

**REQUEST FOR PROPOSALS
WORLD TRADE CENTER SITE MEMORIAL
CONSULTANTS TO THE ASSOCIATE ARCHITECT**

May 3, 2004

DAVIS BRODY BOND LLP

IN COOPERATION WITH LOWER MANHATTAN DEVELOPMENT CORPORATION

Davis Brody Bond, in its capacity as Associate Architect to 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 consulting services relating to the World Trade Center Site Memorial. Consultants that may be required for this project include but are not limited to:

Prime Consultants – Mechanical Engineering (Mechanical, Electrical, Plumbing), Structural Engineering, Geotechnical Engineering, Civil Engineering, and Cost Estimating.

Specialty Consultants – Water Features, Pedestrian Movement, Lighting Designer, Security, Code Compliance / Life Safety, Building Graphics, Way-finding Graphics, Sustainable Design, Acoustical / Vibrations, Vertical Circulation, Operations Management, and Historic Preservation.

Pre-proposal conference: May 12, 2004, 9:00 AM EST

Davis Brody Bond will hold a pre-proposal conference on May 12, 2004 at 9 AM at LMDC's offices located at One Liberty Plaza, 20th Floor, New York, NY 10006. Due to space constraints, only one person representing the proposing firm may attend the conference. Those interested must RSVP in writing no later than May 11, 2004, Noon by facsimile to Phillip Anastos at (212) 962-2431.

Questions: May 12, 2004

Questions must be submitted in writing no later than May 12, 2004 addressed to DBB RFP c/o LMDC, Phillip Anastos, One Liberty Plaza 20th Floor, New York, NY 10006 or by facsimile (212) 962-2431. DBB and LMDC will not accept, and cannot respond to, questions via any other methods.

Addenda: May 19, 2004

Addenda to this RFP, including responses to any questions submitted in writing or asked at the pre-proposal conference, will be posted on the LMDC web site www.renewnyc.com by May 19, 2004.

Deadline for responses: May 24, 2004, 5:00 PM EST

Deliver all proposals to RFP PROCESSOR, Davis Brody Bond LLP, 315 Hudson Street, 9th Floor, New York, NY 10013, Attn: WTC Site Memorial Consultants to the Associate Architect RFP. Please note the specific consultant discipline on the outside of the envelope.

I. GENERAL INFORMATION

A. Mission and Structure of the Lower Manhattan Development Corporation and Davis Brody Bond LLP

The Lower Manhattan Development Corporation (LMDC) announced on April 13, 2004 the selection of Davis Brody Bond LLP (DBB) as the Associate Architect for the World Trade Center Site Memorial. DBB was selected through a Request for Proposals (RFP) issued on March 1, 2004 and will work with the Design Team of Michael Arad and Peter Walker in the realization of the design for the memorial.

DBB will be contracting with the necessary consultants for the design of the World Trade Center Site Memorial. With LMDC's assistance, DBB is issuing this Request for Proposals to solicit proposals from interested firms. In an effort to ensure public participation and opportunities for minority-owned and women-owned businesses, LMDC is assisting with the advertising and solicitation of proposals through this RFP. The RFP is available on the LMDC web site and the pre-proposal conference will be held at the offices of LMDC. All proposals will be submitted to the offices of DBB. All proposals will be opened by DBB at its offices, in the presence of an LMDC representative. DBB will be responsible for the selection process and for the subsequent contracts resulting from that selection.

DBB, which has practiced in New York City for more than forty years, has worked for New York City clients such as Lincoln Center for the Performing Arts, the Brooklyn Botanic Garden, the Apollo Theater Foundation, the New York Public Library, and the Whitney Museum of American Art. Davis Brody Bond's work has also included important public memorial complexes such as the Martin Luther King Jr. Center in Atlanta and the Civil Rights Institute in Birmingham, Alabama. The firm, located in Lower Manhattan, employs approximately 90 people and is led by five partners.

LMDC was established in late 2001 to develop and revitalize Lower Manhattan in the aftermath of the September 11, 2001 terrorist attacks. 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, or its designee, is referred to as the "Client" throughout this RFP.

