ANNOUNCEMENT

REQUEST FOR PROPOSALS

Delaware River Wetland Park for South Philadelphia

The Delaware River Waterfront Corporation (DRWC) requests proposals from qualified interdisciplinary design teams to develop ecologically- and community-centered concepts for a unique riverfront ecological park on the Delaware River. The selected team will thoroughly analyze the site, design and lead a public engagement approach, refine concepts through design development phase yielding drawings sufficiently detailed for preliminary permitting. Teams will also produce a written summary of the pre-design/feasibility and community engagement portions of the project.

A mandatory pre-proposal meeting will be held on Friday, May 31st at 10:00 am at the DRWC offices at 121 N. Columbus Blvd. Questions regarding this RFP must be submitted in writing by Monday, June 3rd, 2019 at 4:30pm to cdougherty@drwc.org with “Wetland RFP Question” in the subject line. DRWC will post written responses to questions on Friday, June 7th, 2019. Questions not posed in writing will not be answered.

Sealed proposals (ten hard copies; one CD/flash drive) must be received no later than Monday, July 8th, at 4:30 p.m. EST.

Please address proposals to:

Christopher R. Dougherty | Planner & Project Manager
Delaware River Waterfront Corporation
121 North Columbus Boulevard
Philadelphia, PA 19106
PROJECT BACKGROUND:

The Delaware River Waterfront Corporation (DRWC) requests proposals for design services for the development of a unique riverfront park in South Philadelphia. The selected firm will manage the pre-design/feasibility, public visioning, concept development and design development phase. The process will result in both a bound report summarizing the feasibility/concept level planning as well as a detailed drawing set suitable for preliminary permitting.

DRWC’s open space development efforts are driven by the Master Plan for the Central Delaware¹ adopted by the Philadelphia City Planning Commission in March 2012. This plan makes recommendations for a wide range of waterfront improvements including new development, open space, transportation networks, and programming.

Over the past eight years, DRWC has advanced the Master Plan by leading the design and construction of new parks, trails, and connector street improvements including: the Race Street Pier, Spruce Street Harbor Park, and Cherry Street Pier and Washington Avenue Pier all with the goal of enhancing access to a diverse range of waterfront experiences.

The Master Plan’s recommendation to establish a “wetland park” stretching from Pier 53 to 70 is informed by the existence of an archipelago of dilapidated piers which, upon closer inspection by biologists from the Philadelphia Water Department, contain resilient terrestrial and aquatic microhabitats.

To enhance this existing ecological system, the Master Plan suggested the (re)creation of a broad, natural intertidal zone knitted together by land and water trails—a public “wetland park” set amidst Piers 53 to 70. In the first phase of this vision, DRWC established parks on pier land at either end of this zone: Washington Avenue Pier (53) in 2014 and Pier 68 in 2015.

In 2014, DRWC, working with the Natural Lands Trust (NLT), obtained ownership rights over the project area and completed due diligence work in 2018 to finalized the transaction. Earlier this year DRWC completed riverfront improvements from Pier 68 to Tasker St. as a part of the overall effort to construct a high-quality separated bicycle and pedestrian trail from Pier 70 to Allegheny Avenue in the north.

The consistent loss or erosion of wetland habitats in the Delaware River Estuary over the last twenty-five years is well documented and this project will attempt to offset this trend in the urbanized Upper Estuary. To this end, designers should be familiar with the objectives, partners and strategies for water/habitat management as outlined in the Partnership for the Delaware Estuary’s (PDE) 2019 Comprehensive Conservation & Management Plan (CCMP).²


Another major objective of this project is enhanced water quality. While improving, the Delaware River through Philadelphia still suffers from depleted dissolved oxygen levels, higher pollutant and sediment loads due to former and current riverfront land uses, combined sewer overflow and other modifications to the river channel.

This park will also function as part of the city’s and region’s larger climate change and sea level rise (SLR) mitigation strategies. Design teams should account for the impact of medium to high probability SLR scenarios or other climatological conditions affecting river temperature and salinity, or increases in the frequency and intensity of storm events and tidal inundations and the likelihood of invasive species migration.

