REQUEST FOR PROPOSALS

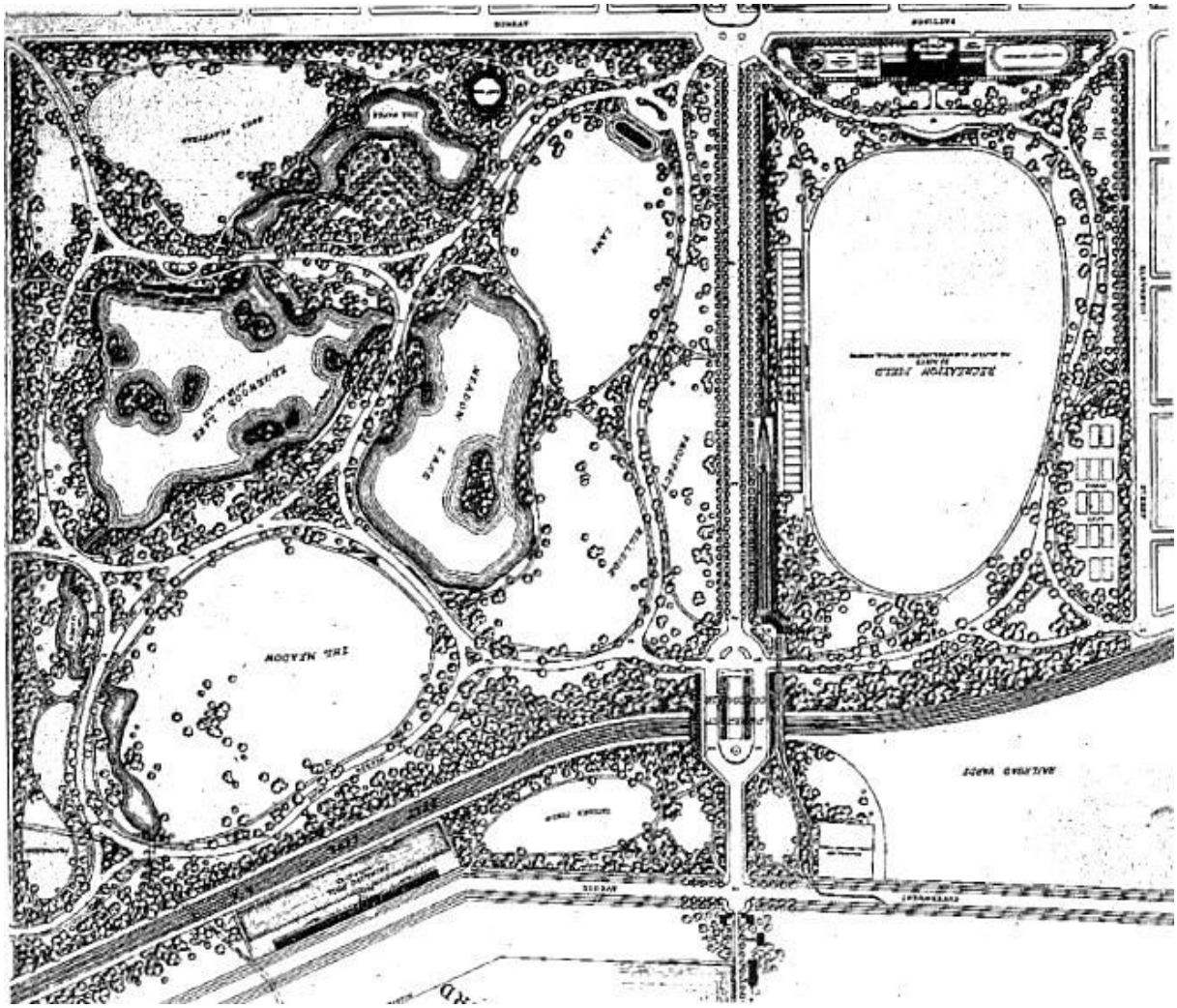
SITE MASTER PLAN FOR FDR PARK

ISSUED BY:

FAIRMOUNT PARK CONSERVANCY

FIND YOUR PATH

PHILADELPHIA PARKS & RECREATION



Version 1: 8.8.17

A. Key Dates

RFP Release	8 August 2017
Non-Mandatory Pre-Proposal Meeting (American Swedish Historical Museum)	22 August 2017, 10:00am
Deadline for Questions	28 August 2017, 5pm EST
Answers to Respondents	1 September 2017
Proposals Due (Two hard copies and one electronic copy to FDRPlan@myphillypark.org or via storage device)	8 September 2017, 5pm EST
Award Notification	28 September 2017
Project Kick-Off	2 October 2017

B. Introduction

The Fairmount Park Conservancy (FPC), working with Philadelphia Parks & Recreation (PPR) seeks proposals from qualified and creative design teams to perform a master plan for the 348-acre Franklin Delano Roosevelt (FDR) Park in South Philadelphia. The master plan will investigate, analyze and recommend approaches to enhance FDR's ecology, landscape and built environments. The master plan will also seek to create a shared vision for reinvestment among park managers, adjacent institutions, stewards, non-profits and general park users. This plan will be mindful of and responsive to: changing recreational patterns and land uses, historic landscapes and structures, climate change and sea level rise, current and future park operations and their facility utilizations as well as growing need for expanded amenities, programming and concessions. FPC and PPR seeks to engage designers who embrace aesthetic excellence, sustainability and maintainability in their work. Designers are expected to form multidisciplinary teams but the lead organization must demonstrate advanced institutional, regional or area-wide planning experience working landscapes of similar size and complexity. FPC and PPR strongly encourage Respondents to engage minority-, women-, and disadvantaged-owned business

enterprises wherever possible in the formation of their teams. Specific participation rates can be found in **Section G**. Costs for this master planning work will not exceed $200,000.

