 1 - Understanding of the Project/Scope of Services/ Schedule

Section II of this RFP generally details the minimum requirements of the scope of services for this project. In the preparation of their proposal, the Design Professional is encouraged to expand or elaborate in a manner that reflects his understanding of the project and demonstrates his expertise and ability to perform all elements of the proposed scope of services.

The Design Professional shall provide a brief narrative that demonstrates his understanding of the project, i.e. project's goals and objectives, nature and scope of the work involved. Additionally, a brief description of the proposed project approach including work plan and strategy is required along with a description of computer hardware and software to be utilized. The City encourages plans that incorporate the use of resource and energy efficient design alternatives. Any expanded narrative addressing alternative approaches, adequacy of budget allocation and/or key design issues is encouraged and will be evaluated in its response to the stated project goals.

The Design Professional shall provide a proposed sequence of activities and schedule, which demonstrates how the firm's approach will meet the stated objectives of the project within the time allotted for the design phase. The schedule may include ideas and concepts not included in the scope of services, but which may be beneficial to the City. The schedule should be in the form of a bar chart and include the entire design phase. Major deliverables key milestones and decision dates should be included in the schedule. City review periods should also be noted.

B. Proposal Section 2 - Project Team Organization and Team Resumes

The Design Professional shall identify himself (including any joint venture partners or other associates) by listing the firm, address and telephone/fax numbers and contact person. If a joint venture or association between firms is proposed, describe the contractual relationship.

The proposal shall include a description of the proposed team in both narrative and chart form. The proposal should clearly indicate the relationship, roles and responsibilities of each organization and individual team member. **Key positions/individuals should be specifically identified by name and title, with narrative describing their respective areas of expertise, responsibility, and reporting.**

For each key team member, describe prior experience as it relates to the technical requirements of this project and the individual's position on the project team. Describe all relevant professional experience, academic degrees earned, professional licenses and awards, any special skills and supplementary training relevant to the requirements of this project.

Any proposed project staff that are not full-time employees of one of the corporate team members shall be clearly identified. Briefly describe their employment arrangement and availability for this project.

C. Proposal Section 3 - Related Project Experience

Provide narrative and visual descriptions (photographs and/or renderings) of projects designed by the Design Professional or other members of the Project Team, which are **related** to the project for which the Proposal is being submitted. **Projects specifically relevant to the proposed project are much more important than quantity of experience.**

The following information (as a minimum) should be included for each related project (though omission will not disqualify your proposal):

1. Project Name
2. Client (corporation, public agency, etc)
3. General physical characteristics
4. Special features, accomplishments or problems (including LEED certification, energy and resource efficient design experience)
5. Construction value
6. Specific services provided
7. Dates of service
8. Approximate consultant contract value
9. Individual references. Include contact addresses and telephone numbers. A minimum of one reference shall be included for each project.

D. Proposal Section 4 –Additional Required Statements

1. Philadelphia Tax Status and Clearance Statement-Appendix A sets forth the City's requirements with regard to this section.
2. Participation by Minority, Women, Disabled-owned Businesses-Appendix B sets forth the City's requirements with regard to this section
3. Certification of Site Visit-Not Applicable
4. Statement of Acceptance-This section must also include a statement verifying that the Design Professional has read and accepts the Professional Services Contract, General Provisions and Provider Agreement and this Request For Proposal. Any exceptions to these documents must be noted at this time.

E. Separate Enclosure – Fee Proposal

The Design Professional shall submit his fee proposal as a separate section with his proposals. In the electronic submission, the fee proposal should be a separate document labeled "Fee Proposal". For the paper submission, the fee proposal should be enclosed in a single, separate envelope, clearly marked as such, a lump sum fee for performing its scope of services for the project. This lump sum fee is to include all incidental costs relating to the project i.e. telephone, copies, faxes,

mailing, courier service, technology (computer) related overhead, photographs and transportation, as well as printing and duplication of drawings and specs as is generally required by the project as deliverables. An allowance can be made for any specialized direct costs, which must be authorized by the DPP and will be reimbursed on the basis of actual expenses incurred. These extra expenses may include specially requested multiple printings of drawings sized 24"X 36" or above, binding and copying of multiple specifications, specialized testing and/or specialized subconsultants. Copies of receipts must be submitted for reimbursement. No extra allowance will be permitted for travel or any type of travel or transportation expenses, within the City or from the Design Professional's office to City offices or the job site. Lump sum fee must cover all phases of the project as described in Section II, unless noted otherwise by the City of Philadelphia. The Design Professional shall identify all major tasks to be provided under each phase. To support and justify the lump sum quotations and for information purposes, include a breakdown by phase and task of hours and hourly rates for all personnel, including subconsultants, proposed for the project. The City reserves the right to utilize this information for the purpose of (i) developing a payment schedule that fairly allocates the applicable lump sum fee of the Design Professional selected for contract award and (ii) setting fees for any additional services (i.e., beyond the scope of the executed contract) that may be requested by the City. An adjustment in rates will not be considered unless the project runs past the contract limit.

