



REQUEST FOR PROPOSALS Integrity Hotline Services

The Lower Manhattan Construction Command Center (LMCCC), a division of the Lower Manhattan Development Corporation (a subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development Corporation), seeks proposals to provide Integrity Hotline Services to support the operations of the LMCCC.

August 29, 2005

Deadline for responses: September 26, 2005, 5:00 PM EST

Questions must be submitted in writing and received no later than 5:00PM EST on September 6, 2005 marked "Attention: Ronald P. Calvosa" by mail to LMCCC at One Liberty Plaza, 20th Floor, New York, NY 10006 or by facsimile to: (212) 266-7810. Addenda to this RFP, including responses to any questions, will be posted on the LMDC web site www.renewnyc.com by 5:00 PM EST on September 13, 2005. LMDC will not accept, and cannot respond to, questions via any other methods.



LOWER MANHATTAN DEVELOPMENT CORPORATION

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 including the World Trade Center Memorial and Cultural Program. As it relates to the work of LMDC, Lower Manhattan refers to 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 sixteen member Board of Directors, eight of whom were nominated by the Governor of the State of New York and eight of whom were nominated 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. Partial Action Plans relating to the expenditure of these funds are available on LMDC’s web site: <http://www.renewnyc.com>. LMDC also anticipates that it would be the recipient of a grant for construction coordination activities from the Federal Transit Administration (“FTA”).

B. Mission and Structure of the Lower Manhattan Construction Command Center

In November of 2004, the Governor of New York and the Mayor of New York City signed joint Executive Orders creating the Lower Manhattan Construction Command Center (“LMCCC”) and charging it with coordination and oversight of all Lower Manhattan construction projects, including fraud prevention in the reconstruction of the World Trade Center area. As it relates to the work of LMCCC, Lower Manhattan is defined as the area of Manhattan south of Canal Street and southwest of Rutgers Street from the Hudson River to the East River.

LMCCC will take steps to minimize the impact of ongoing construction on residents, businesses, and workers in Lower Manhattan. LMCCC will bring together private developers, public agencies, utilities, businesses, and residents in one location. In addition to its oversight and coordination responsibilities, LMCCC and its Executive Director create a forum for expeditious and consistent decision-making on disputes among agencies. The Executive Director reports directly to both the Governor and the Mayor.

LMCCC is funded in part by federal funds administered by LMDC and accordingly follows administrative, financial and legal policies and procedures of LMDC.

C. Overview of Services Requested and the Submission Process

In fulfilling its responsibility of fraud prevention in connection with Lower Manhattan construction, LMCCC will need to obtain the services of one or more firms to establish and operate an Integrity Hotline to receive complaints regarding alleged corruption, fraud, waste and abuse, or other wrongdoing in connection with Lower Manhattan construction projects. LMCCC may select one or more firms to provide some of the requested services, or LMCCC may select a single firm to provide all services requested. Firms interested in submitting proposals to provide such services are required to follow the recommended guidelines and instructions contained in this Request for Proposals ("RFP"). In the event it becomes necessary to revise any part of this RFP, revisions will be provided by addenda posted on the LMDC web site: <http://www.renewnyc.com>.

Proposals should provide a straightforward, complete and concise description of the firm's capabilities to satisfy the requirements of the RFP. Please prepare ten (10) copies of your proposal and work samples. Each copy of the proposal should be bound in a single volume and include any documentation you may wish to submit.

Firms submitting a proposal in response to this RFP may be required to give an oral presentation of their proposal to LMCCC. This oral presentation may provide an opportunity for the firms to clarify or elaborate on the proposal but will in no way change the original submission. Engagement staff should be present at the oral presentation. LMCCC's request for an oral presentation shall not constitute acceptance of a proposal.

Proposals must be received no later than 5:00 PM EST, September 26, 2005. Deliver all proposals to:

RFP/RFQ PROCESSOR
Lower Manhattan Development Corporation
One Liberty Plaza, 20th Floor
New York, NY 10006
Attn: LMCCC Integrity Hotline RFP

LMCCC reserves the right to reject any or all proposals submitted if such election is deemed to be in the best interest of LMCCC. LMCCC assumes no obligation, no responsibility and no liability for costs incurred by the responding firms prior to the issuance of a contract.

The current schedule for this effort is as follows:

- August 29, 2005 – RFP Issued
- September 6, 2005 – Deadline for submitting questions
- September 13, 2005 – Addendum and answers to questions posted on www.renewnyc.com
- September 26, 2005 - Responses Due
- October 5-6, 2005 – Oral Presentations conducted, if necessary
- October 11, 2005 – Firm Selected

Subject to annual review and approval by the LMDC Board of Directors, the selected firms will be retained for one (1) year with an option for LMCCC to renew for two (2) additional years.

