

# Board of Park Commissioners Approval Form

## Foster Park Entrance Design Project

**Project: 2024015**

**QuestCDN No.: 8954558**

### **Project Approval Request**

#### **Scope of Work:**

The City of Fort Wayne Parks and Recreation Department, on behalf of the Board of Park Commissioners has requested proposals with fees from firms qualified to prepare Construction Documents and Specifications, including Construction Administration for **Foster Park Entrance Design Project**. Proposals from four (4) design firms were received on February 23, 2024. This project includes the following general components in the Base Bid area:

1. A public engagement strategy to involve and gather information and ideas from the park's users
2. A new entrance to Foster Park from Old Mill Road
3. Landscape improvements throughout the current deep-rock tunnel project area and perennial gardens/bridal glen
4. A new maintenance building
5. Pedestrian connections to and between existing park amenities and paths
6. Siting of an entrance monument sign
7. Identification of opportunities for signage and lighting

In addition, the Alternate Bid area will be considered for potential improvements to:

1. Pedestrian and vehicular connections and circulation
2. Parking
3. Drainage
4. Irrigation
5. Horticulture

Strategies will be considered for continued and improved success of Foster Park's current amenities, in addition to diversity of park users, security and safety, connectivity, accessibility, and ecological and environmental conservation. Parks' and City Utilities' maintenance needs will also be main factor for success of the project design.

Proposals were evaluated by a committee consisting of various administrative members of the FWPRD. All proposals were evaluated and judged according to their merit and demonstration of each company's project understanding, ability to complete, experience, methodology, and proposed fee. The selection committee and Park staff recommend that the Board of Park Commissioners enter into a contract with Earth Source, Inc. for the above-mentioned work.

**Board Approval:**

At this time, I would like to request approval for a contract with **Earth Source, Inc.** at a total cost of **\$296,000.00**, with the Base Bid (\$232,500) to be funded by City Utilities, and the Alternate Bid (\$63,500) to be paid from Parks Cumulative Capital Funds.

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The Fort Wayne Parks and Recreation and the Board of Park Commissioners, met to host their regularly scheduled monthly Board meeting on **March 14, 2024**, to approve the above-referenced project and contract, in the amount of **\$296,000.00**.

*We, the Board of Park Commissioners, on the date stated, do ATTEST, sign the above-referenced and attached documents, and approve as presented.*

**CITY OF FORT WAYNE  
BOARD OF PARK COMMISSIONERS**

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**Justin Shurley, President**

\_\_\_\_\_  
**Cory Miller, Vice-President**

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**Richard Briley, Commissioner**

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**Jenna Jauch, Commissioner**

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**Steve McDaniel, Director/Board Secretary**

# Score Tabulation

Foster Park Entrance Design  
Quest #8954558

March 7, 2024

CONSULTANT:	Earth Source, Inc.	JPR, Inc.	Troyer Group	Hitchcock Design Group	
SCORE:	73	72	66	60	



# City of Fort Wayne Parks and Recreation Department

## Foster Park Entrance Design

### REQUEST FOR PROPOSALS

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#### Summary

The City of Fort Wayne is seeking proposals with fees from firms qualified to prepare Construction Documents and Specifications, including Construction Administration, for the design of a new maintenance building and redesign of the entrance to Foster Park. This plan will provide a new 'front door' to the park, taking into consideration a number of existing, dynamic variables.

Foster Park is one of Fort Wayne's most popular parks, providing a wide range of recreational opportunities. A thriving, vibrant and desirable neighborhood has grown up around the park since its creation in 1912. These opportunities, paired with the park's location and accessibility, provide the setting for a diverse group of users.

The Entrance Plan will take into account the maintenance and enhancement of Foster Park's historical and current amenities, vehicular and pedestrian circulation, and the interface of the new plan with the existing park and surroundings. Consultants must have the knowledge, skills, experience and time to produce high quality work; the details for which are outlined in Section Two. The Fort Wayne Parks and Recreation Department expects the work delivered by consultants to be an example of world class design, reflecting a well-defined and articulated philosophy towards infrastructure, ecology, landscape design, and park programming. The work contemplated by the Fort Wayne Parks and Recreation for this project is multifaceted and will require the coordinated participation of several professional disciplines including landscape architecture, architecture and civil engineering. The Fort Wayne Parks and Recreation Department anticipates that project leadership should come from the landscape architecture discipline and that thorough engagement of other necessary disciplines will be coordinated by the consultant project manager. The selected consultants will work closely with the Parks' Foster Park Entrance Design Project Manager.