C. Park Overview

Originally known as League Island Park, Franklin Delano Roosevelt Park is a 348 acre regional park located south of Pattison Avenue between Broad and 26th Street with the portion east of 20th Street designed by the Olmsted Brothers firm in 1914 and substantially completed by 1921. A golf course was added to the west of the original park in the 1930s. FDR Park was also the host site of the Sesqui-Centennial Exhibition of 1926 celebrating the 150th anniversary of the Declaration of Independence. Since 2000, the park has been designated a Historic District by the Philadelphia Historic Commission with many structures deemed significant or contributing to the quality of the district.[1] It is also home to the National Register-listed Belaire (1714) located at 20th and Pattison Sts. on the current grounds of the golf course. The golf course, managed by Billy Casper Golf, LLC, comprises 146 acres and also includes facilities occupied by the youth development non-profit, First Tee. Two lakes, Meadow and Edgewood, were established by the Olmsted Brothers' plan and are vestiges of the Hollander Creek watershed. Meadow Lake was converted to a bathing lake in the 1920s-1930s (with a concrete lining) and substantially demolished in the early 2000s as a natural land restoration project. FDR also features 15 tennis courts, 7 baseball/softball fields and one playground.

FDR Park is one of the few city-managed parks located in the Coastal Plain physiographic province, most of which was once entirely covered by dense intertidal marshland. FDR Park has also been identified as an Important Bird Area (IBA) by the Pennsylvania chapter of the Audubon Society. North and South Meadow Lakes and Pattison Lagoon connect with Edgewood Lake and are heavily-modified remnant portions of Hollander Creek which flows into the Philadelphia Navy Yard's Reserve Basin. To the west, Shedbrook Creek wends its way southeasterly through the golf course. Hollander Creek and its adjacent marshes were originally subject to tidal inundation; however, today tidal action is controlled by a duckbill-type gate at the Basin. PPR also manages pumping infrastructure of unknown

[1] These include: Guard House & Stables (Park Offices); Gazebo, 1914 (Also known as the "Olmsted Overlook"); American Swedish History Museum (John Morton Memorial Building), 1926; Boathouse, 1916; Men and Women's Locker Rooms and Bathhouses, 1921-22.

condition that helps drain the lakes during flooding events. This pumping system is also connected to an underdrain system of unknown condition. Much of FDR Park consists of "reclaimed" land, i.e. fill material deposited on the site since the early the late 19th century obliterating the network of tidal freshwater creeks and marshes. Nevertheless, a 1999 study by the Academy of Natural Sciences (ANS) for the then-Fairmount Park Commission's Natural Lands Restoration and Environmental Education Program (NLREEP) found FDR to be an important ecological site considering the scarcity of coastal habitat in the Delaware Estuary. But the study also identified FDR's lakes, creeks, forests and meadows were found to have diminished flora and fauna compared to other tidal areas. FDR's wooded areas contain a mixture of exotic horticultural trees with the most native species located to the south along Hollander and Shedbrook Creeks. At the time of the study, two state-listed endangered plant species were found in the park: Walter's barnyard grass (*Echinochloa walteri*) and the multi-flowered mud-plantain (*Heteranthera multiflora*)..[2]

Beginning in the 1960s, FDR's hydrology has been the subject of numerous studies, most of which call for infrastructure upgrades to avert flooding.[3] PPR managers indicate that portions of FDR, especially to the south of the park and along Shedbrook Creek still experience considerable flooding during rain events. This is likely attributable to large impervious surfaces around FDR, older drainage infrastructure and the fact that lake surfaces are -5.6 feet below the 6.2' mean high tide in the Reserve Basin. Heavy rain events coinciding with high tide (gate closure) exacerbate flooding. Pattison Lagoon and Edgewood Lake are also generally eutrophic and PPR managers contract for an application of algaecide to control planktonic and filamentous algae. The park also actively manages the growth of phragmites around these main lakes. Along with frequent flood conditions, a high groundwater table make FDR Park an unlikely candidate for green stormwater infrastructure (GSI) though filtration swales or vegetated strips may be beneficial.

FDR Park is also bounded by institutional landowners and built structures such as the South Philadelphia Sports Complex (SPSC) to the east represented by the Sports Complex Special Services District (SCSSD), the Philadelphia Navy Yard and to the south, the NovaCare

[2] These discussions are ongoing and confidential, details of which will be shared with the selected Respondents. This mitigation requirement triggered by PHL's runway expansion in the Delaware River as a part of its Capacity Enhancement Program (CEP).
[3] Drainage and hydrological reports were commissioned in 1972 and 1992. It is unclear if any recommendations from these studies were implemented.

complex to the north and an elevated viaduct segment of I-95 to the immediate south. The Philadelphia City Planning Commission's (PCPC) *Lower South District Plan*[4] and the *Navy Yard Master Plan* call for greater bicycle and pedestrian connectivity between these sites. Pattison Avenue is 80' curb-to-curb with six travel lanes and Broad Street is 240' curb-to-curb. Separating the Navy Yard from FDR are two significant infrastructural barriers: a below grade CSX rail line and an elevated section of Interstate 95. I-95 (and associated ramps) occupy park land and a community-built skatepark exists underneath the eastern half of the viaduct.[5] SEPTA's Broad Street Line AT&T Station is located on the eastern side of Broad Street.

Respondents should be aware FDR has received considerable PPR capital investments since the ANS study was commissioned. Briefly, these are as follows:

- The Meadow Lake pool's concrete liner was demolished, regraded and planted as a natural lake by the Fairmount Park Commission;
- Facility upgrades to the American Swedish Historical Museum (John Morton Memorial);
- Renovation of tennis courts in the northeast quadrant of the park;
- Construction of new public bathrooms in the Guard House/ PPR District 7 Offices
- Restoration of a fire-damaged playground with new equipment;
- Construction of a baseball stadium with bleachers and press box in the Ashburn Baseball Field Complex supported by PPR and the Phillies' Urban Youth Academy;
- A full overhaul of FDR's wayfinding and directional signage scheme.
- A spring 2017 analysis of FDR picnic infrastructure along with recommendations for enhancement of these spaces (will be provided to selected Respondent)

Currently two PPR concessions operate in the park and produce revenue for FDR improvements: overflow parking for Eagles games (via Standard Parking) and Wheel Fun's bike, surrey, paddle boat and kayak rentals. This fund can be utilized for programming,

[4] This plan also calls for several improvements with possible benefits to FDR: reconfiguring the cross section of Pattison Ave. west of Broad to fit with "complete street" principles, transit oriented design development along the east side of Broad St. below AT&T Station, adaptive reuse of the park's historic structures and an events/parking management plan to mitigate the impacts of sports events overflow parking on park use. See p. 50.

