



LOWER MANHATTAN DEVELOPMENT CORPORATION

REQUEST FOR PROPOSALS ADVERTISING SERVICES

*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 advertising services
relating to Lower Manhattan.*

Lower Manhattan Development Corporation
Avi Schick, Chairman
David Emil, President

June 14, 2012

Deadline for responses: July 6, 2012 5:00 PM EST

Questions must be submitted in writing no later than June 21, 2012 by e-mail to PPlotch@renewnyc.com or to *Philip Plotch* by facsimile at: (212) 962-2431. Addenda to this RFP, including responses to any questions, will be posted on the LMDC web site www.renewnyc.com by Tuesday June 26, 2012 5:00PM EST. LMDC will not accept, and cannot respond to, questions via any other methods.

RFP form January 2012

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. 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 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. LMDC is the recipient of a \$2 billion grant for World Trade Center (WTC) disaster recovery and rebuilding efforts for Lower Manhattan. LMDC received \$783 million in additional funds for damaged properties and businesses as well as economic revitalization related to the terrorist attacks at the WTC Site. (*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

In fulfilling its responsibility of rebuilding the World Trade Center Site and revitalizing Lower Manhattan through an open and transparent public process, LMDC will need to obtain the services of one or more firms to provide advertising services including, but not limited to: placing ad buys, translation services, and design layout. LMDC may select one or more firms to provide some of the requested services, or LMDC 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 and qualifications to satisfy the requirements of the RFP. Please prepare 5 (five) copies of your proposal. Each copy of the proposal should be bound in a single volume and include any documentation you may wish to submit.

Proposals must be received no later than 5:00 PM EST, July 6, 2012. Deliver all proposals to:

RFP/RFQ PROCESSOR

Lower Manhattan Development Corporation
One Liberty Plaza, 20th Floor
New York, NY 10006
Attn: Advertising RFP

LMDC reserves the right to reject any or all proposals submitted if such election is deemed to be in the best interest of LMDC. LMDC 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:

- June 14, 2012 – RFP Issued
- June 21, 2012 – Questions Due
- June 26, 2012 – Answers to Questions Posted
- July 6, 2012 – Responses Due
- July 11 and 12, 2012 – *[ORAL PRESENTATIONS CONDUCTED, if necessary]*
- July 17, 2012 – Firm Selected

Subject to annual review and approval by the LMDC Board of Directors, the selected firms will be retained for one year with an option for LMDC to renew.

II. ANTICIPATED SCOPE OF SERVICES

LMDC is seeking one or more advertising services firms to assist LMDC in its planning, development and revitalization work in Lower Manhattan.

A. Purpose and Project Area

Since its inception the LMDC has utilized advertising, along with other methods, to inform the public about the agency's activities and opportunities for the public to participate in the rebuilding of the World Trade Center site and the revitalization efforts in Lower Manhattan.

B. Scope of Project

LMDC is seeking one or more advertising firms to provide services including but not limited to placing ad buys for advertisements regarding public meetings, environmental reviews, and other legal and public notices. Services may also include graphic design, layout, and Chinese (Mandarin) and Spanish translation services for advertising in local and web media. It is unlikely that LMDC will require national or international advertising and we do not envision making television or radio part of our media plan. Creative marketing is also not planned.

C. Project Schedule

Anticipated services for selected advertising firm(s) will commence on or prior to August 1, 2012 and continue on an as needed basis for one year with an option for LMDC to renew for two additional one year terms or for a three year term.

III. SUBMISSION REQUIREMENTS

Please letter your responses exactly as the questions are presented herein, and limit to ten (10) one-sided pages. LMDC has no preference that all services are provided by the same firm and firms may choose to submit proposals to provide less than all of the anticipated scope of services. Responding firms must specify which services they are proposing to provide. LMDC will review all proposals without prejudice as to which services are proposed.

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 advertising 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 or bios of the principals, project manager(s) and professional staff who would work directly with LMDC.
 - 3. 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. 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 placing ad buys, translation services, and graphic services; including methods, analytical techniques, or models, etc. that would be employed.
 - 3. If the firm is not proposing to provide all requested services, please include a statement of which specific services the firm proposes to provide.

- 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. A list of anticipated reimbursable expenses and the rate charged for each.
 - 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: 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, LMDC reserves the right to negotiate a lower or different fee structure with any firm that is selected. LMDC has not established an advertising budget at this time.

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 LMDC project;
4. Telephone, fax, and wireless numbers for firm principals or individuals working on the LMDC project;
5. E-mail address for firm principals or individuals working on the LMDC 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, 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. Identify (a) any pending litigation involving the responding firm or individual, (b) any pending litigation involving any principal relating to his or her professional qualifications or performance, (c) any governmental sanction or order to which the responding firm or individual is subject, and (d) any governmental sanction or order to which any principal is subject and that relates to his or her professional qualifications or performance.
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).

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 F above must be included or addressed in the submission.

IV. CRITERIA FOR SELECTION

In evaluating proposals submitted pursuant to this request, LMDC 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 LMDC.
- Experience of firm and employees to be assigned to the project in general and in particular, providing advertising services to municipalities, economic development organizations, or other governmental entities.
- Conformity with or exceeding applicable LMDC's policies as noted herein, including specific policies relating to nondiscrimination and LMDC's 20% M/WBE Subcontracting goal.
- Quality of work product as demonstrated in submitted work samples.
- Demonstrated knowledge of advertising services.
- Innovative or outstanding work by firm that demonstrates the firm's unique qualifications to provide advertising services.
- Number, complexity, and nature of ad buys, graphic layouts, and translations handled by the firm.
- Selected firm's staff ability, availability and facility for working with LMDC directors, officers, staff and consultants.
- Projected cost of services.

V. CONTRACT REQUIREMENTS

The 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 RFP, subject to applicability and amendment. The contents of the proposal 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 RFP process. Entering into such a contract does not guarantee that selected firms will be hired to perform advertising services during the term of the contract.

The selected firms will be required to:

- Work with LMDC staff and its consultants to provide timely advertising services to LMDC 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 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 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.
- Comply with applicable law governing projects initiated or supported by LMDC, including all applicable HUD requirements and regulations.
- Accept the terms of LMDC's standard contract and execute the agreement (Attachment 4) immediately upon selection.

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

As set forth in Schedule A to LMDC's contracts (Attachment 4), LMDC 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 and the submission of a response by any proposing firms or the acceptance of such response by LMDC do not obligate LMDC in any manner. LMDC will have no legal obligations other than as set forth in any formal written contract executed by LMDC and any firm(s) selected by LMDC. 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. By responding to this RFP, the candidate represents to LMDC that it is the rightful owner of all material contained within the response and has full legal right and authority to submit such response.

B. LMDC Reservation of Rights

LMDC 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 regarding fees or any other term of the engagement, (vii) waive defects and allow corrections of deficient responses which do not conform to the instructions contained herein, and (viii) cancel this RFP, 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 RFP 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 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. If you require M/WBE listings, please call the AAU at (212) 803-3224.

D. No Liability

LMDC shall not be liable to any responding candidate or any other person or entity for any matter arising out of or relating to this RFP or any response thereto, including, without limitation, any expenses incurred by the respondent or any use made by LMDC of the contents of the response.