



REQUEST FOR PROPOSALS

Public Realm Planning, Design, and Engagement Services for the Benjamin Franklin Parkway

Issued by: The Mayor's Fund for Philadelphia on behalf of The City of Philadelphia, Philadelphia Parks and Recreation, and the Office of Transportation Infrastructure, and Sustainability.

The City will host a question and answer video call on March 22, 2021 at 10:30 a.m. EST. To participate in the pre-proposal video conference please RSVP to Patrick Morgan (Patrick.Morgan@phila.gov) by March 18, 2021 with the participant's name, title, firm, e-mail address and phone number. Those participating in the video conference call will receive the log-in instructions. During the call, PPR and oTIS staff will be on hand to review the RFP process and respond to questions. Specific questions about the RFP can be submitted in writing to Patrick Morgan (Patrick.Morgan@phila.gov) by March 18, 2021. PPR and oTIS will work to answer questions received by March 18th during the conference call. The Q&A session provides an opportune time for you to ask additional questions, request clarification, and share your comments regarding this opportunity. The City will then respond, in writing, to all questions posed before and during the conference call by April 1, 2021. Responses will be posted to the Mayor's Fund for Philadelphia website.

Any general questions about this RFP should be submitted to mayorsfund@phila.gov and Patrick Morgan Patrick.Morgan@phila.gov by March 18, 2021.

Proposals must be received no later than April 16, 2021 at 5:00pm EST. A pdf version of the proposal must be emailed to: mayorsfund@phila.gov and Patrick Morgan Patrick.Morgan@phila.gov.



SECTION I INTRODUCTION

A. Statement of Purpose

The Mayor's Fund for Philadelphia ("Mayor's Fund"), Philadelphia Parks & Recreation ("PPR"), and the Office of Transportation, Infrastructure, and Sustainability ("oTIS") seek qualified professional firms that specialize in urban park design and/or landscape architecture and engineering to develop a world class public realm plan to realize permanent improvements to the Benjamin Franklin Parkway ("Parkway"). The boundaries of this project are 20th Street at the southeast to the steps of the Philadelphia Art Museum to the northwest and bordered by Winter Street on the south and Pennsylvania Avenue to the north (see Appendix A: Project Boundaries Map).

The Final Deliverable produced by the selected vendor or vendor team ("Selected Vendor and/or "Vendor") will be a schematic design public realm plan, cost estimate and project schedule for the future revitalization of the Benjamin Franklin Parkway that is based on innovative people-centric design ideas and creative approaches to transportation, economic development, and storm water management along with phased implementation.

The Selected Vendor will have a budget of \$381,000 (including all expenses -- travel, materials, supplies, etc.). Please see Section III for further clarification of the available budget.

The City envisions various experts coming together under one team managed by a "prime" consultant. Philadelphia Parks and Recreation and oTIS have identified the following as essential skill sets in the RFP. It is up to the applicant team itself to decide who should serve as the prime. Successful candidates will put together a diverse team that possess the majority of these important skills:

- Urban design and planning with an emphasis on creating an urbane 21st century, world class public realm—one that is at once intimate and expansive. Of note is the opportunity to incorporate a redesign of Eakins Oval into the public realm plan.
- Landscape architecture with an emphasis on creative green infrastructure. The Parkway is a place of high horticulture with water as an underlying design element.
- Architecture that is dignified and commensurate with the design of the cultural institutions and landscapes that currently shape the Parkway.
- Lighting and related consultants
- Creative placemaking as a way to draw the cultural life of the institutions into their gardens and as general programming that draws Philadelphians and visitors alike.
- Engagement – integrating diversity and inclusion into the design of the public realm. Engagement should be addressed and resourced from multiple fronts including civic engagement exercises, a clear social media presence, and outreach to the media.
- Economic development and revenue generation - Expertise in identifying creative and practical ways to support the Parkway District will be essential to the success of the district. Consultants should be able to evaluate parking (on street and below ground), food and beverage, and event production as opportunity areas.
- Transportation - It will be essential that the design team includes consultants with expertise in implementing state and federal highway projects. All proposed designs must be practical designs informed by constructability. The team must be committed to coordinating with concurrent transportation planning efforts underway by oTIS. Transportation expertise should also focus on looking at connections across the



Parkway to neighborhoods and regional trail networks. Additionally, well thought out designs that integrate federal and state highway regulations will be well positioned for future funding opportunities.

- Parking and mobility plan - The team will coordinate with concurrent traffic planning for Eakins Oval that is being managed by oTIS. Additionally, teams should be skilled in addressing creative approaches to parking design as well as putting forth creative solutions to removing paid parking operations on Eakins Oval.
- Infrastructure expertise - Expertise in traditional engineering-related skills (roads, stormwater, etc.). In addition, the Parkway serves as a gathering space for large-scale events covering everything from celebratory parades to serious civic protests and public health emergencies. The space must be carefully evaluated to incorporate the infrastructure necessary to better support large scale gatherings. Appropriate infrastructure will enable the Parkway to be known for well-planned and well-executed events.
- Cost estimation - Consultants will need to have experience analyzing state and federal highway projects.
- Project Phasing Plan and Costs Estimates
- Renderings, models and other forms of graphic communication to be used by the City for future public outreach and fundraising.

B. Department Overview

The Mayor's Fund for Philadelphia works in close partnership with the City of Philadelphia ("City") and private sector partners to develop and run initiatives that reflect Mayoral priorities and seek to improve the quality of life for all Philadelphians. The Fund will serve as the fiscal administrator for this contract opportunity.

Philadelphia Parks & Recreation and the Office of Transportation, Infrastructure, and Sustainability will serve as the collaborative project managers for this effort on behalf of the Fund. PPR and oTIS will assign a joint project manager to the project for the purpose of ensuring timely communication and decision making.

Philadelphia Parks & Recreation is the operating department of the City of Philadelphia responsible for the management of over 130 parks, 150 recreation centers, and 10,500 acres of open space in the City of Philadelphia. Philadelphia Parks & Recreation is the primary public steward responsible for maintaining and activating public spaces along the Benjamin Franklin Parkway.

The Office of Transportation, Infrastructure, and Sustainability leads a portfolio of departments, including Streets Transportation, Streets Sanitation, Sustainability, and Philadelphia Water Department ("PWD"). The office directs policies and practices that improve quality of life with a mission to provide cost-effective quality services with a focus on the resident.

C. RFP Process

This RFP process will take place in two phases.

PHASE 1 - RFP Release and Response: The RFP will be released. The City will then enter into a Question and Answer period. During this time, applicants will develop creative team combinations and respond to this RFP.



The diversity of the Selected Vendor team is one critical aspect of this RFP and PPR and oTIS will scrutinize qualifications to ensure genuine diversity of applicant teams. The City is also looking to see creative and unexpected skill sets coming together in order to bring an innovative approach to the project. Additionally, the City recognizes that creative approaches to engaging the public - especially given current events - will be essential to the long-term success of the project. The City will also be evaluating the submitted RFPs based on preliminary conceptual ideas put forth for the future of the Parkway. Lastly, the City will evaluate each RFP with an eye towards state-of-the-art thinking for this beloved civic space in the heart of Philadelphia.