[5] I-95 also produces stormwater flows which affect FDR.

capital improvements, contracted maintenance or consultant services which facilitate park upgrades and enhance users' experiences.

D. Areas of Analysis

Respondents will be expected to think and plan creatively around the interplay between natural lands, recreational spaces and built environments of the park. Respondents will also design public engagements that seek to develop a common vision for the park among an array of partners, stakeholders, institutions and user groups. Respondents will address the following broad areas of analysis:

01. **Hydrology:** At FDR, recreational zones are commonly located near water bodies subject to frequent flooding. Additionally, several of the outlying ponds and lagoons do not receive adequate inflow or flushing and are anoxic and eutrophic and experience algal blooms in warmer months. From roughly 1960 onward, engineering solutions to flooding from have relied upon technological and infrastructural solutions involving landforming, pumping and conveyance systems. Most of these systems are still functional but the intensity and frequency of storm events may ultimately exceed their carrying capacities. Designers should seek to approach flood conditions with flexible, sustainable and potentially passive approaches that augment habitat and reduce dependency on infrastructural solutions. These solutions may involve opportunities for restoration, habitat creation and expanded public access. Respondents will provide a targeted analysis of FDR's current drainage systems (including pumps, tide gates, culverts and drains) with an eye towards identifying problem areas, proposing alterations and developing cost estimates for these efforts. Respondents will use this analysis to develop a water management program that utilizes natural over built systems while enhancing marsh habitats, species diversity while improving public access. In addition to improving aquatic habitats, respondents will also evaluate the condition of exotic and native trees. A full topographic survey is not anticipated; Respondents are urged to secure or develop data layers sufficient for this level of planning.
02. **Land Use:** Respondents will also evaluate existing land uses in the western half of FDR in the context of changing recreational tastes and new approaches to land care and management and ecological stewardship. This component of the study will

likely require expertise in both landcare operations and the economics of recreation facilities. Where possible, the analysis will be rooted in cost/revenue assessments of current and future facility configurations. This portion of the analysis is also closely connected to the outcomes requested in D.1., i.e. possible land reconfigurations should support the natural water management approaches outlined in the prior section.

03. **Architecture/Built Environment:** FDR contains a multitude of built structures, many of which are currently used in very different ways than their original intent. An architectural assessment of all buildings should support recommendations that enable revenue-generating adaptive reuse of structures and provide operational efficiencies for spaces occupied by park forces. Respondents will also acknowledge a capital investment framework that prioritizes activation, public safety and revenue generation capabilities of these structures. Temporary or medium-term activations that test different occupancy models, promotive safety or community interests or needs will also be entertained. New property management policies that translate into quick and efficient capital upgrades to rapidly support concessions will also be welcomed. Large-scale reconfigurations of recreational land uses and enhanced public access will also factor into the viability of adaptive reuse approaches. Costs to prepare adaptive reuse of various structures will also be provided.
04. **Horticulture/Natural Lands**: FPC and PPR also request assessments of current levels of horticultural and natural land care in order to suggest discrete projects, techniques, equipment or staffing investments that will foster a safe, beautiful and ecologically functional woodland, marsh and meadow habitats for both public enjoyment and to support biodiversity. Where possible, Respondents should assess original horticultural plans and propose sensitive restoration projects that converse with these designed spaces.
05. **Circulation:** In addition, respondents will be required to assess current path and road conditions against the original Olmsted design intent and suggest approaches that enhance access to and circulation through the park. This will involve investigation of current vehicular, pedestrian, public transit and bicycle flows through the park and will utilize this data to recommend modifications or upgrades to these motorized and non-motorized networks. Respondents will seek to engage the public creatively through traditional and non-traditional formats to understand

gaps in levels of service. The selected design team will produce a list of near-term, middle-term and longer-term capital efforts with cost estimates.

06. **Visioning/Engagement:** In addition to the Project Leads, (PPR and FPC) Respondents will be required to engage with a variety of interested entities, stakeholders, political leaders, city departments, park friends groups and informal groups of park users perhaps yet to be determined. A partial list of these organizations can be found in **Appendix A**.[6] Both PPR and FPC value passionate, creative and meaningful dialogue with various communities who utilize the park. We expect that a well-conceived and executed engagement process will strengthen these organizations' capacities to shape positive change in FDR Park. FPC and PPR request a minimum of three (3) stakeholder meetings and three (3) public meetings. FPC and PPR will also look favorably on engagement strategies that seek to solicit feedback in non-traditional participatory ways and to engage with immigrant ESL communities outside the scope of the above formal framework. Respondents should be aware as a regional park, users may be dispersed across a fairly wide geography of south and southwest Philadelphia. Respondents will work closely with FPC and PPR stewardship and community engagement staff to achieve these goals.

E. Specific Deliverables & Timeline

The following breakdown of specific deliverables and timeline is suggestive and may be subject to slight modifications with the permission of the Project Leads. The overall anticipated length of the master plan is 8-10 months. Following the Kickoff Meeting with Project Leads, selected consultants will conduct a similar meeting with key Stakeholders outlining the objectives of the study and receiving feedback on their respective priorities and interests.

