



Request for Proposal

600, 700, 800 Blocks of North 40th Street

April 9, 2018

First Amendment – April 19, 2018

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Attachments:

- A. Mantua Urban Renewal Plan
- B. 44th & Aspen Urban Renewal Plan
- C. Property Application Form
- D. City of Philadelphia Economic Opportunity Plan
- E. Certificate of Non-Indebtedness
- F. Campaign Disclosure Forms
- G. Tax Clearance and Conflict of Interest Form
- H. Fine Arts Program: Policies and Procedure
- I. Scoring Sheet

Notes to the First Amendment

Items added in this First Amendment are shown in **green**.
Items removed are shown ~~crossed out~~.



1. Application Process

The Philadelphia Redevelopment Authority ("PRA") is pleased to issue this Request for Proposals ("RFP") for publicly owned parcels on the 600, 700 and 800 blocks of N. 40th Street.

Prebid Meeting

A prebid meeting will be held at PRA's offices (1234 Market Street, 16th Floor) at 10:00 A.M. on Tuesday, April 24, 2018. This meeting is not mandatory; however, all applicants wishing to submit a response to this RFP ("Applicants") must either attend this meeting or express their intention to submit by the deadline specified below.

Intention to Submit

All Applicants must either attend the pre-bid meeting or express their intention to submit either in hard copy mail or email to jessie.lawrence@pra.phila.gov by Friday, May 4, 2018 at 5:00 P.M. The names and contact information for all attendees at the prebid meeting and those who responded with intention to submit will be posted on PRA's website as public information.

Questions

All questions and requests for additional information should be directed in writing to Jessie Lawrence at jessie.lawrence@pra.phila.gov. Questions will only be accepted until Friday, May 4, 2018 at 5:00 P.M. Questions and/or requests for additional information and the PRA's responses to them will be posted on the PRA website.

Submission Deadline

Applicants must submit proposals no later than Monday, June 11, 2018, at 3:00 P.M.; absolutely no proposals will be accepted after that time.

Related Parties

An Applicant, whether an individual or business entity, may submit only one response to this RFP. Individuals that are related to each other or business entities that are legally related to each other or to a common entity may not submit separate proposals. The PRA, in its sole and absolute discretion, retains the right to reject any proposal where: 1) Applicants or principals of Applicants are substantially similar or substantially related parties; or 2) the PRA has determined that the Applicant has violated these conditions or the spirit of these conditions.

Submission Process

Proposal submission will be accepted in either of the following:

1. Online Submission – via PRA's website (<http://www.philadelphiaredevelopmentauthority.org/>);
or



- Hard Copy Submission – Submit 3 original copies of the proposal and one electronic copy on a USB Flash Drive to the PRA via hand delivery or registered mail. Files on the USB Flash Drive may only be in Microsoft Word or Adobe PDF. Applicants may hand deliver or send proposals via registered mail to: Jessie Lawrence, Philadelphia Redevelopment Authority, 1234 Market Street, 16th Floor, Philadelphia, PA 19107.

Bid Price

The PRA will award this project to the response that scores the highest according to the criteria explained below. Bid price is one of these criteria, though the project will not necessarily be awarded to the highest bidding Applicant. It is up to Applicants to engage in their own research to determine an appropriate and competitive bid price. Any price adjustments sought for community development projects must be in accordance with the City’s Land Disposition Policies..

Schedule

The timeline for this Development Opportunity is as follows:

Notice of RFP Opportunity Posted	April 9, 2018
Pre-Bid Meeting	April 24, 2018, 10:00 AM
Submission of Intention to Submit (if Applicant did not attend the pre-bid meeting)	May 4, 2018, 5:00 PM
Questions and/or Requests for Additional Information Due	May 4, 2018, 5:00 PM
Proposals Due	June 11, 2018, 3:00 PM
Applicant(s) Selected - (Estimate Only)	July 11, 2018

PRA reserves the right, in its sole discretion, to alter this schedule as it deems necessary or appropriate.

