

**THE CITY OF NEW YORK
Office of the Manhattan Borough President
Scott M. Stringer**

REQUEST FOR PROPOSALS

The Office of Manhattan Borough President Scott M. Stringer seeks planning and design services for its East River Blueway project, a community-based waterfront planning initiative. As a part of this project, the Manhattan Borough President's Office is pleased to announce the following contracting opportunity for:

**PLANNING AND DESIGN SERVICES FOR
"THE RIVER TO THE PEOPLE: EAST RIVER BLUEWAY PLAN"
FOR THE MANHATTAN BOROUGH PRESIDENT'S OFFICE**

PIN #: 2011MBPO3001

SUBMISSION DEADLINE

May 27, 2011

AUTHORIZED AGENCY CONTACT PERSON

Proposers are advised that the Authorized Agency Contact Person for all matters concerning this Request for Proposals is:

Name:	Dawn Billings Attn: East River Blueway RFP
Title:	Administrative Assistant
Mailing Address:	Office of Manhattan Borough President Scott M. Stringer 1 Centre Street, 19th Floor New York, New York 10007
Telephone #:	(212) 669-8146
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TABLE OF CONTENTS:

PAGE #

SECTION I - TIMETABLE	2
SECTION II - SUMMARY OF THE REQUEST FOR PROPOSALS	4
SECTION III - SCOPE OF SERVICES AND M/WBE REQUIREMENTS	7
SECTION IV - FORMAT AND CONTENT OF THE PROPOSAL	15
SECTION V - PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES	19
SECTION VI - GENERAL INFORMATION TO PROPOSERS	20

ATTACHMENT A - PROPOSAL TRANSMITTAL FORM

ATTACHMENT B - INFORMATION ON M/WBE REQUIREMENTS

ATTACHMENT C - SCHEDULE B: SUBCONTRACTOR UTILIZATION PLAN/WAIVER APPLICATION

ATTACHMENT D - DOING BUSINESS DATA FORM

ATTACHMENT E - MEMORANDUM ON “ENVIRONMENTALLY PURCHASING LAWS: COVERAGE, EXEMPTIONS AND WAIVERS, AND INCORPORATION INTO PROCUREMENTS”

ATTACHMENT F - ACKNOWLEDGMENT OF ADDENDA

SECTION I - TIMETABLE

A. Release Date of this Request for Proposals: April 15, 2011

B. Anticipated RFP Schedule:

The following is the anticipated schedule for receipt, evaluation, and selection of proposals. This is only an estimate and is provided for planning purposes only:

1. Week 1: Proposals due
2. Week 3: Consultant Selection
3. Week 8: Award consultant contract
4. Week 13: Registration of consultant contract

C. Proposal Due Date and Time and Location:

Written responses to this solicitation must be received on or before **5:00 PM**, on **May 27, 2011** to:

Dawn Billings
Attn: East Rive Blueway RFP
Manhattan Borough President's Office
Municipal Building, 19th Floor
1 Centre Street
New York, NY 10007

Proposal packages will be accepted by hand delivery or mail. E-mailed or faxed proposals will not be accepted by the Agency.

Proposals received at this Location after the Proposal Due Date and Time are late and shall not be accepted by the Agency, except as provided under New York City's Procurement Policy Board Rules. The Agency will consider requests made to the Authorized Agency Contact Person to extend the Proposal Due Date and Time prescribed above. However, unless the Agency issues a written addendum to this RFP which extends the Proposal Due Date and Time for all proposers, the Proposal Due Date and Time prescribed above shall remain in effect.

All proposals submitted will become the property of the Agency and not returned to the respondent. The Agency reserves the right to select more than one respondent to undertake the project.

The Agency reserves the right to conduct oral interviews with respondents as a means of further evaluation.

D. Anticipated Contract Start Date: July 21, 2011

E. Inquiries

In the event a proposer desires any explanation regarding the meaning or interpretation of this RFP, such explanation must be requested in writing, no later than May 6, 2011. In the event the Agency determines that it is necessary to respond to various inquiries in writing, such a response will be furnished and sent as an addendum to the RFP to all potential proposers known to have downloaded the RFP. The addenda containing the response to all inquiries will be available on the Agency's website at <http://www.mbp.org>. All inquiries must be directed ONLY to the contact person listed on the first page of this RFP and will be accepted only by email. Please put "Blueway RFP Inquiry" in the subject line of any email inquiry submitted.

SECTION II - SUMMARY OF THE REQUEST FOR PROPOSALS

A. Overview

The Manhattan Borough President's Office ("MBPO"), in collaboration with the Office of New York State Assemblymember Brian Kavanagh and other project partners, seeks the services of a multidisciplinary consultant team with the capacity to plan and design an East River blueway trail for Manhattan's East River waterfront between the Brooklyn Bridge and East 38th Street ("Project Site"). This stretch of Manhattan's shoreline faces challenges that prevent greater waterfront public access, including impediments created by the FDR Drive, limited access points into the river, limited connectivity among waterfront sites, river currents, commercial traffic, and other conditions in the River, and lack of public awareness about East River waterfront opportunities.

The East River Blueway Plan ("Project") will be the foundation for realizing an interconnected network of waterfront sites along the East River that integrates recreational activities and environmental awareness while connecting neighborhoods along the waterfront. Consultant work will include visioning; site analysis that assesses feasibility of locating on-water sites and access points into the water; conceptual design and associated budgets; identifying new or potential improvements of waterfront public amenity spaces; developing implementation and marketing strategies for the blueway trail; and proposing key investments that will further the goals of the East River Blueway Plan. This planning and design project is funded by a grant from the NYS Department of State Division of Coastal Resources ("DCR") with funds provided under Title 11 of the Environmental Protection Fund and is a part of a larger waterfront initiative being undertaken by project partners, and funded by this grant, which includes waterfront and environmental education and awareness.

