



LMDC

Remember Rebuild Renew

**REQUEST FOR QUALIFICATIONS:
CONSULTANT SERVICES TO ASSIST IN PLANNING,
COORDINATION, AND FACILITATION OF
PUBLIC HEARINGS AND MEETINGS**

LOWER MANHATTAN DEVELOPMENT CORPORATION

*The Lower Manhattan Development Corporation,
a subsidiary of the New York State Urban Development Corporation
d/b/a Empire State Development Corporation,
seeks statements of qualifications for consultant services
to assist the LMDC in the planning, facilitation, and coordination of public hearings and
meetings regarding the redevelopment of the World Trade Center site, and the revitalization of
Lower Manhattan, defined as south of Houston Street.*

Lower Manhattan Development Corporation

John C. Whitehead, Chairman

Kevin M. Rampe, President

March 1, 2004

Deadline for responses: March 22, 2004, 5:00 PM EST

I. GENERAL INFORMATION

A. Mission and Structure of the Lower Manhattan Development Corporation

The Lower Manhattan Development Corporation (LMDC) was established in late 2001 to develop and revitalize Lower Manhattan in the aftermath of the September 11, 2001 terrorist attacks. LMDC defines Lower Manhattan to mean all areas in Manhattan south of Houston Street.

LMDC is a subsidiary of the New York State Urban Development Corporation, doing business as Empire State Development Corporation (ESDC), a political subdivision and public benefit corporation of the State of New York, created by Chapter 24 of the Laws of New York, 1968, as amended. LMDC is governed by a 16-member Board of Directors, of which half was nominated by the Governor of the State of New York and half by the Mayor of the City of New York.

LMDC is funded by federal appropriations administered by the United States Department of Housing and Urban Development (HUD) through its Community Development Block Grant (CDBG) program. To date, approximately \$2 billion has been allocated to LMDC and another \$783 million is anticipated through a second grant. (*See* Defense Appropriations Act of 2002, Public Law 107-117 and Supplemental Appropriations Act of 2002 for Further Recovery from and Response to Terrorist Attacks on the United States, Public Law 107-206).

B. Overview of Services Requested and the Submission Process

The LMDC is committed to fulfilling its mission through an open, inclusive, and transparent public process. The LMDC consults with a broad spectrum of individuals through its eight advisory councils that represent different stakeholders, including the families of those lost on September 11th, Lower Manhattan business owners, arts, education and cultural groups, finance and professional firms, and downtown residents. The general public has played a central role in helping to shape the future of Lower Manhattan by participating in public forums that have been conducted in each of the five boroughs, Long Island, and New Jersey. These public forums have ranged in attendance from 25 participants to over 1,000 participants. The LMDC is committed to continuing this dialogue with the public as it moves forward with various initiatives.

In fulfilling its responsibility of continuing a dialogue with the public as the development and revitalization of Lower Manhattan moves forward, LMDC will need to obtain the services of one or more firms who generally provide planning, facilitation training, and coordination for public hearings and meetings of various sizes, and topics. LMDC seeks to create a pool of qualified firms from which it may select one or more to provide such services. Firms interested in submitting a statement of qualifications to provide such services are required to follow the recommended guidelines and instructions contained in this Request for Qualifications (RFQ). In the event it becomes necessary to revise any part of this RFQ, revisions will be provided by addenda posted on the LMDC website: <http://www.renewnyc.com>

Statements of Qualification should provide a straightforward, complete and concise description of the firm's capabilities and qualifications for providing services for planning, facilitating, and coordinating public hearings and meetings that are fair, productive and orderly. In addition, the firm(s) should demonstrate their ability to capture a wide range of focused comments, ideas, and concerns from the participants. Each copy of the qualifications should be bound in a single volume and include any documentation you may wish to submit.

Any firm submitting a statement of qualifications in response to this RFQ may be required to give an oral presentation of their qualifications to LMDC. This oral presentation may provide an opportunity for the firms to clarify or elaborate on their qualifications but will in no way change the original submission. Engagement staff should be present at the oral presentation. LMDC's request for an oral presentation shall not constitute retention of the firm for future services.