A. Preliminary Site Analysis Phase (2 Months)
    a. Project Kickoff and **Stakeholder Meeting 1.**
    b. Base mapping;
    c. Interviews with park managers, key partners, institutions and concessionaires;

[6] As a regional park, Respondents are encouraged to engage groups across a wide catchment area of South Philadelphia, perhaps to Washington Avenue.

d. Select hydrological analysis of park waterways, culverts, tide gates, drains and any other subsurface water conveyance system;
e. Beginning built environment/architectural evaluation;
f. Selected update to ANS study of water/habitat quality.[7]
g. Land use analysis (recreational, natural, managed) along with investigation of FDR golf course's operations, revenues and landscape management practices.
h. **Public Meeting 1**: Presentation of preliminary findings / create an engagement that defines baseline public perceptions of park / Commit to timeline for process.

B. Recommendation Development Phase (3 Months)

a. Consultant will begin developing concepts for new land management approaches responsive to recreational trends, extent of facility utilization, natural resource investment opportunities, climate change and public feedback.
b. Begins capital investment framework around shared values, historic characters of facilities, recreational demands and concession/activation/program/event opportunities.
c. Begin developing recommendations for concession opportunity sites and enhancement of facilities to support expanded public programming and amenities.
d. **Stakeholder Meeting 2**: presenting tentative recommendations/options
e. Refinement of recommendations based on Stakeholder feedback;
f. **Public Meeting 2**: Alternatives/Recommendations presented.

C. Project Prioritization, Cost Estimating and Plan Adoption Phase (1.5 months)

a. Refine recommendations according to feedback from Stakeholder and Public Meetings;
b. Begin finalizing final plan, which will contain: a statement of mutual values informing the care of the park and the study itself, an explanation of analyses and community engagements and their outcomes, a list of short-term,

[7] Consultants are not expected to replicate the ANS study but to confirm or correct statements of water and habitat quality expressed in this document.

middle-term and longer-term priority projects along with an implementation plan detailing parties and their responsibilities; cost estimates for the design and construction of these three categories of project.

c. **Public Meeting 3**: Plan reveal & celebration; Commitment of resources and expression of next steps.

F. RFP Schedule

FPC and PPR intend to award a contract for this Master Plan no later than **1 October 2017.** All work outlined above will be completed no later than **31 August 2018.**

A Pre-Bid Conference will be held at the Swedish American Historical Museum at 10am **August 22**. Please note, while attendance at this Conference is not required, attendance at this session will accrue favorably to those present.

The deadline for submitting questions in writing is **28 August 2017 by 5pm EST**. Answers will be provided to all those attending the Pre-Bid Conference by **1 September 2017.** Questions should be issued in writing and emailed to: FDRPlan@myphillypark.org with the subject line reading "FDR RFP Questions". Questions not posed at the Pre-Proposal Conference nor in writing or sent to other email addresses not be answered.

Two hard copies and an electronic version of completed proposals will be due by **5:00pm EST on 8 September 2017.**

G. Project Team Composition, Inclusion & Diversity

As stated, design teams must be led by a landscape architecture firm possessing significant master planning experience on an institutional, park or regional scales. The following sub-disciplines may also be required to address the **D. Areas of Analysis**:

- Surveying
- Civil Engineering
- Landscape Architecture
- Environmental Engineering
- Ecological Restoration
- Architecture
- Cost Estimating

- Hydrology
- Land Management
- Operations Analysis
- Marketing
- Community Engagement

Both FPC and PPR strive for public space design that is inviting and inclusive for all of Philadelphia's diverse populations. To this end, the City of Philadelphia's Department of Commerce's Office of Economic Opportunity (OEO) will require the inclusion of Minority and Business Enterprises (M/W/DBEs) in this professional services opportunity (**Appendix C**). OEO has approved the following projected ranges of participation for this project:

- Minority Owned: 25-30 percent
- Women Owned: 15-20 percent

Please note that the prime contractor will be a signatory to **Appendix C**: Antidiscrimination Policy. Respondents are required to submit **Appendix B**: Solicitation for Participation and Commitment Form along with their proposals.

A list of certified businesses is available online at:

http://phila.mwdsbe.com/FrontEnd/VendorSearchPublic.asp

H. Proposal Format, Content & Submission Requirements

Two (2) hard copies of each proposals will be submitted along with an electronic submission by 5:00pm on 8 September 2017.[8] Please submit hard copy proposals via mail or hand delivery to:

Fairmount Park Conservancy

1617 JFK Boulevard Suite 1670

Philadelphia, PA 19103

[8] Please be advised, the attachment threshold of the FDRplan@myphillypark.org account is 25 MB. Electronic proposals exceeding this threshhold should be conveyed to the above address via another electronic storage mechanism: USB flash drive or CD, preferably. FTP downloads will not be accepted.

In addition, respondents may be asked to provide a brief presentation of their vision for the park. Bound proposal submissions will not exceed 40 pages and will contain at minimum the following sections:

1. **Respondent Profile**: Cover letter, Lead respondent's business ID: name, business address, telephone number, website address, Federal taxpayer identification number or Federal employer identification number
   - 1.1. Primary Respondent Info: name, job title, address, telephone and email address.
   - 1.2. Firm Details: Business background and organization (Corporation, LLC, for profit, non-profit), whether registered to business in Pa. or Philadelphia, registrations with OEO of M/W/DBE status along with certifying entity, primary mission and pertinent experiences managing a consultant team, statement of firm philosophy affecting design approaches, management structure, personnel choices, relationships with public(s), etc.

2. **Project Understanding**: Please provide a brief narrative statement that confirms respondent's understanding of the project objectives and tangible work products. Also include a statement of specific business skills or experience that will be employed to address the areas of analysis and complete the specific deliverables.

3. **Proposed Scope of Work**: Project timetable will be required in accordance with **Section D**. of this RFP. A proposed sequence of activities and schedule which demonstrate how the firm's approach will address the areas of analysis and specific deliverables. The schedule should be represented in a clear graphic format and may include ideas that add value to the project. Major deliverables, key milestones and decision dates should be included in the schedule.