B. Purpose of RFP

Planning initiatives and capital investments have either been proposed or implemented for portions of the Project Area or adjacent areas along the Manhattan side of the East River. Despite these efforts, this stretch of the East River waterfront is inaccessible and/or inhospitable. This is due to physical obstructions, minimal on-water venues, few river access points, and limited open spaces and public amenities.

The Consultant's work, building upon existing studies, plans, policy initiatives, and capital projects relevant to the Project Site, will advance infrastructure and other public amenity projects that support a community vision for the waterfront. The Consultant will create, in consultation with project stakeholders, a plan that will identify and guide key investments and improvements that will increase the public's access to the waterfront and, importantly, direct interaction with the East River.

C. Project Goals

The primary goals of the East River Blueway Plan include the following:

- Enhance the waterfront and increase the public's access to the waterfront and into the water;
- Identify opportunities for waterfront recreation and direct interaction with the East River; and
- Develop design guidelines that promote a healthy East River environment through sustainable design elements and practices.

D. Relevant Studies, Planning Efforts and Initiatives

All along its 520 miles of shoreline, New York City is reinvesting in long stretches of the waterfront to provide the public with greater access to the water. Activities along Manhattan's East River waterfront include important infrastructure investments as well as planning efforts and policy initiatives by the City and

community-based organizations. Many of these efforts have primarily focused on providing visual access to the waterfront yet overlook opportunities for increased physical access to the river.

The East River Blueway Plan will complement a number of other planning initiatives underway in the City for the East River and other water uses. Plans and information about these initiatives can be accessed on the sponsoring agency/organization's website. Relevant initiatives include, among others:

- The New York City's Waterfront Revitalization Program (DCP, 2002)
- VISION 2020: NYC Comprehensive Waterfront Plan (DCP, 2011)
- NYC and NYS plans for Blueway and Water Trails
- Metropolitan Waterfront Alliance – The Waterfront Action Agenda (2008)
- Manhattan Waterfront Greenway Master Plan (DCP, 2004)
- The East River Esplanade & Piers Plan (DCP, DOT, DPR, EDC, 2004)
- Community Board 3 – Waterfront Plan (2004)
- OUR Waterfront Coalition – A People's Plan for the East River Waterfront (2009)
- Community Board 6 197a Plans – Stuyvesant Cove (1997) and Plan for Eastern Section of Community District 6 (2008)
- New York City Capital projects: East River Park renovation (NYC DPR)

E. Neighborhood Context

The Project Area lies within the easternmost portion of Community District 3 and the southeast portion of Community District 6, encompassing several neighborhoods including the Lower East Side, Stuyvesant Town, Kips Bay, and Murray Hill. The waterfront plans, opportunities, and conditions vary among these neighborhoods.

The southern portion of the Project Site (south of 14th Street) has a dynamic coastline with great potential for community access. This portion includes East River Park, a 57-acre park that stretches from East 14th Street to Montgomery Street along the FDR Drive and East River, and a portion of the area contemplated in the City's East River Esplanade and Piers Plan. Water access on the East River along the Lower East Side has historically been limited because of shipping traffic, tides, currents, and the decline in water quality. Nevertheless, the natural and constructed attributes of the waterfront create areas with differing hydro-physical effects that provide the potential for additional opportunities for recreation in and on the water.

The northern portion of the Project Site lies within Community District 6. This waterfront area has been studied and incorporated into 197a Plans sponsored by Community Board 6. Important goals for this area include addressing broken waterfront connections to the north and south, increasing accessibility for the adjacent neighborhoods, creating on-water sites that address the district's lack of open space, and identifying waterfront public amenities that could be enhanced.

F. Anticipated Contract Term

It is anticipated that the term of the contract(s) awarded from this RFP will be from nine (9) months to one (1) year from the date of the award. The Agency reserves the right, prior to contract award, to recalculate this estimate based on the proposed schedules submitted during the RFP period.

G. Anticipated Available Funding

It is anticipated that the available funding for the contract awarded from this RFP will be \$450,000. Proposers are asked to give consideration to this funding when preparing their price proposals.

H. Exclusion from Participation in Subsequent Solicitation(s)

This RFP is for the drafting of specifications for a subsequent solicitation(s). The selected proposer from this RFP shall not be allowed to participate, whether as a contractor or sub-contractor, in response to a subsequent solicitation(s) utilizing the specifications they drafted, except as provided under New York City's Procurement Policy Board Rules.

SECTION III - SCOPE OF SERVICES AND M/WBE REQUIREMENTS

OVERVIEW

This RFP is issued for the purpose of soliciting proposals from interested and qualified professional urban planning and design consultants for services necessary for the planning and design of a community-supported East River Blueway Plan. The professional services shall include, among others, assessing the feasibility of locations for on-water sites and in-water recreational opportunities; identifying a route for a blueway trail; identifying new or potential improvements of public amenity spaces on the waterfront; and creating implementation, maintenance and marketing strategies for the East River Blueway Plan. The plan will identify and guide key investments that further the goals of the East River Blueway project.

The MBPO invites planning and design professionals to submit Proposals that meet the requirements stated in this RFP. Qualified consultants will have successfully undertaken community-based planning projects on a scale and scope similar to the Project, can demonstrate a thorough understanding of the project goals, and can demonstrate familiarity with the requirements of and experience with relevant regulatory agencies such as the NYC Economic Development Corporation, NYC Department of Parks & Recreation, NYC Department of Environmental Protection, the NYS Department of Environmental Conservation, US Army Corps of Engineers, and the NYS Department of State, as they pertain to proposed waterfront amenities, infrastructure and related matters.