Deliverables for the RFP Submission:

See Section IV for a detailed outline of the RFP Submission Requirements.

- Table of Contents
- Introduction
- Applicant Profile
- Project Understanding -- including the introduction of conceptual ideas for the Parkway as well as a project approach.
- Scope of Work
- Statement of Qualifications
- Additional Team Members
- Cost Proposal
- References

A selection committee made up of key City officials representing a range of departments and experience will review all responses to the RFP. An advisory panel comprised of experts such as prominent architects, landscape architects, urbanists, artists, horticulturalists and scholars will help to inform the deliberations of the City. Ultimately, City officials will be making final selections.

After reviewing and discussing the submitted RFPs, the selection committee will invite a limited number of applicants to move forward to Phase 2 of the RFP and participate in an Ideas Workshop ("Workshop").

PHASE 2 - Ideas Workshop and Selection of Finalist: The Ideas Workshop will offer a select number of applicants the opportunity to present their conceptual ideas and project approaches to City officials and the general public.

The Workshop will raise awareness for the initiative to revitalize the Parkway.

The Workshop will introduce the City and Philadelphians to a range of possibilities for revitalizing the Parkway as a valuable and vibrant public space. Simultaneously, the Workshop presents the City with an opportunity to facilitate a conversation at the outset of the project that acknowledges the challenges and opportunities that this moment in history presents relative to the shaping of the future of the Parkway.

To that end, Applicant teams selected to participate in the Ideas Workshop must include professionals equipped to address diversity, equity and inclusion in public space design. The ability to navigate these conversations in a genuine and inclusive way will be a key component of selecting a vendor to create the public realm plan.

The Lindy Institute for Urban Innovation at Drexel University ("Institute") will manage the Workshop on behalf of the City. The Institute will prepare a briefing book and frame the



charge to the teams. It is important to note that the City is not seeking a design during this phase of the project. At the end of Phase 2, the selection committee will select a finalist team who will be awarded the contract to create the Public Realm plan and deliver the services outlined in Section III of this RFP.

The teams selected to participate in the Ideas Workshop will receive an honorarium of \$10,000.

Deliverables for the Ideas Workshop:

- Basic conceptual ideas for the Parkway demonstrating how the team would approach the design process along with relevant case studies.
- Development of project approach
- Presentation to the public including team qualifications, conceptual ideas, and project approach
- Participation in a public conversation about the future of the Parkway with a focus on equity, inclusion and diversity in public space design.
- Should a public meeting take place in person, relevant printed graphics would be required for display

These deliverables will become key elements for determining the Selected Vendor.

Following the Workshop, the selection committee will choose one team to be awarded the contract. Based on the ideas presented in the Workshop and the public conversation generated, the City may ask the selected team to emphasize and/or expand on certain aspects of their concept.

Please refer to the timeline in Section III for the anticipated RFP process schedule.

D. General Disclaimer

This RFP does not commit the Fund or the City of Philadelphia to award a contract. This RFP and the process it describes are proprietary to the Fund and the City and are for the sole and exclusive benefit of the Fund/City. No other party, including any Applicant, is intended to be granted any rights hereunder. Any response, including written documents and verbal communication, by any Applicant to this RFP, shall become the property of the Fund/City and may be subject to public disclosure by the Fund/City, or any authorized agent of the Fund/City, at the sole discretion of the Fund and the City.

Additionally, the Fund and the City reserve the right to modify specific requirements stated herein based on changed circumstances, the proposal selection process, and contract negotiations with the Applicant(s) selected for negotiations, and to do so with or without issuing a revised RFP.

The Fund and the City reserve the right to award this opportunity in whole or in part to one or several Applicants. While it is encouraged that Applicants form well-balanced teams, the Fund and the City reserve the right to make final selections regardless of the teams proposed.

SECTION II PROJECT BACKGROUND AND OBJECTIVES

This section first outlines the background of the project providing some context about the past, present and future of the Benjamin Franklin Parkway. It also states the objectives of the project.

Project Background

The Past

The Benjamin Franklin Parkway ("Parkway") is the premier ceremonial and cultural boulevard of the City of Philadelphia. It is also a significant vehicular feeder route to the city from its northwestern neighborhoods and suburbs.

Stretching one-mile from the soaring Second Empire-style City Hall to the iconic steps of the Classical Revival Philadelphia Museum of Art ("Art Museum") atop the former city reservoir at Fairmount, the Parkway is a City Beautiful-era planning tour-de-force.

Indeed, the Parkway is a signature view of Philadelphia today made famous by signal cultural events such as the 1976 film *Rocky* and the international Live 8 concert in 2005. It is the home to eight of Philadelphia's premier cultural institutions¹; bounded by 60,000 Philadelphians living in adjoining neighborhoods; and it accommodates countless events each year from neighborhood festivals, charity runs, and holiday concerts to once-in-a-lifetime international gatherings such as the visit by Pope Francis in 2015. More than 3 million people a year visit the museums or attend events along the Parkway.

Conceived in 1871 as a link between the industrial city and the healthy climes of nearby Fairmount Park, the Parkway we see today was largely designed in 1917 by the French landscape architect, Jacques Greber, and the French architect, Paul Cret. Greber envisioned the Parkway as a "green wedge of park"² serving as the entrance to Philadelphia's monumental 4000-acre watershed park – a landscape that encompasses East and West Fairmount Park and the Wissahickon Valley Park.

Cut diagonally across the original city grid, the Parkway is a major civic work of early-20th century planning. With the removal of approximately 1600-buildings, the Parkway became a multi-lane boulevard punctuated by Logan Circle in the place of William Penn's original northwestern public square and Eakins Oval at the base of the steps of the Art Museum. As a part of Fairmount Park, the 67-acres of the Parkway fall under the jurisdiction of PPR.

Today's Parkway has evolved over the past century from a series of parks and cultural institutions lining the pleasure drive entrance to the park to become a major automobile route

¹ The Philadelphia Museum of Art, the Rodin Museum, The Barnes Foundation, The Franklin Institute, the Academy of Natural Sciences of Drexel University, Moore College of Art, the Free Library of Philadelphia, and the Basilica of Saints Peter and Paul. The Calder Museum, planned for a site across from the Barnes Foundation is in the planning stages. In addition, the Parkway is home to a significant collection of outdoor public art commissioned by the Association for Public Art (formerly the Fairmount Park Art Association whose 1907 plan for the "Fairmount Parkway" spurred the creation of today's Parkway), the City of Philadelphia, the cultural institutions and other groups.

² Brownlee, David, *Building the City Beautiful*, p. 31

into the city. In 1960, Philadelphia planner Edmund Bacon, enlarged Eakins Oval to create the 8-acre traffic and parking circle we see today, solidifying the automobile-centric identity for the Parkway that lasted through the later-half of the 20th century.

