



Request for Proposals

MASTER PLAN STUDY FOR
THE LOWER SCHUYLKILL RIVER DISTRICT,
PHILADELPHIA, PA

Issue Date: August 8, 2011

Closing Date: September 6, 2011



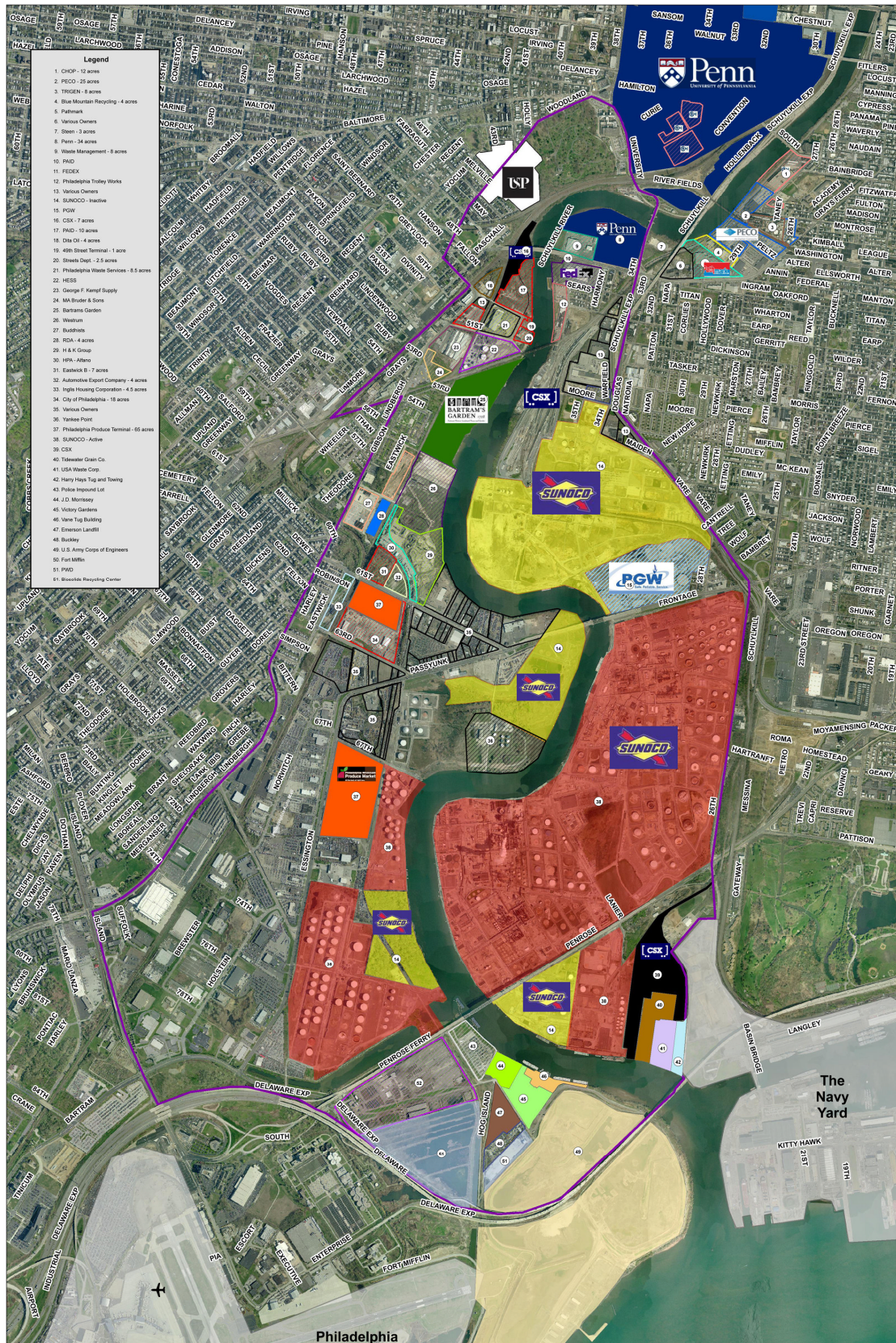
I. Introduction

The Master Plan Study for the Lower Schuylkill River District (“Study”) is a collaborative effort to create a blueprint for high-quality, sustainable redevelopment of the historically industrial corridor along the east and west banks of the Lower Schuylkill River in Philadelphia, PA. This public-private initiative is led by the Philadelphia Industrial Development Corporation¹ (“PIDC”), the Philadelphia City Planning Commission (“PCPC”) and the City of Philadelphia Department of Commerce (“Commerce”), with funding from the William Penn Foundation (“WPF”) and the City of Philadelphia (collectively referred to as the “Project Sponsors”). Overall project management will be provided by PIDC and PIDC will hold the contract for this Study.

II. Project Background

The Lower Schuylkill River District (“Study Area”) is located in South and Southwest Philadelphia, bounded by University and Woodland Avenues to the North, Paschall, Lindbergh, and Island Avenue to the West, I-95 to the South, and 26th street, Vare Avenue, and 34th street to the East. A map of the study area appears on the next page.

¹ PIDC is a private, not-for-profit corporation charged with the promotion of economic development and job creation in the City of Philadelphia.



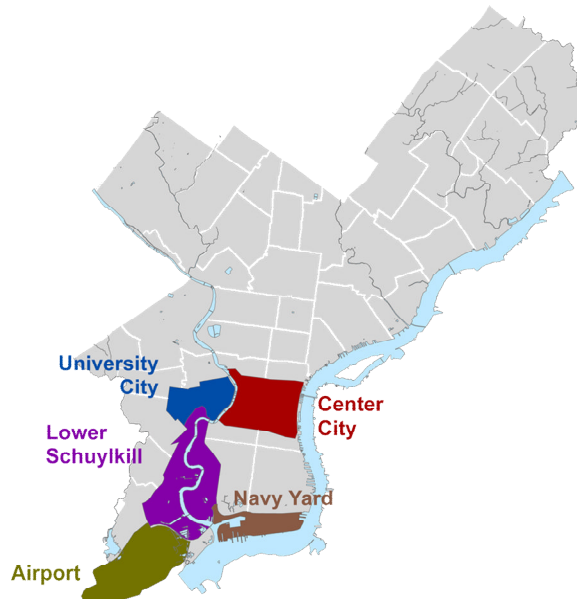
Historically, the Study Area comprised one of Philadelphia’s oldest and most developed industrial corridors. Once a vibrant hub for petroleum, manufacturing, distribution, utility, and waste management industries, the Study Area was hit hard by the contraction, closure and relocation of many Philadelphia industrial facilities from 1950-2010. Environmental contamination, aging infrastructure, access challenges, and other factors have deterred meaningful redevelopment, resulting in a district marked by extensive vacancy and under-utilization. Currently, 68% of the City of Philadelphia’s under-utilized industrial land is located within the Study Area.²

In 2010, a public-private collaboration comprised of PIDC, PCPC and Commerce released the *Industrial Land Use & Market Strategy for the City of Philadelphia* (“*Industrial Strategy*”). The *Industrial Strategy* found a critical shortage of modern industrial sites in Philadelphia. Coupled with strong regional demand for suitable development sites, this shortage places the City at a distinct competitive disadvantage (in the region and with other cities) and hampers its ability to attract and retain industrial activity. Resolving this challenge is critical, as industrial firms provide family-sustaining jobs and a key source of tax revenue. The *Industrial Strategy* recommended the development of new industrial sites to facilitate economic growth, concluding that creation or redevelopment of 2,400 acres of development-ready industrial land can support 22,000 projected new jobs and substantial new tax revenue over the next 20 years.

Based on its overall size, parcel sizes, industrial character, transportation assets, separation from residential areas, and proximity to the economic engines of Center City, University City, Philadelphia International Airport (“PHL”) and The Navy Yard, the *Industrial Strategy* identified the Study Area as a primary opportunity for successful redevelopment. This is consistent with the conclusions of *Philadelphia2035*, the citywide comprehensive plan prepared by the PCPC to guide City policy, investment, and promote future growth.³ *Philadelphia2035* designates the Study Area as an “industrial legacy area” with an array of redevelopment objectives, including business attraction, job creation, sites for key regional activities (e.g. utilities, industries, transportation and environmental management), support for economic activity in Center City, PHL, The Navy Yard and the Sports Complex (e.g. hotel, office, industrial, services) and enhanced public access to the riverside.

² *Industrial Land Use and Market Industrial Strategy*, PIDC, 2010.

³ *Philadelphia2035* was adopted by PCPC on June 7, 2011.