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 \$2.8 billion has been allocated to LMDC under such appropriations. (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). Partial Action Plans relating to the expenditure of some of these funds are available on LMDC's web site: <http://www.renewnyc.com>.

B. Overview of Planning and Design Process for the World Trade Center Site

Preliminary Blueprint and Principles

The Preliminary Blueprint and Principles laid the groundwork for the LMDC rebuilding and revitalization efforts. It set forth principles to guide LMDC in developing, coordinating, and evaluating plans for a memorial. The Preliminary Blueprint proposed goals and objectives of the revitalization as well as actions required to realize these goals.

The creation of a fitting memorial is the first goal in the Preliminary Blueprint, symbolizing its importance to the mission and objectives of LMDC. The first Preliminary Blueprint goal proposes to "respect the site of the World Trade Center as a place of remembrance, and reserve an area of the site for one or more permanent memorials."

The Preliminary Blueprint and Principles may be viewed on the website of LMDC at <http://www.renewnyc.com/content/pdfs/PrinciplesBlueprint071102.pdf>.

Preliminary Design Concepts

In July 2002, LMDC and the Port Authority of New York and New Jersey released six design concepts for the World Trade Center site. These designs sparked a public debate, which culminated in "Listening to the City," a town hall forum attended by over 5,000 interested individuals. Through this public forum, LMDC was able to enrich and refine its redevelopment planning goals.

Innovative Design Study

In the fall of 2002, LMDC launched an international design competition for an innovative land use plan for the World Trade Center site. Seven teams were selected out of 406 submissions. The teams were guided by the Innovative Design Study Program, which called for a fitting setting for the memorial, a distinctive skyline, mixed uses on the site, and enhanced transportation. After the release of the seven plans on December 18, 2002, LMDC embarked on Plans in Progress, an extensive public outreach campaign. The outreach initiative involved an exhibition of the seven site plans at the World Financial Center Winter Garden that drew over 100,000 visitors, the distribution and collection of comment cards at the exhibition, and a documentary of the seven teams each describing its design. Presentations of the seven designs could be viewed and comments submitted on the LMDC website. In addition, LMDC held two public hearings

simulcast to all five boroughs and Long Island, and a separate hearing in New Jersey. In total, the outreach campaign yielded over 12,000 comments.

On February 27, 2003, Governor George E. Pataki and Mayor Michael R. Bloomberg announced the selection of Memory Foundations by Studio Daniel Libeskind as the design for the World Trade Center Site. As the master planner for the World Trade Center Site, Studio Daniel Libeskind, L.L.C. is responsible for the Master Plan and Design Guidelines for the World Trade Center site. A significant part of Studio Libeskind's work on the Master Plan was the planning of an integrated memorial and cultural district that could accommodate the selected memorial design. Principal design concepts of Memory Foundations included the exposure of the slurry wall, the development of a memorial and cultural district adjacent to the slurry wall, and the creation of a 1,776 ft. tall building, the Freedom Tower, which would restore the majestic skyline of Manhattan.

Master Planning Phase

In September 2003, LMDC, the Port Authority of New York and New Jersey, and Daniel Libeskind presented a revised master site plan. The revised site plan enhances the key design principles by relocating portions of commercial space off the site, providing for park space in the area south of Liberty Street, and placing truck and bus-servicing infrastructure away from the memorial area. The revised master plan may be viewed on the LMDC website at http://www.renewnyc.com/plan_des_dev/wtc_site/new_design_plans/Sept_2003_refined_design.asp.

In December 2003, Governor George E. Pataki and Mayor Michael R. Bloomberg unveiled the revised design for the Freedom Tower, the tallest building in the world. The design, which was conceived by Daniel Libeskind, was realized by architect David Childs of Skidmore, Owings and Merrill. The Freedom Tower reflects the main design principles set forth in Memory Foundations. The torqued geometric shape of the building resembles the Statue of Liberty. The Freedom Tower will contain 2.6 million square feet of office space, retail, rooftop restaurants, and an observation deck. A network of cables will rise above the occupied space to 1,550 feet and within the cables will be wind turbines capable of generating 20% of the building's energy. On top of the cables, a 276 foot spire will be placed. The building will include state of the art security technology including extra fireproofing, structural redundancy, and chemical and biological filters for the air supply.