This document presents the specific requirements for submitting a proposal and includes a scope of work, maps, the preferred organization structure, and the process used to select a consultant or team of consultants.

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## SECTION ONE – Introduction

### Foster Park: Project Context

In 2017, the City of Fort Wayne City Utilities Department began construction on the 3RPORT Deep Rock Tunnel Project as part of the city's Long-Term Control Plan to reduce the discharge of untreated CSOs into the St. Marys and Maumee Rivers in Fort Wayne. One of the seven drop shafts associated with this project is located at the entrance to Foster Park; this site also serves as the retrieval shaft for the tunnel boring machine. In addition to this infrastructure work, two consolidation sewer projects are being completed in the park that will connect two neighborhoods to the tunnel. Slated for completion in 2025, the project is a great achievement in the name of water quality for the Upper Maumee Watershed, resulting in a 90% reduction in sewer overflows. However, it has resulted in major impacts to Foster Park.

As seen in Figure 1, the construction footprint for the drop/retrieval shaft is sited squarely at the entrance to the park. Newly begun consolidation sewer projects have extended the footprint to the west and south. While the park has remained open throughout construction, impacts have been felt in regards to aesthetics, parking, circulation, noise, and general ease of access. In addition, many trees have been either removed or impacted by construction, while the golf course has just begun to experience physical impacts by the work being done.

Coordination and communication between City Utilities and Parks and Recreation has been maintained throughout the entirety of the project, with impacts being measured, monitored and mitigated as much as possible. In anticipation of impacts to the golf course, a golf course master plan was completed for the park. The early results of this design process solicited a strong response from both general park users and the neighbors to the east, further illustrating the passion that the community has for Foster Park. Community input ultimately led to a strong master plan for the golf course; however, solutions to the impacts upon the project area sought in the Foster Park Entrance Design Project were not addressed in that plan.

The aim of the Foster Park Entrance Design Project is to reimagine the entrance to the park in response to both neighborhood and existing park context, while incorporating solutions relating to the needs of both utilities' infrastructure and parks' maintenance needs. This will include, at minimum, vehicular and pedestrian circulation, a new maintenance building, and landscape improvements. Community input and communication will be vital, as will coordination with both Parks and Recreation and City Utilities. Furthermore, the project will need to respond to recommendations made and principles established in a variety of previously completed plans, each of which are listed below.

In regards to proposals, the project has been divided into two areas: Base Bid and Alternate Bid (each illustrated below in Figure 3). It is anticipated that the Base Bid area will be completed through construction documentation, administration, and construction. The Alternate area is anticipated to be completed through the Design Development phase, with the goal of comprehensive design for the entire project area illustrated in Figure 2. Details of deliverables for each area are described in the design overview and scope of work.