The Study Area benefits from a unique, central location that strategically connects:

The Metropolitan Center

- **Center City:** Located just 2 miles northeast of the Study Area, America's 3rd largest downtown is home to more than 90,000 residents, nearly 9,000 Philadelphia businesses, and a dozen universities and colleges with a combined enrollment of over 31,000. Center City has strong concentrations of businesses in financial, insurance, real estate, hospitality, engineering and legal services, as well as health care and education. Eighty-nine percent of Center City's 39.7 million square feet of commercially leasable office space is occupied ;
- **University City:** Less than 1 mile away is University City's research and development hub, featuring academic institutions (including University of Pennsylvania, Drexel University, University of the Sciences) with more than 47,000 students, world-class medical and research centers (Children's Hospital of Philadelphia, Wistar Institute), and technology-commercialization and transfer initiatives (e.g. University City Science Center, University City Innovation Collaborative, BioAdvance). Over half a billion dollars in National Institutes of Health research funding is currently invested in University City initiatives, as well as \$54 million from the National Science Foundation;

The Metropolitan Sub-Center⁴

- **PHL:** Only 2 miles southwest of the Study Area, PHL continues to grow with 2 new terminals and \$1B in capital improvements since 2000. PHL has nearly 500,000 total flight movements annually, ranking it 11th in the world. More than 433,400 tons of cargo and mail are handled annually and 30 carriers operate nearly 600 daily departures to 120 cities, including 36 international destinations. Plans for a major expansion are underway; and
- **The Navy Yard:** Located immediately southeast of the Study Area, the Navy Yard is a successful redevelopment initiative, featuring office, R&D, and industrial space. The Navy Yard is home to 115 companies, 6M SF of space, and 8,000 employees. It was recently selected as an Energy Innovation Hub by the U.S. Department of Energy. The federal government is investing \$129 million in grants and programmatic support to support this large-scale initiative of the U.S. Department of Energy, Penn State University, PIDC, and other entities to develop energy-efficiency technologies for new and retrofitted buildings.

The Study Area physically links these critical innovation centers and economic hubs, providing a uniquely-suited opportunity for private sector investment and development.

Both the *Industrial Strategy* and *Philadelphia2035* conclude that close proximity to all modes of transportation is one of the strongest attributes of the Study Area, which is located minutes from two major interstate highways (i.e. I-76, I-95), freight rail lines, PHL, and the Port of Philadelphia. The traditional methods of servicing businesses in the Study Area were via barge on the Schuylkill River and via freight rail. Barge access has become largely obsolete. While freight rail remains a valuable option for certain uses, truck traffic has emerged as the dominant mode of logistics for many businesses, creating reliance on a network of under-developed and poorly connected existing roads that present significant challenges for redevelopment within the Study Area. Improved roadway connections between the Study Area and existing highway assets are essential to realizing long-term growth and investment. Also essential is a comprehensive remediation and investment program to address the legacy of environmental contamination and deteriorated infrastructure throughout the Study Area.

Redevelopment of the Study Area also provides an opportunity to enhance the City of Philadelphia's green footprint by significantly expanding the Schuylkill River Trail, enhancing public access to green and recreational amenities, integrating

⁴ The Metropolitan Sub-Center also includes the Philadelphia Sports Complex, which is located to the east of the Study Area. The Sports Complex includes three world-class venues with a current total of 132,000 seats and annual generation of 8 million visitors and 5.5 million vehicle trips (prior to demolition of the Spectrum).

progressive stormwater and flood management systems, planning for changes in sea level, improving the quality of water discharged to the Schuylkill River, and identifying potential wetlands mitigation sites which can add green space to a historically industrial corridor.

To successfully redevelop the Lower Schuylkill Area, the *Industrial Strategy* calls for “significant planning for new access, infrastructure, and market positioning”, followed by public-sector investment in infrastructure improvements and environmental remediation. A carefully crafted master plan is crucial to guide these improvements. Through this Study, the Project Sponsors are committed to developing a Master Plan for the Study Area. The Study will lay out a vision and identify critical improvements for the entire Study Area, as well as will also identify priority development sites suitable for early action. The Study will be managed by PIDC and guided by an Advisory Group consisting of key stakeholders from the public, private, and non-profit sectors.

As set forth in greater detail in this RFP, the Study will include a detailed analysis of market factors, land use, real estate, infrastructure, transportation access, connectivity and contamination. The Study will plan for extension of the Schuylkill River Trail and improved public access, enhanced storm water management, and an inventory of potential wetlands mitigation sites and other green infrastructure interventions to support City of Philadelphia capital projects and the Philadelphia Water Department’s *Green City, Clean Waters* initiative. The Study will create a blueprint for future development, yielding a comprehensive Master Plan with prioritized recommendations, cost estimates, timeline and a detailed phasing plan. The Study will also identify priority development sites within the Study Area and include conceptual redevelopment plans for each site.

III. SOLICITATION FOR PROPOSALS

A. Overview of the RFP Process

PIDC seeks proposals (“Proposals”) from qualified, experienced Consultants for preparation of the Study in accordance with this RFP and the scope of services set forth in Section III of this RFP. Consultants may submit Proposals as a team, subject to the provisions of this RFP.

1. **Project Information Meeting:** A project information meeting will be held on Friday, August 19, 2011, at 10:00AM at the offices of the Philadelphia City Planning Commission, 18th floor, One Parkway Building in Philadelphia, PA. The meeting will provide information about the Study and the RFP process. Participants will have the opportunity to submit questions in writing. Responses will be

circulated by PIDC via e-mail to all consultants who register for the RFP on the PIDC website and provide an e-mail address.

2. **Mandatory Interviews for Shortlisted Proposers:** All Consultants submitting a proposal for the Study must be available on September 22nd and 23rd for an interview in Philadelphia. Only shortlisted proposers will be interviewed at that time. Failure of a shortlisted proposer to attend the interview will result in disqualification of Consultant's proposal.

The RFP will be posted on PIDC's website (www.pidc-pa.org) for the duration of the RFP process. PIDC reserves the right to modify the RFP at any point during the RFP Process. All modifications to the RFP will be posted on the PIDC website, as well as e-mailed to all Consultants who register for the RFP on the PIDC website.

B. RFP Schedule

Issue RFP	August 8, 2011
Project Information Meeting	August 19, 2011 at 10AM
Last Day for Submission of Questions	August 25, 2011
Deadline for Submission of Proposals	September 6, 2011 at noon
Interviews with Shortlisted Teams	September 22-23, 2011
Selection of Consultant Team	Expected to occur in October of 2011

C. Proposal Requirements

Each Proposal must address the specific requirements set forth in this RFP. Proposals must demonstrate the Consultant's qualifications and ability to timely and competently perform the work outlined in this RFP and Section III. In preparing a Proposal, Consultants should consider how each task relates to the overall objective of the Study. PIDC welcomes innovative approaches and concepts that Consultants may suggest. Consultants are advised that all Proposals and any contract resulting from this RFP may be subject to public inspection pursuant to Pennsylvania's Right-to-Know Law.

Each Proposal must contain the following information:

1. Letter of transmittal

The letter of transmittal must affirm the Consultant's understanding of the work to be performed and the firm's qualifications for professionally and expertly conducting the Study, as well as identify the firm's lead contact person for the proposal (including a

telephone number and email address) and include information on any proposed sub-consultants.

2. Statement of Qualifications

Each Proposal must include a statement of qualifications detailing the Consultant's professional expertise and experience, including examples of no more than five (5) projects of similar scope and magnitude, which were successfully completed by the Consultant. To the extent that a Consultant is proposing to use one or more sub-consultants, a statement of qualifications must be submitted for each sub-consultant, along with an explanation of the sub-consultant's proposed role in the Study, a description of how the Consultant's team will be structured and managed, and identification of the project manager and primary point of contact. The Consultant and all sub-consultants must identify key personnel who will perform the Study and detail their specific responsibilities. For key personnel, the Proposal must include resumes or curriculum vitae and brief summaries of up to five projects of similar scope and magnitude, which demonstrate the individual's experience and qualifications. This section of the proposal shall not exceed 10 pages, excluding resumes, curriculum vitae, and the sample report referenced in Section III(C)(2)(d). Specialties on the project team may include, but are not limited to urban design, city planning, environmental planning, architecture, ecology, water resources, transportation, engineering, market and economic analysis.

- a. **Retention of Sub-Consultants and Key Personnel:** All sub-consultants and key personnel proposed must remain with the Study until completion. If, at any time in the Study's lifespan, a sub-consultant or key person is terminated or discontinues work on the Study, PIDC must be informed within 7 days. PIDC must approve any substitute sub-consultant or key person prior to their appointment.
- b. **Disclosure of Conflict of Interest:** Proposers must disclose any professional engagements, relationships, conflicts of interest, or potential conflicts of interest that might impact the Study.
- c. **References:** Provide at least three, but no more than five references for the Consultant and each sub-consultant. References must be from projects of similar scope and magnitude that were successfully completed. Include project names, Consultant's role and client contact information (both telephone and email).
- d. **Sample Reports:** Provide a sample report prepared by the Consultant for a project of similar type and size.