The Consultant shall provide all required services (the “Services”) for the complete production of the project deliverables, which shall include, but may not be limited to, the tasks more fully described below. Services will include all necessary data collection and analysis, surveys, planning sessions with MBPO and project partners, stakeholder meetings, presentations, final report and graphics, and administration. The consultant shall furnish all necessary labor, analysis, supervision, administration, and support assistance incidental and necessary to perform required services.

It is the intent of the MBPO to review proposals and enter into a Professional Services Agreement with the consultant deemed by the MBPO as the most responsive provider of requested services.

TASKS

A. RESEARCH, INVESTIGATION, AND ANALYSIS

The Consultant will work with the MBPO and its project partners to conduct the following tasks:

- Work Plan: The Consultant shall prepare and submit to the MBPO for approval, a detailed work plan (“Work Plan”) for all Services to be performed. The Work Plan shall include the following, without limitation:
 - Detailed listing of all tasks, sub-tasks, and milestones required to fully provide the services;
 - The time necessary to complete such various tasks, sub-tasks, and milestones;
 - Projected target dates to complete the Scope of Services, per their component tasks and sub-tasks; and
 - The interrelationship and dependency of the various elements of the Work Plan.
- Project Scoping Meeting: Confirm project context and goals, schedule, Scope of Services, and deliverables for the project
- Collect, review, and analyze planning reports, documents and other resource material relevant to the Project Site or Project, including those identified by the MBPO and Project Advisory Committee. The Consultant is

also expected to understand existing and planned relevant projects in the Project Site and its immediate vicinity.

- The Consultant shall visit, inspect, and photograph the Project Site in order to become familiar with the general and specific nature of the area and identify any existing condition that may have an impact on the conceptual plan and/or Project. The Consultant shall create an inventory of existing natural and constructed resources and conditions within the East River Blueway Plan area to develop a land use profile to determine the compatibility of potential sites and trail routes for development and enhancement of facilities and attractions. An inventory of existing conditions, shall include, but not be limited to:
 - Land ownership/control, including underwater lands
 - Land use and water use
 - Zoning and other relevant local development controls
 - Relevant New York City and New York State waterfront regulations
 - Public access and recreational resources
 - Pedestrian, non-motorized, and vehicular circulation and connections
 - Cultural and historic resources and destinations
 - Scenic resources and view corridors
 - Natural resources
 - Topography, slope conditions, river edge conditions and soils
 - Utilities and Infrastructure (land and waterside): location, extent, condition and capacity
 - Shoreline configuration, including the location of the shoreline, bulkhead, or stabilized natural shore for purposes of determining the applicability of zoning regulations
 - Flood plain issues
 - Environmental issues
 - River conditions that might affect the location and feasibility of in-water recreational opportunities, including river currents, commercial river traffic, and other factors
- Develop a land use profile to be used to determine the feasibility of potential sites for development and enhancement of existing facilities/amenities and attractions that further the goals of the Project.
- An analysis that identifies and describes needs and opportunities in the project area.

A written summary, maps and supporting documentation describing the above information and any other appropriate information identified during project scoping shall be submitted to the MBPO, the Project Advisory Committee and DCR for review and comment.

The Consultant shall prepare a base map (“Base Map”) that will be used in documents and during the performance of tasks. The Base Map shall cover the entire Project Site, clearly and accurately showing streets, lots, building footprints and shoreline, as well as identifying key sites within the Project Site. The Base Map should correspond with the NYC Department of City Planning’s base map.

B. COMMUNITY PARTICIPATION AND OUTREACH

Project Advisory Committee

The MBPO, in consultation with project partners, will establish a Project Advisory Committee to provide ongoing input and feedback on the different elements of the Project plan. Committee members will include elected officials, Community Boards 3 and 6, representatives of state and municipal agencies with jurisdiction over project activities or the project area, non-governmental and community-based organizations, and other relevant stakeholders.

Public Meetings

The Consultant, in consultation with the MBPO, the Project Advisory Committee and DCR, shall conduct a series of public information meetings in order to solicit public input and develop consensus on improvements, amenities, access and designs. Community consensus and support for the master plan are important parts of the East River Blueway project. Community and stakeholder input from these working group meetings shall be used for and incorporated into the Project's plans and designs. A written summary of public input obtained at this meeting shall be prepared and provided to the DCR for review and comment. The consultant will be required to lead and staff a minimum of three (3) public meetings during the course of the project.

C. CONCEPT PLAN AND DESIGN

1. Draft Plan

The consultant, working with the MBPO and Project Advisory Committee, will develop a plan for the East River waterfront that furthers the goals of the East River Blueway Plan project, including identifying and evaluating the feasibility of the range of projects necessary to advance the implementation of the East River Blueway. The plan will include the following components:

1. A plan for waterfront recreation and activities, including water-dependent, active, and passive recreation;
2. A plan for access and circulation; and
3. Design guidelines and best practices.

Waterfront Recreation and Activities Component

Increasing the use of the waterfront for public waterfront recreation and activities is an important Project goal. The Consultant shall:

- Identify waterfront recreational opportunities and public amenities along the length of the Project Area corridor, including the identification of open space and public amenities; potential new open spaces and public amenities (e.g. sites and piers); and public amenity enhancements/improvements that would contribute to creating an inter-connected network of waterfront sites.
- Consider waterfront infrastructure and facilities needed for active and passive recreation and direct interaction with the East River, such as boater access facilities, related boater services, and access points for fishing and swimming.
- Consider important attractions, resources, upland trail linkages in the Project Site and immediately adjacent area.
- Provide cost estimates, implementation and phasing, and identification of necessary permits for these improvements.
- Identify property ownership and permitting restrictions and propose feasible responses.