2. Introduction and Description of Project Site

PRA is soliciting proposals from Applicants for scattered site development on N. 40th Street (the "Project Site"), the border between the West Philadelphia neighborhoods of Mantua and Belmont. The Project Site is approximately ~~50,000 square feet spread over twenty two (22)~~ **48,000 square feet spread over twenty one (21)** vacant lot properties along the 600, 700, and 800 blocks of N. 40th Street. The Project Site is composed of vacant lot properties owned by the City of Philadelphia Department of Public Property ("DPP"), PRA, and Philadelphia Land Bank ("PLB"); it does **not** include privately-owned land on these blocks. Properties under the ownership of the DPP and PLB will be transferred to the ownership of PRA prior to entering into a Redevelopment Agreement with the selected Applicant.

Although the Project Site is deemed a scattered site development for the purpose of this RFP, PRA considers this project as an integral part of current and future comprehensive redevelopment efforts within the target area. Therefore, PRA requires that all properties set forth within this RFP be incorporated within your final proposal. If one or more properties are not included as part of an Applicant’s final proposed assemblage, the Applicant must provide a clear and concise statement explaining their rationale.

The PRA at its sole discretion may disqualify applications that only include a portion of the assemblage. The land that is within the Project Site is shown in the following list and map.



	Address	Ownership	Zoning	SF
1	629 N 40th Street	PRA	RM-1	1391
2	631 N 40th Street	DPP	RM-1	1652
3	637 N 40th Street	DPP	RM-1	1767
4	644-46 N 40th Street	DPP	RSA-3	5694
5	708 N 40th Street	DPP	RSA-3	3382
6	718 N 40th Street	DPP	RSA-3	3450
7	744 N 40th Street	DPP	RSA-3	3920
8	809 N 40th Street	DPP	RM-1	1224
9	815 N 40th Street	PRA	RM-1	1256
10	817 N 40th Street	PRA	RM-1	1572
11	818 N 40th Street	PLB	CMX-2	2094
12	826 N 40th Street	DPP	CMX-2	2088
13	827 N 40th Street	DPP	RM-1	2373
14	830 N 40th Street	DPP	CMX-2	1885
15	838 N 40th Street	DPP	CMX-2	1625
16	843 N 40th Street	DPP	RM-1	2277
17	847 N 40th Street	DPP	RM-1	2289
18	849 N 40th Street	DPP	RM-1	1130
19	851 N 40th Street	DPP	RM-1	1133
20	865 N 40th Street	DPP	RM-1	2326
21	867 N 40th Street	DPP	RM-1	2290
22	822 Sloan Street	DPP	RM-1	511
	Total			49,714
	SF			47,626



The Project Site is located in City Council District 3 and the area includes the following ten (10) Registered Community Organizations (RCOs):

1. Belmont Alliance Civic Association CDC
2. Mantua Civic Association
3. Parkside Association
4. Parkside Area Community Association
5. People’s Emergency Center CDC
6. West Belmont Civic Association
7. West Philly Pride
8. 6th Ward Republicans
9. 24th Democratic Ward
10. 24th Republican Ward

According to the Zoning Code, “If there is more than one RCO whose registered boundaries include the applicant's property, the district councilmember whose district includes the applicant's property shall select one of those RCOs as the Coordinating RCO, or may select two or more RCOs whose registered boundaries include the applicant’s property to serve jointly as the Coordinating RCO.”



The Project Site is within the Philadelphia Promise Zone. Promise Zones are high poverty communities where the federal government partners with local leaders to increase economic activity, improve educational opportunities, leverage private investment, reduce violent crime, enhance public health and address other priorities identified by the community. The twenty two (22) Promise Zones come with federal benefits including preference for certain competitive federal grant programs and technical assistance from federal agencies.