3. Explanation of work to be performed

The Proposal must include a detailed description of the Consultant's proposed approach to and method of completing the Study and the Scope of Work set forth in Section III. This section of the Proposal shall not exceed 15 pages, excluding the forms and certifications referenced in Section III(C)(3)(e) and Appendix A.

- a. Workplan and Schedule:** Each Proposal must include a detailed workplan and schedule, including approach to the Study, proposed methodologies, tasks to be performed, milestones, time frames, submission dates, deliverables, and all other tasks required for completion of the Study. Please note any critical path activities and describe elements of the Study that they will impact. Please indicate information that PIDC, the Planning Commission, and the Commerce Department will be expected to provide.
- b. Capacity to Perform on Time:** Describe the measures your team will take to assure on-time performance, recognizing the complexities of the process. Please cite evidence of recent on-time performance on a similar project.
- c. Compensation:** Each Proposal must include a detailed fixed-price cost proposal, clearly identifying the total fee for each task required to complete the Study and the Scope of Work set forth in Section III. The Proposal must include a breakdown indicating cost per task, hours, staff, applicable hourly rates, overhead, and other constituent costs.
- d. Economic Opportunity Plan:** PIDC encourages the creation of opportunities for minority-, women-, and disabled-owned businesses in its projects, including professional service contracts such as are contemplated here. Respondents are asked to achieve the following participation goals:

MBE Ranges 15-20%

WBE Ranges 10-15%

The Consultant must comply with the City of Philadelphia's anti-discrimination policies and requirements, as set forth in Appendix A to this RFP and submit a completed Participation

Form, included herein as part of Attachment A, with its Proposal.

- e. **Forms and Certifications:** Each Proposal must include the following fully executed documents:
 - i. City of Philadelphia ethics disclosure forms; and
 - ii. City of Philadelphia certificates of non-indebtedness.

D. Deadline for Questions

All questions or requests for information should be submitted in writing and sent via e-mail to Kate McNamara at kmcnamara@pidc-pa.org by **Noon on Thursday, August 25, 2011**. PIDC responses will be e-mailed on **Tuesday, August 30, 2011** to all registered respondents.

E. Submission Due Date: Proposals must include TEN ORIGINAL COPIES OF THE SUBMISSION AS WELL AS A CD-ROM CONTAINING ALL OF THE MATERIALS SUBMITTED IN A PDF FORMAT. Proposals must be DELIVERED by NOON (E.S.T) ON TUESDAY, SEPTEMBER 6, 2011 TO:

Kate McNamara, Senior Real Estate Manager
Philadelphia Industrial Development Corporation
2600 Centre Square West
1500 Market Street
Philadelphia, PA 19102-2126

F. Selection Process

Proposals will be reviewed by a selection committee comprised of representatives from PIDC and the City of Philadelphia ("Selection Committee"). Based on a review of the proposals in accordance with the evaluation criteria set forth in Section II(F)(1), the Selection Committee will shortlist up to five (5) Consultants ("Shortlisted Teams"). PIDC will notify all Consultants as to whether they were selected as a Shortlisted Team.

Shortlisted Teams must be available for a mandatory interview with the Selection Committee. All interviews for Shortlisted Teams will be conducted on September 22nd and 23rd, 2011, at the offices of PIDC, 2600 Centre Square West, 1500 Market Street, Philadelphia, PA, 19102. Failure to attend will result in disqualification of the Consultant's Proposal. Based on the interviews and proposals, and pursuant to the Evaluation Factors set forth in this RFP, the Selection Committee will select a Consultant

Team to perform the Study. All Shortlisted Teams will be notified as to whether they were selected or not selected

PIDC reserves the right at all times during the RFP process to request supplemental information to clarify and further develop a Proposal. PIDC reserves the right, at any time, to reject one or more participants in a Consultant's proposed team and/or to select multiple consultants and/or sub-consultants to form a single team. PIDC reserves the right, at any time and in its sole discretion, to modify and/or terminate this RFP. In the event of such modification or termination, PIDC will bear no liability or responsibility to any party. PIDC retains the right to reject all Proposals. The Selected Consultant will be required to execute a consulting services contract in a form acceptable to PIDC prior to the commencement of the Study.

1. Evaluation Factors: Factors that will be considered in the evaluation include:
 - a. Qualifications and experience of the Consultant (and sub-consultant(s)) on projects of similar type and magnitude, if applicable);
 - b. Qualifications and experience of the proposed project staff;
 - c. Consultant's understanding of the Study, as demonstrated by the Proposal;
 - d. Quality and feasibility of the Consultant's approach to the Study, proposed methodologies, and work plan;
 - e. Economic Opportunity Plan goals;
 - f. Creativity and innovation; and
 - g. Value (level of service and personnel for the fee).

G. Contract Negotiation

Upon selection of a Consultant ("Selected Consultant") to perform the Study, PIDC will proceed to negotiate a contract with the Selected Consultant. Contract negotiations must be completed within 14 business days or PIDC will have the option to move on to the next highest ranked Consultant. PIDC retains the right to negotiate the work program and fee, if modifications are necessary or assignments are deemed to be more appropriately conducted by PIDC.

H. Information Available to Consultant Teams During the RFP Process

1. Publicly Available Reference Materials

Set forth below is a list of available resources, which contain information relating to the Study Area. This list is provided for informational purposes only and does not represent a complete list of available information sources. Proposers should rely on their own research in preparing a proposal.

1. *An Industrial Land & Market Industrial Strategy for the City of Philadelphia*, PIDC (2008), www.pidc-pa.org/reports-and-studies
2. *Philadelphia2035: A Citywide Vision*, PCPC (2011), www.philaplanning.org/plans/final2035vision.pdf
3. *Greenworks Philadelphia* (2009) and the 2010 and 2011 progress reports. Mayor's Office of Sustainability: www.phila.gov/green/greenworks/index.html
4. *PHL Capacity Enhancement Program (Record of Decisions)*, Federal Aviation Administration, (2010): www.faa.gov/airports/environmental/records_decision/index.cfm?airport=phl
5. *Generating Recovery by Enhancing Active Transportation in Pennsylvania & New Jersey (GREAT-PA/NJ)* (2010), Pennsylvania Environmental Council: www.pecpa.org/GREAT_PA_NJ
6. FEMA floodplain maps, <http://msc.fema.gov> , Costs to access data may apply.
7. *Infill Philadelphia: Industrial Sites* (2010), Community Design Collaborative, <http://infillphiladelphia.org/news/2010/11/infill-philadelphia-industrial-sites-publication-now-available-online>
8. *Philadelphia Pedestrian and Bicycle Plan, Phase I* (2010), PCPC, <http://www.tooledesign.com/philadelphia/documents.html> Phase II of the *Philadelphia Pedestrian and Bicycle Plan* is currently in progress, with an estimated completion date of December 2011.
9. *2009 Greater Philadelphia Infrastructure Charette - Erase the Boundaries: Design Ideas for Greater Philadelphia* (2009), Penn Praxis, <http://issuu.com/pennpraxis/docs/erasetheboundaries>
10. *Proposed Revisions to the Philadelphia Zoning Code and Proposed Zoning Conversion Map* (2010), Philadelphia Zoning Code Commission, <http://zoningmatters.org>
11. *Penn Connects: A Vision for the Future* (2006), University of Pennsylvania, <http://www.pennconnects.upenn.edu>
12. *State of Center City 2011* (2011), Center City District, <http://centercityphila.org/socc>
13. Federal Aviation Administration Certalerts re: Bird Aircraft Strike Hazard Program, <http://wildlife-mitigation.tc.faa.gov/wildlife/certalerts.aspx>

14. *Tidal Schuylkill River Master Plan (2003)*, Schuylkill River Development Corporation,
<http://www.schuylkillbanks.org/sites/72.27.230.230/files/SRDC%20Master%20Plan.pdf>
15. *Green City, Clean Waters*, Philadelphia Water Department (2009)
http://www.phillywatersheds.org/what_were_doing/documents_and_data/cso_long_term_control_plan
16. *Philadelphia Navy Yard Master Plan*, PIDC (2004),
<http://www.navyyard.org/master-plan/shipyard>
17. *Green2015: An Action Plan for the First 500 Acres*, Philadelphia Department of Parks and Recreation (2010),
http://issuu.com/pennpraxis/docs/green2015_full

2. Information for Consultants Registered for the RFP

Consultants that register for this RFP on the PIDC website (www.pidc-pa.org) will have access to select additional information, including data, maps, and other materials which are relevant to the Study Area. These materials are provided for informational purposes only and PIDC makes no representation as to the accuracy of this information. It is the responsibility of each Consultant to obtain the software required to access and use the information. PIDC will not provide separate hard copies of these materials. Proposers should rely on their own research in preparing a Proposal.