Environmental Review of the Redevelopment of the World Trade Center site

An important component of the planning process for the World Trade Center site is the development of a comprehensive strategic plan and the environmental review of this plan. LMDC is proposing to undertake, in cooperation with the United States Department of Housing and Urban Development (HUD) and the Port Authority of New York and New Jersey (Port Authority), a World Trade Center Memorial and Redevelopment Plan (the Proposed Action).

This Proposed Action includes the construction of a World Trade Center Memorial and memorial-related improvements, as well as commercial, retail, museum and cultural facilities, new open space areas, new street configurations, and certain infrastructure improvements at the World Trade Center Site (WTC Site) and certain adjacent sites, including the two City blocks south of the WTC Site and portions of Liberty and Washington Streets. The sites are referred to, collectively, as the "Project Site".

LMDC is conducting a coordinated environmental review of the Proposed Action, pursuant to federal statute, as the recipient of HUD Community Development Block Grant program funds (42 USC § 5304(g)) and as lead agency under both the National Environmental Policy Act (NEPA) and the New York State Environmental Quality Review Act (SEQRA) and its implementing regulations (6 NYCRR Part 617). LMDC has prepared a Generic Environmental Impact Statement (GEIS) as part of that review.

To guide the preparation of the GEIS, LMDC first prepared a Draft Scope, which was reviewed at a public scoping meeting held in July 2003. Public comments received at that meeting and in subsequent written form were addressed by LMDC in a Final Scope, issued in September 2003. The Draft GEIS was approved by the LMDC Board on January 20, 2004, and was the subject of public hearings on February 18, 2004. The final GEIS was approved by the LMDC board on April 13, 2004. The Final Generic Environmental Impact Statement may be viewed on the LMDC website at http://www.renewnyc.com/plan_dev/environmental_impact_april2004.asp.

Memorial Mission Statement and Program

LMDC made an early commitment to the establishment of a fitting memorial to honor those that were killed in the terrorist attacks on September 11, 2001 and on February 26, 1993, as well as to recognize the outpouring of emotional, material, and financial support provided by businesses, government agencies, nonprofit organizations, and individuals in response to the attacks. To guide the development of a memorial, LMDC has developed a clearly defined process that is closely coordinated with the planning and redevelopment of the World Trade Center site. Two major components of the Memorial development process are the creation of a memorial mission statement and a memorial program. The LMDC Families Advisory Council developed the preliminary mission statement and program in the spring of 2002. The mission statement described the purpose of the memorial, while the program described the principles that the memorial must embody and the elements it must feature.

The mission statement and program were released for public comment from January 8, 2003 through February 2, 2003. Public hearings about the statement and program were held in each of the five boroughs on January 14, 2003. By the end of the comment period, LMDC received over 2,000 comments. Two separate committees, convened by LMDC and comprised of family members, residents, survivors, first responders, arts and architecture professionals, and community leaders drafted a revised version of the mission statement and program which incorporated the public comments. The finalized Memorial mission statement and program are

viewable on the LMDC's website at
<http://www.renewnyc.com/Memorial/memmission.shtml.htm>.

Memorial Competition

In April 2003, the Lower Manhattan Development Corporation launched a worldwide competition to design a memorial at the World Trade Center site to honor the victims of the terrorist attacks of September 11, 2001 and February 26, 1993. LMDC received 5,201 memorial design submissions from 63 nations and 49 states making it the largest design competition in history. On November 19, 2003, LMDC unveiled the eight finalists' designs for the World Trade Center Site Memorial Competition. The designs reflected a refinement process through which each finalist took measures to enhance their design concepts. These measures, such as developing a three dimensional representation of the memorial design and presenting a written or oral description of the proposal to the jury, enabled the jury to select a winning Memorial design. Similarly, these measures allowed the public to understand the magnitude and symbolic significance of each design. Images of three-dimensional models of the designs, of key design elements, as well as animations of the finalists' concepts for their designs are viewable on the Memorial Competition website: <http://www.wtcsitememorial.org/>.