The Key community partners around the Promise Zone initiative include the Mayor's Office of Community Empowerment and Opportunity (CEO), Drexel University, Mt. Vernon Manor, Philadelphia LISC, People's Emergency Center, Philadelphia School District, PRA, Philadelphia Commerce Department, PHA, Philadelphia Zoo, Pennsylvania Horticultural Society, Philadelphia Works, Inc. and University City District.

The current zoning at the Project Site is a combination of Neighborhood Commercial Mixed-Use (CMX-2) and both single and multi-family Residential Uses (RM-1, RSA-3 and RSA-5) as listed on the previous page. The permitted uses for CMX-2 include household living (but usually not on the first floor), commercial offices, professional services, retail, groceries, sit-down restaurants, educational facilities, government offices, and artist studios. The permitted uses for RSA-3 and RSA-5 include single family dwellings to accommodate low density residential building while permitted uses for RM-1 include single family, two-family, or multi-family dwellings to accommodate moderate to high density residential buildings. If your proposed project will require a change in zoning, please indicate as such in the Executive Summary narrative.

About the Area

North 40th Street is the border between the West Philadelphia neighborhoods of Mantua and Belmont. Collectively, this area bounded by Amtrak and other rail lines and the Schuylkill Expressway (I-76) on the east, Spring Garden Street on the South, Lancaster and Belmont Avenues on the West, and a rail line along Mantua Avenue on the North. The Centennial District containing the Philadelphia Zoo, the Please Touch Museum, Mann Music Center and portions of Fairmount Park is to the North and East of these neighborhoods. To the South is the Powelton Village neighborhood, Drexel University, the Lancaster Avenue business district. Schuylkill Yards, a proposed 20-year, \$3.5 Billion development aiming to create a hub for technology and life-sciences companies is less than two miles away to the South and East.

The area is well served by public transportation; SEPTA's bus routes 30, 31, 38, 40 and 43 stop on adjacent blocks providing access to both Center City and destinations in West Philadelphia, as well as connections with the Market/Frankford line, SEPTA regional rail and Amtrak service throughout the Northeast Corridor at 30th Street Station.

The public schools that service Mantua and Belmont are the Morton McMichael School (K-8) and West Philadelphia High School (9-12) as well as several charter schools in the neighborhood such as the Belmont Charter School. There are major institutions of higher education in the immediate area including the University of Pennsylvania, Drexel University, Philadelphia University of the Sciences, and the West Regional Center of Community College of Philadelphia.



There are a number of recreation facilities located in Mantua including the Mantua Haverford Community Center, the West Philadelphia Community Center, and the Boys and Girls Club. The Wright Recreation Center also houses the area’s public library branch.

Several hospitals are less than two miles from Mantua and Belmont including the Hospital of the University of Pennsylvania, Penn Presbyterian Hospital, Children’s Hospital of Philadelphia and the VA Hospital. These educational, medical, and recreational entities contribute to a large pool of jobs and services, yet the area has long suffered from a feeling of being near but still disconnected from some of these institutions.

Lancaster Avenue between 34th and 48th Streets is the commercial corridor that links these neighborhoods to other West Philadelphia neighborhoods. The corridor has an array of shops including restaurants, apparel stores, and service establishments. The closest supermarkets to Mantua and Belmont are the Fresh Grocer Market located at 40th and Walnut Streets and Aldi Supermarket located at 4421 Market Street. There are many corner convenience stores and a small number of restaurants, bars and takeout restaurants throughout Mantua and Belmont; however few venues for purchasing fresh food and produce.

		<i>Zip Code 19104</i>	<i>City</i>
Population Growth	(2000-2016)	11.35%	2.79%
Median Age	(2016)	24.6	34
Median Household Income	(2016)	\$22,659	\$39,770
Average Household Size	(2016)	2.6	2.59
Residential Sales			
Median Sales Price	(2016 Q3)	\$37,464	\$120,958
Sales Price Change	(2015 Q3 -2016 Q3)	-37.77%	10.16%
Sales Number Change	(2015 Q3 -2016 Q3)	20.83%	16.62%
Vacancy			
Residential	(2016 Q3)	3.84%	2.56%
Commercial	(2016 Q3)	7.54%	8.32%