This project will also advance DRWC’s strong interest in making safe, clean and attractive (re)connections to neighborhoods long separated from the river. From railroad tracks and massive industrial works to an elevated Interstate viaduct and frayed pedestrian facilities—communities have consistently been barred access to their waterways. This project will attempt to reverse this trend and uphold every Philadelphian’s right to enjoy the river and its natural spaces.

PROJECT SCOPE

CONSULTANT QUALIFICATIONS:

At minimum, design teams submitting proposals will possess, singly or collectively, deep competency in: innovative ecologically-sensitive planning, design and project execution; experience with habitat restoration in tidal waterways; experience with marine engineering, hydrology, geology, hydraulic modeling and energy dissipation approaches, experience in horticulture, landscape architecture, graphic design in addition to proven habitat restoration project management experience working collaboratively across disciplines and levels of government.

PROJECT SITE:

According to late 18th century maps, the area was once known as “Wicoacoa Meadows”—a network of broad mud flats and tidal grasslands segmented by the dikes and sluiceways of “improvement” companies raising hay. This belt of grassland running from the original Navy Yard south to Greenwich Point existed into the 19th century but was gradually “improved” by bulkheading and filling in the 1850s-1860s. See Appendices for two historical accounts of this landmaking process. By the end of the 1870s, the Federal government sold the former Navy Yard site to the Pennsylvania Railroad which in turn expanded its freight yards and riverfront pier holdings in the 1870s-1880s. Soon, other railroads, sugar refineries and chemical works jockeyed for position on Philadelphia’s rapidly booming southeast Delaware riverfront. For most of the 20th century, the riverfront became an extension of industrial plants—with storage yards, material conveyors, pipes, chemical tanks, offices and vast railroad yards crowding up against the bulkhead. Industrial users left layer upon layer of modifications to the basic bulkhead and pier systems as products, tenants and shippers came and went. Gradually, as these sections of river frontage were bypassed by the containerization revolution, the upkeep of these idiosyncratic bulkhead and pier systems slackened. The 1990s and 2000 saw the rapid expansion of car-
friendly commercial development in large tracts adjacent. Denser residential development is planned for the parcels north of the project site.

The project site consists contiguous riverfront parcels with addresses 1701 and 1751 South Columbus Boulevard, Philadelphia, PA 19148 (Map Registry #013S020019; OPA Account # 885900587) comprising approximately 16.62 acres (4.72 acres fastland and 11.9 acres water) including Pier 68. A portion of the purchase price was furnished by the Pennsylvania Department of Conservation & Recreation (DCNR) under the Pa. Environmental Stewardship and Watershed Protection Act of December 1999 which in turn restricts this parcel to recreational/ecological use in perpetuity.³

The project area also includes four (4) pier structures. These pier structures will be referred to according to their former Philadelphia Department of Wharves, Docks & Ferries designation as, from the south-northward: Pier 70, Pier 68 Park, Pier 67 and Pier 64. By the mid-1970s, only Piers 67 and 68 (both operated by a warehousing entity) and Pier 70 managed by the Kerr-McGee Chemical Company were in operation. Please see the Phase I Environmental Site Assessment for further chronology on pier occupancy. A very brief cursory evaluation of these structures performed by Anchor Consultants in 2015 is also provided. Information on the piers is otherwise scant. Design teams should expect to supplement this 2015 study with more intensive civil and marine assessments of these structures.

³ Pa. DCNR’s support of this space also includes funding toward the trail, designing and constructing Pier 68 and this wetland conceptual planning effort.
With most of the piers gradually falling out of service by the end of the 20th century, maintenance dredging of the berths ceased and massive sediment buildup has occurred. A partial bathymetric survey of the silted berths between piers was performed by the U.S. Army Corps on 24 July 2018 and is also provided. Please note, this river sediment and overall water quality has not been adequately studied and so proper provision for soil and water analysis should be made. Please also consult NOAA Chart 12313: Delaware River - Philadelphia & Camden Waterfronts, 53rd Ed. Jan. 2012 and other hydrographic updates as to the nearby location of the main shipping channel, maintained to 45’ depth, relative to the project area.

As stated prior, DRWC completed improvements to Pier 68 in 2015 and as-built record drawings of this pier’s stabilization and landscape plantings are also provided in the Appendices. As a part of the trail project completed spring 2019, DRWC also performed some emergency bank maintenance/slope stabilization in the area just south of Pier 68 extending to Pier 70. A sketch of this work is also provided in the Appendices as well.