Statements of qualifications must be received no later than 5:00 PM EST, March 16, 2004. Deliver all statements to:

RFP/RFQ Processor
Lower Manhattan Development Corporation
One Liberty Plaza, 20th Floor
New York, NY 10006
ATTN: RFQ Public Hearings/Meeting Consultant

LMDC reserves the right to reject any or all qualifications submitted if such action is deemed to be in the best interest of LMDC. LMDC assumes no responsibility and no liability for costs incurred by the responding firm(s) prior to the issuance of a contract(s).

The schedule for this effort is as follows:

- February 23 – RFQ issued
- March 23 – Responses due
- April 5- April 9 – Oral presentations conducted
- April 12 - 16 – Consultant(s) selected

If you choose to respond to this RFQ, please prepare eight (8) copies of your qualifications on no more than sixteen (16) single-sided 8.5" x 11" pages, or eight (8) 8.5" x 11" leaves if double-sided, and deliver them to:

Questions must be submitted in writing to Jennifer Brown at LMDC by fax 212-962-2431 or by email at jbrown@empire.state.ny.us **no later than March 10, 2004.** Addendum to this RFQ, including responses to questions, will be posted March 12, 2004, on the LMDC web site <http://www.renewnyc.com>.

II. ANTICIPATED SCOPE OF SERVICES

The LMDC has a need for the planning, facilitation, coordination, and moderation services for public meetings of various sizes, formats, and topics that will take place in Lower Manhattan in the future. Services to be provided by the consultant(s) will include:

- Providing one or more lead moderator(s) to manage LMDC public hearings and meetings;
- Assisting LMDC in planning, agenda design, and facilitation of smaller-scale meetings, such as charettes and public workshops, on topics related to the LMDC's various planning studies and funding initiatives;
- Recruiting moderators and/or facilitators and providing training on conducting LMDC public hearings and meetings;
- Assisting LMDC in the strategic planning, preparation, documentation, location, and design relating to the venues for LMDC meetings in consultation with LMDC staff;
- Assisting with outreach to encourage meeting attendance;
- Providing and/or securing any appropriate and necessary equipment for LMDC public hearings and meetings, including but not limited to: video cameras, projectors, screens, microphones, sound and lighting equipment, tables and chairs; and
- Additional services as requested in writing by the LMDC for assistance with public outreach efforts.

While a firm will be responsible for all of these services, a firm may provide them directly and may subcontract with other firms or individuals to provide some of these services, subject to prior approval of such subcontracting arrangement by LMDC.

The resulting contract(s) will be for a term of one (1) year, with an option to renew, subject to necessary LMDC approvals.

III. SUBMISSION REQUIREMENTS

Interested firms are invited to submit statements of qualifications that contain the following information as they appear below:

A. Experience, Structure, and Personnel

1. A history of the respondent's experience providing consultant services related to the planning, facilitation, and coordination of public hearings and meetings, including the number of past project assignments, years of operation, range, complexity, size and budgets of public assignments, awards, prizes, citations, etc.
2. A description of the firm's organizational structure, including resumes of the principals, project manager(s) and professional staff who would work directly with LMDC, indicating their major projects to date.

3. Samples of up to (5) major projects that the firm has completed in the areas of moderation and public hearing and meeting facilitation in the past five years. Include the client, the name of a contact person who is able to provide a reference, a description of the nature of the work, the size and complexity of the project, and the amount and the agreed fee arrangements.
4. Any other information that you believe would make the firm's work on behalf of LMDC superior to that of other firms or information about your firm's specialty or particular skill to perform a specific requested service.

B. Fees

1. Whether the firm would be willing to agree to a fee cap.
2. The normal hourly rate of each principal and staff member whose resume is provided or whose job category may be required, and the rate that would be charged to LMDC.
3. A list of anticipated reimbursable expenses, including sub-consultants and contract employees, and the rate charged for each. For reimbursable expenses, LMDC will not pay administrative costs for handling or administration of such expenses.
4. Any reduced fees offered to other municipalities, governmental entities, economic development or nonprofit organizations, and civic organizations.
5. Any other fees or charges.