Starting in the late 1990s, the Benjamin Franklin Parkway benefited from a series of public and private investments. These included the move of the Barnes Foundation to the Parkway, the renovation of the Rodin Museum and garden by the Philadelphia Museum of Art, the opening of the Perelman Wing of the Philadelphia Museum of Art, the creation of Sister Cities Park and café at Logan Square by the Center City District, various public art and placemaking installations including The Oval implemented by PPR on Eakins Oval, and the restoration of Logan Square, itself. In addition, \$20M in state, City, nonprofit and philanthropic funds was spent to improve the street, sidewalks and bike lanes in advance of the opening of the Barnes Foundation in 2012.

In 2013, PPR began to think about comprehensively enhancing the Parkway as a beloved park space for Philadelphians to use on a regular basis. In response, PPR published *More Park, Less Way*, an action plan that engaged the community in thinking about the future of the Parkway. The plan recommended a series of actions that would make the Parkway into a pedestrian-centric, 21st century public space through the creation of a series of intimate and connected garden space made accessible through increased traffic calming measures.

The Present

Building on the recommendations from *More Park Less Way*, Parks and Recreation has spent the last seven years experimenting with a series of temporary public spaces, placemaking activities and amenities along the Parkway. These temporary spaces, which includes the creation of The Oval on Eakins Oval, have been a success - bringing people together, building social capital, and reconnecting people to the Parkway. Additionally, the City, neighborhood groups, and private entities have been working together to implement permanent public space improvements along the Parkway. Von Colln's playground has been renovated and now includes a popular spray park. The Winter Street Greenway is currently being developed to include a children's play space and dog park. Ground has been broken on Maja Park at 22nd Street extending approximately two blocks on the south side of the Parkway. Maja Park will offer landscape upgrades, walking paths, flexible space and will provide a new home for Gerhard Marcks' Maja sculpture.

Today, Parks and Recreation, together with the Office of Transportation, Infrastructure, and Sustainability, are ready to implement additional permanent improvements to the Parkway. Their first step is moving forward with permanent improvements centered on resolving serious transportation challenges that hamper the Parkway's ability to become a truly vibrant, pedestrian-oriented civic space. In 2019, the City engaged Whitman, Requardt & Associates, LLP ("WRA") to provide traffic engineering analysis and roadway concept ideas centered on creating a better experience for people walking and bicycling along the Parkway.

It is also important to note that since March 2020, the Parkway has figured prominently in the Philadelphia narrative as the City grappled with responding to and managing the coronavirus pandemic and then facing the waves of protests and civil unrest that swept Philadelphia following the murder of George Floyd in late-May 2020. During this time period, the Parkway has been viewed by many as an important pedestrian and bicycle feeder route and relief valve for citizens living in dense Center City neighborhoods seeking socially distant outdoor space opportunities. Many of the city's well-used parks and trails such as along Kelly Drive and the Schuylkill River Trail have become seriously overcrowded and the need for expansive public spaces that are part of a larger network became noticeably acute. Additionally, because the Parkway frequently serves as a key site for a variety of large-scale peaceful protests with



activists stretching from the steps of the Art Museum to City Hall it was a natural gathering place for the many protests related to the Black Lives Matter movement. In light of the fast-moving events of the day and the continued uncertainty around what a post-Covid/post-George Floyd world is like, this project to design permanent improvements to the Parkway must address these issues head on.

The Future

The city remains in the midst of these crises and these events may arise yet again. Notwithstanding these conditions, the goal of this project is to ensure that the next iteration of the Benjamin Franklin Parkway is a safe, welcoming, healthy, flexible, inclusive and accessible civic space where all Philadelphians are accepted, feel at home, and continue to cherish what has become Philadelphia's Main Street.

Above all else, the public realm plan must meet the highest standards of 21st century urban design, planning, landscape architecture and storm water management that are complementary to the Parkway's early-20th century level of design excellence.

Project Objectives

The Parkway is an iconic public space, a critical gateway into Center City, and a vibrant arts district and this planning effort is intended to use high-quality urban design to enhance these existing strengths and shape the Parkway into a more vibrant public realm for the City of Philadelphia. PPR and oTIS are committed to ensuring that the plan is developed with a strong foundation based upon a solid analysis of past planning efforts, best practices, current events, and, importantly, thoughtful and inclusive conversations with Philadelphians about the identity of the Parkway today in the public life of the city.

With this understanding, the City of Philadelphia is looking for innovative, creative design teams with diverse skill sets that can come together to improve pedestrian and bicycle connections and reinvent existing, underutilized areas of the Benjamin Franklin Parkway. Furthermore, the design of the final plan will envision the Parkway project area as the site for signature green stormwater infrastructure with a design process that proactively seeks to exceed minimum standards for stormwater capture and storage.

The Public Realm Plan

The design objective of the project is to create a world-class public realm plan for pedestrian-centric, permanent improvements that will dramatically improve the appeal, use, safety, functionality and beauty of the Parkway—arguably the city's most iconic landscape.

The urban design, landscaping, traffic and pedestrian safety improvements to the Parkway's public realm shall be designed to the highest 21st century design standards. They shall complement, enhance and support the landmark 20th century level of urban design excellence achieved by architect Paul Phillipe Cret and landscape architect Jacques Greber in their tour-de-force 1907-17 City Beautiful plan for the Parkway.

Furthermore, it is important to note that individual buildings such as the Philadelphia Museum of Art, the Rodin Museum, the Barnes Foundation and the planned Calder Museum, are architectural and landscaping masterworks in their own right and the public realm plan for the Parkway shall further cohere all of these elements into an elegant, dignified and unified composition.

In short, the Parkway advances a collective vision of the fusion of Philadelphia's highest ideals of urban design, landscape design, architecture, horticulture and public art.

In advance of this planning process, oTIS has engaged Whitman, Requardt & Associates, a transportation planning firm, to reimagine Eakins Oval as a neighborhood park and world class public space. WRA is tasked with the possible conversion of the outer lanes of the Parkway to park space, closure of the roadway direction in front of the Art Museum's steps across from Eakins Oval, and incorporation of modern roundabouts as intersection traffic control, with the goal of achieving a concept for street infrastructure that can enable creation of more park space adjacent to the Museum of Art and create a better experience for people walking and bicycling, while reasonably accommodating traffic circulation. The Selected Vendor and/or vendor team will be expected to coordinate with this effort. This traffic planning will be conducted concurrently with the urban design initiative for the Parkway. The Vendor will be able to incorporate well-vetted, creative transportation solutions into a final design.

Implementation of key aspects of this public realm plan are intended to be able to be achieved in time for the 2026 celebration of the Semiquincentennial (250th anniversary) of the signing of the Declaration of Independence in Philadelphia in 1776. The Selected Vendor team is expected to create a public realm plan with this implementation timeline in mind.

An important goal of this project is to enable the Parkway to be a place that can better serve as a city (and regional) premier event and gathering space while also supporting a variety of public amenities, horticulture, public art and innovative programming on a daily basis. Additionally, in light of current events, PPR and oTIS recognize that the Parkway can also play an important role in serving as a flexible public space that can be rapidly adjusted based on changing conditions—from unanticipated widespread public health crises to democratic protests to celebratory parades.

