

# **REQUEST FOR PROPOSALS**

## **A&E Design Renovations to The Marshalling Yard**

### **1.0 GENERAL INFORMATION**

#### **1.1 Introduction.**

- a. The Pennsylvania Convention Center Authority (“PCCA” or “the Authority”) is the entity responsible for the construction and operation of the Pennsylvania Convention Center (“Center”). PCCA is a body corporate and politic, created and existing as an agency and public instrumentality of the Commonwealth of Pennsylvania. The Center consists of approximately 1.3 million square feet including: 440,000 square feet of exhibit space; 125,000 square feet of ballroom/meeting space and a 125,000 square foot farmers market. PCCA constructing in 2011 a 975,000 square foot expansion of the Center that includes an additional approximate 260,000 square feet of Exhibition Space; 63,000 square feet of Meeting Rooms; a second Ballroom of 57,000 square feet and a multi-story Atrium Entrance on Broad Street.
- b. The purpose of this Request for Proposal ("RFP"), including all exhibits, schedules, addenda, drawings, plans and specifications related hereto issued by the Pennsylvania Convention Center Authority ("PCCA"), is to solicit proposals from qualified **Architectural & Engineering Firms** to provide **Architectural & Engineering & Consulting Services** as described in this RFP at the Center.
- c. The successful Proposer must demonstrate its capability of adequately meeting the demands of PCCA with respect to the requirements of this RFP, This RFP by PCCA contains information and requirements for the Proposer to prepare and submit proposals for **Architectural & Engineering Consulting Services**. This RFP, with any amendments, contains the only instructions governing the proposals and material to be included therein. The Proposer must be in a position to commence provision of services at the Center upon execution of a services contract. Proposals, including all documents and addenda, (hereinafter “Proposal” or Proposal Documents”) submitted by each Proposer, should be inclusive of all services and/or equipment required by PCCA, plus any additional related services and/or equipment the Proposer believes are required to ensure efficient, flexible and cost effective delivery of services. The outline of services set forth in Section 4.0 hereof is an outline of the minimum services required by PCCA. Any change in the cost to PCCA by reason of any alternative or additional services must be separately identified to the extent feasible.

- 1.2 Schedule.** The following is the anticipated schedule in connection with this RFP. This schedule may be altered at the discretion of the PCCA.

#### **Anticipated Schedule**

| <b>Element</b>                                       | <b>Completed By</b>                    |
|--|--|
| <b>Pre-Proposal Conference (virtual, mandatory):</b> | <b>November 22, 2022 at 1:00 p.m.</b>  |
| <b>Site Tour:</b>                                    | <b>November 29, 2022 at 11:00 a.m.</b> |
| <b>All Questions Due:</b>                            | <b>December 9, 2022 at 3:00 p.m.</b>   |
| <b>Proposals due:</b>                                | <b>December 20, 2022 at 4:00 p.m.</b>  |

## **2.0 PRE-SUBMISSION PROCEDURES AND REQUIREMENTS**

### **2.1 Examination of Proposal Documents.**

- a. Upon receipt of the Proposal Documents, each Proposer shall examine same for missing or partially blank pages due to mechanical printing or collating errors. It shall be the Proposer's responsibility to identify and procure any missing pages from PCCA.
- b. Each Proposer shall carefully review the Proposal Documents and thoroughly familiarize itself with the requirements prior to submitting a Proposal. Prospective Proposers are invited to submit **written** or **electronic** inquiries (return receipt requested) with respect to this RFP to [Stephen Shepper](mailto:Stephen.Shepper@paconvention.com), Pennsylvania Convention Center Authority, 1101 Arch Street, Philadelphia, Pennsylvania 19107 ([sshepper@paconvention.com](mailto:sshepper@paconvention.com)) and [ldobbertin@paconvention.com](mailto:ldobbertin@paconvention.com). Answers may be provided at the Pre-Proposal Conference. **Telephone inquiries will not be accepted.** All questions from Proposers must be submitted in writing to Stephen Shepper, Director of Engineering & Capital Projects, and Lisa Dobbertin as indicated above.

