



Flight 93 Advisory Commission Briefing Reports February 20, 2004

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A. Land Protection Report

- I. Land Protection Report prepared January 16, 2004 by National Park Service Realty Officer Boyd L. Sponaugle, Chief, Northeast Region Realty Division.**

To be provided at the Commission meeting by Boyd Sponaugle. Not provided here due to confidentiality protection to landowners.

II. Status of the Commission Resolution Put Forward to the Secretary of the Interior at the November 14, 2003 Meeting, Prepared by Joanne Hanley

A briefing was given to NPS Regional Director Marie Rust and her staff in Philadelphia on January 22, 2004, on the land acquisition resolution put forward by the Commission; we requested that it be forwarded to NPS Director Fran Mainella for her approval. This resolution called for immediate land protection/acquisition of approximately 1500 acres, reserving the right to establish a final boundary at a later date

On January 27, 2004, Joanne Hanley and Jeff Reinbold went to Washington DC, briefed NPS Director Fran Mainella on the land acquisition resolution put forward by the Commission, and requested that it be forwarded to the Secretary of the Interior for approval.

Director Mainella and her staff were extremely pleased at the hard work and diligence done by the Families, the Task Force, the Commission and the NPS in identifying critical resources and the land required to protect them. Since the Director spent many hours at the site and surrounding areas at the one-year anniversary, she was extremely familiar with the layout of the site, the topography and the need for resource protection.

She is enthusiastic about and supports the proposals for the land to be protected within the crash site (fenced area), within the 'bowl,' as well as the lands required for ancillary facilities and access to Route 30. The Director has requested however, that the Commission more closely examine the land that is identified for protection of the southern, southwestern, and southeastern boundaries of the crash site. She would like a determination in the near future if what is being proposed is sufficient, or if additional protection is required. In doing this, the Director would also like to have any potential omissions in the rest of the boundary identified and resolved.

The Director and staff would like this determination to be made, finalized and mapped prior to sending up any boundary proposal to the Secretary and ultimately to Congress. If this can be forwarded to the Director by May 1, 2004 the appropriate reviews and approvals can be put into place prior to the advertisement of the design competition.

The Director recognizes however, the need for immediate protection of the 70 + acres within the fenced area, and is recommending to the Secretary that we begin immediate acquisition of this core area, while waiting for the boundary to be determined by May 1, 2004. An approval letter to the Commission will be forthcoming.

Motions and Resolutions:

The NPS requests that the Commission adopt the recommendation of Ms. Fran Mainella, Director, National Park Service as follows:

Moved: That the Commission, the Task Force, the Families and the NPS more closely examine the land that is identified for protection along the southern, southwestern, and southeastern boundaries of the crash site, and make the determination by May 1, 2004 if what is being proposed is sufficient, or if additional protection is needed. The Commission, Task Force, the Families and NPS will also examine the remaining boundary areas to resolve any potential and/or obvious omissions.

Additionally, the Commission delegates approval authority for any additional areas requiring protection to the Chairman and Vice Chair of the Commission, and directs them to revise the existing resolution (November 14, 2003) to reflect any changes. They are also directed to put forward the revised resolution and map to the Director of the NPS and the Secretary of the Interior, through the Designated Federal Officer.

III. Status of Land Acquisition Funding; Prepared by Joanne Hanley

The following table depicts the status of funding:

| | Donated Funds | Federal Funds | State Funds |
|---------------------|--|---|---|
| Land Funding | <p>\$550,000 in Somerset Trust restricted to five “core properties” inside the fence.</p> <p>NPS working with County to develop process for accessing, obligating, spending and accounting for funds. None to be used for overhead and salary.</p> | <p>Administration: \$2.214 million identified in FY 05 budget. Will not know definitely until FY 05 budget passes.</p> <p>Unidentified amount for relocation in FY 06; not identified in 05 President’s budget.</p> | <p>\$1.5 million applied for land acquisition by Westsylvania Heritage Corp. on behalf of families & Task Force.</p> <p>Recommend application be changed to reflect Families of Flight 93, Inc. as applicant, and that federal funds be used to match (match DOES NOT have to be spent on acquisition).</p> |

Acquisition and Related Costs

Total Estimated for Land Acquisition and Related Costs: \$2.8 million
 Estimated Funds Available in 04 and 05 for Acquisition & Related Costs: \$2.765 million

Relocation Costs

Total Estimated for Relocation: Unavailable. Three certified contractors are developing bids.
 Estimated Funds Available in 06 for Relocation: Undetermined.