Addressing Civic Engagement and Current Events

A social objective of the project centers on continuing PPR and oTIS' commitment to civic engagement. Civic engagement has been the cornerstone of recent initiatives related to the future of the Parkway. For example, PPR's 2013 *More Park Less Way* plan and the subsequent Oval+ project on Eakins Oval were predicated on robust public outreach and successfully laid the groundwork for wide community buy-in for this next phase of improvements. The City has implemented many of the recommendations of *More Park, Less Way*. It is critical that any ongoing engagement related to the future of the Parkway should look to, learn from and build on these past efforts.

However, current events in Philadelphia, and across the country, present design teams with a changed perspective. Therefore, a critically important objective of this initiative will be to engage a wide variety of diverse audiences in a civic conversation about the role that the Parkway can play in achieving the goal of an equitable and inclusive Philadelphia.

Applicant teams should look to utilize design to spur conversations that can help rebuild the city's sense of community in light of the impact of COVID-19 and the protests and civil unrest in the aftermath of the death of George Floyd. The social importance of this space must be carefully considered in any proposed approach to the project.

SECTION III PROPOSED SERVICES

A. Public Realm Plan Scope of Work - including services and deliverables

The Selected Vendor will work with a City-designated Project Manager, Project Team, and a Steering Committee throughout the duration of the project. This group will be responsible for providing feedback on tasks, services, and deliverables associated with the project. The group is made up of representatives from Parks and Recreation, oTIS, Parkway Council Foundation, Councilman Clarke's office, Logan Square Neighborhood Association, the Mayor's Office, and Lindy Institute for Urban Innovation of Drexel University.

The Project Manager will be the primary contact at the City for the Selected Vendor and will be responsible for coordinating the timely completion of tasks, services, and deliverables associated with the project.

Applicants should be a team of individuals, organizations, or entities that agree to collaborate to provide the services and achieve the objectives outlined in this RFP. Preference will be given to diverse teams that can demonstrate that they include most or all of the competencies needed to carry out the services listed RFP.

The components outlined below should serve to inform the development of proposed services. The Applicant's proposed scope of work should state in detail how the team proposes to carry out each task, including the personnel responsible for completing the task. For each service specified the team should propose criteria to determine when the tasks comprising the service are completed. Applicants may propose additional or revised services and tangible work products but should explain why each is necessary to achieve the project objectives.

Task 1: Project Kick-Off Meeting:

The Applicant will organize a project kick-off meeting with the Project Team to discuss responsibilities and expectations for the services outlined in this scope of work. At the meeting, the Applicant will present an agreed-upon work plan (see *note below) including meeting schedules, deadlines, and project milestones. At this time the City will deliver data and research collected. The Applicant will submit a final work plan that incorporates any final feedback from the Project Kick-off Meeting no later than one week after the meeting. The City reserves the right to provide feedback on the work plan until it meets the City's requirements. The Project Manager will support the Applicant in organizing required meetings.

***Please note:** The majority of project scoping and contract negotiation will be completed prior to the kick-off meeting and will not be discussed during the kick-off meeting. The primary purpose of the kick-off meeting is to ensure there is a clear understanding of project goals and methodology. Consultants are not permitted to charge for time associated with scoping prior to the Project Kick-off Meeting.

Task 1 Deliverable:

- Final work plan incorporating any final feedback from the Ideas Workshop and the kick-off meeting; due no later than one (1) week after the meeting. The final work plan will include a clearly outlined approach to civic engagement.



- Minimum required meetings following the kick-off meeting will include:
- Weekly calls and/or meetings as needed with the Project Manager and/or Project Team regarding project status, challenges, findings, deliverables, and schedule. May be made bi-weekly upon mutual agreement of the Selected Vendor and Project Team.

Task 2: Discovery:

Collect and synthesize data. Interview City officials, key stakeholders, community members, and Parkway users combined with a review of past planning efforts will bring all team members up-to-speed on the background of the project. On the ground site visits will help form ideas for the future of the Parkway The Selected Vendor team will document conditions through photos, videos, measurements, etc. The Vendor Team will also identify any factors that could influence the revitalization of the site - i.e. zoning, adjacent site constraints, easements, access, connectivity, concurrent traffic studies, nearby development, etc. During this phase, the team will also begin to research market conditions to inform the economic development plan.

Task 2 Deliverables:

- Minimum required meetings with Project Manager and/or Project Team regarding status, site challenges, findings, deliverables. These meetings may be bi-weekly and can occur via conference call/Zoom.
- Base Map of study area - topography, property lines, ownership, utilities, easements.
- A memo documenting:
 - Findings from interviews
 - Findings from site visits
 - Initial conclusions/priorities that will help guide the design
 - Selection of areas to take into final conceptual designs
 - Best practice research and case studies that are applicable to goals of the project.

Task 3: Designs

Further develop concepts advanced in the Workshop phase and informed by the Discovery Phase into three conceptual plans for the Parkway from 20th Street to the Art Museum.

Task 3 Deliverables:

- Phased conceptual designs that present varying approaches to the public realm planning of the Parkway. The intent of this exercise is to investigate levels of design intervention in the public realm that correlate with varying levels of investment. Order of magnitude cost estimates for the proposals will be presented along with the design approaches.
- Refinement of one schematic design and cost estimate based upon a review of the conceptual designs.
- Allow for up to six renderings of significant sites, public spaces, activities, vistas, landscapes, pedestrian and bicycle crossings, public infrastructure and other innovative aspects of the plan. These renderings will be used by the City for publication in the media, at public events and as the basis for fundraising. The renderings should include at least one plan, one perspective, and one section as needed to convey the concept in its entirety.
- Allow for a digital model of the Parkway to be used by the design team during the design phase. This model will be designed to be available to the public following the completion of the project.



- As an add alternate, include the creation of a scale model of the Parkway that can be displayed to the public such as the [Reyburn model of 1911](#) that was displayed in the Mayor's Reception Room in City Hall.
- The programmatic aspects of the public realm plan shall include but not be limited to the following elements:
 - Landscape and park design of varying scales from intimate play spaces for children and senior citizens to regional gatherings.
 - These spaces must accommodate people of all ages and from diverse backgrounds on a daily, weekly and monthly basis.
 - Landscaping to include signature green infrastructure that creatively manages storm water. Of note is the historic use of water as a design element along the Parkway.
 - Infrastructure, storage and laydown space, lighting, power, support areas and other permanent elements necessary for the ease of set-up, staging and take down of temporary events.
 - Social amenities such as cafes, kiosks, seating (fixed and moveable), bocce courts, chess tables, fountains, small boat basins, public restrooms and other elements essential to creating an inviting public realm throughout the day, week, month and year.
 - Street crossings that privilege the pedestrian and cyclists and encourage safe pedestrian passage along the entire length and breadth of the Parkway including up to the base of the steps of the Art Museum.
 - Spaces for temporary and seasonal displays of horticulture and public art.
 - Spaces and infrastructure that enable the cultural institutions to easily provide outdoor programming and spaces that accommodate creative placemaking activity and general programming along the length of the study area.

Task 4: Phasing and Cost Recommendations

Recognizing that implementing the proposed designs will be a long-term multi-phased initiative, it is essential that the Selected Vendor develop thoughtful phasing plans and well considered cost estimations - in particular, the Vendor must incorporate costs associated with work on and around state and federal highway projects.