* Source: Policy Map

3. Scope of Work

By selecting an Applicant through this RFP, the PRA intends to bring the Project Site back into active use in a manner that is most productive and beneficial for the community. The site must be developed in accordance with the Mantua Urban Renewal Plan (Attachment A) and 44th & Aspen Urban Renewal Plan (Attachment B). The controls of the Urban Renewal Plan will run with the site for twenty five (25) years following execution of a Redevelopment Agreement with the selected Applicant. Any proposed changes to the Urban Renewal Plan must be clearly identified in the Applicant’s narrative.



This RFP does not prescribe what should be built on the Project Site; however PRA expects Applicants to be creative in proposing project concepts that will be beneficial for the community while also being financially viable under current market conditions. Proposals must contain a strong focus on “social impact,” and Applicants will be required to describe that social impact as explained below in the section of this RFP that addresses the “Social Impact Narrative.” Proposals should have strong urbanism and architecture. Applicants are encouraged to make their proposals responsive to recommendations in the Mantua Transformation Plan, which has been formally accepted by the Philadelphia City Planning Commission.

NOTE: Applicants are solely responsible for all due diligence, including all costs of engineering, structural, geo-technical planning and environmental studies required for construction on the Project Site. The PRA makes no warranty or representation concerning the existence of any structural deficiencies, geo-technical deficiencies and/or environmental contamination on the Project Site, or upon any adjoining land or improvements, and the PRA is not now or at any time hereafter under any circumstance responsible for any of such conditions or for the analysis, care or remedy thereof. The Project Site will be transferred in its “as-is” condition and the selected Applicant is solely responsible for all structural, geo-technical and environmental repairs, stabilization and/or remediation required for construction on the Project Site. Any plans submitted pursuant to this RFP should consider and address the foregoing obligations and requirements.

4. Proposal Submission Requirements

Responses to this Request for Proposals must contain the information described below and conform to the following format:

A. Executive Summary

A written narrative of the proposed development should be provided in the form of a cover letter addressed to Jessie Lawrence, Project Manager. The narrative should be no longer than two (2) pages in length and should concisely summarize and describe the proposed development. At a minimum, it should seek to address all of the evaluation criteria and state the bid price.

Applicants must also submit a complete Property Application Package Form (Attachment C).

B. Financial Summary

Applicants must demonstrate the development team’s capacity to carry out the proposed development, as well as the financial feasibility of the proposed project within current market conditions. Submissions must provide:

- A written narrative of the project financing plan.
- Project financials including development budget(s), sources/uses, assumptions, and operating pro forma(s) demonstrating feasibility through predevelopment, construction, and exit.



- Evidence of the development team’s capacity to finance the total cost of the development project as outlined in the Property Application Package Form. Evidence should include signed letter(s) of interest and/or preliminary term sheets from prospective financing sources that include terms of financing, that reference this specific project, and that reference the pertinent amount of financing as listed on the project budget. Please provide written evidence of interest from as many sources listed on project sources/uses budget as possible.
- Any other information that may support the Applicant’s financial position and financial viability of the proposed project.

C. Development Plans

The proposed project should take into consideration the local context and provide for an attractive, well-designed development that enhances the quality of the built environment and improves the overall quality and physical appearance of the community. All proposals must indicate what entitlements they may be seeking, including, but not limited to, zoning, easements, exceptions from public entities, street changes, and/or utility alterations (new or relocated). PRA encourages Applicants to incorporate sustainable, “green” design features and building materials. Applicants should consider building performance objectives and building design guidelines that integrate energy efficiency.

Plans submission should include but are not limited to:

- Detailed scope of work with corresponding budgets.
- Site plan showing extent of proposed development with different project components clearly labeled.
- Scaled floor plans.
- Elevations and renderings as appropriate.
- Description of building and finish materials.