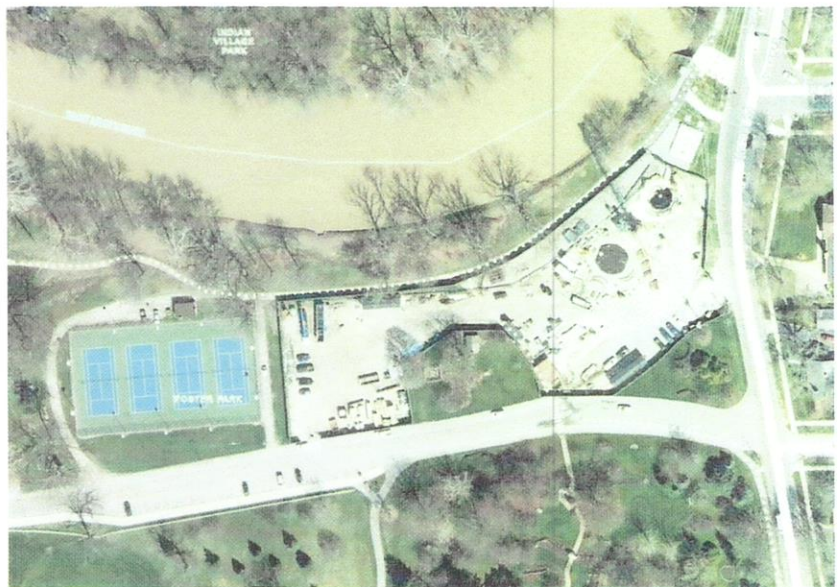


Figure 1: Drop Shaft Site



Figure 2: Project Context

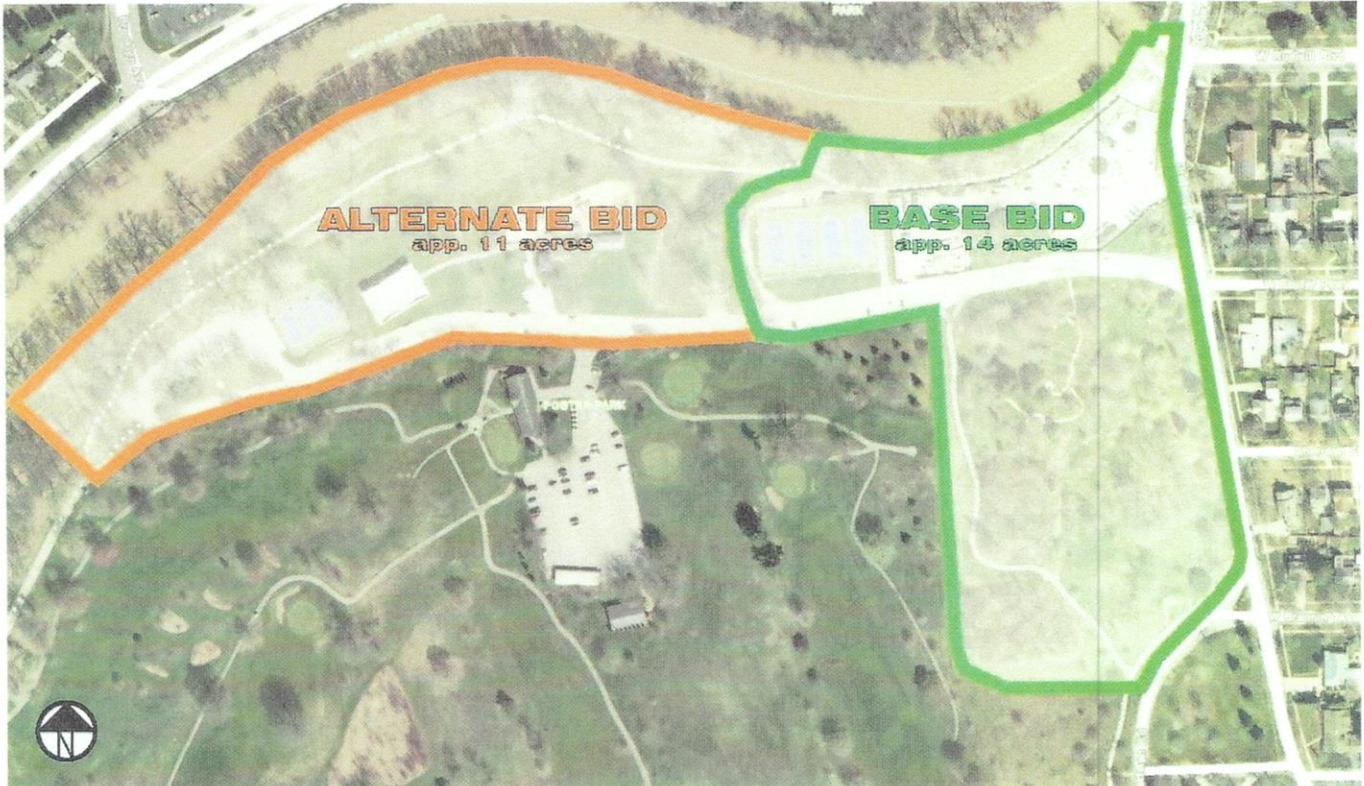


Figure 3: Project Areas

### Foster Park Entrance Design Overview

The three design components of the park plan are as follows:

#### Step 1 – Inventory and Analysis: Existing Conditions

**Conduct Physical Site Inventory and Analysis** - Obtain information on current environmental and general existing conditions. Information may be obtained from site surveying, GIS mapping, site reconnaissance and visits to the area, and/or reviewing previous studies and historical information on the park. Information should be gathered on any existing and/or potential historical and archeological features, utilities, viewsheds, soil conditions, vegetation, wetlands, topography, floodway/floodplain, riparian buffers, environmental issues, native flora and fauna, invasive species and endangered species.