On January 6, 2004, the thirteen-member World Trade Center Site Memorial jury announced the winner of the memorial design competition: *Reflecting Absence* by architect Michael Arad and landscape architect Peter Walker. On January 14, 2004, World Trade Center Site Memorial winners Michael Arad and Peter Walker presented a refined memorial design. The design proposes a space that conveys the feelings of loss caused by the destruction of the World Trade Center and the loss of thousands of lives on September 11, 2001 and February 26, 1993. The design features reflecting pools within sunken voids that encompass the footprints of the Twin Towers within a grove of trees and provides a final resting place for the unidentified remains of those killed in the terrorist attacks of September 11, 2001 and February 26, 1993.

Cultural Institutions

LMDC issued an Invitation to Cultural Institutions on June 30, 2003 to solicit information from cultural institutions and organizations interested in developing an interpretive museum for the events of February 26, 1993 and of September 11, 2001. The Invitation also sought information from organizations interested in locating on or participating in cultural programming at the World Trade Center Site. The Memorial Center is integral to honoring and memorializing those that died on February 26, 1993 and on September 11, 2001. The museum will educate and inform visitors through stories about the victims' lives and about the heroic rescue, recovery, and relief efforts, as well as allow for changing programming. In addition to the museum, a cultural institution will contribute energy and diversity to Lower Manhattan while helping to establish Lower Manhattan as a cultural hub. The cultural institution will celebrate life and provide a fitting environment for remembrance. LMDC received 113 submissions, demonstrating the large interest in the historic effort.

In February 2004, LMDC issued a *Report on the Memorial Center and Cultural Complex at the World Trade Center Site* which can be found on LMDC's web site:

http://www.renewnyc.com/content/pdfs/ICI_report_2-10.pdf.

C. Overview of the World Trade Center Site Memorial Foundation, Inc.

On February 6, 2004, Governor George E. Pataki and Mayor Michael R. Bloomberg announced the appointment of a nine-member search committee to select the Chair of the World Trade Center Site Memorial Foundation, Inc. The Foundation is a non-profit entity that will raise funds for and coordinate the planning and construction of the Memorial, the interpretive museum, and related cultural facilities on the World Trade Center site.

The search committee includes several family members and other distinguished New Yorkers such as John C. Whitehead, Chairman of the LMDC, Richard Parsons, Chairman and CEO of Time Warner, Inc. and former U.S. Senator George Mitchell.

The Chair of the Foundation will lead a distinguished board of directors in undertaking the historic fund-raising campaign to implement Michael Arad's and Peter Walker's design for the memorial on the World Trade Center site. The Foundation will undertake coordination of funding and construction of an interpretive center that will preserve artifacts from the attacks and convey individual stories of lives lost and the related cultural facilities.

D. Overview of Services Requested and the Submission Process

DBB, as Associate Architect needs the services of firms to provide consulting services in connection with the design of the World Trade Center Site Memorial. Firms interested in submitting proposals to provide such services are required to follow the 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 www.renewnyc.com.

Proposals should provide a straightforward, complete, and concise description of the firm's capabilities to satisfy the requirements of the RFP. Each copy of the proposal should be bound in a single volume, excluding the fee proposal which must be submitted separately. Please prepare six (6) copies of your proposal and fee proposal in accordance with the Submission Requirements in Section III below. Completed attachments 1, 2 and 3 should be bound in a separate Appendix. Only one copy of the Appendix is required.

Firms submitting a proposal in response to this RFP may be required to give an oral presentation of their proposal to DBB. 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. DBB's request for an oral presentation shall not constitute acceptance of a proposal.

Proposals must be received no later than 5:00 PM EST, May 24, 2004. Deliver all proposals to:

RFP PROCESSOR

Davis Brody Bond LLP

315 Hudson Street, 9th Floor

New York, NY 10013

Attn: WTC Site Memorial Consultants to the Associate Architect RFP

(Please note the specific discipline for which you are submitting on the outside of the envelope.)