Access and Circulation Component

Improving accessibility to the waterfront and creating linkages among on-water venues are important Project goals. The Consultant shall:

- Analyze access and circulation in the Project Site and adjacent area to make recommendations to improve physical access for multiple modes of travel including, pedestrian, bicycles, public transit, water-borne, and automobile systems.
- Consider potential linkages and improvements for connections among waterfront sites and upland linkages (including connections to natural, recreational and cultural resources)
- Propose types of wayfinding and directional signage, including conceptual designs, and locations of this signage.
- Provide cost estimates, implementation and phasing strategies, and identification of necessary permits for these improvements.
- Identify property ownership and permitting restrictions and propose feasible responses.

Design Guidelines and Best Practices Component

Design guidelines for the East River Waterfront should encourage the highest quality and sustainable urban design. The Consultant shall:

- Develop prototypical public realm design recommendations that ensure that the design of streets, boulevards, sidewalks, open spaces, trails, street furniture, signage, parks, lighting, and other aspects of the public realm are designed in accordance with the highest quality sustainable design.
- Identify and compile best practices strategies to address storm water /floodwater management on the upland areas adjacent to Project Site waterfront. Strategies should identify landscaping and urban design features that address storm water retention, reduce CSO outflows and non-point pollution, and manage future sea level rise, storm surges, and increased rainfall caused by climate change.
- Consider applicable design and waterfront regulations in the New York City Zoning Resolution and applicable Federal, State, and City laws, rules, regulations and/or policies.

The concept plan must acknowledge and plan for anticipated climate change, storm surge levels, and sea-level rise. Design standards and land uses, must reflect the highest sustainable design standards. A written and graphic representation of plan elements developed through the above tasks should be included.

2. Draft Concept Designs

The Consultant shall prepare concept level design alternatives for the proposed Blueway. The Consultant shall prepare three (3) schematic design alternatives for review by the MBPO, Project Advisory Committee, and DCR. The following components should be considered during the drafting of the alternatives:

- Range of projects that further the goals of the East River Blueway Plan project, including projects that address projects identified in the East River Blueway Plan components;
- Opportunities to incorporate previously identified projects;
- Identification of any permits necessary for construction of the schematic design alternatives;
- Proposed employment of best management practices (to avoid or reduce water quality impairments from upland runoff or in-water activities) in all of the schematic design alternatives;
- Project cost estimates;
- Maintenance costs and sources of operating funds; and
- Implementation strategies.

A written summary, maps and supporting documentation describing the above information and any other appropriate information identified during project scoping shall be submitted to the MBPO, the Project Advisory Committee, and DCR for review and comment.

3. Final Design

Informed by the input from the public meetings, and in consultation with the Project Advisory Committee, the MBPO shall select one of the concept design alternatives. This shall become the “preferred alternative” and shall serve as the basis for the final design plans and specifications.

The Consultant shall prepare plans, sections and renderings that help to illustrate the scale, relationship and character of the project. The design should include construction and operating cost estimates and a project schedule with a potential phasing plan.

4. Final Plan

- Implementation Strategies and Plan

The Consultant will prepare an implementation plan for the East River Blueway Plan that shall include

prioritized actions, cost estimates, time frames and phasing, recommended means of maintenance, potential funding sources, and responsible parties. The plan will describe, in detail, the specific steps that must be taken to achieve the desired objectives. Actions will be categorized, described in priority order, and include the short-and long-term actions that must be taken to achieve the desired objectives of the plan.

- Marketing Strategies and Plan

The Consultant will develop a marketing plan, based on its inventory and analysis of the project area, market study and East River Blueway Plan, that shall include and describe concepts for marketing and promoting the East River Blueway Plan. Subjects to be covered include the target audiences; goals and objectives; overall theme; issues to be addressed; type of materials to be produced; methods and formats of presentation and distribution.

D. DESIGN PHASE FOR SELECTED EAST RIVER BLUEWAY PLAN AMENITIES

Upon the successful completion of the first phases of the East River Blueway Plan, the proposer in consultation with and upon approval from the MBPO, DCR, and the Project Advisory Committee will develop design development documents and construction documents for selected amenities. The number and breadth of these projects will be determined after a review of remaining funds available for the East River Blueway Plan project.

1. Design Development Documents for Selected East River Blueway Plan Amenities

The Consultant shall prepare a draft final design for selected amenities which shall be reviewed by the MBPO, the Project Advisory Committee and DCR. Upon DCR's satisfaction with draft final design, the Consultant shall prepare final design and development drawings, plans, specifications, and cost estimates for review by the MBPO and DCR.

2. Construction Documents for Selected East River Blueway Plan Amenities

Based on the approved Design Development submission and cost estimate, the consultant will prepare working drawings, specifications and bid documents. The construction documents should include cost estimates midway through the construction document phase and at the end of the construction document phase. The consultant will work with the MBPO on a project construction schedule and a potential phasing plan. Please note the potential need for a phased set of bid documents. The MBPO and the Consultant will work together throughout the project to monitor the project's cost.

Final design and construction documents are subject to approval by the DCR. These documents must be certified by a licensed professional engineer, architect or landscape architect and the appropriate seal must be affixed to these documents.

E. FINAL REPORT AND DELIVERABLES

The Consultant shall produce final deliverables in a format(s) suitable for use in further advancing implementation, including for the purpose of attracting funding, regulatory and other decision-making, and preparation of final designs and construction specifications for specific actions. The consultant will work with the MBPO and the DCR to determine the best format(s) for each deliverable. Internet accessible formats for materials and documents are highly encouraged.