II. ANTICIPATED SCOPE OF SERVICES

LMCCC is seeking one or more firms to assist LMCCC in fraud prevention in connection with construction projects in Lower Manhattan. Specifically, LMCCC seeks one or more firms to provide services in connection with the establishment and operation of an Integrity Hotline to receive complaints regarding alleged corruption, fraud, waste and abuse or other wrongdoing in connection with Lower Manhattan construction projects. LMCCC requests proposals for one or more firms to provide services including but not limited to the scope of work described generally below.

A. Purpose and Project Area

LMCCC is to receive allegations of corruption or criminal activity by or on behalf of any agency employee, public official, contractor employee, agent, subcontractor, vendor, or labor official through a Lower Manhattan Fraud Prevention Hotline among other methods. The Integrity Hotline Service Provider, selected through this RFP will begin work with LMCCC to establish a complaint hotline for the receipt of telephone complaints from a variety of sources, including construction workers and members of the public.

B. Scope of Services

The Service Provider will perform the following functions.

- 1) Work with a telephone service provider to establish a complaint Hotline number. The telephone number should be a toll free number.
- 2) Design a staffing plan to receive calls via the Hotline, 24 hours per day, 7 days per week. (the exact volume of complaints that will be called into the Hotline is unknown).
- 3) Ensure and provide the capacity to answer multiple calls simultaneously, the capacity to record messages and complaints, and identification of the originating telephone number of the caller (caller ID).
- 4) Respond to any recorded voicemail messages left by complainants within 15 minutes of the posting of the message.
- 5) Provide employees who are professional, knowledgeable and courteous in the receipt of all calls. Staff receiving calls should have investigative interviewing experience.

- 6) Work with LMCCC staff to develop a "script" to be used by the Service Provider's staff when answering calls made to the Hotline.
- 7) Accurately capture information, in writing, pertaining to the caller, the date and time of the call, the subject of the complaint, the nature of the complaint, and the substance of the complaint.
- 8) Staff should be knowledgeable in the field of construction and be able to discern calls of an urgent nature and be able to refer the caller accordingly.
- 9) Design a plan to indicate how it will handle calls received in a variety of foreign languages, including, but not limited to, Spanish, Russian and Chinese and for providing LMCCC with an English translation for each complaint received in a foreign language.
- 10) Create a secure, confidential database into which information detailing the substance of the complaint is recorded.
- 11) At LMCCC's request, provide reports pertaining to the complaints that are received on the Hotline, such as statistical reports and summary reports.
- 12) Provide a confidential, secure method of transmitting complaint information to LMCCC, in electronic format, immediately upon receipt of each complaint.

C. Project Schedule

Within 60 days of the award of contract or December 1, 2005 (whichever is earlier), the Service Provider will have to have the Integrity Hotline established, tested and fully operational. Subject to annual review and approval by the LMDC Board of Directors, the selected firms will be retained for one (1) year with an option for LMCCC to renew for an additional two (2) years.

III. SUBMISSION REQUIREMENTS

Please letter your responses exactly as the questions are presented herein. Please limit your submission to ten (10) one-sided pages, not including work samples, which must be included in a separate, bound, appendix. Interested firms are invited to submit proposals that contain the following information:

A. Experience, Structure, and Personnel

1. A history of the firm's experience providing Integrity Hotline Services to economic development organizations, municipalities, other governmental entities, private developers, not-for-profits and civic organizations.

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 LMCCC.
3. Samples of up to five (5) major projects that the firm has completed in the areas of Integrity Hotline Services. 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 LMCCC superior to that of other firms or information about your firm's specialty or particular skill to perform a specific requested service.

B. Methodological Approach

1. A description of how the firm intends to address the anticipated scope of services set forth in Section II of this RFP.
2. A statement explaining the firm's approach to Integrity Hotline Services, including methods, analytical techniques, or models, etc. that would be employed.

C. Fee

1. Total estimated firm fee for completion of the project, and whether the firm would be willing to agree to a 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 used in the proposal.
3. Any reduced fees offered to other municipalities, governmental entities, economic development or nonprofit organizations, and civic organizations.
4. Any other fees or charges.

NOTE: The fee proposal must be submitted in a separate, clearly marked, sealed envelope. The fees will not be opened until all proposals have been initially evaluated. Although proposed fees will be taken into account, LMCCC reserves the right to negotiate a lower or different fee structure with any firm that is selected.