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

A pre-proposal conference will be held by DBB for this RFP at the offices of LMDC. In furtherance of its commitment to including minorities and women in the rebuilding of Lower Manhattan, LMDC will post on its website the name, main phone number and specialty of each firm that attends the pre-proposal conference. While a proposer's attendance at the pre-proposal conference is not mandatory in order to propose to this RFP, it is strongly encouraged. Due to space constraints, only one person representing the proposing firm may attend the conference. Those interested in attending must RSVP in writing no later than May 11, 2004, Noon by facsimile to Phillip Anastos at (212) 962-2431. The RSVP must include the name of the firm, the name of the individual attending, the consultant specialty of the firm, an e-mail address for the individual, and a phone number for the firm and a direct phone number for the individual.

The current schedule for this effort is as follows:

- May 3, 2004 – RFP issued
- May 11, 2004, Noon – RSVP for Pre-Proposal Conference due
- May 12, 2004 – Questions due
- May 12, 2004, 9AM – Pre-proposal conference
- May 19, 2004 – Answers to Questions posted on LMDC website
- May 24, 2004, 5 PM – RFP Responses due
- June 1 - 15, 2004 – Oral presentations conducted if required
- June 7 - 30, 2004 – Firm(s) Selected
- TBD – Public announcement of selected firms.

Subject to annual review and approval by DBB, the selected firm(s) will be retained for five years with an option for DBB to renew.

II. ANTICIPATED SCOPE OF SERVICES

DBB, in its capacity as Associate Architect, is seeking consultants to assist in the design of the World Trade Center Site Memorial. Specifically, DBB requests proposals for firms to provide services including but not limited to the scope of work described generally below.

A. Purpose and Project Area

On January 6, 2004, the thirteen-member World Trade Center Site Memorial jury announced the winner of the memorial design competition: *Reflecting Absence* by architect Michael Arad and landscape architect Peter Walker. On January 14, 2004, World Trade Center Site Memorial winners Michael Arad and Peter Walker presented a refined memorial design. The design proposes a space that conveys the feelings of loss caused by the destruction of the World Trade Center and the loss of thousands of lives on September 11, 2001 and February 26, 1993. The design features reflecting pools within sunken voids that encompass the footprints of the Twin Towers within a grove of trees and provides a final resting place for the unidentified remains of those killed in the terrorist attacks of September 11, 2001 and February 26, 1993.

Architect Michael Arad and landscape architect Peter Walker are the “Design Team” for the World Trade Center Site Memorial (the “Memorial”). LMDC is committed to ensuring that the design of the Memorial as envisioned by the Design Team and chosen by the jury and presented to the public will be built. The Associate Architect and the consultants selected through this RFP process will work with the Design Team in the realization of the design for the Memorial. LMDC will also be hiring a Construction Management Firm, through a separate process.

The Design Team is the principal designer of the Memorial. The Design Team will provide the design services through design development, working with the Associate Architect and the consultants. The Associate Architect with the consultants will produce the construction documents, working with the Design Team. Within parameters determined by the Client, the Design Team will approve documents produced by the Associate Architect and the consultants and construction submittals to ensure that they meet the design intent.

The Lower Manhattan Development Corporation announced on April 13, 2004 the selection of Davis Brody Bond LLP as the Associate Architect for the World Trade Center Site Memorial. Davis Brody Bond LLP will work with the Design Team of Michael Arad and Peter Walker in the realization of the design for the memorial.

B. Scope of Project

The Consultants will work with DBB from the beginning of schematic design and will contract directly with DBB. The Consultants must demonstrate the ability to work with the Associate Architect and the Design Team in the realization of the design of the Memorial.

The Consultants will be required to demonstrate an understanding and commitment to our goal of design excellence. The design should incorporate a cost effective design approach fully considering life cycle analysis in selection of materials and systems, a balance of innovative design and traditional operating and maintenance practices including durability and ease of maintenance, layout and systems that provide safety, high performance systems that provide value while protecting citizen's health and environment, and accessibility for all citizens.

The specific scope of work of the Consultants may include, but is not limited to, the following:

1. The Consultants working with the Design Team and the Associate Architect will be responsible for producing schematic design documents and design development documents.
2. The Associate Architect and the Consultants will be responsible for producing all construction documents.
3. The services and descriptions listed below are based upon preliminary understandings of potential scope, and should not be interpreted by submitters as defined requirements. Submitters should feel free to describe and submit experience and services that they feel are appropriate to the project based on the project description in the RFP and project information published on the LMDC website.