4. **Statement of Qualifications; Relevant Experience**: Respondents should provide a statement of their team's qualifications and capability to perform the services outlined in the above sections. The team lead must meet the minimum criteria outlined in **B. Introduction**, i.e. demonstration of advanced institutional, regional or area-wide planning experience in an urban context. Respondent will also provide a

narrative and visual descriptions (photographs/renderings) of projects designed by the Respondent or key team members' relevant to this opportunity. Respondents are advised that greater consideration will be given to the relevance of projects versus quantity of projects. Please also include:

4.1 Project Name

4.2 Client

4.3 Site physical characteristics

4.4 Special features of design: accomplishments, challenges, certifications or awards.

4.5 Specific services provided by consultant

4.6 Dates of service

4.7 Approximate contract value

5. **Project Team Organization & Team Resumes:** Proposal shall include a description of the proposed team in both narrative and chart form. The proposal should clearly indicate the relationship, roles and responsibilities of each organization and team member. Key positions should be identified by name and title, with narrative describing their respective areas of expertise, responsibility and reporting.

6. **References**: Please provide at least three (3) references for the prime consultant(s) and each of their sub-consultants preferably for projects that are similar in type, scope, size, and/or value to the work sought by this RFP. If applicable, Respondent should provide references for projects with other municipalities of comparable size to Philadelphia. For each reference, please include the name, address, e-mail and telephone of a contact person.

7. **Proposed Subcontractors**: State the intention to use subcontractors to perform any portion of the work sought by this RFP. For each subcontractor, a description of the work to be performed and whether the subcontractor can assist with fulfilling goals for inclusion of minority, woman, or disabled-owned business or disadvantaged businesses as stated in **Section F**. Please note that if subcontractors at any tier may perform services arising directly out of a contract with FPC, the team

lead must inform them of the City's minimum wage and benefits requirements and that adherence to these is mandatory.

8. **Office of Economic Opportunity Solicitation for Participation & Commitment Form**: As a separate document, Respondents must include a completed Solicitation for Participation & Commitment Form (S&C) when responding to this RFP's required M/W/DBE participation ranges. This form is provided as **Appendix B**.

9. **Cost Proposal**: Respondents must provide a detailed cost proposal, with a line-item breakdown of the costs for specific phases, services and work products proposed. Cost proposals must be "fixed price". Applicants must state hourly rates for all personnel, identified by job title, who will perform work under any contract resulting from this RFP. The Respondent must state a firm estimate of number of hours required to complete each task with the hourly rate that applies to each personnel class identified. Any contract resulting from this RFP will provide for a not-to-exceed amount in the compensation section of the contract.

   The proposed price must include all costs charged to FPC for the services and tangible work products the Respondent proposed to perform and deliver inclusive of:

   - Staff time
   - Bonding/Insurance
   - All overhead & profit
   - Travel
   - Document reproduction

I. Proposal Evaluation / Selection Criteria

Eligible contractors must demonstrate delivery of large scale master planning products of a similar scale and complexity. Additionally, proposals will be evaluated on the following factors:

1. Description of the techniques and approaches to be used in executing the scope of work.

2. Specialized experience and technical competence of the proposed team members including experience on prior City of Philadelphia projects of a similar nature and scope.
3. The specific experience of individuals working on the project
4. The record of past performance on similar projects, i.e., the project team's ability to provide innovative solutions that balance FDR's built and natural environments and to demonstrated experience completing similarly scaled projects on time and on budget.
5. Clear understanding of the proposed work and deliverables.
6. Proposed total fee and distribution among phases.
7. Extent of participation by the City of Philadelphia M/W/DBE-certified firms as evidenced by prime or subcontractors' proposed scope of work and percent of fee.
8. Reputation of design professionals as determined by inquiries with previous or current clients and other references.
9. Compliance with City of Philadelphia contract requirements and those required herein by the prime and the subcontractors.
10. Other factors, if any, specific to this effort as defined by FPC and PPR.

FPC and PPR reserve and in their sole discretion may, but shall not be required to, exercise the following rights and options with respect to the proposal submission, evaluation and selection process under this RFP.

1. To reject any proposals if, in FPC or PPR's discretion, the proposal is incomplete, the proposal is not responsive to the requirements of this RFP, the Respondent does not meet the qualifications set forth in this RFP or is otherwise in FPC and PPR's interest to do so.
2. To supplement, amend, substitute or otherwise modify this RFP at any time prior to selection of one or more proposers for negotiation and to cancel this RFP with or without issuing another RFP.
3. To accept or reject any or all items in any proposal and award the contract(s) in whole or in part if it is deemed in FPC or PPR's best interests to do so.
4. To reject the proposal of any Respondent that, in the judgement of FPC and PPR: has been delinquent or unfaithful in the performance of any contract with FPC or PPR, is financially or technically incapable of performing the scope of work, is not in

conformance with applicable law, is conditioned in any way that is unacceptable, is in deviation from this RFP and its requirements or is in anyway ambiguous, unclear or contradictory or calls for work not outlined in this RFP.

5. To waive any informality, defect, non-responsiveness and/or deviation from this RFP and its requirements that is not, in the FPC or PPR's sole judgement material to the proposal.
6. To permit or reject, at FPC or PPR's sole discretion, amendments (including information inadvertently omitted), modifications, alterations and/or corrections of proposals by some or all of the Respondents following proposal submission.
7. To request that some or all of the Respondents modify proposals based upon FPC and PPR review and evaluation.
8. To request additional or clarifying information or more detailed information from any Respondent anytime, before or after proposal submission, including information inadvertently omitted by the proposer.
9. To inspect and otherwise investigate projects performed by the Respondent, whether or not referenced in the proposal, with or without the consent of or notice to the Respondent.
10. To conduct such investigations of the financial, technical and other qualifications of each proposer as FPC or PPR, in its sole discretion, deems necessary or appropriate; and
11. To waive and/or amend any of the factors identified in the RFP as pertaining to the Respondent's qualifications.
12. FPC and PPR reserve and in its sole discretion may, but shall not be required to, exercise the following rights and options with respect to the contract negotiation and award process resulting from this RFP. Each proposer shall include with its submission any comments or recommended changes or additions to the Form of Professional Services Agreement attached as **Appendix D**.
13. FPC and PPR reserve the right to enter into post submissions negotiations and discussions with any one or more Respondents regarding price, scope of services, and/or any other terms of their proposals, and such other contractual terms as the FPC and PPR may require, at any time prior to execution of a final contract. FPC and PPR may, at their sole election, enter into simultaneous, competitive negotiations with multiple Respondents or negotiate with individuals Respondents seriatim.

