



TIMES SQUARE – LANDSCAPING RFP

This is a request for proposals
to design, install, and maintain the landscaping
IN THE TIMES SQUARE PLAZAS AND DISTRICT

TIMES
SQUARE
ALLIANCE

Issue Date: November 8th, 2018
Due Date: November 30th, 2018

TIMES SQUARE ALLIANCE
1560 Broadway, Suite 1001
New York, NY 10036

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I. INTRODUCTION

The Times Square Alliance (the Alliance), a Business Improvement District under contract with the City of New York (the City) is responsible for the overall well-being and continual rejuvenation of the Times Square Area. The Times Square Alliance has worked for over two decades to promote a clean, safe and vibrant place through supplemental security and sanitation services, tourism promotion, constituent support, production and management of special events and advocacy policy, planning and design issues of interest to the neighborhood.

The Times Square district covers most of the territory from West 40th to West 53rd Street between 6th and 8th Avenues, as well as Restaurant Row (46th Street between 8th Avenue and 9th Avenues). It includes 39 of 40 Broadway theaters and the headquarters of major media, technology and financial services companies. Times Square is also the center of New York City tourism, hosting nearly a quarter of all the City's hotel rooms. The district's pedestrian plazas (see **Appendix A**) are some of the most extensively used public spaces in the City, and the first to be constructed with a permanent and distinctive paving design. The plazas were created by the New York City Department of Transportation (DOT) in 2009, and since that time the Alliance has been responsible for the maintenance and programming of these spaces via a license agreement with the City. As part of that agreement, the Alliance has the right and responsibility to upgrade the quality of life in the Plazas.

The Alliance is now seeking proposals (Proposals) from qualified vendors (Proposers) by issuing a Request for Proposals (RFP) to design, install and maintain the landscaping covering all of the five Broadway pedestrian plazas as well as other areas within the district.

The landscaping areas that the Proposer is responsible for installing/maintaining include, but are not limited to:

- The planter surrounding the George M. Cohan statue located on Duffy Square, just north of 46th Street and Broadway. **(see Appendix B)**
- Approximately 20 large potted planters – some that hold the “Pedestrian Flow Zone” signage within the Broadway Pedestrian Plazas spanning from 42nd street to 47th street. **(See Appendix C).**
- Approximately 28 small potted planters that perimeter the Designated Activity Zones (DAZs). **(See Appendix D).**
- Approximately 40 large potted planters that line specific areas on 41st street and 7th avenue, 48th street and 7th avenue, and 8th avenue between 41st and 42nd streets. **(Same potted planters as Appendix C).**
- Approximately 17 tree pits along 8th avenue between 43rd and 53rd streets. **(See Appendix E).**
- Approximately 25 tree pits along Restaurant Row (46th street between 8th and 9th avenue)

The proposer will assume sole responsibility for the installation and management of the plantings, with the exception of the trash removal from the potted plants that the Alliance's sanitation service will provide. The proposer will ensure that they comply with any and all relevant laws and regulations.

II. CONTRACT

- A. If a satisfactory Proposal is received, it is anticipated that the Alliance will enter into a contract (the “Contract”) with the successful Proposer for a period starting on the date of execution of the Contract and continue for a maximum term ending on November 30th, 2021 (“Sublicense Period”). Two additional one year options to renew may be offered subsequent to the initial term.
- B. Although the Contract may be in effect for 3 years or more, a termination clause for both parties shall be included in the Contract. The successful Proposer will be required to execute terms of the Contract, which may include terms and conditions including but not limited to those outlined in **section IX, below**.

III. PERTINENT DATES

- A. Questions related to this RFP should be submitted in writing (email) to the Alliance no later than November 16th, 2018.
- B. All Proposals are due no later than November 30th, 2018.

IV. PROPOSAL SUBMISSION PROCESS

If you choose to respond to this RFP, please answer via an attachment to an email, no larger than 20MB, at the below address:

Damian Santucci
dsantucci@tsq.org
Director of Production and Operations
Times Square Alliance
1560 Broadway, Suite 1001
New York, NY 10036

All questions regarding the RFP must be in writing and must be returned to Damian Santucci via electronic mail at dsantucci@tsq.org. Questions should be submitted no later than November 16th, 2018. Questions and responses from the Alliance will be shared with other Proposers.

The Alliance will not accept oral Proposals or Proposals submitted by facsimile. The Alliance reserves the right to reject any or all Proposals submitted and assumes no responsibility and no liability for costs incurred by the Proposers prior to selection.