The Prime Consultants that may be required for this project include but are not limited to:

- i. Mechanical Engineering (Mechanical, Electrical, Plumbing) - Including but not limited to heating, ventilation, air conditioning, electrical, lighting, plumbing, sprinkler design, and sustainable design.
- ii. Structural Engineering - Including but not limited to foundation, superstructure, blast and specialized structural design.
- iii. Geotechnical Engineering – Including but not limited to soils analysis and recommendations.
- iv. Civil Engineering – Including but not limited to grading and drainage, site utilities, survey, paving and drives/roads.
- v. Cost Estimating – Including but not limited to cost estimating and value engineering.

In addition to the consultants listed above, the Specialty Consultants that may be required for this project include but are not limited to the following:

- i. Water Features – Including but not limited to design and operation guidelines for water fountains and pools.
- ii. Pedestrian Movement - Including but not limited to analysis and recommendations regarding pedestrian traffic, accessibility and queuing, both around the site and specifically visiting the Memorial.
- iii. Lighting Designer – Including but not limited to site lighting, water feature lighting, interior lighting and exhibit lighting.
- iv. Security – Including but not limited to security planning, technical and physical security.
- v. Code Compliance / Life Safety - Including but not limited to code analysis, recommendations and scenario modeling.
- vi. Building Graphics – Including but not limited to building signage, exhibition graphics, identity graphics, and presentation graphics.
- vii. Way-finding Graphics – Including but not limited to way-finding and site signage.
- viii. Sustainable Design – Including but not limited to sustainable design practices and documentation.
- ix. Acoustical / Vibrations – Including but not limited to site, building and room acoustics and vibration criteria and design.
- x. Vertical Circulation - Including but not limited to elevators, escalators and other movement systems.
- xi. Operations Management – Including but not limited to attendance / capacity utilization, operating procedures, staffing plans and operating expenses.
- xii. Historic Preservation – Including but not limited to research, documentation, and conservation.

4. The Associate Architect shall hold all consultant contracts. The Associate Architect will be responsible for coordination and management of all work of the consultants.
5. The Consultants, together with the Associate Architect, will be responsible for issuing documents that are in compliance with the program, the budget, and the schedule as set forth by LMDC.
6. The Associate Architect and the Consultants will be responsible for all contract administration services during construction including, but not limited to, responding to requests for additional information, change order request review and approval, issuing supplemental drawings and specifications, evaluation of the work, and submittal review.
7. The Consultants will assign a project manager responsible for coordination of all of the specific consultant design work with other consultants including development and maintenance of a production schedule for all specific Consultant documents through all stages of design.
8. The Prime Consultants will be responsible for all project administration services related to their specific work including, but not limited to, cost estimating, scheduling, document management, progress meetings, and regulatory approvals.
9. The Prime Consultants together with the Associate Architect will be responsible for facility operation services including, but not limited to, record drawings and warranty review.
10. The Consultants will participate in work sessions, project team meetings, public meetings, and Client meetings throughout each phase as required by the Associate Architect to assure full understanding of all aspects of the project in accordance with the directives and determination from the Associate Architect and the LMDC.
11. The Consultants may be required to provide consulting services for other projects as requested by the Client.

C. Anticipated Project Schedule

Contract RFP Issued: May 3, 2004

Consultant selection complete: June 7-30, 2004

Contract Complete: June 30, 2004

Approved Schematic Design Complete: September 15, 2004

Approved Design Development Complete: January 15, 2005

Approved Construction Documents Complete: June 1, 2005

Construction Complete: 2008

Project Close-out Complete: 2008

III. SUBMISSION REQUIREMENTS

Although DBB seeks proposals for numerous consulting services, each proposal must be based on only one of the services identified in the scope of work. If a firm would like to provide more than one of the identified services, a separate independent proposal must be submitted for each service. Do not submit one proposal which includes more than one service.

ALL COPIES OF ALL PROPOSALS AND FEE PROPOSALS MUST CLEARLY INDICATE ON THE OUTSIDE ENVELOPE WHICH CONSULTING SERVICES YOU ARE PROPOSING TO PROVIDE.