D. Contact Information (NOTE: does not count toward 10-page limit)

On a single cover sheet in your proposal, 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 or individuals working on the LMCCC project;
4. Telephone, fax, and wireless numbers for firm principals or individuals working on the LMCCC project;

5. E-mail address for firm principals or individuals working on the LMCCC project;
 6. The Street address of lead firm or individual;
 7. The year the firm or individual practice established;
 8. The MBE/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 and size of firm; and
 10. The signature of the lead individual, and the date of the signature.
- E. Conflicts of Interest (NOTE: does not count toward 10-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 and LMCCC, that could be created by providing services to LMCCC.
 2. Indicate what procedures will be followed to detect and notify LMCCC 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 LMCCC.
 4. Indicate if the firm has ever had a prior contract with any governmental entity terminated for any reason, and provide an explanation.
 5. Submit a completed Standard Background Questionnaire (Attachment 3).
 6. Submit a completed Contractor Disclosure Contracts Form and the Contractor Disclosure of prior Non-Responsibility Determinations form (Attachment 5) in compliance with New York State Executive Order 127.
- F. Non-discrimination Policy (NOTE: Does not count toward 10-page limit)
1. Firms with 50 or more employees shall submit a copy of their nondiscrimination or affirmative action plan.
 2. Firms with less than 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.

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

IV. CRITERIA FOR SELECTION

In evaluating proposals submitted pursuant to this request, LMCCC places high value on the following factors, not necessarily in order of importance:

- Approaches in methodology with respect to the anticipated scope of services that demonstrate maximum comprehension of and ability to provide such services to LMCCC.
- Experience of firm and employees to be assigned to the project in general, and in particular, providing Integrity Hotline Services of a confidential and sensitive nature, pertaining to the field of construction and including, but not limited to, intake, transmittal and reporting of complaints received to municipalities, economic development organizations, or other governmental entities.
- Quality of work product as demonstrated in submitted work samples.
- Demonstrated knowledge of Integrity Hotline Services.
- Experience of the firm with comparable projects.
- Innovative or outstanding work by firm that demonstrates the firm's unique qualifications to provide Integrity Hotline Services.
- Number, complexity, and nature of Integrity Hotline Services handled by the firm.
- Selected firm's staff ability, availability and facility for working with LMCCC directors, officers, staff and consultants.
- Conformity with or exceeding of applicable LMCCC's policies as noted herein, including specific policies relating to nondiscrimination and affirmative subcontracting goals.
- Projected cost of services.

V. CONTRACT TERMS AND REQUIREMENTS

The contents of the proposal prepared by the successful firms, with any amendments approved by LMDC/LMCCC, will become a part of the contract that is signed as a result of this RFP Process. The terms outlined throughout this RFP should be considered all inclusive.

The selected firms will be required to:

- Work with LMCCC staff and its consultants to provide Integrity Hotline Services to LMCCC on matters that may arise in connection with the planning, development, and revitalization of Lower Manhattan.
- Maintain accurate accounting records and other evidence pertaining to costs incurred in providing services, and on LMDC/LMCCC request, to make such records available to LMDC/LMCCC 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 RFP, and be the sole point of contact with regard to 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/LMCCC.

- Comply with applicable law governing projects initiated or supported by LMDC, LMCCC including all applicable United States Department of Housing and Urban Development and Federal Transit Administration (“FTA”) requirements and regulations. (See Attachment 6 for FTA’s requirements).

LMCCC may hire more than one firm that responds to this RFP.

LMCCC reserves the right to terminate any contract entered into as a result of this RFP at any time, provided that written notice has been given to the firm at least thirty (30) days prior to such proposed termination date.

VI. MISCELLANEOUS CONDITIONS

A. Obligation Only on Formal Contract

The issuance of this RFP, the submission of a response by any firm, and the acceptance of such response by LMCCC do not obligate LMCCC in any manner. Legal obligations will only arise on the execution of a formal contract by LMCCC and the firm(s) selected by LMCCC. LMCCC’s formal contract will consist of more than one schedule, including one substantially in the form of the accompanying “Schedule A” (Attachment 4). LMCCC provides this form for informational purposes only and may amend its schedules from time to time.

Responses to this RFP will be prepared at the sole cost and expense of the proposing firms. No materials submitted in response to this RFP will be returned.

B. LMCCC Reservation of Rights

LMCCC may (i) amend, modify, or withdraw this RFP, (ii) revise requirements of this RFP, (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 RFP, in whole or in part, if LMCCC deems it in its best interest to do so. LMCCC 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 and LMCCC 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 LMCCC’s participation in projects or initiatives, and/or the use of LMDC/LMCCC funds. As a subsidiary of ESDC, LMDC/LMCCC follows ESDC’s non-discrimination and affirmative action policy will apply to any contract entered into as a result of this RFP. LMDC/LMCCC has established a 20% M/WBE participation goal for its entire redevelopment project. The selected firm(s) shall be required to use best efforts to provide for the meaningful participation of United States M/WBE’s, 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 by M/WBEs as subcontractors, shall be included as part of the response to the RFP. 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 anticipated by this RFP. If you require M/WBE listings, please call the AAU at (212) 803-3224.