The consultant shall complete a final report (the "Final Report") that synthesizes the work completed based on the Scope of Services. Specific content shall include the following:

- The conceptual plan, which shall incorporate and integrate the Project's final conceptual design. The conceptual plan shall be the primary program document for the Project and will form the foundation for its further design and development. The conceptual plan shall include:
 - All drawings, sketches, maps, graphics and narrative descriptions necessary to convey the final conceptual design of the Project;
 - Design, construction and operating cost estimates;
 - Implementation and Phasing Plan; and
 - Marketing Plan.

The Final Report shall be in a format to be approved in advance by the MBPO and DCR. The Consultant shall also include a stand-alone Executive Summary synthesizing major features of the final conceptual plan and the process involved in its development.

The Final Report and all final deliverables shall incorporate and respond to comments on the draft report and interim deliverables provided by the MBPO, DCR and the Project Advisory Committee. All final products (including reports, designs, maps, drawings and plans) must be submitted as an electronic copy (in Adobe® Acrobat® Portable Document Format - PDF), created using 300 dpi scanning resolution.

GENERAL ADMINISTRATIVE REQUIREMENTS

- A. The Consultant shall coordinate and manage the appropriate members of the Consultant Team to provide the service when and where appropriate and directed by the MBPO.
- B. The Consultant shall maintain continuous communication with the MBPO and shall furnish to the MBPO all correspondence related thereto. The Consultant shall cooperate with the MBPO in the Consultant's preparation of reports and minutes of project meetings and all public meetings.
- C. The Consultant is expected to submit the Work Plan to the MBPO at the onset of the Project. Upon the MBPO's approval of the Work Plan, the Consultant shall commence the tasks. As directed by the MBPO, the Consultant shall share all information related to the project with the MBPO. The Consultant shall be expected to manage this process of communication and to present Project progress and provide a forum for review and feedback.
- D. The Consultant shall arrange meetings and presentations as requested by the MBPO and shall provide necessary data and materials for such meetings.
- E. The Consultant shall prepare and provide all relevant drawings, materials and other work product necessary to meet project objectives.
- F. The Consultant shall include on all materials printed, constructed, and/or produced, including printed and internet-based public outreach materials, the following acknowledgment:

"This (document, report, map, etc.) was prepared for the New York State Department of State with funds provided under Title 11 of the Environmental Protection Fund."

- G. For all material printed, constructed, and/or produced pursuant to the Services, the Consultant shall provide the following:
 - Draft products: two paper copies of each product.
 - Final products: two paper copies of each product. In addition, all final products (including reports,

designs, maps, drawings, and plans) must be submitted as an electronic copy (in Adobe® Acrobat® Portable Document Format - PDF), created using 300 dpi scanning resolution, and be submitted on a labeled CD-R type CD.

- For pictures and photographs, the Consultant must provide the date the picture was taken along with a caption stating the location of the picture or photograph and a brief description of the activity being documented.
- H. The Consultant shall revise and correct, without any additional compensation therefore, any and all reports, documents, surveys, and designs until same shall receive final approval by the MBPO. The Consultant shall initiate all actions for incremental review of proposed initiatives, including any follow-up meetings as required to expeditiously resolve all questions and concerns and to obtain required approvals.
- I. The Consultant shall identify, consult and coordinate with any specialty regulatory Agencies that may have an interest in the Project.
- J. The Consultant shall perform the Services and produce and deliver all work product with reference to and in conformity with information and data as to existing and legal lines and grades (or approved changes in legal changes in legal grade), approved drainage plans, sewers, subsurface structures and conditions and facilities, such as may be furnished by the MBPO and/or from any Agencies, Utilities and other sources, as well as such information as may be obtained through site inspection of the Project Site and from topographical and utility survey and subsurface investigations. It shall be the Consultant's responsibility to verify, identify and/or request all such data as may be required for planning proper coordination and implementation of the Project. The Consultant will be responsible for the data based on existing conditions, for additional work that may be incorporated into the contract documents and for materials needed to complete the scope of the Project.
- K. The Consultant shall complete the Services in conformity with all available existing information and data including existing and legal lines and grades (or approved changes in legal grade), approved drainage plans, sewers, and subsurface structures and conditions. It shall be the Consultant's responsibility to obtain all such data as may be required to complete the Services. It shall be the Consultant's responsibility to secure all available data as may be required for the informed planning and appropriate design of the Project.
- L. The Consultant shall obtain and compile all pertinent specifications, standards and constraints mandated for the Project by any Agency or Utility. All plans and specifications shall conform to the standards and specifications of any such Agency and Utility.

PAYMENT STANDARDS & ADDITIONAL COMPLIANCE REQUIREMENTS

A. Agency Assumptions Regarding Performance-Based Payment Structure & Invoicing Requirements

The Agency will adopt a performance-based payment structure that will most likely assure the selected proposer(s) will perform the work under the contract(s) awarded from this RFP in a manner that is cost-effective for the Agency and most likely to achieve the Agency's goals and objectives set out above. The payment structure of the contract(s) awarded from this RFP will be based on a combination of line-item budget reimbursement and a series of milestone payments tied to outcomes. However, the Agency will consider

proposals to structure payments in a different manner and reserves the right to select any payment structure that is in the City's best interest.

The requirements for performance of this Project, as well as insurance, payment terms and all other required payment provisions will be negotiated with the proposer chosen. All contractors (consultants) will be required to submit proper invoices to receive payments, except where the contract provides that the contractor shall be paid at predetermined intervals without having to submit an invoice for each scheduled payment.

B. Participation by Minority Owned and Women Owned Business Enterprises in City Procurement

The contract resulting from this Request for Proposals will be subject to Local Law 129 of 2005, the Minority-Owned and Women-Owned Business Enterprise (M/WBE) program. Please refer to Attachments B and C for information on the M/WBE requirements established for this solicitation and instructions on how to complete the required forms.