Negotiations with Respondents may result in the enlargement or reduction of the scope of services, or changes in other terms that are material to the RFP and the submitted proposals. In such event, FPC and PPR shall not be obligated to inform other Respondents of the changes, or to permit them to revise their proposals in light thereof, unless FPC and PPR, in their sole discretion, determines that doing so is in FPC and PPR's best interest.

14. The successful Respondent shall treat all information obtained from FPC and PPR which is not generally available to the public, as confidential and proprietary. The successful Respondent shall exercise all reasonable precautions to prevent any information derived from such sources from being disclosed to any other person. The successful Respondent agrees to indemnify and hold harmless FPC and PPR, their officials and employees, from and against all liability, demands, claims, suits, losses, damages, causes of action, fines and judgements (including attorney's fees) resulting from any use or disclosure of such confidential and/or proprietary information by the successful Respondent or any persons acquiring such information, directly or indirectly, from the successful Respondent or through this RFP. By submission of a proposal, Respondents acknowledge and agree that PPR is subject to state and local disclosure laws and, as such, are legally obligated to disclose public documents, including proposals, to the extent required hereunder.
15. The selected Respondent will be required to assume responsibility for all services described in their proposals, including the services of sub-consultants, whether or not they provide the services directly. The selected prime Respondent shall be the sole point of contact with regard to contractual matters.

Appendix A: Project Leads & Stakeholders

1) Project Leads

- Fairmount Park Conservancy
- Philadelphia Parks & Recreation
- Friends of FDR Park
- Philadelphia City Councilman Kenyatta Johnson

2) Stakeholders

- American Swedish Historical Museum
- Sports Complex Special Services District (SCSSD)
- First Tee of Greater Philadelphia
- Billy Casper Golf / FDR Golf Club
- South Philly Tennis Association
- Mid-Atlantic Youth Anglers & Outdoors Program
- FDR Skatepark
- Richie Ashburn Fields
- Wheel Fun Rentals

3) Community

RCOs with jurisdiction over FDR Park:

- Friends of FDR Park
- Packer Park Civic Association

Appendix B: Solicitation for Participation & Commitment Form

Appendix C: Antidiscrimination Policy

CITY OF PHILADELPHIA
OFFICE OF ECONOMIC OPPORTUNITY
ANTIDISCRIMINATION POLICY- MINORITY, WOMAN AND DISABLED OWNED BUSINESS ENTERPRISES
FORMS, INSTRUCTIONS AND SPECIAL CONTRACT PROVISIONS
FDR Park Master Plan

Under the authority of Executive Order No. 03-12, the City of Philadelphia has established an antidiscrimination policy ("Policy") relating to the participation of Minority (MBE), Woman (WBE) and Disabled (DSBE) Owned Business Enterprises in City contracts. Executive Order 03-12 is administered by the City's Office of Economic Opportunity ("OEO").

The purpose of this Policy is to provide equal opportunity for all businesses and to assure that City funds are not used, directly or indirectly, to promote, reinforce or perpetuate discriminatory practices. The City is committed to fostering an environment in which all businesses are free to participate in business opportunities without the impediments of discrimination and participate in all City contracts on an equitable basis. In accordance with the contracting requirements of the City, the City's antidiscrimination policy is applicable to this Notice of Contracting Opportunity (hereinafter, "NOCO").[1]

The Office of Economic Opportunity has approved the following projected ranges of participation for this NOCO which serve as a guide in determining each applicant's responsibility:

MBE 25% -30%
And
WBE 15% -20%

These ranges represent the percentage of MBE, WBE and/or DSBE (collectively, "M/W/DSBE") participation that should be attained by M/W/DSBEs from business opportunities existing in the available market absent discrimination in the solicitation and selection of these businesses and through applicant's exercise of Best and Good Faith Efforts. Best and Good Faith Efforts are those efforts, the scope, intensity and appropriateness of which are taken to achieve meaningful and representative opportunities for participation by M/W/DSBEs. These ranges are derived from an analysis of factors such as the size and scope of the contract and the availability of certified M/W/DSBEs to perform various elements of the contract. The submission of a Solicitation For Participation and Commitment Form and any supporting documentation (more fully discussed below) is an element of responsiveness to the NOCO and failure to submit the required information will result in rejection of your proposal.

Applicant hereby verifies that all forms, information and documentation submitted to OEO are true and correct and is notified that the submission of false information by applicant is subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities which may include payment of a fine of at least $1,000 and a term of imprisonment of not more than two years. Applicant also acknowledges that under 18 Pa.C.S. §4107.2 (a)(4) it is a felony in the third degree, punishable by a term of imprisonment of not more than seven years in addition to the payment of any fines or restitution, if, under any contract awarded pursuant to this NOCO, applicant fraudulently obtains public moneys reserved for or allocated or available to minority business enterprises or women's business enterprises.

A. M/W/DSBE PARTICIPATION

[1] The term "Notice of Contracting Opportunity," shortened to the acronym "NOCO," refers to the City's contract solicitation documents and information posted on eContract Philly. Generally, these documents take the form of a Request for Proposals (RFP), Request for Qualifications (RFQ) or Request for Expression of Interest (RFI) and include any other document or information (for example, exhibits, appendices) related to the posting of the new contract opportunity.

1.Only firms that are certified by an approved certifying agency[2] and identified in the OEO Certification Registry by the time of contract award will be credited toward the participation ranges on City contracts. An OEO Certification Registry is maintained by the OEO and is available online at www.phila.gov/OEO/directory. Firms owned and controlled by minority persons, women or disabled persons, which are certified as MBE, WBE, DSBE or DBE by an approved certifying agency may apply to the OEO for listing in its OEO Certification Registry.