**2.2 Pre-Proposal Conference.** A mandatory Pre-Proposal Conference will be held on **November 22, 2022 at 1:00 p.m. virtually** (see project document for Pre-RFP meeting for link). **All Proposers must attend the Pre-Proposal Conference.**

**2.3 Addenda.** Changes, corrections or additions may be made in the Proposal Documents after they have been issued. In such case, a written addendum or addenda ("Addendum" or "Addenda") describing the change(s), correction(s) or addition(s) will be issued to each Proposer, who provided written notice to PCCA of its mailing address. Such Addendum or Addenda shall become part of the Proposal Documents. Each Proposer shall acknowledge receipt of all Addenda in its Proposal. No oral communications, rulings or interpretations will be held binding upon PCCA.

### 3.0 SUBMITTAL PROCEDURES AND REQUIREMENTS

#### 3.1 Compliance with the RFP.

- a. Each Proposer is required to submit a complete written Proposal and to attest to the accuracy and completeness of its Proposal. In all respects, the Proposers shall comply with the instructions and the stipulations of this RFP in the preparation and submission of Proposals. Proposals **must** be signed by a duly authorized person, partner or officer of the Proposer, as applicable, and evidence of such authorization must be included with the Proposal. The Proposer's legal name and form of entity must be fully stated.
- b. Where permitted by this RFP, the Proposer must specifically identify and fully explain in the Proposal any exceptions to or deviations from the requirements of this RFP.
- c. Failure to comply with the requirements of this RFP may render the Proposal, at the sole discretion of PCCA, as unresponsive or otherwise unacceptable and may result in disqualification and the elimination of the Proposer from subsequent consideration.

#### 3.2 Proposer Affiliations and Subcontractors.

- a. Each Proposer must disclose in its Proposal any relationship between the Proposer and any entity that has a contractual relationship with PCCA.
- b. Any services proposed by the Proposer that will be performed in whole or in part by outside parties, third-party contractors, affiliates, or subcontractors of the Proposer if permitted by PCCA, must be specifically identified in the Proposal and the business relationship between the Proposer and such third parties must be explained in the Proposal. Nothing contained herein or in the Contract shall be construed to impose any obligation on the part of PCCA to any outside party, third-party contractor, affiliate, or subcontractor of the Proposer.

#### 3.3 Proposals

- a. Each Proposer is required to submit a complete written Proposal by the specified time herein. **Late Proposals will not be considered.**
- b. In all respects, the Proposers shall comply with the instructions and the stipulations of this RFP in the preparation and submission of Proposals. Oral or telephone Proposals or unsolicited modifications to Proposals will not be considered.
- c. **Proposals must be accompanied by a transmittal letter:**
  - 1). The transmittal letter must be on an official business letterhead of the Proposer and signed by a duly authorized person, partner or officer of the Proposer, as applicable, and evidence of such authorization must be included with the Proposal. The Proposer's legal name and form of entity must be fully stated.
  - 2). The transmittal letter must include at a minimum:

- (i.) identification of the person who will serve as the primary contact for the Authority with respect to the Proposal, and shall include the person's title, address, telephone and fax numbers, and e-mail addresses;
  - (ii.) certification that the Proposer is not currently under suspension or disbarment by the Commonwealth of Pennsylvania or any other state or federal government; and
  - (iii.) acknowledgment of receipt by the Proposer of any RFP Addenda or Amendments as required by Section 2.3.
- d. Proposals must be submitted in **One (1) hard copy with an electronic copy submitted in PFD format**, provided for in separate bound materials.