Proposals should include the following:

1. A simple and succinct statement of qualification, including past experience in the landscaping field, particularly in large open public environments with a lot of foot traffic and activity
2. A clear description and visual representation of the landscape offering and installation plan
3. A description and relevant examples of the customer support work of the Proposer
4. A financial proposal detailing proposed capital costs and ongoing costs.
5. Financial statements indicating that the Proposer is in solid financial health and has the ability to manage and operate a business
6. Drawings/schematics/renderings/any other design elements that demonstrate a proper visualization of the installations within the Broadway Pedestrian Plazas
7. Proof of Insurance

V. TERMS GOVERNING REQUESTS AND SELECTION

The Alliance will review all proposals for completeness and compliance with the terms of this RFP. The Alliance reserves the right to request additional materials to evaluate each Proposer's qualifications and past experience, or clarification or modification of any submitted Proposal. Submission of a Proposal shall constitute the Proposer's permission to the Alliance to make inquiries concerning the Proposer as the Alliance deems useful or appropriate. The Alliance is not obligated to make any such request or to accept unsolicited additional materials, clarification, modification or background information. The Alliance may conduct discussions with the Proposers submitting acceptable Proposals, but it may also award a Contract with no further discussions. The Alliance reserves the right, in its sole discretion, to reject any or all Proposals, and/or to withdraw this RFP, without prior notice.

The Alliance will select the Proposer that, in the sole judgment of the Alliance, most successfully demonstrates the necessary qualities and meets the criteria to undertake the project at hand, offers the most favorable financial terms, and best meets the needs and goals of the Alliance. The Alliance reserves full right to reject all Proposals if it so chooses. Under no circumstances will the Alliance pay any costs incurred by a Proposer, will create no legal submission or equitable rights in favor of the Proposer, including without limitation, rights of enforcement or reimbursement.

Failure by the Alliance for any reason to select a Proposer to enter into a Contract as a result of this RFP will not create any liability on the Alliance or any of its members, officers, employees, agents, consultants or other Proposer. Submission of a Proposal in response to the RFP will constitute a waiver of a claim against any of the foregoing for any costs incurred or for any matters arising thereunder or in connection with the review of such Proposal by the Alliance.

The successful Proposer shall be required to complete and file VENDEX questionnaires if the aggregate value of City contracts, franchises and concessions awarded exceeds \$100,000.

VI. SELECTION CRITERIA

Proposals will be evaluated based on the following criteria:

- **Price (30%):** The Proposer's proven ability to propose a fair price for the services to be performed.
- **Experience (30%):** The Proposer's proven ability to effectively install and maintain landscaping that beautifies a public urban space.
- **Landscaping Installation/Maintenance Plan (20%):** The Proposer must provide details on how and when they will perform each installation, how often they plan to maintain the installations, and how frequently they will refresh the installations depending on the season.
- **Design Expertise (20%):** The Proposer must provide photos/digital mock-ups of their design of the installation within the existing planters on the plazas. These designs must be unique and pleasing to the eye.

VII. EXECUTION OF CONTRACT

The submission of a Proposal shall constitute an agreement by the Proposer to execute a Contract with the Alliance, which will include, but not be limited to, the terms and conditions outlined below, in addition to any other terms and conditions deemed appropriate by the Alliance. If the Alliance notifies the Proposer that he/she has been selected, then Proposer shall execute a Contract with the Alliance within 30 days of such notification and receipt of an executable copy. In the event that the successful Proposer fails to expedite a Contract for any reason such period, the Alliance may void the selection and negotiate and execute a Contract with another Proposer. The Alliance may also decide not to enter into any Contract.