B. Resource Assessment Committee Report

Chair: Randall D. Cooley 814.696.9380

I. January 6, 2004 Conference Call Minutes

Update on Assignments

The meeting began with an update on assignments from the November 26 conference call. Jeff Reinbold reported that it looks favorable that the 2' contour maps will be provided instead of the 5' for the area referred to as the "triangle." This area is bounded by Rt. 30, Lambertsville Road, and Buckstown Road. A contract will be entered into with the Army Corps of Engineers, however, \$26,000 is needed and will be requested from the Commission.

Funding Sources

Joanne Hanley reported that Brad Zearfoss has asked for assistance from Ed McMahon of The Conservation Fund for Somerset County Land Use Planning. Jeff Reinbold and Donna Glessner met with Mr. Zearfoss and Ms. Linda Boxx of the McKenna Foundation on this topic. It was suggested that perhaps the McKenna Foundation, because of their interest in this, would be a potential source for funding the plan. Ms. Hanley is currently seeking additional federal appropriations in support of acquisition efforts.

Mr. Cooley reported that John Dawes of the Western Pennsylvania Watershed Program would accept an application on behalf of Flight 93 for acid mine drainage study and remediation. Mr. Cooley will work with Rick Stafford to get this done.

Environmental Impact Statement Agency Scoping Meeting

Mr. Reinbold discussed the *Payment in Lieu of Taxes* information that the National Park Service presented at the Environmental Impact Statement agency meeting. Mr. Reinbold further explained that during the Environmental Impact Statement Agency scoping session it was revealed that both Somerset County and Indian Lake have requested extensions to their airport runways, as well as a new windmill park.

Land Acquisition Process

Ms. Hanley reported that the National Park Service may now enter into negotiations for land acquisition per the Commission Resolution seeking acquisition of at least 1,500 at the Memorial site. As a result of that resolution, the National Park Service is partnering with The Conservation Fund and through the land acquisition process the National Park Service will contact four landowners and The Conservation Fund will contact three of the landowners to begin acquisition negotiations. The Commission resolution still needs to be approved by the Secretary, but preliminary planning and discussions may begin.

Mission Statement

There was a brief discussion of the mission statement. A separate committee is drafting this statement and Donna Glessner and Esther Heymann have agreed to serve on that committee as the Resource Assessment Committee representative.

Resource Protection

Several members have expressed concern over the possible noise level at the memorial from the Black Gold ATV park being developed. Barry Zafutto will work with Adam Mattas of the Allegheny Ridge Corporation for a clarification of this and will give an updated report at the next meeting. Mr. Reinbold, reporting on the public input process, stated that a remarkable number of comments have been received on the quiet, peacefulness, and serenity of the memorial. This raises the question of whether or not “quiet” is a resource in need of protection. Ms. Glessner asked if “darkness” should also be considered in the same context. These questions will be incorporated into the memorial planning.

Assignments

Ms. Hanley discussed the need for a resolution from the commission to establish the boundary of the memorial and will schedule a meeting with Mr. Reinbold and Mr. Cooley to discuss the same.

Mr. Cooley discussed the opportunity for a state capital item on the budget and the need for filing an application. He will discuss this further with Rick Stafford, chair of the fundraising committee. Mr. Cooley also agreed to contact Ed McMahon to determine his availability for presenting his talk on parks and their impact on land use at the next task force meeting.