### **3.4 Submission of Proposals; Deadline**

- a. Proposal must be submitted to the following address:

Attn: **Stephen Shepper**  
Director of Engineering & Capital Projects  
Pennsylvania Convention Center Authority  
One Convention Center Place  
1101 Arch Street  
Philadelphia, Pennsylvania 19107

- b. **Proposals must be received at the address in Section 3.4(a) above no later than 4:00 PM (Philadelphia time) on December 20, 2022. Proposers should allow sufficient delivery time to ensure receipt of their Proposals by PCCA prior to the date and time fixed for the acceptance of the Proposals. Proposals received after this time may be rejected by the PCCA.**
- c. Each Proposer shall identify its Proposal on the outside of the envelope by writing the words: "**Proposal for at the Pennsylvania Convention Center.**"
- d. Each Proposal must be in a single provided in a single package with four components. Each component shall be included in the package in a separate sealed envelope with the proper identification of the component both inside and out. The components are:
- (i.) Technical Portion - **No cost information may appear in this portion.**
  - (ii.) Affirmative Action Response Portion.
  - (iii.) Cost/Price Portion
  - (iv.) Financial Portion

**3.5 Term of Proposal.** Proposals shall remain open for acceptance and be irrevocable for a period of one hundred eighty (180) calendar days after the deadline for submission of Proposals specified in Section 3.5 hereof.

**3.6 Withdrawal of Proposals.** Proposals may only be withdrawn personally or on written or telegraphic request received from Proposers prior to the time fixed herein for submission of

Proposals. This will not preclude the submission of another Proposal by such Proposer prior to such deadline.

- 3.7 Business License.** Proposers which are corporations, or that are individuals or firms doing business under fictitious names, must supply, in their Proposals, documented proof that they have registered with and obtained a certificate from the Secretary of the Commonwealth authorizing them to do business in this Commonwealth and confirming that they are in good standing. Proposers must also supply in the Proposals, documented proof that they have obtained from the City of Philadelphia the appropriate license(s) for conducting business in Philadelphia. If the foregoing proof is not available at the time of submission of the Proposals, the Proposer must, at a minimum, provide evidence that it has applied for such certificates and license(s) and, at the option of PCCA, and designated Proposed will be required to produce such certificates and licenses prior to execution of the Contract.
- 3.8 Ownership and Non-Confidentiality of Proposals.** All Proposals submitted in response to this RFP will become the property of PCCA and will not be returned. The contents of all Proposals are a matter of public record.
- 3.9 Effect of Submission.** Submission of a Proposal shall constitute agreement by the Proposer to all of the terms incorporated in the Proposal Documents. By submission of a Proposal, the Proposer is representing and warranting that (i) the information contained in its Proposal is complete and accurate and that such information shall continue to be complete and accurate at all times, and (ii) the delivery of the products and services specified in this RFP and the Proposal shall in no way obligate PCCA to pay any additional costs to the Proposer for the provision of such products and services, other than as included in the Contract executed by both parties.

## 4.0 SCOPE OF THE SERVICES

### 4.1. General Requirements

PCCA seeks a consultant to assist **in design development, construction documentation, and construction administration for an updated design and renovation of the PCCA Marshalling Yard (Vine St & N. Franklin St.)**. The project to include but not limited to the following:

**Design Development Phase:** The consultant to perform A&E design development services for an updated renovation plan for the Marshalling Yard. **See attached detailed scope in Exhibit "A" for detailed scope of work.**

**Architectural & Engineering Services:** The consultant to provide architectural & engineer services for the creation and implementation of the Marshalling Yard Renovations. Consultant to prepare construction drawings and specifications for bidding by PCCA. Also, consultant to take part in the bidding phase and construction administration to support their drawings and specifications. **See attached Exhibit "A" for detailed scope of work.**

#### A. Site

The site (referred to as the Marshalling Yard) is a parcel or tract of land partially bounded by Vine Street, North 8th Street, Callowhill Street, and North Franklin Street in Philadelphia, PA.

#### **4.2. Additional Requirements.**

- a. The following additional information will be evaluated and must be supplied by Proposers in a detailed and complete manner:
  - (i) Description of Proposer's capability to meet service demands of the PCCA as set forth in the General Requirements, section 4.1 of the RFP;
  - (ii) Description of customer service policy and procedures.

#### **4.3 Examination of Conditions Affecting Work.**

- a. Prior to submitting a Proposal, each Proposer must familiarize itself with all current working conditions, including but not limited to the labor environment and all applicable laws, codes, ordinances, rules and regulations that will affect the delivery of the services to be provided by the Proposer.

