REQUEST FOR PROPOSALS

Property Development and Construction Advisory Services

LUTHER FOREST TECHNOLOGY CAMPUS
ECONOMIC DEVELOPMENT CORPORATION

SARATOGA COUNTY, NEW YORK

April 16, 2009
Overview

The Luther Forest Technology Campus Economic Development Corporation (LFTCEDC) is seeking proposals from individuals and/or firms (hereafter referred to as Consultants or Offerors) experienced in real estate development and construction management. The purpose of this solicitation is to develop a LFTCEDC Approved Consultants List comprised of qualified industry experts that can be engaged to provide advice/guidance regarding the on-going development and construction work at the Luther Forest Technology Campus. All LFTCEDC Approved Consultants will possess experience in some or all aspects of the planning, design, permitting, construction, and/or construction management of large-scale development projects, including business parks, technology parks, retail, office, and mixed-use projects.

LFTCEDC intends to enter into a Consulting Services Agreement with one or more Consultants in order to develop a Approved Consultants List that includes expertise across the complete spectrum of real estate development and construction management. Proposals from Consultants with expertise in one specific aspect of real estate development or construction management (e.g., sewer or utility systems) will be considered along with proposals from Consultants with a broader range of experience.

Offerors responding to this RFP should be aware that if engaged through this process, they (and their firm, subsidiaries or subconsultants) may not be eligible to participate in subsequent construction contracts or construction management projects offered by LFTCEDC and its subsidiaries. Further, Offerors engaged under this solicitation will not be eligible to respond to any procurement or RFP for which the Offeror provides consulting advice. This restriction applies to LFTCEDC projects/procurements only and not to the procurement process for any Luther Forest Technology Campus tenants.

Scope of Services

Each LFTCEDC Approved Consultant may be requested to perform a variety of Development/Advisory Services to advance the planning, development, and operation of the Luther Forest Technology Campus project. Approved Consultants will be assigned work on an as needed basis and will be compensated at an hourly rate. Hours for Approved Consultants are anticipated to range from 10-15 hours per week, however, no guarantee of work will be given. For each assignment, the Approved Consultant(s) shall work closely with LFTCEDC staff and, as directed, its agents, representatives, and subcontractors.

LFTCEDC may, for example, request input and guidance from Approved Consultants on the following issues. Note, this is a representative list only, actual assignments will vary.

1. Review and assess existing construction contracts and Grant Distribution Agreements.
2. Provide insight into industry best practices in regards to large-scale property development projects or specific aspects of on-going Campus construction projects.
3. Provide guidance regarding the best methods to manage multiple work projects/contractors in order to create an efficient and cost-effective workflow.
4. Identify contractors with the qualifications needed to complete LFTCEDC projects including water and sewer systems, utility (gas and electric), roadwork, landscaping and forestry, soil management, telecommunications infrastructures etc.
5. Participate in the development of bid documents and RFPs including the determination of bid requirements for contractors and vendors.
6. Review bid packages/proposal responses and assist with the qualification and selection of contractors and vendors.
7. Assist with the negotiation of contractor and vendor contracts.
8. Provide advice on miscellaneous construction issues (i.e., mechanics liens, prevailing wage issues, contract interpretations, and regulatory issues).
Content of Proposals

Proposals should be no longer than 10 pages. Offerors should provide the following information for evaluation by LFTCEDC:

1. **Offeror Qualifications**: Provide a description of the Offeror including a brief history, property development and/or construction management approach, and related experience. Include the names and qualifications (including, as applicable, professional training, licenses, experience, awards, etc.) of all personnel and subconsultants that are proposed to provide the services described in the Scope of Services.

2. **Past Experience**: Include a description of projects that the Offeror (and its subconsultants if applicable) have completed or for which they have provided professional property development and/or construction management services. Include the names of the personnel and/or subconsultants who completed the work on said projects, indicate whether or not each project was successfully completed, and provide the name and contract information for the owner, if not the Offeror.

3. **Fee Proposal**: Describe the proposed hourly rate for each employee and subconsultant that will provide services described in the Scope of Work along with a description of how fees will be determined and billed.

4. **Proof of Insurance**: Include evidence that the Offeror maintains professional liability insurance in the amount of $1 million per occurrence and $2 million aggregate.

5. **References**: Include a list of at least three references (including contact names, addresses, and phone numbers) for individuals and/or organizations familiar with the Offeror’s performance.

6. **Other Information**: Other data or information that will allow LFTCEDC to fully evaluate the Offeror and its service offering.

Submission of Proposal and Due Date

To be considered as an Approved Consultant, Offerors shall submit three (3) copies of its proposal to the Luther Forest Technology Campus Economic Development Corporation (LFTCEDC), 28 Clinton Street, Saratoga Springs, NY 12866.

*Proposals must be received at the LFTCEDC offices prior to 4 pm on Thursday, April 30, 2009.*

Failure to fully read this RFP and comply with its instructions will be at the Offeror’s own risk. All costs related to the preparation of proposals and any related activities are the sole responsibility of the Offeror. LFTCEDC assumes no liability for any costs incurred throughout the entire proposal development or selection process. Late proposals will not be considered for award.

LFTCEDC reserves the right to reject any and all proposals and to waive any informality or irregularity in proposals received, if it is deemed to be in the best interest of LFTCEDC. LFTCEDC is not obligated to award a contract based on the lowest priced submission. If terms cannot be mutually agreed upon, LFTCEDC may enter into negotiations with another Offeror.
Selection Process

Proposals that are deemed not to meet completeness and compliance requirements may, at the sole discretion of LFTCEDC, not be considered further. LFTCEDC reserves the right to request additional information or clarification from any or all respondents in order to assist with LFTCEDC’s evaluation of each Offeror and their proposal. The following criteria will be used to evaluate proposals:

1. **Offeror Qualifications and Prior Experience**: Offeror’s prior experience in the design, development, construction, and management of projects of a similar scale and complexity to the Luther Forest Technology Campus will be considered. Familiarity with the Luther Forest Technology Campus project and/or experience developing business/technology parks will be given extra consideration.

2. **Adequate Resources**: Offeror’s resources and ability to provide all required services with current in-house staff.

3. **References**: History of client satisfaction as based on reference checks.

4. **Fee Structure**: Value and competitiveness of the proposed fees for the Scope of Services offered.

Notices

This RFP is not an agreement nor is it an offer or invitation by LFTCEDC to any other party.

Each Approved Consultant shall enter into a written agreement with LFTCEDC to provide the services required under the Scope of Services as described above. The resulting Consulting Services Agreement shall expire one (1) year from the date the written agreement is executed unless terminated at an earlier date in accordance with the terms of the agreement. Upon mutual agreement of LFTCEDC and each Approved Consultant, the Consulting Services Agreement may be extended, all terms and conditions remaining the same.