PROJECT OBJECTIVES:

- Create a unique ecological park in an urban intertidal zone from concept through design development phase culminating in both a written summary of feasibility/concept level planning in addition to a drawing set for preliminary permit review;
- Create unique moments for public enjoyment of our Delaware riverfront by sensitively braiding public access with the creation of resilient terrestrial and aquatic habitats while employing a blend of natural and built systems;
- Through good science and robust public participation craft an accessible, inviting, inclusive and achievable public space that cultivates citizens’ and visitors’ understanding of and appreciation for an ecologically thriving riverfront;
- Become a testbed for innovative techniques, technologies and strategies in the analysis, visioning, engagement, design and monitoring phases for this space. Employ natural processes in bank stabilization, wave energy dissipation or water filtration roles among other possible applications;
- Design an integrated public/habitat space that strives to mitigate, and appropriately anticipate the impacts of global warming, sea level rise and the migration of marsh habitats;
- Seek to be an engaging project with compelling narratives, graphics, signage and public art.

PROJECT EVALUATION

Design teams should make also seek to design a program for measuring the human and biological impacts of the park. Respondents should seek to collect baseline ecological conditions, propose approaches for data capture and produce a budget for yearly evaluation of the decided metrics for five (5) years post construction.

CONCEPTUAL PLANNING & AGENCY COORDINATION

In order to translate opportunities and constraints into design concepts, DRWC will coordinate the vetting of concepts with appropriate state, Federal and local authorities prior to permit submission. The
U.S. Army Corps of Engineers has expressed its willingness to meet in the early conceptual phase of design to assure that specific technical solutions can be permitted.

**Agency and Stakeholder Engagement**
The agencies and stakeholders that should be engaged may include, but are not limited to, the following:

- U.S. Army Corps of Engineers;
- Pennsylvania Department of Environmental Protection (CZM, Regulatory);
- Partnership for the Delaware Estuary;
- Pennsylvania Department of Conservation & Natural Resources;
- Philadelphia Water Department;
- Philadelphia City Planning Commission;
- Philadelphia Department of Licenses & Inspections (Floodplain Management)
- Natural Lands Trust;
- The Nature Conservancy;
- United States Coast Guard;

**Community Engagement and Public Outreach**
DRWC includes civic engagement and participation as a critical element of all planning, design, and construction projects. In order to communicate the critical ecological objectives of this plan, design teams must be adept at presenting aspects of riparian ecology in a clear and direct way. With a relatively small land footprint, the project must also convey the need to balance human access with habitat creation. Therefore, it is vitally important that this work is done transparently and with the participation and engagement of the surrounding neighborhoods of Pennsport, Whitman, and Queen Village, the Central Delaware Advocacy Group (CDAG), and other near neighborhood constituents. The selected team, in coordination with DRWC, will design and implement a robust and creative outreach effort consisting of, at minimum, three (3) neighborhood information sessions⁴ and two (2) programs⁵. As the Philadelphia City Planning Commission’s South District Plan has observed, the South District is growing in overall population and specifically in Asian and Latino communities over the last thirty years as the overall percentage of white residents has declined. This has implications for our communications strategy. Furthermore, our process should constantly ask: Who are we not reaching? Are our communications impactful? Are we framing the issues correctly? Who is not at the table? Where do we need to improve? Respondents to this RFP are encouraged to include additional public outreach methodologies (or lessons learned), define what a “successful” process entails and provide examples of exemplary efforts.