II. Future Plans and Tasks

- Request \$26,000 from Commission Statutory Aid funding for Army Corps of Engineer contract to fly over, survey and prepare 2’ contour maps of the ‘triangle,’ which is bounded by Route 30, Buckstown Road, and Lambertsville Road.
- Complete visual assessment to study the lands south of the impact site to determine additional resource protection needs.
- Coordinating participation of Ed McMahon of The Conservation Fund to give a presentation to the Task Force on the impacts of a new park to the community and on adjacent lands. Follow up is needed to help the community implement land use planning if desired.
- Complete the DCNR application for funding and recommend applicant name be changed to *Families of Flight 93* as they are now a designated 501(c)3 organization, with federal fund matching the grant (NOT Orié funding).

III. Motions and Resolutions

None requested.

C. Temporary Memorial Management Committee Report

I. Site Visitation

Since November 15, 2003, visitation at the temporary memorial has ranged from 200-300 persons per week, to 1500-1600 per week over Thanksgiving, Christmas, and New Years Day. Many coming to the site are first-time visitors with many questions. In a recent two-month period (November 11 – January 11), we have recorded visitors from 41 different states and 17 foreign nations. Volunteers are staffing the site from at least 11:30-2:30 on weekdays (longer hours when the weather is fair), and from 10 a.m. to 4 p.m. on weekends.

II. Visitor/Volunteer Shelter

A temporary shelter for visitors and volunteers was donated and transported to the site by Assateague Island National Seashore on December 19. It was placed with assistance from the Stonycreek Township Supervisors, Rollock, and several Ambassadors. The 10' x 14' wood structure has been very much appreciated.

III. Winter Maintenance

The Somerset County Commissioners have contracted for winter maintenance at the site, including both the parking lots and the memorial area. The contractor is doing an excellent job of keeping the site accessible and safe.

IV. The Brochure

The copy for a site brochure was sent to the printers the week of January 20. The finished brochure should be ready for distribution shortly.

V. Parking Lot and Memorial Improvement Project

On January 29 the committee participated in a final review of the plans with the NPS and the Federal Highways Administration. The project, to be completed late spring/early summer, consists of:

- expansion and improvement of the parking lot on the east side of Skyline Road, including lined spaces for 70 vehicles, a bus drop-off area, and four parking spaces for those with disabilities.
- a building to house vault toilets will also be constructed on the east side of Skyline.
- drainage improvements and installation of directional signs on Skyline Road.
- on the west side of Skyline Road, the existing parking lot will be converted to additional memorial area and grass.
- the guardrails will be removed, and a 3-sided glass shelter for visitors and volunteers will be installed.
- a new surface of crushed aggregate will be installed, making the site fully accessible.

- the perimeter will be re-graded for better drainage.
- all major memorial features, including the angels, the large flat stones, the flagpoles, granite marker, and fence will remain in their present locations.
- further details regarding the construction schedule should be available following the final plan review.

VI. On-Site Fundraising Discussion

At the November task force meeting the committee was asked to consider the feasibility of installing a machine at the temporary memorial to receive electronic transfers of funds to the permanent memorial fund. After an in-depth discussion, the committee reached these conclusions:

The amount of funds, which could be raised through installation of an electronic transfer machine, does not justify the need to deal with the many issues to be resolved. These issues lie in three areas: (1) appropriateness, in view of the site's location adjacent to "sacred ground"; (2) policy issues; and (3) practical considerations, i.e. the technical problems of purchasing, installing, and maintaining the equipment, and the need to monitor donations and send acknowledgements.

Therefore, in the committee's opinion, at this time only passive fundraising should be practiced at the Temporary Memorial: i.e. passing out addressed envelopes and information to those who express interest in making a donation. The Committee wishes this decision be reviewed by the fundraising consultant when he/she has developed an overall fundraising strategy, and is subject to change based upon his/her plan and recommendations.