**Conduct Park Facility and Program Inventory and Analysis** - This information may be gathered during field visits to Foster Park, focus group sessions, and interviews with municipal staff members, parks and recreation board members, other recreation providers, and stakeholders. A narrative should be developed to describe facilities and programs in the park, maintenance issues, preventative maintenance needs, general access and connectivity, circulation and parking issues, and risk management issues. An inventory should be conducted of all recreation facilities and programs in the park. A map should be prepared to identify where existing parks and recreation features are located and distributed throughout the park.

**Review Previous Plans and Studies** – Past studies and previously completed plans are a valuable resource and the consultant shall review and understand all plans and studies outlined below.



### Step 2 – Assessment: Needs and Preferences

**Assess Community Needs** – Public input will be an important and necessary component of the design process; nearby residents are passionate and vocal about Foster Park. Consultant shall conduct research about park patrons' recreation needs and preferences. This process shall occur during scheduled workshops, public meetings, surveys, and stakeholder interviews.

**Assess Maintenance, Programming and Recreation Needs** – Understand all components of Scope of Work and provide site design solutions that address each component. Interview Parks and City Utilities staff to create clear picture of staff programming and maintenance needs. These components may include, but are not limited to, access and use of: rental facilities, trails, golf course, playground, river, tennis and volleyball courts, gardens, and utility infrastructure. In addition, the information gathering step will provide a technical assessment, identify existing deficiencies, and gauge existing use and demand for current program elements.

**Address Accessibility** - Ensure that parks and recreation facilities and programs provide equal opportunities and experiences for persons with disabilities. All local government park boards, departments, and facilities are covered by Title II of the Americans with Disabilities Act (ADA). It is important to identify any architectural, transportation, communication, or service barriers that may limit the use of parks and recreation facilities or programs by people of various abilities. Parks and recreation boards and departments should conduct an ADA self-evaluation and prepare a plan to remove barriers to program participation and use of facilities. ADA Standards and ABA Standards contain provisions for various types of recreation facilities. The U.S. Access Board has issued a series of guides on recreation facilities that further explain these requirements in the standards. Efforts shall be made to move beyond ADA Standards and to prioritize Universal Accessibility features as possible.

### Step 3 - Propose Implementation Plan

**Data and Analysis** – This shall include a summary of findings from the inventory/analysis and assessment steps, summary of survey results and public input, and land use maps at appropriate scales to deliver design intent and composition.

**Base Bid/Alternate Bid Focus Areas** – Documentation describing and illustrating proposed plans for the following Base Bid focus areas shall be included: Foster Park Entrance, Maintenance Building, Monumental Sign, Perennial Gardens/Bridal Glen, Landscape/Horticultural Elements, and Connections to existing/remaining amenities within the base bid area. Base Bid work shall be carried out through Construction Documentation and Construction Administration.

Documentation describing and illustrating proposed plans for the following Alternate Bid focus areas shall also be included: Playground, Rental Pavilions, Park Drive, Volleyball Courts and Parking areas. Alternate Bid design shall not necessarily focus on a total redesign, but on potential improvements to pedestrian and vehicular connections/circulation, parking, drainage, irrigation, and horticulture; this shall be carried out through Design Development.

**Building on Success** – Recommend strategies for continued and improved success of Rivergreenway trail use, rental facilities, Perennial Gardens/Bridal Glen, Recreational Amenities (golf, tennis, pickleball, volleyball), and diversity of park users, considering security and safety, connectivity, accessibility, and ecological and environmental conservation.

**Address Existing Challenges** – Provide design documentation which comprehensively addresses current and projected parking and circulation issues, wayfinding and signage, park use within the floodway and floodplain, natural resource conservation (soil, water, biodiversity, energy), vehicular/pedestrian conflict, presence and maintenance needs of utility infrastructure, and Parks' maintenance needs.

### **Plans and Studies**

Consultants should review existing data and community plans to better familiarize themselves with Fort Wayne and Foster Park. The following plans and studies provide background and detail related to the study area; however, additional research and analysis will likely be required in order to establish an in-depth understanding of the study area. These studies inform and provide substantive guidance to this effort; they will be made available when contract is awarded.