**Deliverables:**
At a minimum, the final deliverable will contain:

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⁴ DRWC envisions these as more traditional presentation-oriented public meeting style.
⁵ These engagements will be more programmatic and out-of-doors. We urge respondents to maximize their creativity for these.
- Pre-Design analysis of existing site conditions, a full site survey, evaluation of historical land uses and cultural features, an assessment of all pier and bulkhead systems and adjacent relieving structures and subsurface remnants; a baseline ecological analysis; a refined assessment of environmental hazards in soil and water conditions; study of sediment migration and deposition patterns, provide selective modeling of dynamic hydraulic forces as needed with an eye towards constructability; production of detailed drawings through DD capable of allowing preliminary permit review; produce two (2) preliminary construction estimates.
- Produce a written summation of the above pre-design/analysis/feasibility phase including a detailed statement of all three (3) public engagements and principal community interests driving design elements;
- In conjunction with the production of the above document, design team will product five (5) high-resolution renderings of the current and future conditions of the site for informational and promotional purposes;
- Present a habitat enhancement approach that enriches plant, fish, bird and insect habitats and advances larger tidal marshland protection objectives of the 2019 Partnership for the Delaware Estuary’s CCMP and the habitat enhancement and source water protection objectives of the Philadelphia Water Department;
- Present a blend of public access strategies are appropriate for more natural urban waterfront; develop these public access strategies into a hybrid built/natural system and details through the design development phase including two (2) cost estimates.
- Produce cost estimates for firm to produce final construction documents, for Bid Phase Services, Construction Administration, Maintenance Planning and Monitoring & Evaluation for 5 years;
- Propose short term tactical or early action community-based projects achievable with limited resources;

**SUSTAINABLE MAINTENANCE**

Through the course of this project, DRWC expects designers to embrace a range of physical and nature-based strategies for fostering habitat creation and public access. Wherever possible, these strategies will seek to be sustainable, i.e.: they will enable and augment natural systems while reducing the need for processes or products dependent on fossil fuels, hydrocarbons and other non-renewable resources, these systems will rely on abundant on-site wind, wave or solar energy production where possible and the on-site management of waste products.

**PROJECT MANAGEMENT:**

This project will be managed by DRWC, a 501(c)(3) nonprofit organization, and overseen by the Planning Committee of the DRWC Board of Directors. DRWC’s planning and project management staff will work with the selected team directing day-to-day management of design, assist with review and approval process and provide additional support as-needed.

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6 This deliverable is a requirement of our DCNR-funded planning grant.
PROJECT SCHEDULE:

Consultant Selection Schedule:

5/20/2019          Request for Proposals released
5/31/2019          Pre-Proposal Meeting
6/3/2019            Questions due to DRWC in writing (via email only to
cdougherty@drwc.org) by 4:30 pm
6/7/2019            DRWC posts answers to questions
7/8/2019            Proposals due to DRWC by 4:30 pm.
7/12/2019           Notification of short-list teams
Week of 7/15/2019   Interviews with short-list teams
Late July 2019      Project awarded

DRWC anticipates a ten (10) month planning process. Proposals should include a more detailed proposed schedule for work, as described below in the Submittal Contents and Requirements section.

FEE

DRWC anticipates a maximum project budget of $300,000. Fee proposals should be broken down by deliverable, and include reimbursable expenses.

SUBMITTAL CONTENTS AND REQUIREMENTS

1. **Letter of Transmittal** including:
   - A statement indicating your firm’s original understanding of the work to be performed;
   - A brief statement affirming the firm’s specific qualifications for professionally and expertly conducting the work as understood;
   - The firm’s contact person concerning the proposal and a telephone number and email where that person can be reached.
   - Complete itemized summary of services to be provided and their costs.

2. **Qualifications** including professional practice, areas of specialization, practice philosophy, and project/client mix as well as examples of a minimum of three (3) commensurate projects conducted by the firm of a similar scope. These projects should also convey your team’s specific approach to habitat creation in urban contexts. Please disclose any professional engagements,
relationship, conflicts of interest or potential conflicts of interest with developers of projects, their contractors, subcontractors and consultants that might impact the project, both as it relates to design and construction.

3. **Project Understanding and Approach:**

The proposal must include evidence of a real engagement with the site translated into a clear project vision further articulated through specific procedures, methods, approaches you propose to use to complete this scope of work.

4. **Project Team**, including:

   - Team organization/organization chart;
   - Services to be provided by each team member;
   - Relevant technical resources to be employed in this scope or beyond this scope;
   - Key principal, project, technical, and support personnel with resumes showing experience with similar projects; A statement summarizing the advantages of your team’s composition or structure;

5. **References**

List three references for the prime consultant indicating project names, firm’s role, total design fee, start and completion dates, and full client contact info (including telephone and email).

6. **Fees**: Submit Fee Proposal which includes the following:

   - Lump sum cost proposal;
   - Breakdown of fee by firm, indicating M/W/DBE firm where applicable;
   - Allowance for reimbursable expenses;
   - Hourly rate schedule for probable additional services.