Note: As fully explained in the Notice to Prospective Contractors (part of Attachment B) if you are planning to file a waiver of the Target Subcontracting Percentage, the waiver must be submitted to the Agency at least seven days prior to the proposal due date and time in order to be timely considered.

C. Compliance with Local Law 34 of 2007

Pursuant to Local Law 34 of 2007, amending the City's Campaign Finance Law, the City is required to establish a computerized database containing the names of any "person" that has "business dealings with the city" as such terms are defined in the Local Law. In order for the City to obtain necessary information to establish the required database, vendors responding to this solicitation are required to complete the attached Doing Business Data Form (Attachment D) and return it with this proposal, and should do so in a separate envelope. (If the responding vendor is a proposed joint venture, the entities that comprise the proposed joint venture must each complete a Data Form.) If the City determines that a vendor has failed to submit a Data Form or has submitted a Data Form that is not complete, the vendor will be notified by the agency and will be given four (4) calendar days from receipt of notification to cure the specified deficiencies and return a complete Data Form to the agency. Failure to do so will result in a determination that the proposal is non-responsive. Receipt of notification is defined as the day notice is e-mailed or faxed (if the vendor has provided an e-mail address or fax number), or no later than five (5) days from the date of mailing or upon delivery, if delivered.

D. Environmentally Preferable Purchasing Laws

See Memorandum "Environmentally Purchasing Laws: Coverage, Exemptions and Waivers, and Incorporation into Procurements" for more information (Attachment E).

SECTION IV - FORMAT AND CONTENT OF THE PROPOSAL

Instructions: Proposers should provide all information required in the format below. The proposal should be typed on both sides of 8 ½" X 11" paper. The City of New York requests that all proposals be submitted on paper with no less than 30% postconsumer material content, i.e., the minimum recovered fiber content level for reprographic papers recommended by the United States Environmental Protection Agency (for any changes to that standard please consult: <http://www.epa.gov/osw/conserve/tools/cpg/products/printing.htm>). Pages should be paginated. The proposal will be evaluated on the basis of its content, not length. Failure to comply with any of these instructions will not make the proposal non-responsive.

Interested firms may wish to form teams and submit proposals as teams. If this is done, the team should be multi-disciplinary and specialties on the project team may include, but are not limited to urban planning and design, landscape architecture, park and recreation planning, structural and civil engineering, ecology and water resources, environmental planning, transportation planning and cost-estimating. The lead firm should have the experience and capacity to manage the team and the project. The following items must be included and addressed in the proposal. Those proposals which most satisfactorily address the following items will be considered.

A. Proposal Format

1. Letter of Transmittal

The Letter of Transmittal should include the following:

- A statement indicating your understanding of the work to be performed;
- An affirmation of the firm's qualifications for professionally and expertly conducting the work as understood; and
- A Transmittal Form (Attachment A) complete with the firm's contact person concerning the proposal and a telephone number and email where that person can be reached.

2. Technical Proposal

The Technical Proposal is a clear, concise narrative which addresses the following:

a. Experience and Qualifications

Describe the successful relevant experience of the proposer, each proposed sub-contractor if any, and the proposed key staff in providing the work described in Section III of this RFP. The proposal should specifically address the professional practice, areas of specialization, practice philosophy, and project/client mix as well as examples of a minimum of five (5) projects conducted by the firm and its consultants of a similar scope. If the team has completed projects on waterfronts or on piers these projects should be included in the qualifications package. Specialties on the project team may include, but are not limited to, urban planning and design, landscape architecture, park and recreation planning, structural and civil engineering, ecology and water resources, environmental planning, transportation planning and cost-estimating. The final composition of the Consultant team is at the discretion of the lead consultant submitting the proposal. Please note that the team is to be prepared to work collaboratively with the MBPO and Project Advisory Committee throughout the project. The direct experience of your project team with community planning and waterfront planning should be demonstrated.

In addition:

- Attach a listing of at least three (3) relevant references for which your team has provided similar services. Provide for each project the name of the reference entity, a project name or title with a brief statement describing the project and the relationship between the proposer or proposed sub-contractor, as applicable, and the reference entity, the date of the work and its completion, and the name, title, telephone number and email of a contact person at the reference entity.
- Attach for each key staff position a resume and/or description of the qualifications that will be required. (In addition, provide a statement certifying that the proposed key staff will be available for the duration of the project.)

b. Organizational Capability

Demonstrate the proposer's organizational (i.e., technical, managerial and financial) capability to provide the work described in Section III. Specifically address the following:

- Services to be provided by each team member. Contribution of all the individuals who will be providing their services should be included in your proposal, with an indication of how their combined qualifications/assignments will enable and enhance completion of the work.
- Technical resources
- Consultant and sub-consultant experience

In addition:

- Attach a chart showing where, or an explanation of how, the proposed services will fit into the proposer's organization.
- Attach a copy of the proposer's latest audit report or certified financial statement, or a statement as to why no report or statement is available.

c. Proposed Approach

The proposal shall include your vision and strategic overview of the project. The proposed approach must demonstrate your team's understanding of the project and reflect your thoughtful response in addressing the issues and goals articulated in the Request for Proposals. Responses should explain the work that must be performed to address the project's goals and must include a detailed description of the procedures, methods, source and types of information and data you propose to use to complete this scope of work.

The Agency's assumptions regarding contractor approach represent what the Agency believes to be most likely to achieve its goals and objectives. However, proposers are encouraged to propose an approach that they believe will better achieve the Agency's goals and objectives. Proposers may also propose more than one approach. However, if an alternative approach affects other areas of the proposal such as experience, organizational capability or price, that alternative approach should be submitted as a complete and separate proposal providing all the information specified in Section IV of this RFP.