D. Development Schedule and Milestones

Please include as detailed a schedule as possible broken out into a predevelopment schedule and post-closing construction schedule. In the predevelopment schedule please list important milestones and dates, beginning with due diligence activity, securing required government approvals, and financing commitments. Please provide an anticipated closing date. In the post-closing schedule, include, at a minimum, a schedule showing critical milestones such as construction commencement and completion deadlines.

E. Applicant Team Qualifications

Please provide a narrative that outlines the experience of the development team, overall approach and tasks to complete the work and quality control process. In the narrative please provide past relevant experience of the team including past performance and record of successful completion of similar projects by team members, particularly with the City of Philadelphia, and on publicly owned land (if applicable).

Applicants must submit audited Financial Statement for last two (2) fiscal years (if audited



statements are not available, please provide internally prepared statements including income statements and balance sheets);

The proposal must contain information regarding any litigation (pending or threatened) in which the development entity or any members of the development team are involved and any judgments that have been rendered against the Applicant entity or any member of the development team that may affect the ability to successfully execute the proposed project for the properties.

F. Social Impact Narrative

Applicants should include a narrative explaining the project’s social impact – for the purpose of this RFP, defined as the way that the physical project may have a positive effect on people and communities.

Such impact should be described and quantified with relevant metrics such as the approximate number of people to be served by the project or its social impact component. Applicants are encouraged to think creatively and to seek input and/or partnerships from community-based organizations. Applicants may choose to engage a consultant to assist in developing their social impact approach and methodology for impact assessment. Examples of social impact may include (but are not limited to):

- Creating or retaining permanent (non-construction) jobs for local, diverse, lower-income individuals, including contribution or participation in job readiness and training programs.
- Providing access to quality pre-K and afterschool care.
- Providing important community goods, services, and facilities in the proposed development project.
- Providing affordable healthy food access, if such access is not currently present in the community.
- Providing affordable housing within the proposed development. (The definition of affordable housing for this purpose is the same as that for the Mixed-Income Housing Bonus as defined in the Zoning Code as described here: <http://www.phila.gov/li/pdf/Code%20Bulletins/Mixed%20Income%20Housing%20Bonus.pdf>)
- Providing opportunities for minority businesses, including flexible lease rates, contracting and supplier opportunities post-construction, and mentorship programs.
- Investment in the local educational unit(s): public elementary, middle, high school or community college.
- Investment in proximate community facilities: parks, recreational center, library, health center.

G. Economic Opportunity and Inclusion Narrative

The development team should demonstrate their experience working with Certified M/W/DBE firms—defined as Minority Business Enterprises (MBE), Woman Business Enterprises (WBE), or Disabled Business Enterprises (DBE). Firms must complete the “City of



Philadelphia Economic Opportunity Plan” form (Attachment D).

In addition, Applicants must provide a narrative describing the team’s track record in M/W/DBE inclusion. The narrative must also discuss the team’s plan and track record for engaging minority workforce. Applicants should note whether the prime Applicant itself and/or other key partners, consultants or contractors who are part of the Applicant team are minority or woman-owned.

H. Proposal Deposit

Proposals must include a proposal deposit of ten percent (10%) of the total bid price (the “Proposal Deposit”) in one of the following forms, in order of preference: a cashier’s check, certified check, or money order made payable to the **“Philadelphia Redevelopment Authority”**.

The Proposal Deposit of the selected Applicant for the Properties will become “hard” money upon execution by the selected Applicant of a Redevelopment Agreement and approval of the Redevelopment Agreement by the PRA Board. The amount will be credited toward the security completion deposit and ultimately refunded at project completion with the issuance of a Certificate of Completion. The Proposal Deposits of unsuccessful Applicants will be refunded within thirty (30) days after rejection notices are transmitted. Interest earned, if any, on deposits of unsuccessful Applicants will not be returned.

I. Certificate of Non-Indebtedness

All proposals submitted in response to this RFP must contain a fully executed Certificate of Non-Indebtedness to the City of Philadelphia. A copy of this Certificate is attached as Attachment E.