IV. SCOPE OF WORK

The Selected Consultant will perform all work necessary to produce the Study, including a master redevelopment plan for the entire Study Area and up to three (3) site-specific redevelopment plans for early action sites. A site-specific redevelopment plan may consist of one or more real estate parcels. The Study must be completed within 12 months of the date a contract is executed with the Selected Consultant. The Selected Consultant will be responsible for writing the narrative for the report and incorporating all other elements necessary to yield a first-class Study and Master Plan.

During the course of the Study, the Consultant will participate in periodic update meetings with PIDC and a working group (“Working Group”) comprised of representatives from PIDC, the City of Philadelphia and select other stakeholders. Update meetings for PIDC and/or the Working Group may occur as frequently as weekly or bi-weekly. The Consultant will also answer questions and provide information to PIDC as required. To the extent that fewer meetings occur than are provided for in the

Selected Consultant's cost proposal, PIDC will have the right to reduce the contract by that amount or allocate those funds to another task in the contract.

The Selected Consultant will also participate in meetings with the Advisory Group for the Study. The Advisory Group will provide ongoing input and guidance for the Study and will consist of key stakeholders from the public, private, and non-profit sectors. It is expected that the Advisory Group will meet a maximum of four (4) times in Philadelphia during the course of the Study. PIDC, on behalf of the Sponsor Team, has retained a consultant, Penn Praxis, to conduct interviews with stakeholders prior to commencement of the Study. The results of the stakeholder interview process will be provided to the Selected Consultant; the Selected Consultant may need to conduct follow-up interviews, to the extent that they are required to complete the Study. The Selected Consultant will also lead and/or participate in civic engagement sessions related to the Study, as set forth in greater detail in Section IV(A)(3). To the extent that fewer meetings occur or services are provided than what is set forth in the Selected Consultant's cost proposal, PIDC will have the right to reduce the contract by that amount or allocate those funds to another task in the contract.

PIDC expects the Selected Consultant to suggest and design effective communication materials to support PIDC, the Working Group, the Advisory Group and civic engagement efforts, including translating potentially complex concepts into easily understandable language and images.

The specific tasks and deliverables for the Study are set forth in greater detail below. Consultants may break the Study Area into sections, if necessary to provide a more focused and meaningful Study.

A. Task One: Assessment of Existing Conditions

The Selected Consultant will review existing data, information, documents, studies, and other materials related to the Study Area and develop a detailed assessment of existing conditions within the Study Area. The assessment should update and expand the extensive information assembled by PIDC for the *Industrial Strategy* in 2008, as well as additional data and analysis provided by PennPraxis to PIDC in preparation for the Study. The Consultant should not engage in efforts that duplicate this work, focusing instead on updating, expanding, and verifying the information. If necessary, information gaps will be identified by the Consultant and resolved using field surveys and other methods to ensure accuracy. The assessment should address the following items, as well as all other information necessary to provide a comprehensive overview of existing conditions within the Study Area:

- Updated and verified parcel information, including boundaries, ownership, acreage, existing use, utilization level, zoning, floodplain issues, building size and footprint, security constraints (e.g. PHL, refineries, Philadelphia Gas Works facility),
- Impact of proposed revisions to the Philadelphia Zoning Code on the Study Area;
- Impact of PHL expansion on the Study Area;
- Impact of the Commonwealth of Pennsylvania's 1995 designation of the Schuylkill River and its major tributaries as a Heritage Corridor under the Heritage Parks Program on the Study Area;
- Impact of the 2000 U.S. Congress' designation of the Schuylkill River valley as a National Heritage Area on the Study Area;
- Transportation infrastructure, including highway, freight rail (active and inactive), and public transit systems;
- Existing economic incentive areas (e.g. Keystone Opportunity Zone);
- Existing wetlands, if known;
- Existing public access points to the Schuylkill River;
- Demographic information on the Study Area and adjacent neighborhoods;
- Economic indicators;
- Number and location of existing industries, businesses, types, jobs and related factors;
- Changes in the number and type of industries, businesses, types, jobs and related factors over time; and
- Evaluate the potential presence of hazardous substances and underground storage tanks, based on historical maps, database resources, and governmental records.

The assessment will include a narrative component, which details existing conditions within the Study Area and includes supporting maps, photographs and other graphic illustrations. The existing conditions assessment will be delivered to PIDC as a discrete item and will also be incorporated into the overall Study.

1. Existing PIDC Data: At the commencement of the Study, PIDC will provide a briefing book to the Selected Consultant that will include a compilation of data, maps, and other analytical materials, which are relevant to the Study Area. The Selected Consultant will also have access to PIDC's collection of data, maps, and other analytical materials which were prepared in 2008 in connection with

the *Industrial Strategy*, as well as materials prepared for PIDC by PennPraxis in 2011 in preparation for the Study. The Selected Consultant is responsible for updating the PIDC materials with BRT, Census, PWD, and other relevant data, to the extent that work has not already been done by or on behalf of PIDC. The Selected Consultant should review PCPC land use data, as well as EPA, Army Corps of Engineers and other studies on areas susceptible to changes in sea level. Set forth below is a list of PIDC resources that will be available to the Selected Consultant Team. Referenced data covers existing conditions in the Study Area as of 2008, unless otherwise indicated.

Base Data

2008 PWD Citywide Joined Parcel File (Source: PWD/BRT)

2011 PWD Update (Source: PWD)

Building Footprints (Source: PCPC)

Survey Data

2008 Industrial Land Survey Parcel Files (Source: PWD/ BRT/PIDC Land Use Strategy), including the following data:

- Primary Use of Land
- Secondary Use of Land
- NAICS
- Linked Use
- Stories
- Site Condition
- Adaptive Reuse
- For Sale
- For Lease
- Fenced
- First Floor
- Height
- Parking Spaces
- Loading Docks
- Percent Vacant
- Photo Number
- Comments
- District

2008 Philadelphia Industrial Districts (Source: PCPC/ PIDC Land Use Strategy)

2011 Hoover's Citywide Target Cluster Industrial Firms – geocoded (Source: ICIC/PIDC Land Use Strategy)

Supporting Data

Rails

Highways

Streets

Parks
Hydrology
Curbs
City Limits
Economic Incentive Zones
PIDC Industrial Parks (PIDC/ PIDC Land Use Strategy)
1999, 2007, 2011 Citywide Zoning (PCPC)
Slope
Wetlands
Floodplains
Superfund

Land Use & Zoning Recommendations

Land Use Policy Zones
Industrial Zoning Map
Industrial Intensity Analysis
Industrial Real Estate
Industrial Land Supply & Demand Analysis

Existing Environmental

1600 S. 49th Street – Phase I & II; approved Remedial Action Plan
2700 S. 58th Street and 3000 S. 56th Street - Phase I & II; approved Remedial Action Plan

- PIDC is working with Philadelphia International Airport to obtain wetlands information regarding some areas within the Study Area. If this information is obtained, it will be shared with the Selected Consultant.

Transportation

Draft Transportation Access Study for the Lower Schuylkill

2. Civic Engagement Process: The Sponsor Team is committed to a civic engagement effort to elicit public input and feedback for the Master Plan process. The Consultant will participate in and/or conduct all civic engagement meetings, working closely with the Sponsor Team and PIDC's consultants. The civic engagement effort is expected to consist of 3 sets of public meetings, to occur at the kick-off, mid-point, and conclusion of the Study. Each set will include 2 meetings – one on the
- 3.
4. east side of the Schuylkill River and one on the west side of the Schuylkill River, to maximize convenience for participants and enhance opportunities for public input. A total of 6 civic engagement meetings will be conducted for the Study. The first set of civic engagement meetings is expected to occur in October of 2011. The public meetings will provide information on the Study, solicit public feedback, and keep the public informed as the Study progresses. The Consultant will attend

all public meetings and work with PIDC, the Working Group, and relevant City agencies on matters concerning meeting agendas, outreach, presentation materials, follow-up and next steps. The Consultant will be expected to make presentations at these meetings, if requested by PIDC, and work with the parties identified above on facilitation, feedback, and public dialogue associated with the civic engagement process.