Task 4 Deliverables:

- Project phasing plan
- Cost Estimations
- It is important to emphasize that the City intends to proceed with the implementation of key aspects of the public realm plan in time for the 2026 Semiquincentennial celebration of the signing of the Declaration of Independence.

Task 5: Economic Development:

Vendor will provide a formal plan that includes an analysis of programming and revenue generation opportunities. Important areas to evaluate for revenue generation are parking, events, food and beverage concessions, sponsorships, and programming. The Parkway serves as a gathering space for large-scale events covering everything from celebratory parades to serious civic protests and public health emergencies, the space must be carefully evaluated to incorporate the infrastructure necessary to best support these large-scale gatherings. Additionally, the Parkway is an important neighborhood gathering space. These gatherings are just as important to the overall success of the improved public realm and it is essential to consider equitable access to spaces and events on the Parkway. Appropriate



infrastructure will enable the Parkway to become known for well-planned and well-executed events - at any scale. Well-run events will make the Parkway an attractive place to live, do business and visit--this is a clear economic development opportunity.

- The economic development plan should include an analysis of and recommendations for key embedded infrastructure that would ensure that the Parkway can function as a flexible space that is nimble enough to quickly respond to public space needs for anything: Emergencies, larger-scale celebrations, and even day-to-day changing uses and needs.
- The plan should analyze the current process applicants go through to host events - permitting, impact fee expectations, etc. These should be compared to other best practices and recommendations should be put forth for improved event management.
- The teams should develop a framework for how the City can maintain the new public spaces at a high level based on revenues generated.
- The team should offer recommendations for new approaches to parking. These recommendations would relate to revenue generation as well as designing and locating parking. This work must be coordinated with concurrent traffic planning by oTIS.

Task 5 Deliverables:

- Economic development plan as described above.

Task 6: Transportation and Infrastructure Plan

The Selected Vendor should develop a plan that incorporates concurrent initiatives and examines how innovative infrastructure can enhance the district and ensure ongoing and safe access to the cultural institutions that line the Parkway during the staging and implementation of large-scale events. The infrastructure plan should also present an understanding of how to handle egress, ingress, and existing parking and examine important pedestrian connections across the Parkway to nearby neighborhoods and regional trail networks. Signature green stormwater infrastructure will be the result of a design process that proactively seeks to exceed minimum standards for stormwater capture and storage.

Additionally, it is essential that proposed transportation and infrastructure enhancements are practical and informed by constructability. Transportation and infrastructure plans that carefully integrate federal and state highway permitting requirements will be well positioned to garner future public funding.

Task 6 Deliverables:

- Transportation Plan
- Infrastructure plan

Task 7: Civic Engagement

The Selected Vendor must design and conduct civic engagement activities and meetings to seek public input for the design and implementation of the permanent improvements to the Parkway. Engagement should occur throughout the course of the project. Recognizing current constraints and current events, the City welcomes creative and innovative thinking for engagement activities. Things to consider in proposed engagement plans:

- Vendors should discuss how they will ensure that both the design process and the design recommendations will address issues of equity and inclusion.
- The engagement strategies should also be informed by and build on previous engagement efforts related to the Benjamin Franklin Parkway. The approach may need to utilize various engagement options depending on the state of the pandemic and safety of public gatherings.



- Engagement plans should offer support for and initiate media placement in global, trade, and local publications. The ability to pitch a story to local radio and news outlets will build support and generate interest. Because this is a long-term planning effort with a many-phased implementation plan, a strong plan for engaging the media will help ensure continued buy-in.
- Engagement plans should support a social media campaign. The ability to actively engage in online conversations - Tweets, Instagram, Facebook - will enable more Philadelphians to engage with the project - particularly in light of the current inability for in person public meetings. The design team should work with the City to develop a message and tone as well as any necessary graphics that will enable social media to be a key component of civic engagement.

The social importance of the Parkway cannot be understated and engagement that is dynamic, inclusive and genuine is essential to the success of the project.

Task 7 Deliverables:

- An organized and thoughtful written engagement plan should be provided to the City at the Kick-Off Meeting. The engagement plan is an essential component of the work plan.
- Civic engagement will be an ongoing component of the project.
- Public presentation of recommendations at strategic intervals throughout the project (tentatively 4 public presentations - after the Discovery Phase, after the Preliminary Planning Phase, after Final Design, and the Final Event). The final presentation will be public and may take any number of forms. It is up to the Selected Vendor to propose something innovative and creative that will serve to build momentum for the long-term nature of this initiative.
- The Selected Vendor should consider tangible products that can be widely shared by Philadelphians. These products may take many different forms - from the ephemeral brochures, stickers, postcards, etc to documents and images that will withstand the test of time such as Jacques Greber's 1919 watercolor and ink rendering of The Parkway from Fairmount to Logan Square which is in the Library and Archives of the Philadelphia Art Museum.
- The City encourages all applicants to be innovative when it comes to civic engagement. Due to social distancing regulations, the City encourages teams to try out new methods of engagement, particularly methods that can prove to be more inclusive.

The Applicant's proposed scope of work should address each element outlined above and describe, in detail, how the Applicant will achieve the objective and stated deliverable.

B. Timeline and Budget

Timeline

Task	Date
PHASE 1 - RFP Release and Response	
RFP Released	March 4, 2021



RSVP for Q&A Session due	March 18, 2021
Deadline to submit questions	March 18, 2021
Q&A Session - via video	March 22, 2021
Briefing Book Creation	March through May 2021
City responds to questions	April 1, 2021
Proposals Received	April 16, 2021
City Review Submissions; Conducts Interviews	Mid April through end of May
City notifies candidates selected for Ideas Workshop	June 1, 2021
PHASE 2 - Ideas Workshop	
Kick-off Meeting with Workshop Finalists	June 8, 2021
City begins PR/promotion for Workshop	early June
Workshop Start/Release Briefing Book	June 8, 2021
Contracting Period	June 1st-30th 2021
Workshop period	June 8th-22nd 2021
Workshop Entries Due	June 23, 2021
City review of Ideas Workshop entries and City comment period	June 23rd-June 25th 2021
Public Presentations and Jury Panel	June 30, 2021
Finalist Announced	July 7, 2021
Finalist team selected	July 7, 2021
Finalize contracts	July - August 2021
Public Realm Plan	
Kick-off Meeting	summer 2021
Discovery Phase	summer 2021



Civic Engagement	fall 2021
Preliminary planning and design	fall 2021
Civic engagement	fall 2021
Incorporate changes	winter 2021
Final Design	winter 2022
Civic Engagement	winter 2022
Final Report	spring 2022
Final Event	spring 2022

Budget:

Phase 1-2: Teams selected to participate in the Ideas Workshop will receive an honorarium of \$10,000.

Public Realm Plan: Estimated Budget for the Public Realm Plan is \$381,000 (including all expenses). Teams will be expected to budget resources to address civic engagement.