J. Campaign Disclosure Forms

Each member of the development team must complete the Campaign Disclosure Forms attached as Attachment F.

K. Conflict of Interest Form

All proposals submitted in response to this RFP must contain a fully executed Conflict of Interest form. A copy of this form is attached as Attachment G.

L. Fine Arts Requirement

The selected Applicant will be required to comply with the policies and procedures of the Fine Arts Program. (Attachment H)



5. Evaluation/Selection

PRA will initially conduct a Threshold Review of each proposal submitted to determine its compliance with the Proposal Submission Requirements. Only proposals that comply with these requirements will be considered for evaluation. If no proposal meets these requirements, the Authority may allow all Applicants to supplement their submissions to conform to these requirements.

Proposals selected pursuant to the Threshold Review will be evaluated by a Proposal Review Committee using the evaluation factors listed below and based on the values shown in Attachment I: Scoring Sheet. Proposals will be evaluated in their entirety; no one factor, but rather a combination of all of the following factors will determine the successful Applicant. PRA may ask one or more Applicants to give a presentation, and may elect to request supplemental information from all Applicants or a pool of finalists. Final selection will be made by PRA and is subject to approval by the PRA Board and Philadelphia City Council.

The following criteria will guide PRA in using its professional judgment to determine which Applicant has submitted the best proposal. In addition to any other factors that PRA considers relevant in the evaluation of these responses, the following are the evaluation factors:

- 1. Financial**
 - Bid Price
 - Financing plan
 - Demonstration of project feasibility
 - Evidence of Applicant team capacity
- 2. Project**
 - Quality of design concept
 - Appropriateness of proposed use program.
 - Alignment with local community and context
 - Development timelines
- 3. Applicant**
 - Competence and experience of team
 - Track record on similar projects
 - Suitability for this specific development opportunity
 - History of team partnership
 - Experience working with PRA and other public entities
- 4. Social Impact**
 - Strength of Social Impact Plan
 - Creativity and innovation
 - Ability to define, evaluate and track measurable outcomes
- 5. Economic Opportunity and Inclusion**
 - Goals for M/W/DBE inclusion
 - M/W/DBE Firms comprising the development team
 - Commitment to M/W/DBE Workforce
 - Track record of M/W/DBE inclusion and minority workforce inclusion



The disclosure statements and other documentation submitted to PRA are important sources of information upon which PRA may base its selection and approval of an Applicant. Accordingly, any substantive misstatement or omission in any such disclosure statement or documentation shall be sufficient for PRA to reject the proposal.

Upon completion of the review and evaluation, PRA will recommend a course of action to PRA Board of Directors. PRA shall make the final decision with respect to development proposals and shall notify all Applicants of the results and return Proposal Deposits to unsuccessful Applicants.

6. Disposition Process

After the PRA reviews the proposals and an Applicant's proposal is selected, the PRA Board, City Planning Commission and City Council approval must be obtained before the PRA can execute the Redevelopment Agreement and construction can commence. Following is a general sequence of events in this approval process:

1. PRA review and approval of schematic architectural plans, and all financial documents (including budgets, sources and uses, pro forma, financing letters, term sheets, and Applicant financial statements)
2. Execution of Redevelopment Agreement by the successful Applicant. At this time the Proposal Deposit is credited toward the deposit required under the Redevelopment Agreement;
3. City Planning Commission approval of the Redevelopment Agreement;
4. PRA Board approval of the Redevelopment Agreement;
5. City Council approval of the Redevelopment Agreement;
6. Execution of the Redevelopment Agreement by PRA;
7. Settlement and transfer of title. At this time PRA requires proof of construction financing;
8. Pre-construction conference;
9. Construction period;
10. Review of the completed development to determine compliance with Agreement. If the development is found to be in compliance with the Agreement, PRA issues a Certificate of Completion and the security completion deposit is returned.