### Completed Plans

1. *Foster Park Cultural Landscape Report (2007)*, Heritage Landscapes  
This report is a thorough planning document that investigates and gathers data on the history, evolution, existing conditions, use, maintenance and ecology of the landscape, context of the surrounding city, and direct community input.
2. *Foster Park Golf Course Master Plan for Improvements (2022-23)*, Hills, Forrest, Smith  
This is a master plan for the golf course that aims to make improvements partly in response to disruptions made necessary by recent Utilities improvements, but to also improve pace of play, experience, drainage, and irrigation.
3. *City of Fort Wayne Deep Rock Tunnel and Consolidation Sewer Projects (2017-24)*, Fort Wayne City Utilities  
These plans include improvements made to Fort Wayne's combined sewer system, including within Foster Park a drop shaft to the deep-rock tunnel, associated consolidation sewer improvements to surrounding neighborhoods, and associated maintenance infrastructure.
4. *Fort Wayne Parks and Recreation Comprehensive Plan (2023)*, Design Workshop  
This plan addresses five main principles- equity, access, quality, community, and environment- as they relate to the Fort Wayne Parks system, providing recommendations that will ensure the system promotes livability, protects the natural environment, provides mental and physical health benefits, and enhances community connections for all.

### Relevant Studies

1. *National Register of Historic Places Fort Wayne Parks and Boulevard Historic District (2010)*, The Westerly Group and Storrow Kinsella

## SECTION TWO – Scope of Work

### Project Management

Fort Wayne Parks and Recreation has established a team of staff to guide the work of the consultant team. The internal team will provide oversight, assist with communication, and help with logistical tasks such as collecting and sharing relevant data and information. The consultant team is expected to be comprised of personnel with the skills and experience necessary to deliver on the tasks outlined below and more generally understood as the scope of work as described in this RFP. Given the complexity of the scope of work, the internal team and the consultant team will have to closely and carefully coordinate their activities.

### PROJECT COMPONENTS AND DELIVERABLES

This project includes the following general components:

1. A new entrance to Foster Park from Old Mill Road
2. Landscape improvements throughout the current deep-rock tunnel project area and perennial gardens/bridal glen
3. A new maintenance building
4. Pedestrian connections to and between existing park amenities and paths
5. Siting of an entrance monument sign
6. Identification of opportunities for signage and lighting

### Entrance:

The newly contemplated entrance will serve as the front door to the park, providing vehicular and pedestrian access from Old Mill Road.

### Landscape Improvements:

A landscape renovation shall be designed to integrate with, complement, or replace existing landscape and gardens in the park, including shade and ornamental trees, perennial and annual gardens, open spaces, stormwater management/drainage, and irrigation. Green infrastructure should be considered in design.

**Maintenance Building:**

The new building will serve the needs of both City Utilities infrastructure and full-time, on-site Parks gardening staff. Early recommendations for the structure call for approximately 2900 sq. ft. Approximate siting of building has been necessitated by Utilities infrastructure. Alternative energy and storm/wastewater technologies should be considered in design.

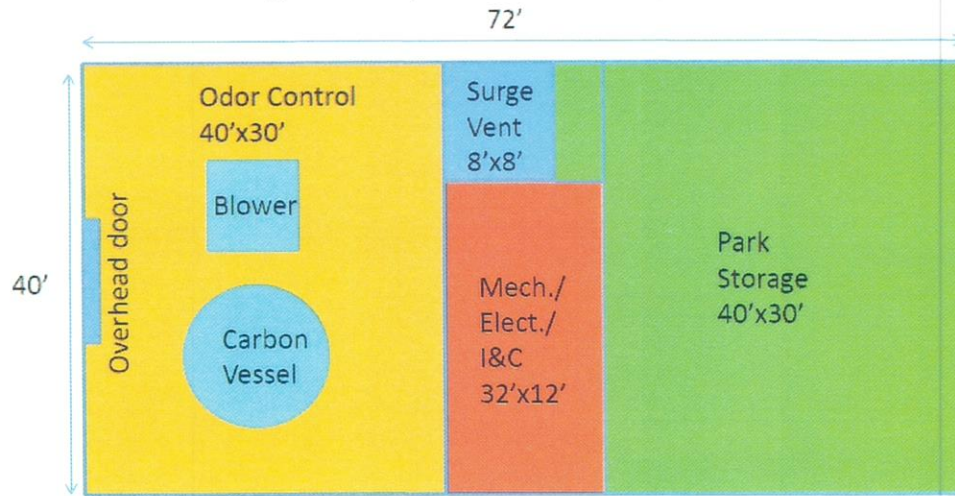


Figure 4: Draft Maintenance Bldg. Layout

**Pedestrian Connections:**

Several existing amenities are to remain in place within the project area; new connections between each should be organized and designed in order to better serve park patrons.