#### **4.4 Cost Proposal.** Proposers must describe the compensation elements detailed as follows:

- a. Proposers are required to separate and identify all cost components, including but not limited to those outlined above. Any Proposal which does not completely itemize all cost components may be deemed non-responsive and may be excluded from further consideration.
- b. PCCA is a tax-exempt entity not liable for sales tax. All price quotations for equipment and services provided by the Proposer to the PCCA must exclude sales tax charges. A tax-exempt certificate will be provided upon request.

#### **4.5 Confidentiality.** All data contained in the documents and/or files supplied by PCCA either during the RFP process or after the execution of the Contract to be awarded pursuant hereto are to be considered confidential and shall be solely for the use of the requesting Proposer. The Proposer will be required to use reasonable care to protect the confidentiality of any data.

#### **4.6 Delivery Responsibilities.** The designated Proposer will be required to assume sole responsibility for the delivery of services. The Proposer may not assign or subcontract any of its responsibilities under the Proposal or the Contract except to the extent specifically provided herein or in the Contract.

#### **4.7 Interpretation.** Should any question arise as to the proper interpretation of the terms and conditions of the Proposal Documents, the decision of PCCA shall be final.

#### **4.8 Anti-Collusion.** The Proposer, by signing its Proposal, does warrant and represent that its Proposal has not been solicited, secured or prepared directly or indirectly, in a manner contrary to the laws of the Commonwealth of Pennsylvania, and that said laws have not been violated as they relate to the procurement or performance of the Contract to be awarded pursuant to the process described in this RFP by any conduct, including the payment or giving of any fee, commission, compensation, gift, gratuity, or consideration of any kind, directly or indirectly to any PCCA employee, officer, or consultant.

## 5.0 MINIMUM CRITERIA FOR THE PROPOSER

### 5.1 Minimum Required Qualifications.

- a. **Financial Requirements.** Each Proposer must supply in its Proposal documented proof of its financial condition and financial responsibility to provide the show electrical equipment to the PCCA. This includes providing financial statements certified by a public accountant or annual reports covering the two (2) most recent fiscal years, or other such documents that will allow PCCA to assess the financial viability of the Proposer. PCCA, at its discretion, may request the Proposer to provide such additional financial information as PCCA, in its discretion, deems necessary to establish the financial responsibility of the Proposer.
- b. **Other Requirements**
  - (i.) Proposer must provide and maintain during the term of any contract with the PCCA, appropriate insurance coverages in the limits required by the PCCA and in accordance with the law. The requisite insurance coverages include at a minimum, workers compensation insurance, general liability insurance, automobile liability insurance and excess liability insurance.
  - (ii.) Proposer must be legally licensed to operate under all applicable laws of the Commonwealth of Pennsylvania and the City of Philadelphia.

### 5.2 Technical Guidelines for Meeting Requirements of the Scope of Services

- a. **References/Credentials.** Each Proposer shall provide PCCA with a minimum of three (3) written references from prior customers of the Proposer.
- b. **Anti-Discrimination, Diversity and Inclusion Compliance.**
  - (i.) PCCA's Anti-Discrimination, Diversity and Inclusion Policy. PCCA has instituted an affirmative action policy to prevent discrimination against minorities and females in all PCCA subcontracting and employment opportunities and to ensure that minorities and females have an equal opportunity to participate in all contracts let for the operation, and maintenance of the Convention Center. A copy of PCCA's Anti-Discrimination, Diversity and Inclusion can be found at <https://paconvention.cobblestone.software/gateway/DocumentLibrary.aspx> under “**Exhibit AA Anti-Discrimination Policy.**”
  - (ii.) Anti-Discrimination, Diversity and Inclusion Implementation Plan. All Proposers are required to make their best efforts to achieve minority and female participation in subcontracting and employment opportunities at substantial and meaningful levels. Each Proposer must submit an affirmative action implementation plan specific to the delivery of guaranteed energy savings services pursuant to this RFP. The successful Proposer's affirmative action implementation plan as accepted by PCCA will become an enforceable provision of the Contract. If the Proposer fails to detail its best efforts as required under this Section, the Proposal may be deemed non-responsive and may be rejected by PCCA. Please follow the directions in connection with completing the Anti-Discrimination, Diversity and Inclusion Implementation Plan:

- a.) Proposers must provide a detailed Anti-Discrimination, Diversity and Inclusion Implementation Plan specific to this RFP. Proposers' Anti-Discrimination, Diversity and Inclusion Implementation Plans must include levels of minority and female-owned business participation in (i) subcontracting and (ii) workforce utilization. The Anti-Discrimination, Diversity and Inclusion Implementation Plan must briefly describe the specific task assigned to each minority and/or female-owned business listed on the Solicitation and Commitment Form, found at <https://paconvention.cobblestone.software/gateway/DocumentLibrary.aspx> titled "**Exhibit BB Solicitation for Participation and Commitment Form.**" Workforce utilization must indicate the employees who are minorities and/or females who will be assigned to this project and indicate their status by category i.e. management, hourly, full- time, part- time etc. Proposers' workforce utilization can be in a narrative format.

If there are any special business arrangements i.e. teaming, joint-venture and/or in-association with relationships, then an explanation of that particular arrangement must be included with the Affirmative Action Plan for PCCA review and approval. The document must indicate all roles and responsibilities of all the participants to the business relationship.

- b) Solicitation & Commitment Form - Proposers must complete the Solicitation & Commitment Form. Please complete all areas that apply to the Proposer's submission. In the event that a firm(s) has more than one certification designation (Minority and Women Business Enterprise), one **must** be selected for purpose of measuring the levels of actual participation. In order to satisfactorily complete the Solicitation & Commitment Form, the following areas must be indicated; the type of work to be performed; date of solicitation or commitment; whether or not a commitment is made, ("yes" or "no"). If "yes", indicate the amount in dollars and the percentage. If "no" commitment is made, please provide an explanation. Provide copies of all certifications of all firms listed on the Solicitation & Commitment Form.
- c.) Best Efforts

Proposers must demonstrate, in writing, that it took reasonable steps to obtain representation of minority and female-owned businesses and/or vendors to assure equal opportunity, even if the efforts were ultimately unsuccessful. See

<https://paconvention.cobblestone.software/gateway/DocumentLibrary.aspx> to fill out the "**Exhibit CC Best and Good Faith Efforts**" form.

Proposers must provide evidence (a written description with supporting documentation) to the PCCA that it utilized its best efforts to include minority and female-owned business participation in every phase of this RFP. Evidence of "best efforts" are the following:

- 1) Providing copies of advertising in general media, trade association publications, and minority-focused media concerning subcontracting opportunities.



- 2) Participating in conferences and seminars specifically for the promotion of the Anti-Discrimination, Diversity and Inclusion portion of the project.
- 3) The timely notification of minority and female-owned business enterprises and solicitation of their participation on this project.
- 4) Providing sufficient information about plans, specifications and requirements of the project to interested minority and female-owned businesses.
- 5) Providing evidence of reasonable efforts to negotiate with minority and female-owned businesses to provide specific services and/or goods and supplies.

Proposers must comply with the aforementioned PCCA Anti-Discrimination, Diversity and Inclusion requirements in order for their Proposals to be considered and/or deemed accepted “best efforts.”

## **6.0 PROPOSAL EVALUATION AND AWARD OF CONTRACT**

### **6.1 Evaluation Criteria.**

- a. The PCCA, *in its sole discretion*, will use a variety of criteria, including, without limitation, the following criteria, which are not necessarily listed in order of importance, to evaluate the Proposals received:
  - i) General feasibility, effectiveness and clarity of the Proposal and its responsiveness to the RFP requirements.
  - ii) Proposer's demonstrated experience in delivering the required services.
  - iii) Proposer's organizational resources, depth of resources, and financial stability and capability.
  - iv) Creative or innovative and cost effective approach to service delivery, pricing, and compensation.
  - v) Initial pricing, pricing for each year of the term of the contract, and overall economic advantages.
  - vi) Evidence of Proposer's service reliability, customer support, and on-time delivery of services.
  - vii) Proposer's compliance with the PCCA's Anti-Discrimination, Diversity and Inclusion Policy.
  - viii) Implementation capabilities.
- b. The PCCA may, *in its sole discretion*, after full and careful consideration, accept the Proposal which best meets the PCCA's requirements. The PCCA is not required to make its selection based solely upon the lowest proposed pricing schedule.