NOTE: Although proposed fees will be taken into account, LMDC reserves the right to negotiate a lower or different fee structure with any firm that is selected.

C. Contact Information Form (NOTE: does not count toward 16 page limit)

On a single cover sheet in your statement of qualifications, please provide:

1. The lead firm or individual name;
2. The lead firm's contact person;
3. License or certification information of lead firm principal(s) or individual(s) that are anticipated to work on a LMDC project;
4. Telephone, fax, and wireless numbers for firm principal(s) or individual(s) that are anticipated to work on a LMDC project;
5. E-mail address for firm principals or individuals that are anticipated to work on an LMDC project;
6. The Street address of lead firm or individual;
7. The year the firm or individual practice established;
8. The M/WBE status of the firms (Minority-owned Business Enterprise or Women-owned Business Enterprise, as certified by New York State);
9. The type of work or specialty in conducting particular types of meetings and note the size of firm;
10. The signature of the lead individual, and the date of the signature.

D. Conflicts of Interest (NOTE: does not count toward 16 page limit)

1. Submit a statement describing any potential conflict of interest or appearance of impropriety, relating to other clients of the firm, or officers, directors, and employees of LMDC, that could be created by providing services to LMDC.
2. Indicate what procedures will be followed to detect and notify LMDC and to resolve any conflicts of interest.
3. Indicate any pending litigation and/or regulatory action by any oversight body or entity that could have an adverse material impact on the firm's ability to serve LMDC.
4. Indicate if the firm has ever had a prior contract with any governmental entity terminated for any reason, and provide a detailed explanation.
5. Submit a completed Standard Background Questionnaire (Attachment 3).

E. Nondiscrimination Policy (NOTE: does not count toward 16 page limit)

1. Firms with fifty (50) or more employees shall submit a copy of their nondiscrimination or affirmative action plan.
2. Firms with less than fifty (50) employees shall submit a statement of their commitment to equal opportunity and affirmative action from their chief executive officer.
3. Each responding firm must also complete and submit both
 - (a) Attachment 1 relating to the anticipated workforce to be utilized on the contract, and
 - (b) Attachment 2 relating to the anticipated participation of minority and women-owned business enterprises as subcontractors, if any.

F. Insurance

Firms will be required to submit appropriate certificates demonstrating minimum insurance coverage at the time of contract execution. Additional insurance may be required and will be discussed in accordance with the scope of work prior to contract execution.

All information and documents described in subsections A through F above must be included or addressed in the submission.

IV. CRITERIA FOR SELECTION

Each firm is asked to submit documentation that highlights its unique talent and experience in planning, facilitating, coordinating, and moderating public meetings of large groups. Moreover, the documentation should demonstrate the firm's sensitivity to the public, its ability to work with emotionally charged discussions of complicated public issues, and a breadth of knowledge about the public planning processes. In evaluating submissions pursuant to this request, LMDC will place high value on the following factors, not necessarily in order of importance:

- Quality of work for public hearing and meeting planning, facilitation, and coordination, as demonstrated in the firm's submitted past work assignments.
- Approaches in methodology with respect to the anticipated scope of services that demonstrate maximum comprehension of and ability to provide such services to the LMDC.
- Innovative and outstanding experience that demonstrates the firm's unique qualifications to provide planning, facilitation, and coordination consultant services for public hearings and meetings of variable sizes and formats.
- Knowledge about the events of September 11, 2001, the role of the LMDC, and familiarity with the New York City metropolitan area.
- Selected firm's staff ability, availability and facility for working with LMDC directors, officers, staff and consultants.
- Conformity with or exceeding applicable LMDC policies as noted herein, including specific policies relating to nondiscrimination and affirmative subcontracting goals.
- Proposed fee structure relating to services the firm(s)

V. CONTRACT REQUIREMENTS

Selected firm(s) will be required to enter into a formal contract with LMDC that will include the terms and conditions set forth in Schedule A to this RFQ, subject to applicability and amendment. The contents of the statement of qualifications prepared by the selected firm(s), with any amendments approved by LMDC, will become a part of the contract awarded as a result of this RFQ process. Entering into such a contract does not guarantee that selected firm(s) will be hired to perform consultant services for facilitating, coordinating and planning public hearings and meetings during the term of the contract.