Please letter your responses exactly as the questions are presented herein. Sections A-E should be bound in a single volume. Please limit your answers to Sections C and D to ten (10) one-sided pages. Examples of relevant projects and resumes should be included in Section E: Additional Information. Interested firms are invited to submit proposals that contain the following information:

Technical Proposal:

A. 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 DBB and LMDC project;
4. Telephone, fax, and wireless numbers for firm principals or individuals working on the DBB and LMDC project;
5. E-mail address for firm principals or individuals working on the DBB and LMDC project;
6. The street address of lead firm or individual;
7. The year the firm or individual practice was established;

8. The MBE/WBE status of the firm (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.

B. 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 (including, but not limited to, projects located in Lower Manhattan), the Design Team or the Associate Architect. Or officers, directors, and employees of LMDC, that could be created by providing services to DBB.
2. Indicate what procedures will be followed to detect and notify DBB and 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 DBB.
4. Indicate if the firm has ever had a prior contract with any governmental entity terminated for any reason, and provide an explanation.

C. Experience, Structure, and Personnel

1. A history of the firm's experience providing Consulting services to economic development organizations, municipalities, other governmental entities, private developers, not-for-profits and civic organizations either as a direct consultant or through an architect prime contract.
2. A description of the firm's organizational structure noting the principals, project manager(s), and professional staff who would work directly with LMDC, the Associate Architect, and the Design Team on this project. Include resumes of key people in Section E: Additional Information.
3. Overall description of the firm's relevant work. In Section E: Additional Information, include examples of up to five (5) major projects that the firm has completed in its specific discipline(s) involving major public projects in complex urban environments.
4. Prime Consultants should provide an overview or synopsis of projects where the firm worked as the Prime Consultant with an architect. Include the client, the architect, a description of the nature of the work, and the size and complexity of the project.
5. Provide references of architects, clients, and contractors. Include the projects worked on and the names and phone numbers of contact persons who are able to provide references. Limit of three references per category.
6. A representation that the firm can devote significant and appropriate design staff and support staff to the project for all phases of design and construction.

7. Any other information that you believe would make the firm's work on behalf of DBB superior to that of other firms or information about your firm's specialty or particular skill to perform a specific requested service. (This must be included in the 10-page limitation.)

D. Methodological Approach

1. A description of how the firm would work with the Associate Architect and the Design Team in the realization of design for the Memorial.
2. A description of how the firm intends to address the anticipated scope of services set forth in Section II of this RFP.
3. A statement explaining the firm's approach to consulting services, including methods, analytical techniques, or models, etc. that would be employed.

E. Additional Information (NOTE: does not count toward 10-page limit)

1. Resumes of key staff (principals, project manager(s) and senior professional staff.
2. Examples of up to five (5) major projects that the firm has completed in its specific discipline(s) involving major public projects in complex urban environments. 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, construction cost, design costs, the dollar amount of the design fee for this firm, and the agreed fee arrangements.
3. Please describe how your firm will promote the participation of Minorities and Women on this project. If appropriate, please identify M/WBE sub-contract business participation outlining responsibilities, key staff and qualifications.

Fee Proposal:

- A. 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.
- B. A list of anticipated reimbursable expenses and the rate charged for each.
- C. Any reduced fees offered to other municipalities, governmental entities, economic development or nonprofit organizations, and civic organizations.
- D. Any other fees or charges.

NOTE: The fee proposal (6 copies) must be submitted in a separate, clearly marked, sealed envelope. Please note the specific discipline for which you are submitting on the outside of the envelope. The fees will not be opened until all proposals have been initially evaluated. Although proposed fees will be taken into account, DBB reserves the right to negotiate a lower or different fee structure with any firm that is selected.

Appendix:

- A. Submit a completed Standard Business Background Questionnaire (Attachment 3).
- B. Non-discrimination Policy
 - 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.
- C. Attachment 1 relating to the anticipated workforce to be utilized on the contract.
- D. Attachment 2 relating to the anticipated participation of minority and women-owned business enterprises.

NOTE: Only one copy of the information required in the Appendix is necessary.