5. Stakeholder Interview Process: In preparation for the Study, PIDC will work closely with Penn Praxis, PCPC, and Commerce to conduct a broad set of stakeholder interviews to identify opportunities, needs, challenges, priorities, and other information relevant to the Study. This feedback will be compiled and provided to the Selected Consultant at the commencement of the Study.
6. Concurrent Projects Within or Proximate to the Study Area: The Consultant is advised that the following projects are currently underway or expected to occur during the term of the Study as separate and complementary efforts:
 - a. PCPC District Planning Process for Lower South
<http://phila2035.org/home-page/district/lower-south>
 - b. PCPC District Planning Process for Southwest
<http://phila2035.org/home-page/district/university-southwest>
 - c. Southwest CDC's Neighborhood and Commercial Corridor Plan - general information available at
http://www.southwestcdc.org/economic_development.html
 - d. Schuylkill River Development Corporation – multiple projects related to the Schuylkill River Trail
<http://www.schuylkillbanks.org/projects/future>
 - e. Bartram's Gardens – bicycle trail connector and other projects;
 - f. PHL Expansion; and
 - g. Delaware Valley Regional Planning Commission - inventory of regional industrial centers - general information available at
<http://www.dvrpc.org>

Deliverables: The deliverables for Task One include the following:

1. Written report summarizing existing conditions within the Study Area, supported by maps, photographs, and other graphic illustrations.
2. PowerPoint presentation summarizing the findings of the existing conditions assessment.
3. Electronic copies of all new and updated data sets, including detailed GIS maps, corresponding shape files and databases. Include all maps and

graphic illustrations prepared by the Consultant in connection with the existing conditions assessment. All files must be provided in a format acceptable to PIDC.

B. Task Two: Market Study

Task Two will be performed concurrently with Task One. The Selected Consultant will prepare a detailed market study to inform the master planning process for the Study Area, taking into account existing uses, site constraints, existing and future demand drivers, market trends and opportunities for future growth. The market study will provide a baseline description of the regional industrial market, evaluate short- and long-term demand associated with existing business sectors in Philadelphia and the Philadelphia region, as well as evaluate and recommend emerging business sectors with high growth potential that are compatible with the Study Area. Based on this, the Selected Consultant will develop market strategy recommendations to inform the Study.

The market study should identify baseline conditions and evaluate market demand for the Study Area over a short-term (0-10 years) and long-term (10-15 years) horizon. In addition, the market study should also:

- Include a SWOT analysis of the Study Area;
- Analyze projected demand for feasible land uses within the Study Area, including but not limited to industrial (including manufacturing, distribution, flex), commercial, institutional, laboratory, office, residential and other feasible uses over a short-term (0-10 years) and long-term (10-15 years) horizon;
- Evaluate the competitive regional environment for feasible land uses (e.g. industrial (including manufacturing, distribution, flex), commercial, institutional, laboratory, office, residential and other feasible uses), including but not limited to supply, incentive policies, amenities, and an assessment of the City's relative position (strengths and weaknesses) in the regional market;
- Analyze local, regional, and national trends to identify emerging and high-growth industrial sectors (in terms of capacity and employment) which are compatible with the Study Area and represent feasible areas of future growth;
- Analyze how the Study Area can support the continued growth and application phases of health sciences R&D and advanced engineering research in University City and energy sustainability R&D at the Greater Philadelphia Innovation Cluster at the Navy Yard, as well as the expansion of PHL;

- Recommend the most advantageous market strategy and target business sectors for redevelopment of the Study Area, taking into account feasibility, necessary public sector investment, job creation and generation of tax revenue.
- Analyze projected growth in the recommended business sectors over a short-term (0-10 years) and long-term (10-15 years) horizon, including how much of that growth can realistically be captured by the Study Area; and
- Analyze the land and facility requirements (e.g. parcel size, building stock, access, infrastructure, labor requirements, proximity to markets/customers, compatibility of adjacent land uses, security) typically associated with the recommended business sectors.

The Selected Consultant should utilize sensitivity analysis and other industry-standard techniques to provide a comprehensive assessment of the range of outcomes.

Deliverables: The deliverables for Task Two include the following:

1. Stand-alone written report detailing the analysis and findings of Task Two, with supporting data, charts, spreadsheets, and/or other graphics.
2. PowerPoint presentation summarizing the findings of the market study.

C. Task Three: Master Plan

The Selected Consultant will consider existing conditions, market factors, and stakeholder/civic feedback in developing a comprehensive Master Plan to guide redevelopment of the Study Area and maximize economic redevelopment, job creation and environmental sustainability opportunities. The Master Plan will include a detailed written report with supporting graphics, maps, and other materials which identify recommended land use, necessary infrastructure and utility upgrades, transportation access improvements, opportunities for green amenities and publicly-accessible recreational assets (including extension of the Schuylkill River Trail and enhanced connections between the Schuylkill River Trail and surrounding communities), enhanced stormwater management and environmental sustainability opportunities, and include an inventory of potential wetlands mitigation sites for capital projects undertaken by the City of Philadelphia. The Selected Consultant will evaluate Institute of Sustainable Infrastructure standards (supported by the American Society of Civil Engineers) and the feasibility of incorporating those standards into the Master Plan, identifying specific opportunities and making recommendations where feasible and appropriate. The Master Plan will also include illustrative renderings and a conceptual site plan for the entire

Study Area, as well as more detailed and targeted renderings, graphics, and plans as required to support the Study. The Study will also identify specific sites which are suitable for early action. The Selected Consultant may, at its option, create sub-areas within the Study Area to further refine and advance the planning process.

The Master Plan will include, but not be limited to the following areas:

1. Recommended Land Use

Based on existing conditions, the market study, stakeholder feedback, available environmental data, stakeholder/civic feedback, best practices, and other pertinent resources, the Selected Consultant will analyze the feasibility of potential land uses within the Study Area and recommend land use patterns which maximize the potential for economic redevelopment and job creation, while integrating sustainability features and publicly-accessible recreational assets (e.g. the Schuylkill River Trail extension). The recommendations should establish a development framework that will promote high-quality development of the Study Area, taking into consideration the technical, engineering, and other concerns and opportunities associated with parcels along the river. The recommendations should be consistent with best practices and include, but not be limited to recommended land uses, development densities, development form, development and design controls which encourage sustainable development and progressive stormwater management solutions.

Deliverables:

The deliverables for the Land Use component of Section III(C)(1) include the following:

- Written report with supporting maps, charts, graphics and related materials which details the analysis, findings and recommendations of the Recommended Land Use component of Task Three (1); and
- Power Point presentation.

2. Recreational and Green Space Assets

Establishing an extension of the existing Schuylkill River Trail, ensuring public access to the riverside and providing open space where feasible and appropriate are key goals of this Study. The Selected Consultant will identify opportunities to incorporate each of these goals into redevelopment of the Study Area. In developing this portion of the Master Plan, the Selected Consultant will consult with the City of Philadelphia Department of Parks and Recreation (“Parks”), the Schuylkill River Development Corporation (“SRDC”), Bartram’s Gardens, the City of Philadelphia Water Department, and the Commonwealth of Pennsylvania Department of Conservation and Natural

Resources, well as other entities associated with green and recreational initiatives in the Study Area. This component of the Master Plan should include, but not be limited to:

- a. *Schuylkill River Trail Extension:* The Selected Consultant will work closely with PIDC, Parks, and SRDC to identify and incorporate an extension of the Schuylkill River Trail through the Study Area, adjacent to the Schuylkill River. This analysis should include, but not be limited to, trail dimensions (which may vary over the length, due to space availability and other constraints), riparian buffers, public access points, and related considerations. The Selected Consultant should also identify and make recommendations regarding other opportunities to connect the Schuylkill River Trail Extension with other bicycle trail and public recreational assets in the study area. These opportunities include but are not limited to the 58th Street Greenway, Bartram's Garden, and Parks facilities in or near the Study Area.
- b. *Improved Public Access to the River and Green Spaces:* Identify opportunities to provide improved public access to the Schuylkill River Trail extension and publicly-accessible green spaces and sections of the Schuylkill River within the Study Area.
- c. *Green Space/Wetlands Mitigation Sites:* Identify and evaluate sites within the Study Area which may be suitable for green space, as well as wetlands mitigation sites for City of Philadelphia capital projects. The Consultant will also identify the Bird Aircraft Strike Hazard ("BASH") buffer zone around PHL and detail limitations associated with the BASH zone. Identify and evaluate opportunities to incorporate other green amenities and sustainable features into the Study Area.

Deliverables:

The deliverables for the Recreational and Green Space Assets component of Section III(C)(2) include the following:

- Written report with supporting maps, charts, graphics and related materials which details the analysis, findings and recommendations of the Recreational and Green Space Assets component of Section III(C)(2);
- Written recommendations regarding location, dimensions, alignment and other pertinent design factors associated with the extension of the Schuylkill River trail, including supporting maps and/or renderings;

- Written recommendations to provide enhanced public access to the Schuylkill River Trail Extension, as well as connect the trail to other publicly-accessible green space, bicycle trails and recreational assets in or proximate to the Study Area, including a phasing plan (if necessary) and cost estimates;
- Written analysis of the Bird Aircraft Strike Hazard (“BASH”) buffer zone around PHL, with supporting map(s) and graphic(s);
- Written recommendations and supporting graphics for sites within the Study Area which are suitable for green space and/or potential wetlands mitigation sites for City of Philadelphia capital projects;
- Written recommendations and supporting graphics for incorporating other green amenities and sustainable features into the Study Area; and
- Power Point presentation.