**Entrance Monument Sign:**

An entrance monument sign was previously sited at the north end of the project site, at the west intersection of Rudisill Blvd. and Old Mill Road. This sign was removed during new construction of utilities infrastructure. As seen in Figure 5, the sign also suffered the impacts of vehicular crashes. The Foster Park Entrance Design project will site the sign in relation to design of other project components.

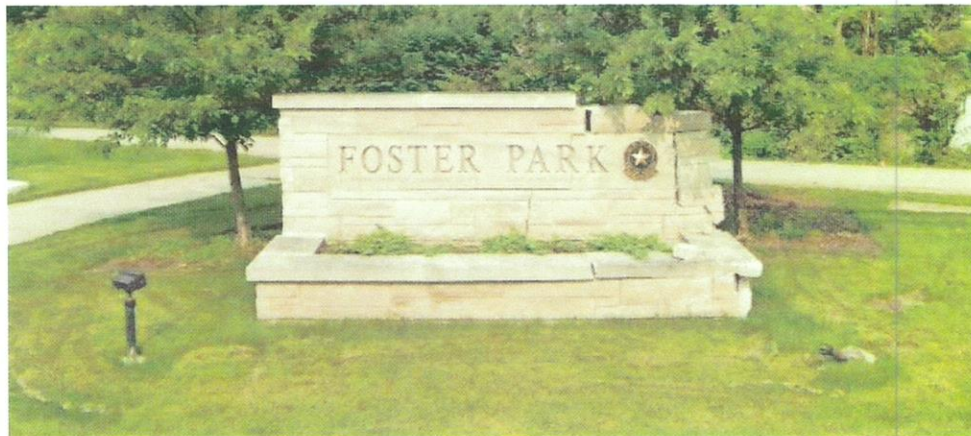


Figure 5: Foster Park Monument Sign

**Signage and Lighting:**

Site lighting and updated directional signage should be considered in order to provide safety and utility to park patrons.

**Foster Park Entrance Design – Deliverables:**

1. Coordinate with Fort Wayne Parks and Recreation staff and administration during the complete design process, from Schematic Design, Design Development, and Construction Documents development through Construction Administration.
2. Provide permitting services for all components of the work, with all required permitting agencies including, but not limited to local governmental agencies (Base Bid Only).
3. Produce detailed erosion control plans, demolition plans, site development plans, grading plans, landscape plans, path profiles, architectural plans, details, and specifications for all components of the plan.
4. Produce detailed cost estimates for the project as outlined in Deliverable Details below. This will include potential Value Engineering as indicated.
5. Produce site signage plans and details.
6. Produce a 3-D digital model and renderings of all improvements (plan, birds-eye, elevations, and perspective) to communicate design intent throughout the design process.
7. Assist Parks in preparation of bid documents, solicitation, and review of bids (construction will be bid by Parks through Quest e-bidding service).
8. Provide Construction Administration services for all components of the project installation.