VIII. OTHER CONSIDERATIONS

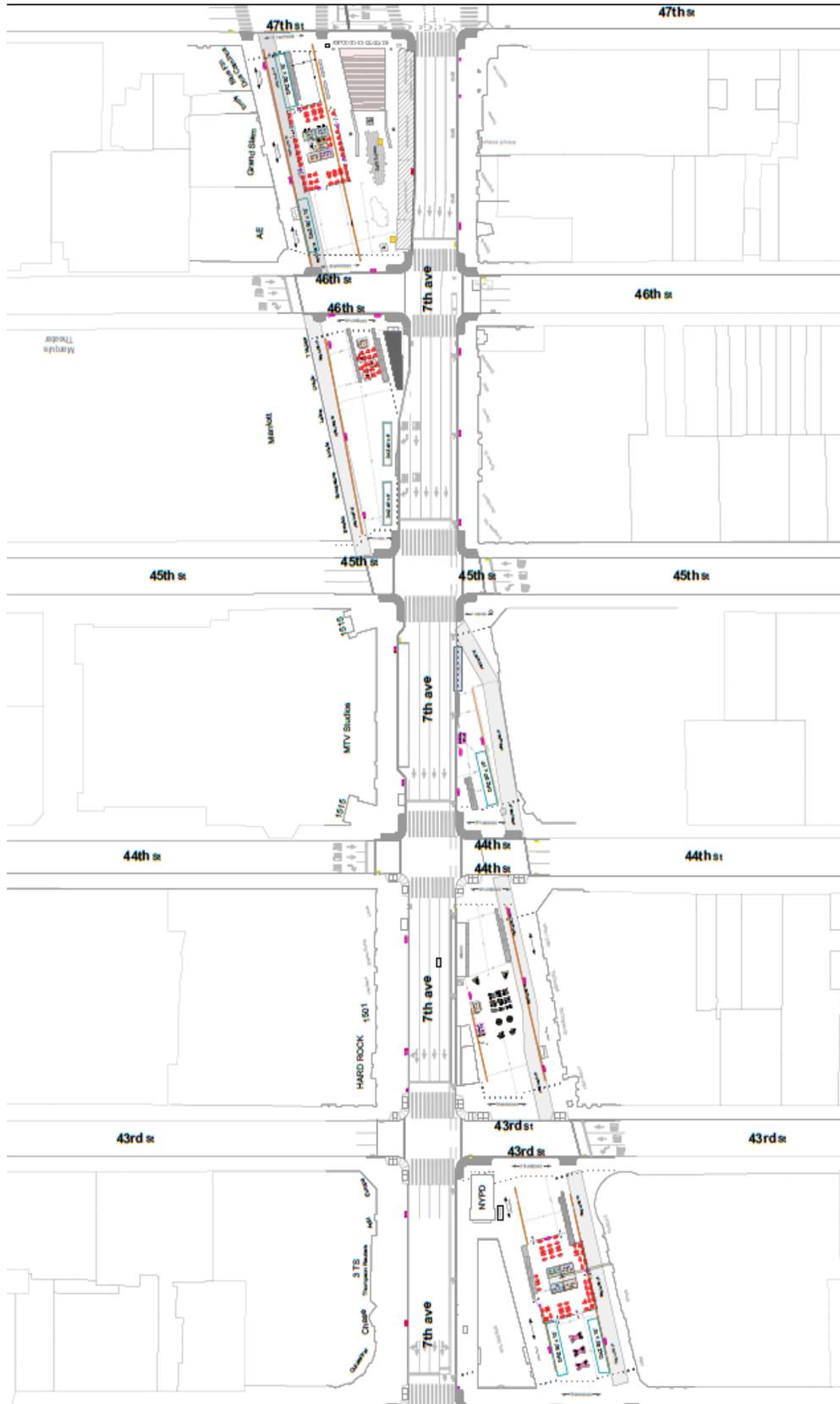
- A. Proposers should provide information about their existing business operations, including specific locations, number of years in business, information on customer base and/or sales, etc. Proposers should highlight the quality and originality of existing operations. If applicable, Proposers should provide specific examples of any other existing arrangements of plantings/landscape arrangements in other public spaces within New York City or in other locations.
- B. The fabrication/installation of any elements of the landscaping shall not block pedestrian walkways or in any way create an impediment to pedestrians or compromise public safety in the Plaza.
- C. The successful Proposer may need to be flexible at specific times with respect to special events and other activities on the Plaza(s), but will be notified in advance in the situation that plantings/fixtures need to be moved or re-moved entirely from the plazas.
- D. Times Square is a busy place. Thousands of visitors may sit on, stand in, litter in, or simply abuse the well-being of the installations. The Proposer must understand that the installations will need to be maintained if they become considerably damaged.
- E. The Alliance expects robust customer service support for these installations in the case that they need to be refreshed or refurbished.

IX. GENERAL TERMS

The successful Proposer shall be subject, without limitation, to the following terms and conditions:

- Alliance may specify certain plants to be installed
- Alliance may request work with an outside designer

APPENDIX A – BROADWAY PEDESTRIAN PLAZAS MAP: 42nd STREET – 47th STREET & BWAY



APPENDIX B – GEORGE M. COHAN STATUE PLANTER



APPENDIX C – LARGE POTTED PLANTER





APPENDIX D – DAZ ZONE PLANTER



APPENDIX E – TREE PITS