3. Price Proposal

A budget for the proposed work, including the total fee, a budget breakdown per project phase, task, and subtask, and an outline of the specific number of work hours and hourly rate attributed to each team member must be submitted. Please note the anticipated budget for the entire project is listed in Section II (G) above.

In addition to providing the detailed budget breakdown described above, proposers are encouraged to propose innovative/alternative payment structures, for example, any fee curve used to calculate costs for the design development and construction documents (Task D). The Agency reserves the right to select any payment structure that is in the City's best interest.

4. Acknowledgment of Addenda

The Acknowledgment of Addenda form (Attachment F) serves as the proposer's acknowledgment of the receipt of addenda to this RFP which may have been issued by the Agency prior to the Proposal Due Date and Time, as set forth in Section I (C), above. The proposer should complete this form as instructed on the form.

5. Work Proposal and Schedule

A work proposal that includes work tasks, sub-tasks, associated products/deliverables, and the number of community and approval meetings should be provided. A project work schedule should be provided which includes time frames for each task/major work element, target dates for public meetings, and dates for completion of drafts and final documents. The work schedule must demonstrate that all products and deliverables will be developed in a timely fashion and accommodate partner review and approval timeframes. A proposed schedule that displays major milestones, tasks, and deliverables should be included.

6. VENDEX Proof of Filing

All Proposers that are under consideration for the award of a single contract valued at \$100,000 or more, or whose aggregate business with the City in the prior 12 months, including the proposed contract, is \$100,000 or more must have completed VENDEX Questionnaires on file with the Mayor's Office of Contract Services. All Proposers and their sub-consultants are advised that they should file VENDEX questionnaire(s) accordingly and submit to the Agency proof that VENDEX has been filed. Further information regarding VENDEX is available on the internet at: www.nyc.gov/VENDEX.

B. Proposal Package Contents ("Checklist")

The Proposal Package should contain the following materials. Proposers should utilize this section as a "checklist" to assure completeness prior to submitting their proposal to the Agency.

1. A sealed inner envelope labeled "Program Proposal," containing one original set and the stated number (10 hard copy, 5 CDs) of duplicate color copy sets of the documents listed below in the following order:
 - Transmittal Letter, including the Form (Attachment A) and all information listed above in Section IV (A)(1)
 - Technical Proposal
 - oo Narrative of information requested above in Section IV (A)(2)
 - oo References for the Proposer and, if applicable, each Sub-Contractor
 - oo Resumes and/or Description of Qualifications for Key Staff Positions
 - oo Organizational Chart
 - oo Audit Report or Certified Financial Statement or a statement as to why no report or statement is available
 - Acknowledgment of Addenda Form (Attachment F)

- Proposed Schedule
 - VENDEX Proof of Filing
2. A separate sealed inner envelope labeled “Price Proposal” containing one original set and (10 hard copy, 5 CDs) duplicate sets of the Price Proposal.
- Price Proposal
 - Proposed Performance-Based Payment Structure [IF APPLICABLE]
3. A third sealed inner envelope containing an original copy of:
- “Subcontractor Utilization Plan” (Attachment C, Schedule B, Part II) [IF APPLICABLE] or;
 - Approved Waiver of Target Subcontracting Percentage (Attachment C, Schedule B, Part III) [IF APPLICABLE] or;
 - “Subcontractor Utilization Plan” (Attachment C, Schedule B, Part II) and Approved **Partial** Waiver of Target Subcontracting Percentage (Attachment C, Schedule B, Part III) [IF APPLICABLE]
4. All proposals must contain a fourth sealed inner envelope labeled “Doing Business Data Form” containing an original, completed Doing Business Data Form (see Attachment D).
5. All proposals should contain [IF APPLICABLE] a fifth sealed inner envelope labeled “Confidential, Proprietary Information or Trade Secrets” containing any documents or information the proposers believe falls under Section VI (I).
5. A sealed outer envelope, enclosing the five sealed inner envelopes. The sealed outer envelope should have two labels containing:
- The proposer’s name and address, the Title and PIN # of this RFP and the name and telephone number of the Proposer’s Contact Person.
 - The name, title and address of the Authorized Agency Contact Person.

SECTION V - PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES

A. Evaluation Procedures

All proposals accepted by the Agency will be reviewed to determine whether they are responsive or non-responsive to the requisites of this RFP. Proposals that are determined by the Agency to be non-responsive will be rejected. The Agency's Evaluation Committee will review, evaluate and rate all remaining proposals based on the Evaluation Criteria prescribed below. The Agency reserves the right to conduct site visits and/or interviews and/or to request that proposers make presentations and/or demonstrations, as the Agency deems applicable and appropriate after which their initial scores may be re-evaluated. Although discussions may be conducted with proposers submitting acceptable proposals, the Agency reserves the right to award contracts on the basis of initial proposals received, without discussions; therefore, the proposer's initial proposal should contain its best technical proposal and price terms.

The agency shall rank proposers by technical merit, and then consider price by negotiating a fair and reasonable price with the highest technically ranked proposer(s). In the event that the agency has chosen to negotiate a fair and reasonable price with the top-ranked proposer, if such a fee is not successfully negotiated, the agency may conclude such negotiations, and enter into negotiations with the next ranked vendor(s), as necessary.

B. Evaluation Criteria

- | | |
|--|-----|
| • Demonstrated quantity and quality of successful relevant experience. | 50% |
| • Demonstrated level of organizational capability. | 10% |
| • Quality of proposed approach. | 40% |

C. Basis for Contract Award

A contract will be awarded to the responsible proposer(s) whose proposal(s) are determined to be the most advantageous to the City, taking into consideration the price and such other factors or criteria which are set forth in this RFP.