3. Transportation Access Plan

The Selected Consultant will develop a transportation access plan with sufficient capacity and connectivity to efficiently handle existing traffic and goods movement demand and projected increases attributable to redevelopment of the Project Area in accordance with the Master Plan. The transportation access plan should address the following issues, as well as all other issues necessary to prepare a comprehensive transportation access plan:

1. Establishing efficient roadway access between all segments of the Study Area and the interstate highway network (I-95, I-76);
2. Developing a street network to efficiently connect each section of the Study Area with surrounding communities and major transportation arteries connecting to University City, Center City, PHL, and the Navy Yard;
3. Evaluating location and roadway options for future users that require the use of “double trailers”;
4. Developing efficient circulation networks within each section of the Study Area;
5. Maximizing opportunities for utilization of rail, where appropriate;
6. Maximizing public transit connectivity between the Study Area, University City, Center City, PHL and the Navy Yard to ensure access and mobility; and

7. Maximizing pedestrian and bicycle access to publicly-accessible recreation areas within the Study Area, as well as maximizing opportunities for pedestrian and bicycle commuting.

In developing the transportation access plan, the Selected Consultant should consult with relevant transportation and related agencies, including the Mayor's Office of Transportation and Utilities ("MOTU"), PCPC, PennDOT, and SEPTA, as well as private sector rail providers. The Selected Consultant must also take into account existing site constraints, including but not limited to the floodplain. Overall deliverables for the Transportation Access Plan are set forth below:

Deliverables: The deliverables for the overall Transportation Access Plan component of Section III(C)(3) include the following:

- Written report with supporting maps, charts, graphics and related materials which details the analysis, findings and recommendations of the Transportation Access Plan analysis, including incorporation of the deliverables for Task Three (a)-(d);
- Power Point presentation; and
- Written recommendations for improvements in the short, medium, and long-term, including conceptual plans, order of magnitude costs, and prioritized phasing plan.

Further detail on the Transportation Access Plan components is provided below:

a. Roadway Network

The Selected Consultant will assess existing traffic and goods movement patterns in the Study Area, identifying anticipated increases in traffic over the short, medium, and long-term horizon. The Selected Consultant will also evaluate the adequacy and capacity of the existing roadway network, including access to all sections of the Study Area and availability/ viability of access routes to I-95, I-76, PHL and the Port of Philadelphia. Identify constraints in the existing roadway network and evaluate the impact of those constraints on future industrial development in the Study Area. Prepare a detailed set of recommendations to alleviate existing constraints, enhance capacity, and provide an efficient roadway network that serves the Study Area over the short, medium and long-term. Recommendations for improvements must take into account any security constraints associated with existing operations within the Study Area (e.g. airport, petroleum facilities, natural gas facilities).

Deliverables: The deliverables for the Roadway Network component of Section III(C)(3)(a) include the following:

- Written report with supporting maps, charts, graphics and related materials which summarizes the analysis, findings and recommendations of the Roadway Network component of Task Three (B);
- Power Point presentation;
- Written recommendations for roadway network improvements in the short, medium, and long-term, including conceptual plans and design standards, as well as incorporating green design elements (e.g. porous paving) wherever appropriate and feasible; and
- Written cost analysis and phasing plan for the recommended improvements.

b. Freight Rail Network

Inventory and assess existing rail within the study area, including active lines, inactive lines, rights of way, etc. For each active line, provide information regarding the service provided, frequency, and future utilization plans. The consultant will:

- Identify constraints and benefits that existing rail infrastructure presents to redevelopment of the Study Area;
- Identify and evaluate the impact of potential rail relocation associated with PHL expansion; and
- Evaluate the potential for increased utilization of rail in connection with the proposed redevelopment of the Study Area, including an assessment of the type of uses and industry sectors most likely to utilize rail and whether those uses/industry sectors correspond to the emerging and high-growth industry sectors identified in the Market Study.

The deliverables for the Freight Rail Network component of Section III(C)(3)(b) include the following:

- Written report with supporting maps, charts, graphics and related materials which details the analysis, findings and recommendations of the Freight Rail Network analysis; and
- Power Point presentation.

c. Transit Network

The Selected Consultant will evaluate the existing public transit network in the Study Area, including connectivity to University City, Center City, and PHL. The analysis

should address the feasibility and capacity of the existing public transit network to serve as a viable commuting and point-to-point travel method for workers within the Study Area over the short, medium, and long-term. Bicycle and pedestrian commuting and point-to-point options should be included in the Transit Network analysis. The analysis should also:

- Identify existing public transit assets which complement the proposed redevelopment of the Study Area, as well as constraints;
- Recommend improvements to service and connectivity that will enhance accessibility and mobility within the Study Area over the short, medium and long-term, including order of magnitude costs and phasing plan; and
- Identify and quantify projected environmental benefits associated with each recommendation.

Deliverables: The deliverables for the Transit Network component of Section III(C)(3)(c) include the following:

- Written report with supporting maps, charts, graphics and related materials which details the analysis, findings and recommendations of the Transit Network analysis;
- Power Point presentation; and
- Written recommendations for transit network improvements in the short, medium, and long-term, including conceptual plans, order of magnitude costs, and prioritized phasing plan.

d. Pedestrian and Bicycle Access

The Selected Consultant will evaluate the existing pedestrian and bicycle network to address the capacity of the existing system to provide (i) access to publicly-accessible recreation areas within the Study Area, (ii) pedestrian and bicycle commuting to businesses within the Study Area and (iii) connectivity to University City, Center City, and PHL from the Study Area for pedestrians and bicyclists. The analysis should address the feasibility and capacity of the existing pedestrian and bicycle network to serve as a viable commuting and point-to-point travel method for workers within the Study Area over the short, medium, and long-term. The analysis should also:

- Identify existing pedestrian and bicycle assets which complement the proposed redevelopment of the Study Area, as well as constraints;

- Recommend improvements to assets and connectivity that will enhance accessibility and mobility within the Study Area over the short, medium and long-term, including order of magnitude costs and phasing plan; and
- Identify and quantify projected environmental benefits associated with each recommendation.

Deliverables: The deliverables for the Pedestrian and Bicycle Access component of Section III(C)(3)(d) include the following:

- Written report with supporting maps, charts, graphics and related materials which details the analysis, findings and recommendations of the Pedestrian and Bicycle Access analysis;
- Power Point presentation; and
- Written recommendations for pedestrian and bicycle access improvements in the short, medium, and long-term, including conceptual plans, order of magnitude costs, and prioritized phasing plan.

4. Utilities and Infrastructure

Assess existing utilities and infrastructure within the Study Area, including electric, gas, water, sewer, stormwater, broadband, telephone, cable, and all communications systems, making recommendations regarding necessary improvements over the short, medium, and long term (including cost estimates and phasing plan) to attract new business activity and achieve the goals of the Master Plan.

The deliverables for the Utilities and Infrastructure analysis of Section III(C)(4) include the following:

- Written report with supporting maps, charts, graphics and related materials which details the analysis, findings and recommendations of the Utilities and Infrastructure analysis;
- Written recommendations for improvements over the short, medium and long-term, including (1) a detailed phasing plan, (2) cost estimates for recommended improvements and (3) opportunities to implement environmentally sustainable technologies and/or systems (addressing efficiency and cost issues as compared to other technologies and/or systems); and
- Power Point presentation.

5. Deliverables for Task Three – Master Plan: The Consultant will provide a detailed, written, comprehensive Master Plan that maximizes economic redevelopment and job creation opportunities, while integrating green amenities, recreational assets, and sustainable features. The Master Plan must be consistent with best practices and include, but not be limited to, the following:

- Illustrative site plan(s) for the entire Study Area, as well as additional illustrative renderings and graphics which detail the Master Plan and its key components (e.g. recommended land use, transportation access);
- Written report which details and provides context and rationale for the Master Plan, including the following specific components of the Master Plan:
- Existing conditions;
- Summary of market factors, including emerging and high-growth industrial sectors which are compatible with the Study Area, as well as recommendations for maximizing connections to R&D hubs in University City and the Navy Yard;
- Recreational and green assets, including extension of the Schuylkill River Trail, enhanced connectivity between surrounding communities and the riverside, and potential wetlands mitigation sites;
- Transportation access, including findings and recommendations for improving roadway, freight rail, and public transit networks within and serving the Study Area over the short, medium, and long-term;
- Utility and stormwater infrastructure, including findings and recommendations for improving utility and stormwater infrastructure within the Study Area over the short, medium and long-term;
- Detailed, written implementation plan for the Master Plan and all recommended improvements over the short, medium, and long-term, with accompanying cost estimates, prioritization of tasks, and phasing plan.
- Economic impact analysis (in the form of a detailed, written report with supporting charts and graphics) for redevelopment of Study Area in accordance with the Master Plan, including projected job creation, new tax revenue, direct and indirect economic impact over a 5, 10, 15, and 20 year horizon.