The Fund, PPR, and oTIS reserve the right to condition payments on the satisfactory completion of the specified milestones, tasks, services and/or work products listed above. In addition to describing how each proposed milestone will be accomplished, the scope of work proposed by Applicant should identify the milestones the Applicant proposes as payment milestones and the amount it proposes for each milestone payment. Applicants may propose alternative means of payment but should explain their reasons for the alternative and how it will facilitate completion of the work.

C. Hours and location of work

In light of current social distancing requirements, the City will likely respond to questions via video conference. Should social distancing regulations change, the City will consider opportunities for an Ideas Workshop conducted in-person.

Because this work is a study of activities and public space, much of the observational work will be performed on evenings and weekends. Consultant teams will be required to be on site and make in-person site visits to Philadelphia. Project meetings will occur during regular work hours between 8am and 5pm Monday through Friday. In light of social distancing requirements, the City is aware that some meetings, stakeholder interviews, and public engagement events will need to take place through video conferences.



SECTION IV HOW TO APPLY/SUBMISSION REQUIREMENTS

Organization & Personnel Qualifications:

The proposal must identify all personnel who will perform work on the project, by education level, skill set (described in detail), experience level, and job title. Resumes of all personnel so identified should be included in Applicant's proposal.

An Applicant should be a team of individuals, organizations, or entities that agree to collaborate to achieve the goals and objectives outlined in this RFP. Preference will be given to applications that include most or all of the services listed below in their proposal.

The Mayor's Fund is a nonprofit that supports the growth of minority businesses. Applicants whose leadership, workforce, and/or suppliers represent people of color, women, LGBTQIA+ people, gender-oppressed people, veterans, and people with disabilities are encouraged to apply. As a separate document, Applicants must include a completed Diversity Disclosure Report. This form is attached to this RFP as **Appendix B.**

A successful Applicant team will have as many people as possible representing the following qualifications:

- Urban design and planning
- Landscape architecture with an emphasis on creative green infrastructure
- Architecture
- Lighting and related consultants
- Creative placemaking
- Engagement – integrating diversity and inclusion into the design of the public realm. Engagement should be addressed from multiple fronts including civic engagement exercises, a clear social media presence, and outreach to the media. Experts in community engagement should have demonstrated experience with creative approaches to larger scale community outreach.
- Economic development and revenue generation - Expertise in identifying creative and practical ways to financially support the district will be essential to the success of the district. Consultants should be able to evaluate parking (on street and below ground), food and beverage, and event production as opportunity areas.
- Transportation - It will be essential that the design team includes consultants with expertise in implementing state and federal highway projects. All proposed designs must be practical designs informed by constructability. The team must be committed to coordinating with concurrent transportation planning efforts underway by oTIS. Transportation expertise should also focus on looking at connections across the Parkway to neighborhoods and regional trail systems. Additionally, well thought out designs that integrate federal and state highways regulations will be well positioned for future public funding opportunities.
- Parking and mobility expertise - The team must be committed to coordinating with concurrent traffic planning for Eakins Oval that is being managed by oTIS. Additionally, teams should be skilled in addressing creative approaches to parking design. Providing parking beneath Eakins Oval is to be explored.
- Infrastructure expertise - Expertise in traditional engineering-related skills (roads, stormwater, etc.). In addition, the Parkway serves as a gathering space for large-scale events covering everything from celebratory parades to serious civic protests and public health emergencies. The space must be carefully evaluated to incorporate



the infrastructure necessary to better support large scale gatherings. Appropriate infrastructure will enable the Parkway to be known for well-planned and well-executed events.

- Experience in cost estimation - In particular, consultants will need to have experience analyzing state and federal highway projects.
- Project phasing expertise

A successful Applicant team will demonstrate how they will build a design around the unique opportunities and constraints found along the Benjamin Franklin Parkway, and will not rely on replicating designs from other cities.

Scope of Work Description:

Please note, all teams should submit complete responses to this RFP. Based on the response to this RFP, the City will select a limited number of teams to participate in the Ideas Workshop. The Ideas Workshop is an opportunity for a few select teams to publicly present their conceptual and initial ideas as outlined in the submitted RFP. Based on the ideas presented at the Workshop, the City will select one team to complete the Public Realm Plan for the Benjamin Franklin Parkway.

Applicant teams should submit a single proposal on behalf of the entire Applicant team and must indicate which team members are responsible for each component of the scope proposed.

Proposals submitted in response to this RFP must include a cover letter signed by the person authorized to issue the proposal on behalf of the Applicant, and the following information, in the sections and order indicated:

1. Table of Contents

2. Introduction/Executive Summary

Provide an overview of the services being sought and proposed scope of services.

3. Applicant Profile

Provide a narrative description of the Applicant team, highlighting the member of the team that will serve as the "prime". For the prime, the following information should be included:

- A) Applicant's business identification information, including name, business address, telephone number, website address, and federal taxpayer identification number or federal employer identification number;
- B) A primary contact for the Applicant, including name, job title, address, telephone and fax numbers, and email address;
- C) A description of Applicant's business background, including, if not an individual, Applicant's business organization (corporation, partnership, LLC, for profit or not for profit, etc.), whether registered to do business in Philadelphia and/or Pennsylvania, country and state of business formation, number of years in business, primary mission of business, significant business experience, whether registered as a minority-, woman-, or disabled-owned business or as a disadvantaged business and with which certifying agency, and any other information about Applicant's business organization that Applicant deems pertinent to this RFP.



4. Project Understanding

Provide a brief narrative statement that confirms Applicant's understanding of, and agreement to provide, the services and/or tangible work products necessary to achieve the objectives of the project that is the subject of this RFP. Applicant shall describe how the business experience of the team will benefit the project.

Based on the team's understanding of the City's objectives for this project as well as the team's combined skill sets, this is where the team should develop and discuss some conceptual ideas for the Parkway. The City will also be looking for a clearly articulated approach to the project. Applicants should clearly outline how their team brings innovative perspectives to all aspects of the project.

This component of the RFP will be carefully examined by the City selection committee. The response to the project understanding will be important in determining the finalist teams to participate in the Ideas Workshop.

5. Proposed Scope of Work

Provide a proposed scope of work in accordance to Section III of this RFP. The scope of work should address each task specifically and describe in detail how the Applicant will achieve the task, or how the Applicant will enable the City to achieve the task objective.

The scope of work proposed by Applicant should include a detailed project schedule that identifies all tasks, activities, deliverables, and milestones the Applicant proposes to carry out for the project and a time of completion (measured from project start date) for each. The Applicant should state the number of days following the Department's authorization to proceed under the contract by which it will be ready to start the work, including any mobilization time. If the Applicant proposes a different overall time of performance, it should state its reasons. The proposed scope of work should state in detail how the Applicant will produce the work products/deliverables, including the personnel/job titles that will be responsible for delivering the work product, and proposed criteria for satisfactory completion and delivery. Applicants may propose additional or revised tangible work products but should explain why each is necessary to achieve the project objectives.

6. Statement of Qualifications; Relevant Experience

Provide a statement of qualifications and capability to perform the services sought by this RFP, including a description of relevant experience with projects that are similar in nature, size and scope to that which is the subject of this RFP. If any minimum qualifications for performance are stated in this RFP, Applicant must include a statement confirming that Applicant meets such minimum requirements.