2. No applicant that seeks to meet the participation range(s) for participation by entering into a subcontract with any M/W/DSBE participant shall be considered to meet the range(s) if the M/W/DSBE participant does not perform a commercially useful function ("CUF"). An M/W/DSBE performs a Commercially Useful Function when it performs a distinct element of a City Contract (as required by the services to be performed in accordance with the NOCO) which is worthy of the dollar amount of the M/W/DSBE Subcontract and the M/W/DSBE carries out its responsibilities by managing and supervising the services involved and actually self-performing at least twenty percent (20%) of the services of the Subcontract with its own employees. For suppliers, an M/W/DSBE performs a Commercially Useful Function when it is responsible for sourcing the material, negotiating price, determining quality and quantity, ordering the material and paying for it from its own funds. Commercial usefulness will be evaluated and determined by the OEO on a proposal by proposal basis as informed by prevailing industry standards and the M/W/DSBE's NAIC codes. Participation that is not commercially useful will not be counted.

3. In order to maximize opportunities for as many businesses as possible, a firm that is certified in two or more categories (e.g. MBE and WBE and DSBE or WBE and DSBE) will only be credited toward one participation range as either an MBE or WBE or DSBE. The firm will not be credited toward more than one category. Applicants will note with their submission which category, MBE or WBE or DSBE, is submitted for credit.

4. An MBE/WBE/DSBE submitting as the prime applicant is required, like all other applicants, to submit a proposal that is responsive to the Policy. The M/W/DSBE Applicant will receive credit towards the participation range for its certification category (e.g., MBE range or WBE range or DSBE range). In addition, the participation of an M/W/DSBE partner, as part of a joint venture created for this contract, may be credited towards the participation ranges only to the extent of the M/W/DSBE partner's ownership interest in the joint venture in accordance with the following criteria:

- The MBE, WBE or DSBE partner(s) must be identified in the OEO Registry prior to contract award;
- The M/W/DSBE partner(s) must derive substantial benefit from the arrangement;
- The M/W/DSBE partner(s) must be substantially involved in all phases of the contract including planning, staffing and daily management;
- The business arrangement must be customary (i.e., each partner shares in the risk and profits of the joint venture commensurate with their ownership interest, contributes working capital and other resources, etc).

5. M/W/DSBE Subcontractors must perform at least twenty percent (20%) of the total amount of work to be performed under the Subcontract with their own employees.

6. In listing participation commitments on the Solicitation for Participation and Commitment Form, applicants are required to list a detailed description of the services or supply effort, the dollar amount of the quotation, and percentage of the contract the participation represents. In calculating the percentage amount, applicants may apply the standard mathematical rules in rounding off numbers. The OEO reserves the right to request clarifying information from applicants in the event of an inconsistency or ambiguity in the Solicitation For Participation and Commitment Form.

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[2] Approved certifying agencies are identified on the OEO webpage found at www.phila.gov/OEO.

B. RESPONSIVENESS

1. A proposal responsive to the Policy is one which contains documentary evidence of the M/W/DSBEs that have been solicited and that will be used by the applicant on the contract, if awarded; where the proposal satisfies the M/W/DSBE participation ranges for that contract, the applicant is rebuttably presumed not to have discriminated in its selection of contract participants.

2. Applicants must submit documentary evidence of MBE, WBE and DSBEs who have been solicited and with whom commitments have been made in response to each of the participation ranges included in this NOCO. Failure to submit the Solicitation For Participation and Commitment Form will result in the rejection of the proposal as nonresponsive, although the City, at its sole discretion, may allow applicants to submit or amend the Solicitation For Participation and Commitment Form at any time prior to award. The Solicitation For Participation and Commitment Form must contain the following information:

• Documentation of all solicitations (regardless of whether commitments resulted therefrom) as well as all commitments made on the enclosed document entitled "Solicitation For Participation and Commitment Form". Applicants should only make actual solicitations of M/W/DSBEs whose services or materials are within the scope of this NOCO. Mass mailing of a general nature to M/W/DSBEs or similar methods will not be deemed solicitation, but rather will be treated as informational notification only. A reasonable period of time should be given to all solicited firms to ensure that they have sufficient time to adequately prepare their quotes/subproposals. The applicant's listing of a commitment with an M/W/DSBE constitutes a representation that the applicant has made a legally binding commitment to contract with such firm, upon receipt of a contract award from the City ("Contract Commitment").

• If the applicant has entered into a joint venture with an MBE, WBE and/or DSBE partner, the applicant is also required to submit along with the Solicitation For Participation and Commitment Form, a document entitled "Joint Venture Eligibility Information Form," available at OEO, for the City's review and approval of the joint venture arrangement.

3. If Applicant does not fully meet each of the range(s) for participation established for this NOCO, applicant must demonstrate that it exercised Best and Good Faith Efforts to achieve the M/W/DSBE participation ranges along with a written request, on its letterhead, for the reduction of part or all of the M/W/DSBE participation ranges ("Request For Reduction/Waiver"). Applicant, through the submission of documentary evidence must show that applicant took all necessary steps and made reasonable efforts to achieve the M/W/DSBE participation ranges, even if these efforts were not fully successful. OEO will evaluate the scope, intensity and appropriateness of these efforts to ascertain whether they could reasonably be expected to achieve M/W/DSBE participation commensurate with the ranges. Failure to submit the documentary evidence will result in rejection of the proposal as nonresponsive; the City, at its sole discretion, may allow applicants to submit or amend their submission at any time prior to award which may result in revision to Applicant's participation commitments. The submission shall contain and discuss, at a minimum, the following:

•Reasons for not committing with any MBE/WBE/DSBEs that submitted a quote/subproposal, regardless of whether the quote/subproposal was solicited by applicant.

• Any additional evidence pertinent to applicant's conduct relating to this NOCO including sufficient evidence which demonstrates to the OEO that applicant has not engaged in discriminatory practices in the solicitation of and commitment with contract participants. In describing applicant's efforts to achieve participation within the ranges, applicant may submit any corroborating documentation (e.g., copies of advertisements for participation).