**6.2 Evaluation Process.** Upon receipt of the Proposals, PCCA may short-list the Proposers based on evaluation criteria including, but not limited to, that cited in Section 6.1 of this RFP. The PCCA reserves the right to then interview each of the short-listed Proposers and may require presentations to be made to PCCA by such Proposers. The proposal review and selection process is as follows:

**Step One – Receipt of RFP’s** – RFP’s from Proposers will be received at the location on the day and at the time indicated in this RFP.

**Step Two – Technical, Anti-Discrimination, Diversity and Inclusion Review** - PCCA will initially review and evaluate the Technical Submittals and Anti-Discrimination, Diversity and Inclusion Responses. PCCA may require all or some Proposers participate in an oral interview during this initial process. The general purpose of this session is to clarify specific aspects of the above submittals. Although the oral interview itself will not be a basis for award; responses provided in the interview will be considered. Absence of an interview does not indicate lack of interest of PCCA in a proposal.

**Step Three – Shortlist** -The PCCA will evaluate all proposals on the basis of technical merit and Anti-Discrimination, Diversity and Inclusion response. PCCA will evaluate whether the technical portion of the Proposal provides the details of the necessary technical and personnel support, and the manner in which it will fully implement and satisfy all requirements of the Project. The Authority will also evaluate whether the Proposer’s Anti-Discrimination, Diversity and Inclusion Plan achieves minority and female participation in subcontracting and employment opportunities at substantial and meaningful levels and whether Proposer’s satisfactorily demonstrated their best efforts as described in the Anti-Discrimination, Diversity and Inclusion Policy. PCCA will notify selected Proposers in writing of its selection for further consideration of their proposal.

**Step Four – Presentations of Shortlisted Proposers** - Selected Proposers will be requested to participate in a one hour meeting with PCCA. The agenda will provide for up to a thirty (30) minute presentation by the Proposer and the remainder as a question and answer period. PCCA does not require or expect the Proposers provide elaborate presentations or add information beyond their initial proposal. PCCA may request Proposers explain the basis of their cost/pricing for proposal.

**Step Five – Cost Review** - PCCA will review all the Shortlisted proposals and select the Proposers that it considers in its best interest. During the PCCA deliberations, PCCA may request further information from Proposers. Where similar Proposals come from several Proposers, PCCA may decide to engage in negotiations with only one, several or all Proposers submitting similar Proposals. The cost/price portion of the Proposal will be evaluated separately. It will be utilized to evaluate the Proposer’s understanding of the requirements of the RFP and to determine the most probable cost to the Authority. The cost/price portion will be evaluated for reasonableness and completeness. The Authority will evaluate the reasonableness of each Proposer’s cost/price Proposal, determine whether the proposed cost/price is consistent with the proposed technical approach and indicates a clear understanding of a sound approach to satisfying the requirements in the scope of services set forth in Section.

**Step Six – Negotiation** – PCCA may undertake negotiations with several Proposers for similar or different Proposals. In either case, PCCA may request “final and best offers”. Based upon these negotiations, PCCA will offer a “Notice of Award” to the selected Proposer(s).

**Step Seven – Award of Contract** – Upon the completion of the Proposal Evaluations the PCCA at its sole discretion may award a Contract for this RFP.