7. **Schedule**:

A detailed project work schedule is a key component. Please provide a schedule listing each analytical component, major work element, target dates for agency reviews, public meetings & events, and dates for final permitting and completion of DD phase within the ten (10) month period.

8. **Administrative Forms**: The following forms, found with the Appendices, must be filled out and submitted by all individuals and/or firms, including sub-consultants:

   a. Campaign Contribution Disclosure Forms;
b. DRWC Conflict of Interest Form;

c. Solicitation for Participation and Commitment Form.

Sealed proposals (ten hard copies; one CD or flash/jump drive), must be received by Monday, July 8th 2019, at 4:30 P.M. EST. Please do not email electronic versions of your proposal as your primary submission. Proposals should be addressed to:

Christopher R. Dougherty | Planner & Project Manager
Delaware River Waterfront Corporation
121 North Columbus Boulevard
Philadelphia, PA 19106

**SELECTION PROCESS**

DRWC will review the proposals and reserves the right to ask for more information or additional questions of one or more respondents. DRWC also may consult other agencies and stakeholders for feedback on the responses to this RFP. Interviews of short-listed firms will be conducted the week of July 15th, 2019 by members of DRWC’s staff and Board of Directors. DRWC’s Board of Directors will make the final decision and award a contract. The staff of the DRWC will finalize the scope of work and execute a contract, in a form satisfactory to both parties.

DRWC encourages the response and inclusion of Minority Business Enterprises ("MBE"), Woman Business Enterprises ("WBE"), and Disabled Business Enterprises ("DSBE") (collectively, "M/W/DSBE") in its contracts. The goal of DRWC is to ensure that all businesses desiring to do business with DRWC have an equal opportunity to compete by creating access to DRWC’s contract opportunities by M/W/DSBEs and meaningfully increasing opportunities for the participation by M/W/DSBEs in DRWC’s contracts at all tiers of contracting.

Respondents to this RFP should provide a description of any efforts it has made within its company and proposal which will help DRWC achieve these goals. These efforts may include, but are not limited to the following:

1. A description of respondents written diversity program identifying the race, gender and ethnic composition of its board of directors
2. Firm employment profile
3. A list of all M/W/DSBE vendors that the respondent does business with and a statement of the geographic area(s) where its services are most concentrated
4. A description of the respondent’s efforts to maintain a diverse workforce, to maintain a diverse board of directors or administer a fair and effective M/W/DSBE contracting process.

Respondents should fill out and attach the Solicitation for Participation and Commitment Form, found on the DRWC website RFP page, for any M/W/DSBE firms that will be working on the project.
RESERVATION OF RIGHTS AND SELECTION CRITERIA

RESERVATION OF RIGHTS:
The DRWC reserves and in its sole discretion may, but shall not be required to, exercise the following rights and options with respect to the proposal submission, evaluation and selection process under this RFP:

(a) To reject any proposals if, in the DRWC’s sole discretion, the proposal is incomplete, the proposal is not responsive to the requirements of this RFP, the respondent does not meet the qualifications set forth in the RFP, or it is otherwise in the DRWC’s best interest to do so;

(b) To supplement, amend, substitute or otherwise modify this RFP at any time prior to selection of one or more respondents for negotiation and to cancel this RFP with or without issuing another RFP;

(c) To accept or reject any or all of the items in any proposal and award the contract(s) in whole or in part if it is deemed in the DRWC’s best interest to do so;

(d) To reject the proposal of any respondent that, in the DRWC’s sole judgment, has been delinquent or unfaithful in the performance of any contract with the DRWC or with others, is financially or technically incapable or is otherwise not a responsible respondent;

(e) To reject as informal, non-responsive, or otherwise non-compliant with the requirements of this RFP any proposal which, in the DRWC’s sole judgment, is incomplete, is not in conformity with applicable law, is conditioned in any way that is unacceptable to the DRWC, deviates from this RFP and its requirements, contains erasures, ambiguities, or alterations, or proposes or requires items of work not called for by this RFP;

(f) To waive any informality, defect, non-responsiveness and/or deviation from this RFP and its requirements that is not, in the DRWC’s sole judgment, material to the proposal;