The successful Applicant shall be responsible for securing and paying all costs associated with all permits, licenses, approvals, lot line relocation, or variances necessary to comply with the development controls, City code, and the approved architectural plans.

7. Events of Disqualification or Default

Subsequent to the selection of an Applicant, and before execution of a Redevelopment Agreement, the PRA may treat any of the following as an event of disqualification or default:

1. Unilateral withdrawal by the selected Applicant;
2. Failure to proceed substantially in accordance with the proposal as submitted;
3. Failure by the Applicant for any reason whatsoever to timely execute the



4. Agreement when tendered;
4. Material misrepresentation, omission, or inaccuracy contained in any document submitted either as part of the Request for Proposals, or subsequent thereto. For the purposes of this section, the PRA places particular importance on the information required by the Applicant's Statement of Qualifications and Financial Responsibility and the Applicant's Statement for Public Disclosure;
5. Failure to provide in a timely manner the additional material required after selection throughout the PRA disposition process.

Remedies

Upon the happening of an event of disqualification or default by the Applicant, PRA shall have the right, at its election, to:

1. Rescind its selection of the Applicant; or
2. Declare null and void an Agreement that may already have been executed; and/or
3. Retain the Proposal Deposit as liquidated damages.

8. Reservation of Rights

By submitting a proposal in response to this RFP, an Applicant affirmatively acknowledges: (i) its acceptance of the terms and conditions of this RFP; (ii) the PRA may exercise in its sole discretion the following rights; and (iii) the PRA may exercise the following rights at any time and without notice to any Applicant.

1. to reject any and all proposals;
2. to supplement, amend, substitute, modify or re-issue the RFP with terms and conditions materially different from those set forth here;
3. to cancel this RFP with or without issuing another RFP;
4. to extend the time period for responding to this RFP;
5. to solicit new proposals;
6. to conduct personal interviews with any Applicant to assess compliance with the selection criteria;
7. to request additional material, clarification, confirmation or modification of any information in any and all proposals;
8. to negotiate any aspect of a proposal, including price;
9. to terminate negotiations regarding any and all proposals at any time;
10. to expressly waive any defect or technicality in any proposal;
11. to rescind a selection prior to contract execution if the PRA determines that the proposal does not conform to the specifications of this RFP;
12. to rescind a selection prior to contract execution if the PRA determines that the specifications contained in this RFP are not in conformity with law or that the process in selection of a proposal was not in conformity with law or with the legal obligations of the PRA;
13. in the event a contract is awarded, the successful Applicant or Applicants shall procure and maintain during the life of the contract liability insurance in an amount to be determined prior to the award of any contract;



14. in the event a contract is awarded, all Applicants agree to perform their services as an independent contractor and not as an employee or agent of the PRA;
15. in the event a contract is awarded, all Applicants agree that no portion of performance of the contract shall be subcontracted without the prior written approval of the PRA; and
16. each Applicant agrees to indemnify, protect and hold harmless the PRA from any and all losses, injuries, expenses, demands and claims against the PRA or the City of Philadelphia sustained or alleged to have been sustained in connection with or resulting from (i) the submission of the Applicant's proposal; (ii) the delivery by the Applicant to the PRA of any other documents or information; and (iii) any other conduct undertaken by the Applicant in furtherance of or in relation to the Applicant's proposal. Each Applicant agrees that its duty to indemnify and hold harmless shall not be limited to the terms of any liability insurance, if any, required under this RFP or subsequent contract.

The PRA is under no obligation whatsoever to Applicant as a result of this RFP. The RFP does not represent any commitment on the part of the PRA to Applicant or the project. In no event shall the PRA be responsible for any cost, expense or fee incurred by or on behalf of Applicant in connection with the RFP. Applicant shall be solely responsible for all such costs, expenses and fees.

NOTICE: The PRA is subject to the Pennsylvania Right to Know Law. Any information provided in your response to this Request for Proposals may be subject to disclosure to the public. Documents provided in response to this RFP may also be required to be disclosed by applicable law, subpoena, and/or court order.