**6.3 Rights and Options of PCCA.** PCCA reserves and may exercise one or more of the following rights and options with respect to this RFP:

- a. To reject any and all Proposals.
- b. To elect to award certain parts of the Scope of Services, to separate proposers or to award the entire Scope of Services to one proposer as the PCCA deems necessary.
- c. **To use criteria other than price in determining the Proposer(s) with which it will contract.**
- d. To supplement, amend or otherwise modify this RFP.
- e. To cancel this RFP with or without the substitution of another RFP.
- f. To issue additional or subsequent solicitations for Proposals.
- g. To conduct investigations with respect to the qualifications of any Proposer.
- h. To change any time for performance set forth in this RFP.
- i. To waive any non-compliance of any Proposal with the requirements of this RFP.
- j. To permit any Proposer to supplement, amend or otherwise modify its Proposal.
- k. To supplement, amend or otherwise modify the terms of any proposed form of Contract which may be submitted by PCCA to any Proposer.

**6.4 Request for Additional Information.** Proposers shall furnish such additional information as PCCA may request in connection with its evaluation of the Proposals.

**6.5 Acceptance or Rejection of Proposals.**

- a. The PCCA reserves the right to reject any or all Proposals and to seek additional Proposals, if such action is in the best interest of PCCA. PCCA reserves the right to waive any informalities and technicalities in the Proposal process.
- b. If for any reason whatsoever, PCCA rejects a Proposal, the Proposer agrees that it will not seek to recover lost profits on work not performed nor will it seek to recover its Proposal preparation costs. By submitting its Proposal, the Proposer expressly states that it intends to be legally bound and accepts the limitation of remedies set forth in this Section.

**6.6 Contract Award.**

- a. After PCCA has selected a Proposer as a result of the aforesaid evaluation process, the successful Proposer shall be required to execute a Contract with the PCCA. PCCA reserves the right to modify, amend and supplement any proposed form of Contract submitted by PCCA to any Proposer, in any manner it deems appropriate. The terms of the Proposal of the designated Proposer, to the extent accepted by PCCA, shall be incorporated into the Contract. PCCA reserves the right to revoke the designation of a Proposer as the designated Proposer at any time prior to

execution of the Contract by the Proposer and PCCA and in the form approved by PCCA.

- b. The contents of the Proposal of the selected Proposer and the RFP will become contractual obligations upon execution of a contract between the Proposer and the Authority; provided however, that the terms of any such contract shall supersede the provisions of the Proposal and the RFP to the extent the terms of the contract are inconsistent with the terms of the Proposal or RFP. In the event that either the designated Proposer does not execute the Contract as herein required or PCCA has revoked the designation of a particular Proposer as the designated Proposer, the PCCA, in its sole discretion, may enter into negotiations with one or more of the other Proposers or PCCA may solicit new Proposals.
- c. At or prior to delivery of the signed Contract, the designated Proposer shall deliver to PCCA the policies of insurance or insurance certificates as required by the Contract. All policies or certificates of insurance must be approved by PCCA before the designated Proposer may proceed with the delivery of the contracted services.

## **7.0 MISCELLANEOUS**

**7.1 Penalty for Non-Compliance. Proposals received after submission deadline will be disqualified.** Failure to comply with the requirements of this RFP may render the Proposal, at the sole discretion of PCCA, as unresponsive or otherwise unacceptable and may result in disqualification and the elimination of the Proposer from subsequent consideration.

**7.2 Handling of Proposals.** All Proposals submitted in response to the RFP will become the property of the Authority and will not be returned.

**7.3 Cost Liability.** The PCCA shall not, in any way, be responsible for any costs incurred by any Proposer in preparing, reproducing, distributing and presenting its Proposal.

**7.4 Additional Clarification of Proposals.** The Authority may ask a Proposer to clarify in writing the technical or cost/price portions of the Proposer's Proposal at any time prior to the execution of a contract between a Proposer and the Authority. Where permitted by this RFP, the Proposer must specifically identify and fully explain in the Proposal any exceptions to or deviations from the requirements of this RFP.

### **7.5 Disclosure of Relationships.**

- a. Each Proposer must disclose in its Proposal any relationship between the Proposer and any entity that has a contractual relationship with PCCA.
- b. Any services proposed by the Proposer that will be performed in whole or in part by outside parties, third-party contractors, affiliates, or subcontractors of the Proposer if permitted by PCCA, must be specifically identified in the Proposal and the business relationship between the Proposer and such third parties must be explained in the Proposal. Nothing contained herein or in the Contract shall be construed to

impose any obligation on the part of PCCA to any outside party, third-party contractor, affiliate, or subcontractor of the Proposer.