All information and documents described in the Technical Proposal, Fee Proposal, and Appendix noted above must be included or addressed in the submission.

IV. CRITERIA FOR SELECTION OF PRIME CONSULTING FIRMS

In evaluating proposals submitted pursuant to this request, DBB requires the following minimum qualifications of prime consulting firms submitting proposals to be considered for evaluation:

- Ten years experience providing consulting services for projects of similar scope, complexity, and visibility.
- Experience on five projects of a high profile including at least one with a total construction cost over \$50 million.
- Experience working as part of a complex consultant team.

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

- The expertise of a consultant firm and its experience on projects of similar scope, complexity, and visibility. The quality of those projects will be examined as well, including client satisfaction, and problems that may have arisen during construction reflecting on the constructability of the design drawings.
- Approaches in methodology with respect to the anticipated scope of services that demonstrate maximum comprehension of and ability to provide such services to DBB

and LMDC. The ability of the consultant firm to complete projects with fast-track design schedules.

- Experience of firm and employees to be assigned to the project in general, and in particular, providing consulting services to municipalities, economic development organizations, or other governmental entities. Experience of firm on projects in New York City. Selected firm's staff availability.
- Quality of experience as demonstrated in submitted relevant project examples. Innovative or outstanding work by firm that demonstrates the firm's unique qualifications to provide consulting services.
- Conformity with or exceeding of applicable DBB and LMDC policies as noted herein, including specific policies relating to nondiscrimination and affirmative action subcontracting goals.
- Projected cost of services.

V. CRITERIA FOR SELECTION OF SPECIALTY CONSULTING FIRMS

In evaluating proposals submitted pursuant to this request, DBB requires the following minimum qualifications of specialty consulting firms submitting proposals to be considered for evaluation:

- Experience providing consulting services for projects of similar scope, complexity, and visibility.
- Experience on five projects of a high profile.
- Experience working as part of a complex consultant team.

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

- The expertise of a consultant firm and its experience on projects of similar scope, complexity, and visibility. The quality of those projects will be examined as well, including client satisfaction, and problems that may have arisen during construction reflecting on the constructability of the design drawings.
- Approaches in methodology with respect to the anticipated scope of services that demonstrate maximum comprehension of and ability to provide such services to DBB and LMDC. The ability of the consultant firm to complete projects with fast-track design schedules.
- Experience of firm and employees to be assigned to the project in general, and in particular, providing consulting services to municipalities, economic development organizations, or other governmental entities. Experience of firm on projects in New York City. Selected firm's staff availability.
- Quality of experience as demonstrated in submitted relevant project examples. Innovative or outstanding work by firm that demonstrates the firm's unique qualifications to provide consulting services.

- Conformity with or exceeding of applicable DBB and LMDC policies as noted herein, including specific policies relating to nondiscrimination and affirmative action subcontracting goals.
- Projected cost of services.

VI. CONTRACT TERMS AND REQUIREMENTS

The contents of the proposal prepared by the successful firms, with any amendments approved by DBB, will become a part of the contract that is signed as a result of this RFP Process.

The selected firm(s) will be required to:

- Work with DBB staff and its consultants to provide consulting 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 DBB and LMDC request, to make such records available to DBB and 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 DBB and LMDC.
- Comply with applicable law governing projects initiated or supported by LMDC, including all applicable HUD requirements and regulations.

DBB 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.

VII. 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 DBB does not obligate DBB and LMDC in any manner. Legal obligations will only arise on the execution of a formal contract by DBB. The formal contract will consist of more than one schedule, including one substantially in the form of the accompanying "Schedule A" (Attachment 4). DBB and LMDC provide this form for informational purposes only and may amend its schedules from time to time. Written questions to the proposed terms and conditions should be included in the proposal.

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. DBB Reservation of Rights

DBB 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 DBB deems it in its best interest to do so. DBB 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

DBB acknowledges the policy of the State of New York 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. As a subsidiary of ESDC, LMDC follows ESDC’s non-discrimination and affirmative action policy and it will apply to any contract entered into as a result of this RFP. LMDC has established a 20% M/WBE participation goal for its entire redevelopment project. The selected firms 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.