The applicant's documentary evidence will be reviewed by the OEO to determine whether applicant exercised Best and Good Faith Efforts in response to the participation ranges. Applicant's expressed desire to self-perform services with its own employees will not excuse applicant from exercising Best and Good Faith Efforts to include M/W/DSBEs in its proposal and cannot be used as a basis for requesting a reduction or waiver of the participation ranges. OEO's review will include consideration of the following:

• Applicant's contracting activities and business practices on similar public and private sector contracts. For example, if applicant rejects any M/W/DSBE based on price, applicant must fully document its reasons for the rejection and also demonstrate that applicant subjects non-M/W/DSBEs to the same pricing standards. OEO will investigate whether there was any attempt at good faith negotiation of price.

• Whether M/W/DSBEs were treated as equally as other businesses in the solicitation and commitment process. For example, the OEO will investigate whether M/W/DSBEs are given the same information, access to the plans and requirements of the contract and given adequate amount of time to prepare a quote/subproposal as others who were solicited by applicant. The OEO will also investigate whether M/W/DSBEs were accorded the same level of outreach as non-M/W/DSBEs, for example whether applicant short listed M/W/DSBEs for participation or solicited M/W/DSBEs at any pre-proposal meetings.

• Whether the applicant's contracting decisions were based upon policies which disparately affect M/W/DSBEs. OEO will ascertain whether applicant selected portions of work or material needs consistent with the capacity of available M/W/DSBE subcontractors and suppliers. OEO will consider whether applicant employed policies which facilitate the participation of M/W/DSBEs on City contracts such as segmentation of the contract or prompt payment practices.

4. After review of the applicant's submission and other information the OEO deems relevant to its evaluation, the OEO will make a written determination that will be forwarded to the awarding City Department.

- If the proposal is determined nonresponsive by the OEO, the applicant will be notified and may file a written appeal with the Executive Director of OEO within forty-eight (48) hours of the date of notification; the decision of the Executive Director of OEO shall be final.

D. ACCESS TO INFORMATION

1. The OEO shall have the right to make site visits to the applicant's place of business and/or job site and obtain documents and information from any applicant, subcontractor, supplier, manufacturer or contract participant that may be required in order to ascertain applicant's responsiveness and responsibility.

2. Failure to cooperate with the OEO in its review may result in a recommendation to terminate the contract.

E. RECORDS AND REPORTS

1. The successful applicant shall maintain all books and records relating to its M/W/DSBE commitments (e.g. copies of quotations, subcontracts, joint venture agreement, correspondence, cancelled checks, invoices, telephone logs) for a period of at least three (3) years following acceptance of final payment from the City. These records shall be made available for inspection by the OEO and/or other appropriate City officials. The successful applicant agrees to submit reports and other documentation to the OEO as deemed necessary by the OEO to ascertain the successful applicant's fulfillment of its M/W/DSBE commitments.

_____,
Jamie Gauthier Date
Senior Director of Public Partnerships
Fairmount Park Conservancy

_____,
Iola Harper[3] Date
Deputy Commerce Director for the Office of Economic Opportunity
Department of Commerce
City of Philadelphia

_____,
Prime Contractor Representative Date

[3] Pursuant to Section 17-1603 (2) of The Philadelphia Code, the representative of the City of Philadelphia's Office of Economic Opportunity, the "certifying agency", certifies that the contents of this Plan are in compliance with Chapter 17-1600.

ANTIDISCRIMINATION POLICY SOLICITATION FOR PARTICIPATION AND COMMITMENT FORM

Minority (MBE), Woman (WBE), Disabled (DSBE) and Disadvantaged (DBE) Business Enterprises [1]

DEPARTMENT OF COMMERCE

OFFICE OF ECONOMIC OPPORTUNITY (OEO)

Bid Number or Proposal Title: **Parkside Edge Improvemen**	*Name of Bidder/Proposer:*	*Bid/RFP Opening Date:*

List below ALL MBE/WBE/DBE/DSBEs that were solicited regardless of whether a commitment resulted therefrom. - Photocopy this form as necessary.

☐ MBE ☐ WBE ☐ DSBE ☐ M-DBE ☐ W-DBE	Work or Supply Effort to be Performed	Date Solicited		Commitment Made		Give Reason(s) If No Commitment
Company Name		By Phone	By Mail	Yes (*If Yes, give date*)	NO	
Address						
Contact Person		Quote Received		Amount Committed To		
Telephone Number / Fax Number		YES[2]	NO	Dollar Amount $		
Email Address				Percent of Total Bid/RFP %		
OEO REGISTRY # / CERTIFYING AGENCY						

☐ MBE ☐ WBE ☐ DSBE ☐ M-DBE ☐ W-DBE	Work or Supply Effort to be Performed	Date Solicited		Commitment Made		Give Reason(s) If No Commitment
Company Name		By Phone	By Mail	Yes (*If Yes, give date*)	NO	
Address						
Contact Person		Quote Received		Amount Committed To		
Telephone Number / Fax Number		YES[2]	NO	Dollar Amount $		
Email Address				Percent of Total Bid/RFP %		
OEO REGISTRY # / CERTIFYING AGENCY						

☐ MBE ☐ WBE ☐ DSBE ☐ M-DBE ☐ W-DBE	Work or Supply Effort to be Performed	Date Solicited		Commitment Made		Give Reason(s) If No Commitment
Company Name		By Phone	By Mail	Yes (*If Yes, give date*)	NO	
Address						
Contact Person		Quote Received		Amount Committed To		
Telephone Number / Fax Number		YES[2]	NO	Dollar Amount $		
Email Address				Percent of Total Bid/RFP %		
OEO REGISTRY # / CERTIFYING AGENCY						

1. If Bidder/Proposer makes solicitation(s) and commitment(s) with a DBE, Bidder/Proposer shall indicate which class type, M-DBE or W-DBE, is submitted for credit.
2. Attach all quotations to this form.

09/2010