F. Additional Factors Affecting Selection

- The project team's history and capability to provide unique and innovative solutions to problems will be considered.
- The project team's demonstrated experience and capability to complete all design work within established schedule and budget.
- The project team's history of producing projects, which can be built within the prescribed time and budget requirements, may also be evaluated.
- The reputation of the design professional, as determined by inquiries with previous and current clients and other references.
- Experience on prior City of Philadelphia projects.
- Local presence in the City of Philadelphia.
- **LEED Certification/experience**
- Compensation/Fee Proposal

G. City Rights

The City reserves and may exercise the following rights and options with respect to this selection process:

1. To reject any and all proposals and reissue the RFP at any time prior to execution of a final contract.
2. To supplement, amend, or otherwise modify this RFP at any time prior to selection of one or more proposers for negotiation and to cancel this RFP with or without issuing another RFP.
3. To negotiate to accept or reject any or all of the items in any proposal and award the contract in whole or in part if it is deemed in the City's best interest to do so.
4. To reject the proposal of a proposer that, in the City's sole judgment, has been delinquent or unfaithful in the performance of any contract with the City, is financially or technically incapable or is otherwise not a responsible proposer.
5. To waive any minor informality, defect, or deviation from this RFP that is not material to the proposal.
6. To request that some or all of the proposers clarify modify or supplement proposals.
7. As an aid in the selection process, the City may request interviews or oral presentations from one or more proposers prior to commencement of any contract negotiations.
8. As an aid in the selection process, the City may request to visit the proposer's local office as a means of verifying the Design Professional's and/or subconsultant's capability to perform the work.
9. The City may request to inspect projects referenced in the proposer's proposal.
10. The City may request recent financial statements from proposers as a means of verifying their capability to perform the work.
11. The City may conduct investigations with respect to the qualifications of each proposer and call upon references.
12. The City may require interviews or oral presentations from one or more proposers prior to commencement of contract negotiations.

END OF SECTION III

SECTION IV - CONTRACT REQUIREMENTS, AWARD AND NEGOTIATION

A. Architect and Engineer Professional Service Contract, General Provisions and Provider Agreement

The Design Professional shall provide professional services in accordance with Appendix “C” entitled “Provider Agreement (Architect and Engineer Services)” and Appendix “D” entitled “City of Philadelphia, Architect and Engineering Professional Services Contract, General Provisions”. Please give close attention to the City’s indemnification and insurance requirements as set forth in Article IX of the GP.

B. Contract Preparation Fee

The successful proposer will be required to pay a contract preparation fee imposed by the City’s Law Department; the fee is waived for non-profit corporations. Section 17-701 of The Philadelphia Code establishes a fee schedule for contract preparation. Fees are based upon the amount of the contract. A copy of the fee schedule is attached as Appendix E.

C. The Philadelphia Tax Status and Clearance Statement

The Philadelphia Tax Status and Clearance Statement (Appendix “A”) must be executed and submitted with the proposal by the design professional and subconsultants.

D. MBEC Requirement

This section informs respondents of Minority Business Enterprise Council participation on this contract. (See Appendix “B”)

E. Reservation of Rights and Contract Award

The City intends to enter into contract negotiations with the most qualified firm(s) based upon their response to this RFP. However, the City reserves the right to terminate any negotiations at any time or conduct simultaneous, competitive negotiations with multiple firms. The City reserves the right to negotiate acceptable terms in an otherwise unacceptable proposal. Such negotiations may result in changes in terms material to this RFP; in such event the City shall not be obligated to inform other proposers of the changes, or permit them to revise their proposals accordingly, unless the City, in its sole discretion, determines that doing so and permitting such is in the City’s best interest. Should negotiations not prove satisfactory with the recommended finalist(s), the City reserves the right to discontinue negotiations with the recommended finalist(s) and additional firms may be asked to enter into negotiations or the City may solicit new proposals.

The contract resulting from this RFP will be awarded to the qualified proposer whose proposal the DPP believes will be the most advantageous to the City, not necessarily the proposer presenting the lowest price. The City may condition an award on all required approvals and terms and conditions of the City, including, but not limited to, the City’s indemnification and insurance requirements.

END OF SECTION IV