SECTION VI - GENERAL INFORMATION TO PROPOSERS

A. Complaints. The New York City Comptroller is charged with the audit of contracts in New York City. Any vendor who believes that there has been unfairness, favoritism or impropriety in the proposal process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, Room 1005, New York, NY 10007; telephone number (212) 669-2323.

B. Applicable Laws. This Request for Proposals and the resulting contract award(s), if any, unless otherwise stated, are subject to all applicable provisions of New York State Law, the New York City Administrative Code, New York City Charter and New York City Procurement Policy Board (PPB) Rules. A copy of the PPB Rules may be obtained by contacting the PPB at (212) 788-0100.

C. General Contract Provisions. Contracts shall be subject to New York City's general contract provisions, in substantially the form that they appear in "Appendix A—General Provisions Governing Contracts for Consultants, Professional and Technical Services" or, if the Agency utilizes other than the formal Appendix A, in substantially the form that they appear in the Agency's general contract provisions. A copy of the applicable document is available through the Authorized Agency Contact Person.

D. Contract Award. Contract award is subject to each of the following applicable conditions and any others that may apply: New York City Fair Share Criteria; New York City MacBride Principles Law; submission by the proposer of the requisite New York City Department of Business Services/Division of Labor Services Employment Report and certification by that office; submission by the proposer of the requisite VENDEX Questionnaires/Affidavits of No Change and review of the information contained therein by the New York City Department of Investigation; all other required oversight approvals; applicable provisions of federal, state and local laws and executive orders requiring affirmative action and equal employment opportunity; and Section 6-108.1 of the New York City Administrative Code relating to the Local Based Enterprises program and its implementation rules.

E. Proposer Appeal Rights. Pursuant to New York City's Procurement Policy Board Rules, proposers have the right to appeal Agency non-responsiveness determinations and Agency non-responsibility determinations and to protest an Agency's determination regarding the solicitation or award of a contract.

F. Multi-Year Contracts. Multi-year contracts are subject to modification or cancellation if adequate funds are not appropriated to the Agency to support continuation of performance in any City fiscal year succeeding the first fiscal year and/or if the contractor's performance is not satisfactory. The Agency will notify the contractor as soon as is practicable that the funds are, or are not, available for the continuation of the multi-year contract for each succeeding City fiscal year. In the event of cancellation, the contractor will be reimbursed for those costs, if any, which are so provided for in the contract.

G. Prompt Payment Policy. Pursuant to the New York City's Procurement Policy Board Rules, it is the policy of the City to process contract payments efficiently and expeditiously.

H. Prices Irrevocable. Prices proposed by the proposer shall be irrevocable until contract award, unless the proposal is withdrawn. Proposals may only be withdrawn by submitting a written request to the Agency prior to contract award but after the expiration of 90 days after the opening of proposals. This shall not limit the discretion of the Agency to request proposers to revise proposed prices through the submission of best and final offers and/or the conduct of negotiations.

I. Confidential, Proprietary Information or Trade Secrets. Proposers should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification of why such materials, upon request, should not be disclosed by the City. Such information must be easily separable from the non-confidential sections of the proposal. All information not so identified may be disclosed by the City.

J. RFP Postponement/Cancellation. The Agency reserves the right to postpone or cancel this RFP, in whole or in part, and to reject all proposals.

K. Proposer Costs. Proposers will not be reimbursed for any costs incurred to prepare proposals.

L. Vendex Fees. Pursuant to PPB Rule 2-08(f)(2), the contractor will be charged a fee for the administration of the Vendex system, including the Vendor Name Check Process, if a Vendor Name Check review is required to be conducted by the Department of Investigation. The contractor shall also be required to pay the applicable fees for any of its subcontractors for which Vendor Name Check reviews are required. The fee(s) will be deducted from payments made to the contractor under the contract. For contracts with an estimated value of less than or equal to \$1,000,000, the fee will be \$175. For contracts with an estimated value of greater than \$1,000,000, the fee will be \$350. The estimated value for each contract resulting from this RFP is estimated to be less than or equal to \$1million.

M. Reserved Rights. All proposal material submitted becomes the property of the City and the City reserves the right, at its sole discretion, to:

- a. Award a contract to other than the lowest-fee proposer;
- b. Waive, modify or correct any irregularities in proposals received, after prior notification to the proposer;
- c. Use without limitation any or all of the ideas from submitted proposals;
- d. Contract for all or selected parts of the proposer's proposal, selecting from the services offered without affecting the itemized pricing;

- e. Extend the time for submission of all proposals after notification to all prospective proposers known to have received the RFP;
- f. Terminate negotiations with selected proposer and select the next responsive proposer, or take such other action as deemed appropriate if negotiations fail to result in a signed contract within a reasonable time of the commencement of negotiations as determined by the Commissioner.

N. Charter Section 312(a) Certification.

The Agency has determined that the contract(s) to be awarded through this Request for Proposals will not directly result in the displacement of any New York City employee.

Agency Chief Contracting Officer

Date

ATTACHMENT A

PROPOSAL TRANSMITTAL FORM

RFP TITLE: Planning and Design Services for the “The River to the People: East River Blueway Plan”
for the Manhattan Borough President’s Office

PIN #: 2011MBPO3001

Proposer:

Name: _____

Address: _____

Tax Identification #: _____

Proposer’s Contact Person:

Name: _____

Title: _____

Telephone #: _____

Email: _____

Proposer’s Authorized Representative:

Name: _____

Title: _____

Signature: _____

Date: _____

Is the response printed on both sides, on recycled paper containing the minimum percentage of recovered fiber content as requested by the City in the instructions to this solicitation?

☐ Yes ☐ No

Please include with this form a statement indicating your understanding of the work to be performed as well as an affirmation of the firm’s qualifications for professionally and expertly conducting such work.