(g) To permit or reject at the DRWC’s sole discretion, amendments (including information inadvertently omitted), modifications, alterations and/or corrections of proposals by some or all of the respondents following proposal submission;

(h) To request that some or all of the respondents modify proposals based upon the DRWC’s review and evaluation;

(i) To request additional or clarifying information or more detailed information from any respondent at any time, before or after proposal submission, including information inadvertently omitted by the respondent;

(j) To inspect and otherwise investigate projects performed by the respondent, whether or not referenced in the proposal, with or without the consent of or notice to the respondent;

(k) To conduct such investigations with respect to the financial, technical, and other qualifications of each respondent as the DRWC, in its sole discretion, deems necessary or appropriate; and
(l) To waive and/or amend any of the factors identified in the RFP as pertaining to the respondent’s qualifications.

CONTRACT NEGOTIATION AND AWARD:
The DRWC reserves and in its sole discretion may, but shall not be required to, exercise the following rights and options with respect to the contract negotiation and award process resulting from this RFP:

The DRWC reserves the right to enter into post-submission negotiations and discussions with any one or more respondents regarding price, scope of services, and/or any other term of their proposals, and such other contractual terms as the DRWC may require, at any time prior to execution of a final contract. The DRWC may, at its sole election, enter into simultaneous, competitive negotiations with multiple respondents or negotiate with individual respondents seriatim. Negotiations with respondents may result in the enlargement or reduction of the scope of services, or changes in other terms that are material to the RFP and the submitted proposals. In such event, the DRWC shall not be obligated to inform other respondents of the changes, or to permit them to revise their proposals in light thereof, unless the DRWC, in its sole discretion, determines that doing so is in the DRWC’s best interest.

In the event negotiations with any respondent(s) are not satisfactory to the DRWC, the DRWC reserves the right to discontinue such negotiations at any time; to enter into or continue negotiations with other respondents; to enter into negotiations with firms that did not respond to this RFP and/or to solicit new proposals from firms that did not respond to this RFP, including but not limited to negotiations or proposals for components of the System, if any, that are deleted by the DRWC from the successful proposal or the contract resulting from it. The DRWC reserves the right not to enter into any contract with any respondent, with or without re-issue of the RFP, if the DRWC determines that such is in the DRWC’s best interest.

PROPOSAL EVALUATION:
Proposals that the DRWC determines, in its sole discretion, are responsive to the RFP will be reviewed by a selection committee designated by the DRWC. The DRWC, in its sole discretion, may require any respondent to make one or more presentations of its proposal to the selection committee, in DRWC offices, at no cost to the DRWC, addressing its ability to satisfy the requirements of this RFP. The DRWC shall not be required, however, to permit any respondent to make such a demonstration.

Cost to the DRWC is a material factor, but not the sole or necessarily the determining factor in proposal evaluation. The DRWC may, in its sole discretion, award a contract resulting from this RFP to a responsive bidder providing the best overall project value to the DRWC and the City and will not be based solely on furnished cost.

The DRWC, in its sole discretion, may, but shall not be required to, reject without further consideration the proposal of any respondent that has not demonstrated, in the DRWC’s sole judgment, that it satisfies basic qualifying criteria provided in the RFP. The DRWC reserves the right, in its sole discretion and without notice to respondents, to modify this evaluation procedure as it may deem to be in the DRWC’s interest.
Evaluation factors to be considered by the DRWC include, but are not limited to, the following (no particular order of importance, weighting, or other priority is assigned to these factors or reflected by their order in the list):

(a) Project understanding and soundness of methodology including but not limited to the detail, accuracy, thoroughness of respondents work and implementation plans;

(b) The respondent’s financial and technical qualifications to perform the work required by the RFP, as presented in its proposal and determined by any other investigations conducted or information obtained by the DRWC;

(c) References provided by the respondent, particularly from projects of similar complexity and scope or otherwise involving similar permitting or regulatory approaches;

(d) Commitment and ability to complete the project and secure approvals and permits within a reasonable time frame;

(e) Superior ability or capacity to meet particular requirements of contract and needs of the DRWC and those it serves;

(f) Superior prior experience of applicant and staff;

(g) Superior quality, efficiency and fitness of proposed solution for the DRWC

(h) Superior skill and reputation, including timeliness and demonstrable results

(i) Administrative and operational efficiency, requiring less DRWC oversight and administration

(j) Anticipated long-term effectiveness

(k) Meets qualification/prequalification requirements as set forth in this RFP

(l) Inclusion of M/W/DSBE participation as prime contractors, subcontractors, joint venture partners and employees in respondent's proposal;

(m) Any other factors the DRWC considers relevant to the evaluation of the proposal.