The selected firm(s) will be required to:

- Work with LMDC staff and its consultants on an as needed basis to provide consultant services for facilitating, coordinating and planning public hearings and meetings to LMDC in connection with LMDC public outreach initiatives.
- Maintain accurate accounting records and other evidence pertaining to costs incurred in providing services, and on LMDC request, to make such records available to LMDC at all reasonable times during the contract period and for six (6) years after the date of the final payment to the firms under the contract.

- Assume sole responsibility for the complete effort as required by this RFQ, and be the sole point of contact with regard to the contractual matters.
- Refrain from assigning, transferring, conveying, subletting or otherwise disposing of the contract or its rights, titles or interest therein or its power to execute such agreement to any other person, firm, partnership, company, or corporation without the prior consent and approval in writing of LMDC.
- Comply with applicable law governing projects initiated or supported by LMDC including all applicable HUD requirements and regulations.
- Grant LMDC unrestricted use of all services provided as a result of this agreement.

LMDC may select more than one firm that responds to this RFQ to create a pool of qualified firms from which to draw for LMDC's future public hearing and meeting facilitation, coordination and planning needs.

As set forth in Schedule A to LMDC contracts (Attachment 4), LMDC may terminate contract(s) entered into as a result of this RFQ at any time, provided that written notice has been given to the firm(s) at least thirty (30) days prior to such proposed termination date.

VI. MISCELLANEOUS CONDITIONS

A. Obligation Only on Formal Contract

The issuance of this RFQ and the submission of a response by any candidate firms or the acceptance of such response by LMDC do not obligate LMDC in any manner. Legal obligations will only arise on the execution of a formal contract by LMDC and the firms selected by LMDC. Responses to this RFQ will be prepared at the sole cost and expense of the candidate firms. No materials submitted in response to this RFQ will be returned.

B. LMDC Reservation of Rights

LMDC may (i) amend, modify, or withdraw this RFQ, (ii) revise requirements of this RFQ, (iii) require supplemental statements or information from any firm, (iv) accept or reject any or all responses hereto, (v) extend the deadline for submission of responses thereto, (vi) negotiate or hold discussions with any respondent and to waive defects and allow corrections of deficient responses which do not completely conform to the instructions contained herein, and (vii) cancel this RFQ, in whole or in part, if LMDC deems it in its best interest to do so. LMDC may exercise the foregoing rights at any time without notice and without liability to any proposing firm or any other party for their expenses incurred in the preparation of the responses hereto or otherwise.

C. Nondiscrimination and Affirmative Action Policies

It is the policy of the State of New York, ESDC, and LMDC to comply with all federal, state and local laws, policies, orders, rules and regulations which prohibit unlawful discrimination because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status, and to take affirmative action in working with contracting parties to ensure that Minority and Women-owned Business Enterprises (“M/WBEs”), Minority Group Members and women share in the economic opportunities generated by LMDC’s participation in projects or initiatives, and/or the use of LMDC funds. LMDC is a subsidiary of ESDC and its non-discrimination and affirmative action policy will apply to this RFQ and any resulting contract(s). LMDC has established a 20% M/WBE participation goal for the entire redevelopment project. The selected firm shall be required to use its best efforts to provide for the meaningful participation of United States M/WBEs, Minority Group Members and women in the execution of this contract. A copy of each responding firm’s equal employment opportunity policy statement, Attachment 1 relating to the anticipated workforce to be utilized on the contract and Attachment 2 relating to the anticipated participation as subcontractors of M/WBEs, shall be included as part of the response to the RFQ. The ESDC Affirmative Action Unit (“AAU”) is available to assist you in identifying M/WBEs certified by the State of New York that can provide goods and services in connection with the contract. If you require M/WBE listings, please call the AAU at (212) 803-3224.