The Master Plan shall be delivered in hard copy (50 bound copies) and in electronic format (PDF and Word). All illustrations, maps, graphics, charts, and other supporting materials shall be provided electronically to PIDC in a format acceptable to PIDC.

B. Task Four - Priority Development Sites

During the course of the Study, the Selected Consultant will recommend potential Priority Development Sites (“PDS”) within the Study Area to PIDC. PDS’ may be comprised of one or more land parcels to provide a feasible site. PIDC will work closely with the Selected Consultant to select up to three PDS for further study, taking into consideration the guidance and feedback of PCPC, Commerce, the Working Group and the Advisory Group. Upon approval by PIDC, the Selected Consultant will prepare detailed, phased conceptual site development plans for each priority development site (“PDS”). Each PDS development plan will include the following deliverables:

- Illustrative drawings and conceptual site plan (“Site Plan”) demonstrating proposed use(s) and development, size and dimensions of proposed facilities, circulation, transportation access, utility infrastructure, stormwater systems, parking, green amenities, and sustainable development features;
- Written report which details and provides context and rationale for the Site Plan. The report will also include, but not be limited to:
 - Real estate analysis, including existing parcels, acreage, land ownership, utilization, easements, zoning, known environmental conditions and other relevant factors;
 - Existing conditions (e.g. transportation access, utilities, stormwater infrastructure);
 - Site benefits;
 - Site challenges (e.g. site issues, floodplain, permitting, access).
- Detailed, written implementation plan, including cost estimates, prioritization of tasks, sequence, phasing plan, and next steps;
- Written economic impact analysis, including projected job creation, new tax revenue, direct and indirect economic impact over the short-term (0-10 years) and long-term (10-15 years).

V. RFP SUBMISSION CHECKLIST

Each RFP submission must include 10 hard copies and one electronic copy, consisting of the items set forth below. This list is provided as an informational checklist

only. The specific requirements of the RFP, as set forth in Sections II, III, and IV of this RFP, will govern in evaluating Proposals submitted in response to this RFP.

- Letter of transmittal
- Statement of Qualifications
- Explanation of Work to be Performed
- Workplan and Schedule
- Capacity to Perform on Time
- Compensation Proposal
- Economic Opportunity Plan
- City of Philadelphia Required Forms and Certifications

APPENDIX “A”

CITY OF PHILADELPHIA

OFFICE OF ECONOMIC OPPORTUNITY

ANTIDISCRIMINATION POLICY- MINORITY, WOMAN AND DISABLED OWNED BUSINESS ENTERPRISES

FORMS, INSTRUCTIONS AND SPECIAL CONTRACT PROVISIONS

(NON-COMPETITIVELY BID CONTRACTS)

Under the authority of Executive Orders No. 02-05 and 14-08, the City of Philadelphia has established an antidiscrimination policy (“Policy”) relating to the participation of Minority (MBE), Woman (WBE) and Disabled (DSBE) Owned Business Enterprises in City contracts. Executive Order 14-08 disestablished the Minority Business Enterprise Council and transferred its administrative functions under Executive Order 02-05 to the Office of Economic Opportunity (“OEO”).

The purpose of this Policy is to provide equal opportunity for all businesses and to assure that City funds are not used, directly or indirectly, to promote, reinforce or perpetuate discriminatory practices. The City is committed to fostering an environment in which all businesses are free to participate in business opportunities without the impediments of discrimination and participate in all City contracts on an equitable basis. In accordance with the contracting requirements of the City, the City’s antidiscrimination policy is applicable to this Notice of Contracting Opportunity (hereinafter, “NOCO”).⁵

The Office of Economic Opportunity has approved the following projected ranges of participation for this NOCO which serve as a guide in determining each applicant’s responsibility:

MBE Ranges - 15% - 20%

WBE Ranges - 10% - 15%

⁵ The term “Notice of Contracting Opportunity,” shortened to the acronym “NOCO,” refers to the City’s contract solicitation documents and information posted on eContract Philly. Generally, these documents take the form of a Request for Proposals (RFP), Request for Qualifications (RFQ) or Request for Expression of Interest (RFI) and include any other document or information (for example, exhibits, appendices) related to the posting of the new contract opportunity.

These ranges represent the percentage of MBE, WBE and/or DSBE (collectively, "M/W/DSBE") participation that should be attained by M/W/DSBEs from business opportunities existing in the available market absent discrimination in the solicitation and selection of these businesses. These ranges are based upon an analysis of factors such as the size and scope of the contract and the availability of certified M/W/DSBEs to perform various elements of the contract. The submission of a Solicitation For Participation and Commitment Form and any supporting documentation (more fully discussed below) is an element of responsiveness to the NOCO and failure to submit the required information will result in rejection of your proposal.

Applicant hereby verifies that all forms, information and documentation submitted to the OEO are true and correct and is notified that the submission of false information by Applicant is subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

A. M/W/DSBE PARTICIPATION

1. Only firms that are certified by an approved certifying agency⁶ or identified in the OEO Certification Registry at the time of contract award will be credited toward the participation ranges on City contracts. An OEO Certification Registry is maintained by the OEO and is available online at www.phila.gov/OEO/directory. Firms owned and controlled by minority persons, women or disabled persons, which are certified as MBE, WBE, DSBE or DBE by an approved certifying agency may apply to the OEO for listing in its OEO Certification Registry. If applicant or applicant's subcontractor(s) is certified by an approved certifying agency, a copy of that certification should be included with the proposal.

2. No applicant that seeks to meet the participation range(s) for participation by entering into subcontracts with any M/W/DSBE subcontractor shall be considered to meet the range(s) if the M/W/DSBE subcontractor does not perform a commercially acceptable function ("CAF"). A M/W/DSBE is considered to perform a CAF when it engages in meaningful work or supply effort that provides for a distinct element of the subcontract (as required by the work to be performed in accordance with the NOCO), where the distinct element is worthy of the dollar amount of the subcontract and where the M/W/DSBE carries out its responsibilities by actually performing, managing and supervising the work involved. The OEO may evaluate the amount of work subcontracted, industry practices and any other relevant factors in determining whether the M/W/DSBE is performing a CAF. If it is determined during the review of your Solicitation and Commitment Form that the work described on the Form does not constitute a CAF, your proposal may be rejected.

⁶ Approved certifying agencies are identified on the OEO webpage found at www.phila.gov/OEO.

3. In order to maximize opportunities for as many businesses as possible, a firm that is certified in two or more categories (e.g. MBE and WBE and DSBE or WBE and DSBE) will only be credited toward one participation range as either an MBE or WBE or DSBE. The firm will not be credited toward more than one category. Applicants will note with their submission which category, MBE or WBE or DSBE, is submitted for credit.

4. An MBE/WBE/DSBE submitting as the prime applicant is required, like all other applicants, to submit a proposal that is responsive to the Policy and will only receive credit toward the relevant participation ranges (e.g., MBE range or WBE range or DSBE range) for the amount of its own work or supply effort on this NOCO. In addition, the participation of an M/W/DSBE partner, as part of a joint venture created for this contract, may be credited towards the participation ranges only to the extent of the M/W/DSBE partner's ownership interest in the joint venture in accordance with the following criteria:

- The MBE, WBE or DSBE partner(s) must be identified in the OEO Registry prior to contract award;
- The M/W/DSBE partner(s) must derive substantial benefit from the arrangement;
- The M/W/DSBE partner(s) must be substantially involved in all phases of the contract including planning, staffing and daily management;
- The business arrangement must be customary (i.e., each partner shares in the risk and profits of the joint venture commensurate with their ownership interest, contributes working capital and other resources, etc).

5. M/W/DSBE subcontractors must perform at least twenty percent (20%) of the cost of the subcontract (not including the cost of materials, equipment or supplies incident to the performance of the subcontract) with their own employees.

6. In listing participation commitments on the Solicitation for Participation and Commitment Form, applicants are required to list a detailed description of the work or supply effort, the dollar amount of the quotation, and percentage of the contract the participation represents. In calculating the percentage amount, applicants may apply the standard mathematical rules in rounding off numbers. The OEO reserves the right to request clarifying information from applicants in the event of an inconsistency or ambiguity in the Solicitation For Participation and Commitment Form.