**7.6 Compliance with Laws, Rules, Etc.** The Proposers shall comply with all federal, state, and local statutes, laws, rules, regulations, and ordinances.

**7.7 Taxes.**

- a. PCCA is a tax-exempt entity not liable for sales tax. All price quotations for goods and services provided by the Proposer to PCCA must therefore exclude sales tax charges. A tax-exempt certificate will be provided upon request.
- b. The designated Proposer shall be responsible for all taxes related to the provision of goods and services pursuant to the Contract and shall apply to the respective taxing authorities for all applicable account numbers and file appropriate tax returns as required by law.

## **EXHIBIT “A”**

### **DETAILED SCOPE OF WORK**

**A&E Design Development Services: The scope of work for this phase shall include but not limited to the following.**

- 1) Consultant to perform design development plans and specifications to renovate the Marshalling Yard (Vine St. and N. Franklin St.).
- 2) Consultant to provide a plan to renovate the Marshalling Yard. Plan to include but not limited to the following:
  - a) Modifications to existing fencing and relocation of vehicle entrance to adhere to the setback requirements for the Vine St. Expressway. Also provide motorized gate at relocated entrance/exit.
  - b) Resurfacing existing asphalt paving surface and address sink holes that have developed over the years.
  - c) Renovate existing site lighting and investigate redesigning lighting layout to improve operations. Provide for security cameras to be mounted on lighting poles.
  - d) Renovations to sidewalk areas that are deteriorated and pose tripping hazards.
  - e) Renovate cobblestone area at the southeast section of the lot, that falls outside relocated fencing, to prevent vehicle parking.
  - f) Installation of a guard shack with utility closet and restroom for attendant.
  - g) Investigate the possibility of adding an additional vehicle entrance/exit with motorized gate to the Marshalling Yard.
  - h) Restripe the parking area to improve vehicle flow and add site signage.
- 3) Consultant to evaluate any existing site conditions and site utilities conditions and uncover any issues that may affect the new construction and renovations.
- 4) Consultant to present design development drawings and specifications to PCCA on their findings and preliminary design / layout recommendations.
- 5) PCCA anticipates three (3) design development submissions and associated meetings.

**A&E Construction Documentation Services: The scope of work for this phase shall include but not limited to the following**

1. Consultant to prepare and submit construction document drawings, specifications, and cost estimates in the following schedule for the Renovations to the Marshalling Yard
  - a. 50% construction documents drawings, specifications, and cost estimates.
  - b. 90% construction documents drawings, specifications, and cost estimates.
  - c. 100% construction documents drawings, specifications, and cost estimates.
  - d. At final construction documentation phase the consultant shall submit three (3) sets of design drawings and specifications, sealed and signed by a Professional Engineer or Registered Architect that is licensed in PA, to PCCA for their records. Also, contractor to provide all sealed and signed drawings and specifications required for permitting by contractor.
  - e. Consultant to include in proposal price all costs associated with reviewing the drawings and specifications with PA Department of Labor and Industry and City of Philadelphia for the required permits to construct the project.

**Construction Administration Services: The scope of work for this phase shall include but not limited to the following.**

1. The consultant shall provide all labor, materials and equipment to perform construction administration services to support their design documentation from bidding phase to final acceptance.
2. The consultant to provide the following bid phase services to include but not limited to the following: attend pre-bid meetings, answer questions from contractors during bidding phase, write required addendums, assist PCCA in evaluating bids, make recommendation of award etc.
3. The consultant to provide the following construction phase services to include but not limited to the following: review and track submittals, review and track RFI's and change orders, review and comment on construction schedule. Review progress payments, chair bi-weekly construction meetings, write and distribute meeting minutes from meetings, perform construction inspections, perform punch lists and distribute to contractors and owner, assist PCCA in final acceptance of project etc.

**Project document:**

Marshalling Yard Drawing (Lot Consolidation Plan): (6 Pages)