**Deliverable Details:**

1. Schematic Design (Base and Alternate Bids)
  - a. Complete Survey and Geo-technical Testing
  - b. Evaluate Geo-technical Report (some testing has been completed by City Utilities in the drop shaft area)
  - c. Concept Refinement and Rendered Plan
  - d. Schematic Design Drawings (50%)
  - e. Owner Review
  - f. Early Permit Coordination
  - g. City of FW Utility Coordination/Private Utility Coordination
  - h. Specifications Outline
  - i. Cost estimating
  - j. Schematic Design Drawings Submittal
2. Design Development (Base and Alternate Bids)
  - a. Design Development Drawings (75%)
  - b. Owner Review
  - c. Equipment/Material/Site Furniture Vendor Coordination
  - d. Draft Specifications
  - e. Cost Estimate Update
  - f. Permit Applications Prepared
  - g. Value Engineering Review
3. Construction Documents (Base Bid Only)
  - a. Construction Document Drawings (90%)
  - b. Final Vendor and Utility Coordination
  - c. 90% Specifications
  - d. 90% Cost Estimates
  - e. Construction Document Drawing Submittal 90%
  - f. Owner Review
  - g. Final Drawings and Specifications
  - h. Permit Application Submittal
  - i. Final Construction Document Submittals (100%)
  - j. Preparation of Bid Documents
  - k. Pre-bid meeting attendance
  - l. Review of Bids and Negotiation with General Contractor
4. Construction Administration (Base Bid Only)
  - a. Facilitate Pre-Construction Meeting
  - b. Attend bi-weekly construction progress meetings (on-site)
  - c. In-person Site Visits Weekly
  - d. Review and Make Recommendations to owner on all Submittals
  - e. Establish and maintain a tracking system for all Project construction records (RFI's, ASI's, RFP/CO's)

## Request for Proposals: Foster Park Entrance Design

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- f. Coordinate Communication between Design Team, Contractor, Owner, and Permitting Agencies
- g. Review the Contractor's Project Schedule, Schedule of Values, Submittal Schedule, and Equipment Matrix and list of proposed subcontractors
- h. Submit written reports of site visits and meetings
- i. Notify Owner and Contractor in writing of any work not in conformity with the Construction Documents
- j. Manage Quality Assurance
- k. Certify Contractor's Application for Payment in an appropriate amount
- l. Review Construction Materials Testing
- m. Prepare Change Orders for the Owner's approval and execution
- n. Prepare revised Contract Drawings to illustrate and document approved Change
- o. Prepare, assemble and distribute the official punch list(s)
- p. Review as-built documents for completeness at Substantial Completion and Final Completion
- q. Review Contractor's record drawings, O&M instructions, and all other close-out documentation

## SECTION THREE – Submittal Requirements

All proposals are due by **11:00 am on Friday, February 23, 2024** through the City's [www.QuestCDN.com](http://www.QuestCDN.com) web-based interface. **The project can be found at QuestCDN #8954558 – Fort Wayne Parks Foster Park Entrance Design.** The City of Fort Wayne reserves the right to disqualify any proposal that is late or otherwise does not comply with said requirements. Expenses incurred in the preparation of proposals are borne by the consultant/firm with the understanding that the selected consultant/firm may not apply to the FWPRD for reimbursement of these expenses.

### Proposal Components

The proposal should contain the following sections:

- 1. Letter of interest**
  - Overview of the firms that comprise the consulting team;
  - Introduce the primary contact person and provide his/her information (email and telephone);
  - Describe current workload and consultants' availability over the period of the next 8-10 months.
- 2. Qualifications/Project Portfolio**
  - Examples of experience of the lead firm and sub-consultants working together on projects with a similar scope to that outlined above;
  - Examples of three (3) comparable projects for which the lead firm provided a lead role; and
  - Examples of projects to which sub-consultants have served in supportive roles similar to that proposed here.
- 3. Methodology**
  - Statement indicating an understanding of the work to be performed;
  - Provide a detailed description of the procedures and methods you propose to use to complete all parts of the project;
  - Include a description of specific tasks, and anticipated deliverables;
  - Propose a public engagement program that cultivates ownership in the process and the final results.
- 4. Project Management**
  - Introduction to the team (resumes);
  - Services/functional role performed by each team member;
  - Describe the organizational framework for this project, including the specific roles and responsibilities of each team member;
  - Technical Resources.
- 5. References**
  - List of at least three (3) references we may contact;
  - Indicate project names and firm's role;
  - Client contact information (email and telephone).
- 6. Proposed Fee**
  - Whole dollar amount fee to complete Scope of Work for 1) Base Bid and 2) Alternate Bid
  - Anticipated Reimbursable Expenses (cost for travel, reproduction, postage, etc.) .

## SECTION FOUR – Selection Process and Criteria

Procurement of professional services related to the Foster Park Entrance Design Project will follow a criteria-based selection process in order to ensure transparency, fairness and productive competition among prospective consultants.