7. Proposed Additional Team Members

State whether the names and roles of fellow team members that will be engaged to to perform any portion of the work sought by this RFP. For each such subcontractor, provide the name and address of the subcontractor, a description of the work that the subcontractor will provide. Additional team members should also include descriptions of relevant experience with projects that are similar in nature, size, and scope to this proposed project.

Cost Proposal:



Applicants selected to be a part of the Ideas Workshop will receive an honorarium for their work. Therefore, a cost proposal from the applicants should include only the costs related to the performance of the services outlined in Section III (Proposed Services).

Applicants must provide an itemized cost proposal, with a line-item breakdown of the costs for specific tasks and work products proposed. It is required that the Applicant break down its cost proposal by Work Product/Deliverable. The proposed price must also include all costs that will be charged to the Fund for the services and tangible work products the Applicant proposes to perform and deliver to complete the project and including, but not limited to, costs for the following, if the Fund is to pay for them: employee compensation and fringe benefits; printing; administrative and overhead expenses; public meeting expenses; travel (reimbursable only at rates approved by the Fund and Project Manager); direct expenses for subcontracted professional services (to be approved in writing by the Fund); and all other work proposed. Any contract resulting from this RFP will provide for a not-to-exceed amount in the compensation section of the contract.

References:

Provide at least two references, preferably for entities for which Applicant has produced products that are similar in type, scope, size and/or value to the work sought by this RFP, done in cities that are similar in size to the City of Philadelphia (or if not possible, in cities with a minimum population of 100,000 people). Attach the final deliverable of at least one of those projects. If applicable, the Applicant should provide a reference regarding experience with, or approach to community outreach, and a sample of that work. For each reference, include the name, address, e-mail and telephone number of a contact person.

Deadline for Submission:

Responses to this RFP must be emailed as a single pdf by 5:00 pm April 16, 2021 to mayorsfund@phila.gov and Patrick.Morgan@phila.gov. Submissions must contain the subject line "Benjamin Franklin Parkway RFP Submission."

Proposal Review and Selection Process:

After the public posting of the RFP, the City will allow time for applicants to submit written questions about the RFP, and a virtual meeting will also be held for any prospective applicants to attend to ask questions or learn more about the project. Written questions will be responded to in writing and will be posted on the Fund website. The City will also provide and post a recap of the meeting.

The City anticipates the following deadlines:

RFP submissions will be due on April 16, 2021 at 5:00pm EST. RFP responses must be submitted to the mayorsfund@phila.gov and Patrick.Morgan@phila.gov.

The City will select a limited number of applicants to participate in an Ideas Workshop. This announcement will be made on June 1, 2021 with the Workshop to be held June 30, 2021.

Based on the outcome of the Workshop, one finalist will be selected and awarded a contract to prepare a final plan for the future of the Benjamin Franklin Parkway. The City anticipates announcing the final candidate on July 7, 2021.



The successful candidate team will be the group of experts who demonstrates the knowledge, experience and ability to perform the work effectively.

SECTION V STANDARD TERMS

The Mayor's Fund for Philadelphia serves as a Fiscal Sponsor for projects and programs administered by The City of Philadelphia (the "City") and City-Related Agencies in support of the Mayor's core priorities. The Fund is responsible for implementing procedures that honor Chapter 17-1400 of the Philadelphia Code.

By submission of a proposal in response to this RFP, the Applicant agrees that it will comply with all contract monitoring and evaluation activities undertaken by the City of Philadelphia and the Mayor's Fund for Philadelphia.

For this contract opportunity, the Mayor's Fund has agreed to act as the "Fiscal Sponsor" for the City of Philadelphia Parks and Recreation and office of Transportation, Infrastructure, and Sustainability in order to facilitate The Future of the Benjamin Franklin Parkway on the City's behalf. The contract or contracts resulting from this RFP will be held between the Mayor's Fund and the selected applicant(s).

Contractual terms the chosen applicant will be expected to agree to are outlined below. By submitting a proposal in response to this RFP, the applicant acknowledges and agrees to be bound by these terms unless otherwise noted in the applicant's proposal. The applicant may suggest alternative language to the following terms, and at the Fund's sole discretion, negotiation may be possible to accommodate an applicant's requested changes during the contracting phase.

A. Insurance Requirements

The standard minimum insurance policy requirements to be maintained by Vendor of The Mayor's Fund are listed below. Vendor must maintain:

1. Workers' compensation (or similar) insurance as required by the jurisdiction where the Services are performed
2. Commercial general liability insurance (including products liability, completed operations and contractual liability coverage) with minimum limits applicable to bodily injury and property damage of \$1,000,000 per occurrence, and \$2,000,000, and containing a waiver of subrogation against The Fund
3. Excess or umbrella insurance with minimum limits of \$1,000,000 per each occurrence and in the aggregate and containing a waiver of subrogation against The Fund
4. Errors and omissions insurance with minimum limits of \$1,000,000 combined single limit

Such policies must (a) be in Vendor's name unless agreed upon in writing by The Fund, (b) include The Fund and its employees as additional insureds, (c) not have a deductible exceeding \$25,000 per claim, and (d) be placed with insurers reasonably acceptable to The Fund, having a Best's rating of no less than "A-". These minimum insurance amounts are not to be construed as limiting a Contractor's right to obtain additional coverage and higher liability limits at Contractor's discretion. Contractor may be required to provide proof of insurance at the Fund's discretion.

B. Confidentiality



Through performance of the Agreement resulting from this RFP, the Selected Vendor may receive or have access to Confidential Information of The Fund and PPR and oTIS, which may include certain information concerning the Services and other information not generally known to the public. Vendor shall not disclose any Confidential Information it receives from The Fund, PPR and oTIS to any person or entity except (a) employees or contractors of Vendor, and (b) Vendor's professional advisors who have a need-to-know such information, provided such professional advisors have agreed in writing to maintain the confidentiality of such information pursuant to confidentiality agreements containing confidentiality obligations that are not materially less restrictive than those contained in this Agreement, or such professional advisors are bound by law or codes of professional conduct to keep such matters confidential. Vendor shall inform such employees having access or exposure to Confidential Information of Vendor's obligations under this Agreement. Vendor shall use not less than the same degree of care (but no less than a reasonable degree of care) to avoid disclosure of such Confidential Information as Vendor uses for its own confidential information of like importance. Vendor shall use reasonable efforts to ensure that Confidential Information and all materials relating to The Fund, PPR and oTIS at the premises of Vendor or in the control of Vendor shall be stored at locations and under such conditions as to prevent the unauthorized disclosure of such information and materials. Vendor may not use the Confidential Information for any purpose other than for the performance of to the Services under this Agreement. This obligation shall survive the termination of this Agreement. Vendor shall return The Fund, PPR and oTIS materials, if applicable, to The Fund promptly upon termination of this Agreement or earlier if requested by The Fund.