B. RESPONSIVENESS

1. A proposal responsive to the Policy is one which contains documentary evidence of the M/W/DSBEs that have been solicited and that will be used by the applicant on the contract, if

awarded; where the proposal satisfies the M/W/DSBE participation ranges for that contract, the applicant is rebuttably presumed not to have discriminated in its selection of contract participants.

2. Applicants must submit documentary evidence of MBE, WBE and DSBEs who have been solicited and with whom commitments have been made in response to the participation ranges included in this NOCO. Failure to submit the Solicitation For Participation and Commitment Form will result in the rejection of the proposal as nonresponsive, although the City, at its sole discretion, may allow applicants to submit or amend the Solicitation For Participation and Commitment Form at any time prior to award. The Solicitation For Participation and Commitment Form must contain the following information:

- Documentation of all solicitations (regardless of whether commitments resulted therefrom) as well as all commitments made on the enclosed document entitled "Solicitation For Participation and Commitment Form". Applicants should only make actual solicitations of M/W/DSBEs whose work or materials are within the scope of this NOCO. Mass mailing of a general nature to M/W/DSBEs or similar methods will not be deemed solicitation, but rather will be treated as informational notification only. A reasonable period of time should be given to all solicited firms to ensure that they have sufficient time to adequately prepare their quotes/subproposals. The applicant's listing of a commitment with an M/W/DSBE constitutes a representation that the applicant has made a legally binding commitment to contract with such firm, upon receipt of a contract award from the City.
- If the applicant has entered into a joint venture with an MBE, WBE and/or DSBE partner, the applicant is also required to submit along with the Solicitation For Participation and Commitment Form, a document entitled "Joint Venture Eligibility Information Form," available at OEO, for the City's review and approval of the joint venture arrangement.

3. If Applicant does not fully meet each of the range(s) for participation established for this NOCO, applicant must explain what efforts the applicant made to achieve the M/W/DSBE participation ranges. Applicant must demonstrate, through the submission of documentary evidence, that it took all necessary steps and made reasonable efforts to achieve the M/W/DSBE participation ranges, even if these efforts were not fully successful. OEO will evaluate the scope, intensity and appropriateness of these efforts to ascertain whether they could reasonably be expected to achieve M/W/DSBE participation commensurate with the ranges. Failure to submit the documentary evidence will result in rejection of the proposal as nonresponsive, although the City, at its sole discretion, may allow applicants to submit or amend their evidentiary submission at any time prior to award. The submission shall contain and discuss, at a minimum, the following:

- Provide reasons for not committing with any MBE/WBE/DSBEs that submitted a quote/subproposal, regardless of whether the quote/subproposal was solicited by applicant.
- Provide any additional evidence pertinent to applicant's conduct relating to this NOCO including sufficient evidence which demonstrates to the OEO that

applicant has not engaged in discriminatory practices in the solicitation of and commitment with contract participants. In describing applicant's efforts to achieve participation within the ranges, applicant may submit any corroborating documentation (e.g., copies of advertisements for participation).

The applicant's documentary evidence will be reviewed by the OEO to ascertain whether discrimination has occurred in the solicitation or selection of contract participants. The review will include consideration of the following:

- Whether the applicant's actions were motivated by considerations of race or gender or disability. The OEO may investigate the applicant's contracting activities and business practices on similar public and private sector contracts. For example, if applicant rejects any M/W/DSBE based on price, applicant must fully document its reasons for the rejection and also demonstrate that applicant subjects non-M/W/DSBEs to the same pricing standards. OEO will investigate whether there was any attempt at good faith negotiation of price.
- Whether M/W/DSBEs were treated as equally as other businesses in the solicitation and commitment process. For example, the OEO will investigate whether M/W/DSBEs are given the same information, access to the plans and requirements of the contract and given adequate amount of time to prepare a quote/subproposal as others who were solicited by applicant. The OEO will also investigate whether M/W/DSBEs were accorded the same level of outreach as non-M/W/DSBEs, for example whether applicant short listed M/W/DSBEs for participation or solicited M/W/DSBEs at any pre-proposal meetings.
- Whether the applicant's contracting decisions were based upon policies which disparately affect M/W/DSBEs. OEO will ascertain whether applicant selected portions of work or material needs consistent with the capacity of available M/W/DSBE subcontractors and suppliers. OEO will consider whether applicant employed policies which facilitate the participation of M/W/DSBEs on City contracts such as segmentation of the contract or prompt payment practices.

4. After review of the applicant's submission and other information the OEO deems relevant to its evaluation, the OEO will make a written determination that will be forwarded to the awarding City Department.

- If the proposal is determined nonresponsive by the OEO, the applicant will be notified and may file a written appeal with the OEO within forty-eight (48) hours of the date of notification. The decision of the OEO may be appealed in writing within forty-eight (48) hours of the date of the OEO's decision to the Chief Operating Officer of the Commerce Department or his/her designee whose decision shall be final.

C. RESPONSIBILITY

1. Upon award, the completed Solicitation For Participation and Commitment Form and accompanying documents regarding solicitation and commitments with MBEs, WBEs and DSBEs become part of the contract. M/W/DSBE percentage commitments are to be maintained

throughout the term of the contract and shall apply to the total contract value (including amendments). Any change in commitment, including but not limited to substitutions for the listed firm(s), changes or reductions in the work and/or listed dollar/percentage amounts, must be pre-approved in writing by the OEO.

2. The successful applicant shall, within five (5) business days after receipt of a payment from the City for work performed under the contract, deliver to its M/W/DSBE subcontractors the proportionate share of such payment for work performed (including the supply of materials) by its M/W/DSBE subcontractors. In connection with payment of its M/W/DSBE subcontractors, the successful applicant agrees to fully comply with the City's payment reporting process which may include the use of electronic payment verification systems.

3. No privity of contract exists between the City and any M/W/DSBE subcontractor identified in any contract resulting from this NOCO. The City does not intend to give or confer upon any such M/W/DSBE subcontractor(s) any legal rights or remedies in connection with the subcontracted services under Executive Orders 2-05 and 14-08 or by reason of any contract resulting from the NOCO except such rights or remedies that the M/W/DSBE subcontractor may seek as a private cause of action under any legally binding contract to which it may be a party.

4. If the OEO determines that the applicant has discriminated against a M/W/DSBE at any time during the term of the contract, the OEO may recommend to the Director of Finance the imposition of sanctions on the applicant including debarment of the applicant from submitting and/or participating in future City contracts for a period of up to three (3) years.

D. ACCESS TO INFORMATION

1. The OEO shall have the right to make site visits to the applicant's place of business and/or job site and obtain documents and information from any applicant, subcontractor, supplier, manufacturer or contract participant that may be required in order to ascertain applicant's responsiveness and responsibility.

2. Failure to cooperate with the OEO in its review may result in a recommendation to terminate the contract.

E. RECORDS AND REPORTS

1. The successful applicant shall maintain all books and records relating to its M/W/DSBE commitments (e.g. copies of quotations, subcontracts, joint venture agreement, correspondence, cancelled checks, invoices, telephone logs) for a period of at least three (3) years following acceptance of final payment. These records shall be made available for inspection by the OEO and/or other appropriate City officials. The successful applicant agrees to submit reports and other documentation to the OEO as deemed necessary by the OEO to ascertain the successful applicant's fulfillment of its M/W/DSBE commitments.

F. REMEDIES

1. The successful applicant's compliance with the requirements of Executive Orders 2-05 and 14-08, including the fulfillment of any M/W/DSBE commitments, is material to the contract. Any failure to comply with these requirements constitutes a substantial breach of the contract. It is further understood and agreed that in the event the City determines that the successful applicant hereunder has failed to comply with these requirements the City may, in addition to any other rights and remedies the City may have under the contract, any bond filed in connection therewith or at law or in equity, exercise one or more of the following remedies, as deemed applicable, which shall be deemed cumulative and concurrent:

- a. Withhold payment(s) or any part thereof until corrective action is taken.
- b. Terminate the contract, in whole or in part.
- c. Suspend the successful applicant from proposing/bidding and/or participating in any future City contracts for a period of up to three (3) years.
- d. Recover as liquidated damages, one percent of the total dollar amount of the contract for each one percent (or fraction thereof) of the commitment shortfall. (NOTE: The "total dollar amount of the contract" shall include approved change orders, amendments and for requirements contracts shall be based on actual quantities ordered by the City. For Concessions, the "total dollar amount of the contract" shall mean the Concession Fee paid to the City.)

The remedies enumerated above are for the sole benefit of the City and City's failure to enforce any provision or the City's indulgence of any non-compliance with any provision hereunder, shall not operate as a waiver of any of the City's rights in connection with any contract resulting from this NOCO nor shall it give rise to actions by any third parties including identified M/W/DSBE subcontractors.

Should you have any questions related to the Contract Provisions, please call Dani'elle Snead, OEO at (215) 683-2082 or facsimile (215) 683 -2085.