Using the evaluation criteria presented below, a selection committee will review and rank all of the proposals submitted. The committee will consider completeness, clarity, experience, focus, creativity, as well as the quality and span of expertise when assessing the proposals. This committee includes representatives from the Fort Wayne Parks and Recreation and Fort Wayne City Utilities.

### Evaluation Criteria

The selection committee will consider the following evaluation factors and point distribution matrix (100 total points possible) to guide the entire selection process:

- 25 Project understanding and soundness of proposed project methodology, including but not limited to the detail and accuracy of the proposed scope and statement of work, and the public participation program
- 25 Qualifications/Project Portfolio provided by the respondent and prior experience of consultants and staff
- 25 Superior ability or capacity to meet particular requirements of contract and needs of the City of Fort Wayne
- 15 Creativity and logic in design and proposed execution
- 10 Proposed Fee Structure and Schedule

The Fort Wayne Parks and Recreation Department will pursue negotiations with the top ranked respondent in order to finalize the scope and schedule of work and execute a satisfactory contract with the lead consultant. If a satisfactory agreement cannot be negotiated the Fort Wayne Parks and Recreation Department will take necessary steps in their best interest. [See section five reservations]

The following is an *anticipated* selection process schedule; please note the Fort Wayne Parks and Recreation Department and/or the selection committee reserves the right to adjust stated dates. However in the event changes do occur, all interested parties will be notified in a timely fashion.

Issue Request for Proposals	<b>January 29, 2024</b>
Pre-proposal meeting via Microsoft Teams, 2 pm	<b>February 7, 2024</b>
Questions Due from lead consultants	<b>February 9, 2024</b>
Response to Questions Returned	<b>February 14, 2024</b>
Proposals Due	<b>February 23, 2024</b>
Notification of selected consultant	<b>March 8, 2024</b>
Professional services contract signed for the Franke Park Master Plan	<b>March 13, 2024</b>
Project Kick-off (following City Council Approval)	<b>April 10, 2024 (tentative)</b>

Questions relating to this proposal should be directed in writing.

**Contact:** Chad Shaw, Superintendent of Landscape and Horticulture

**Email:** [chad.shaw@cityoffortwayne.org](mailto:chad.shaw@cityoffortwayne.org)

**Subject:** Foster Park Entrance Design – RFP Questions

## SECTION FIVE – Reservations

*The City of Fort Wayne 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:*

- a) The City of Fort Wayne 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 City of Fort Wayne may require, at any time prior to execution of a final contract. The City of Fort Wayne may, at its sole discretion, 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 City of Fort Wayne shall not be obligated to inform other respondents of the changes, or to permit them to revise their proposals in light thereof, unless the City of Fort Wayne, in its sole discretion, determines that doing so is in the City of Fort Wayne's best interest.
- b) In the event negotiations with any respondent(s) are not satisfactory to the City of Fort Wayne, the City of Fort Wayne 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. The City of Fort Wayne reserves the right not to enter into any contract with any respondent, with or without re-issue of the RFP, if the City of Fort Wayne determines that such is in the City of Fort Wayne's best interest.

*The City of Fort Wayne 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:*

- c) To reject any proposals if, in the City of Fort Wayne's sole discretion, the proposal is incomplete, the proposal is not responsive to the requirements of this RFP, or it is otherwise in the City's best interest to do so;
- d) 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;
- e) 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 City's best interest to do so;
- f) To reject the proposal of any respondent that, in the City's sole judgment, has been delinquent or unfaithful in the performance of any contract with the City of Fort Wayne or with others, is financially or technically incapable or is otherwise not a responsible respondent;
- g) To reject as informal, non-responsive, or otherwise non-compliant with the requirements of this RFP any proposal which, in the City's sole judgment, is incomplete, is not in conformity with applicable law, is conditioned in any way that is unacceptable to the City of Fort Wayne, 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;
- h) To waive any informality, defect, non-responsiveness and/or deviation from this RFP and its requirements that is not, in the City's sole judgment, material to the proposal;
- i) To permit or reject at the City'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;
- j) To request that some or all of the respondents modify proposals based upon the City's review and evaluation;
- k) 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;



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- l) 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;
- m) To conduct such investigations with respect to the financial, technical, and other qualifications of each respondent as the City of Fort Wayne, in its sole discretion, deems necessary or appropriate; and
- n) To waive and/or amend any of the factors identified in the RFP as pertaining to the respondent's qualifications.