"Confidential Information" means all non-public information in whatever form transmitted, whether written, electronic, oral or otherwise, including without limitation business plans, specifications, design plans, drawings, software, data, prototypes and other business and technical information that is disclosed by The Fund, PPR and oTIS pursuant to this Agreement and that is marked as "confidential" or "proprietary" (or, if disclosed orally, designated as confidential upon disclosure) or which, under the circumstances surrounding disclosure, a reasonable person would deem as confidential. Notwithstanding the foregoing, Confidential Information shall not include information that: (a) is independently developed by Vendor or lawfully received by Vendor free of restriction from another source having the right to so furnish such information; (b) is or becomes generally available to the public without breach of this Confidentiality Agreement by Vendor; (c) at the time of disclosure, was known to Vendor free of restriction; or (d) is required to be disclosed pursuant to any statute, law, rule or regulation of any governmental authority or pursuant to any order of any court of competent jurisdiction; provided however, that: (e) the Vendor shall use commercially reasonable efforts to notify The Fund, PPR and oTIS before disclosure, (f) Vendor shall disclose only such portion of the information as is legally required; and (g) the disclosed information is not "Confidential Information" only for the purpose of and to the extent of the required disclosure, and otherwise remains "Confidential Information" subject to the terms and conditions of this Agreement.

C. Representations, Warranties, and Covenants

The Selected Vendor represents, warrants and covenants that so long as the Agreement resulting from this RFP has not been terminated: (a) Vendor has full power and authority to enter into and perform its obligations under the Agreement; (b) entering into and performing its obligations under the Agreement (i) will not violate or breach any agreement binding on Vendor; and (ii) does not result in a conflict of interest between the Services or Works to be provided under the Agreement and Vendor's other activities. Vendor shall



advise The Fund, PPR and oTIS of any conflict of interest that arises during the performance of the Agreement. (c) the Services and Works will: (i) be created and originated by Vendor and may be conveyed to The Fund under the Agreement free and clear of claim of ownership by others; (ii) not violate or infringe any proprietary information, non-disclosure, copyright, patent or other intellectual property or contractual right; (iii) not violate any applicable law, rule or regulation; (iv) conform with the Agreement, be performed in a workmanlike and professional manner, be of high quality, and in no event, be of a quality less than the quality of services performed and work product created by a skilled consultant with expertise in the area for which Vendor is providing the Services; and (v) be free of errors and that all failures of the Services or Works furnished hereunder will be corrected to conform with the Agreement.

D. Indemnification

The Selected Vendor shall indemnify, defend and hold The Fund, PPR and oTIS harmless from and against any damage, loss, liability, obligation, claim, litigation, demand, suit, judgment, cost or expense including, without limitation, reasonable attorneys' fees ("Claims") that may be made: (a) for bodily injury, death, or damage to real or tangible personal property, including theft, resulting from the acts or omissions of Vendor, its employees or agents; (b) in connection with Vendor's breach of its obligations under the Agreement; (c) by any third party alleging that the Services or Works violate any proprietary information, non-disclosure, copyright, patent or other intellectual property or contractual rights; and (d) in connection with Vendor's recklessness, gross negligence, willful misconduct, or violation of applicable law. The Fund, PPR and oTIS may participate at its expense in any Claim, and The Fund, PPR and oTIS' prior written consent is required for settlement of any Claim.

Except for the indemnification covenants contained in the first paragraph of this Section, for which no cap shall be applicable, if Vendor has any other liability to The Fund, PPR and oTIS for any Claims, such liability shall in all cases whatsoever be limited to the greater of (e) any amount of insurance Vendor is required to carry as set forth in the Agreement, and (f) the total amount received by the Vendor for the Services under the Agreement.

APPENDIX A: Project Boundaries Map

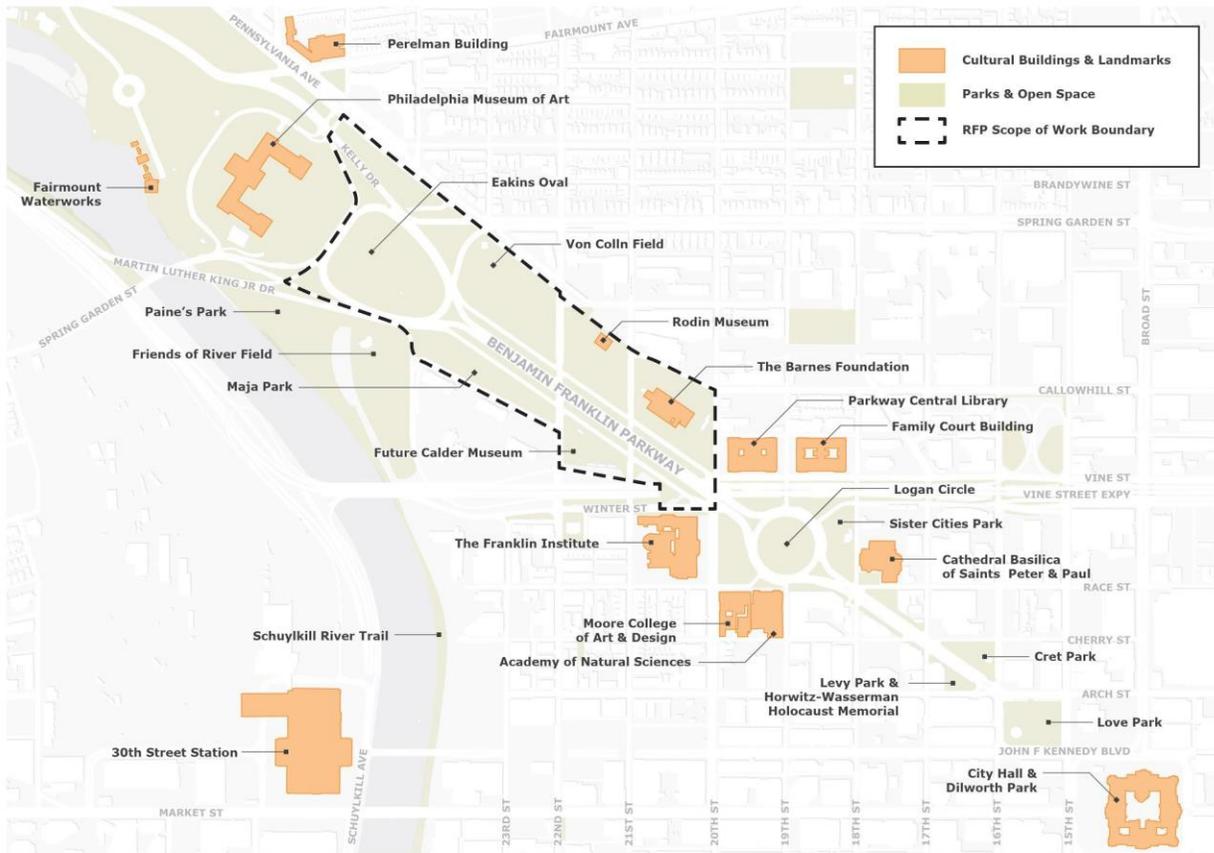


Figure 1: Benjamin Franklin Parkway Map



APPENDIX B: Diversity Disclosure Report

[See attached for Diversity Disclosure Report]