CONFIDENTIALITY, RESPONSIBILITY, AND DISCLOSURE RULES

CONFIDENTIALITY AND PUBLIC DISCLOSURE:
The successful applicant shall treat all information obtained from DRWC which is not generally available to the public as confidential and proprietary to DRWC. The successful applicant shall exercise all reasonable precautions to prevent any information derived from such sources from being disclosed to any other person. The successful applicant agrees to indemnify and hold harmless DRWC, Conrail and their respective agents, officials and employees, from and against all liability, demands, claims, suits, losses, damages, causes of action, fines and judgments (including attorney’s fees) resulting from any use
or disclosure of such confidential and/or proprietary information by the successful applicant or any person acquiring such information, directly or indirectly, from the successful applicant or through this RFP process.

By submission of a proposal, applicants acknowledge and agree that DRWC is subject to state and local disclosure laws and, as such, are legally obligated to disclose public documents, including proposals, to the extent required hereunder. Without limiting the foregoing sentence, DRWC’s legal obligations shall not be limited or expanded in any way by an applicant’s assertion of confidentiality and/or proprietary data.

PRIME PROVIDER/CONTRACTOR RESPONSIBILITY:
The selected applicant will be required to assume responsibility for all services described in their proposals whether or not they provide the services directly. DRWC will consider the selected applicant as the sole point of contact with regard to contractual matters.

DISCLOSURE OF PROPOSAL CONTENTS:
Subject to the public disclosure requirements stated above, cost and price information provided in proposals will be held in confidence and will not be revealed or discussed with competitors. All material submitted as part of the RFP process becomes the property of DRWC and will only be returned at DRWC’s option. Proposals submitted to DRWC may be reviewed and evaluated by any person other than competing vendors. DRWC retains the right to use any/all ideas presented in any reply to this RFP. Selection or rejection of a proposal does not affect this right.

NON-DISCRIMINATION:
The successful vendor, as a condition of accepting and executing a contract with DRWC through this RFP, agree to comply with all relevant sections of the Civil Rights Act of 1964, the Pennsylvania Human Relations Act, Section 504 of the Federal Rehabilitation Act of 1973, and the Americans with Disabilities Act, hereby assuring that:

   The provider agency does not and will not discriminate against any person because of race, color, religious creed, ancestry, national origin, age, sex, sexual orientation, handicap or disability in providing services, programs or employment or in its relationship with other provider contractors.

MISCELLANEOUS:
DRWC reaffirms its right to make any selection it deems prudent, and responding firms or individual participants acknowledge through their participation that such selection is not subject to protest or contest.

The successful applicant selected will perform a variety of duties as agreed upon in the final negotiated contract. The selected applicant and DRWC will finalize the contract terms and conditions. If DRWC and the selected applicant are unable to agree on terms and conditions, DRWC may exercise its right to negotiate with other eligible vendors.
APPENDICES:

Technical Appendices:

2. Phase I Environmental Site Assessment 1701 & 1751 S. Columbus Blvd. Dated February 2012
3. Recorded Deed – Natural Land Trust, Inc – Grantor; DRWC Land Conservancy-Grantee 31 July 2018
4. USACE Bathymetric Survey Performed on 24 July 2018
5. Anchor Consultants LLC Short Summary of Findings Dated 2012
6. As-Builts & Closeout Documentation for 68 Structural Repairs
7. Landscape Plan for Pier 68 Dated June 2015 produced by Studio Bryan Hanes
8. Delaware River Trail – South – Phase I (64-70) - Plans Issued for Construction 2017
9. Delaware River Trail – Bulkhead Stabilization Package – Location “A” 2018
10. Additional Bank Armoring Sketch produced by NV5 in November 2018

Administrative Appendices:

1. City Related Agency Disclosure Form;
2. DRWC Conflict of Interest Form;
3. Solicitation for Participation and Commitment Form.