VII. Ambassador Anniversary

The Ambassadors marked the completion of two years of service on January 26, 2004. The group held an anniversary dinner on Sunday, February 8, which will include training updates and distribution of new notebooks.

VIII. Future Plans and Projects

- A.** The Committee will work with Bruderhof representatives to re-finish the bench that that group has made for the memorial and coat them with an anti-graffiti finish. This work will be done on-site, in the spring, as weather permits.
- B.** The Committee will begin work on a policy regarding "special use" events at the memorial and the placement of large tributes.
- C.** The Committee will schedule additional training for the volunteer Ambassadors.
- D.** The NPS is working with the Committee to have a local NPS ranger on temporary part-time assignment detailed to the temporary memorial to work with, schedule, assist, train and nurture the Ambassadors, until a permanent volunteer coordinator is hired.

IX. Motions and Resolutions

There are no motions or resolutions being requested of the Commission.

Temporary Memorial Management Committee:

Donna Glessner

Chuck Wagner

Greg Walker

Barbara Black

Charlie Fox

Esther Heyman

Joanne Hanley

D. Archives Committee Briefing Report

I. Memorial Tributes Collection

Tributes left at the Temporary Memorial have slowed down for the season; however, visitors are still leaving occasional objects. The fence is continually full, giving visitors the ability to see all types of objects and read tributes. Tributes brought to the Somerset Historical Center number somewhere above 10,000. To date, approximately 2,400 items have been cataloged bringing the backlog up to September 2002. About one-third of those cataloged have been entered into a museum cataloging database.

Large objects and full boxes of cataloged objects have been transported to remote storage at an Iron Mountain facility in Butler County. The Somerset County Commissioners have allowed the space they currently rent for county documents to be used for temporary storage of the Flight 93 Memorial Collection. With monetary assistance from the Families of Flight 93, there are now 78 wooden signature boards and 901 objects safely and securely stored until the permanent memorial is built. Groups of objects will continue to be sent to this facility on a routine basis.

On December 23, the forty slate angels that have stood vigil over the temporary memorial, individually identifying all of the passengers and crew, were replaced by new identical slate angels by the kindness of the original donors, Tammy and Eric Pearson, who live near Reading, Pennsylvania. The angels had become very worn by the weather and repeated efforts to glue them back together by the Ambassadors and Kenny Nacke were still not going to save them. The Pearson's had started a decorative slate company in 1996 and had been selling the "Freedom Angel" in their catalog well before September 11th. Because they were very moved by the heroic actions of the passengers and crew, they not only placed the original set of angels at the site in December 2001, they also began saving all the proceeds from the sale of the "Freedom Angel" to donate to the Memorial Fund. A check for \$2,125.00 has been given to the fund with a promise of more. The original slate angels have now been cleaned and will be preserved in the collection.

II. Oral History and Documentation Coordinator/Collections Management Plan

A Cooperative Agreement has been drafted between the National Park Service and the Historical and Genealogical Society of Somerset County, Inc. The principal objective of the agreement "is to provide the information, support and coordination required for curatorial, collections, oral history and cultural resource planning, development and management, relating both to the existing temporary memorial site, and the future permanent Flight 93 National Memorial..." The document is presently undergoing necessary approvals.

Under this agreement, two task agreements will outline the statement of work for (1) the Oral History and Documentation Coordinator and (2) the Collections

Management Plan. These two tasks are the major goals of the Archives Committee.

The Oral History and Documentation Coordinator will be interviewed and hired by the Historical and Genealogical Society of Somerset County through its Personnel Committee. The Project Coordinator will report directly to the Curator of the Society, who is a full time, professional employee of the Society, as well as the Chair of the Archives Committee of the Flight 93 Memorial Task Force. Project oversight will be by the Site Administrator, Somerset Historical Center, and the Superintendent, Flight 93 National Memorial, who will both have input into the selection of the Project Coordinator. It is anticipated that this position will be filled within the next two months and work can begin immediately.

The creation of the statement of work for the Collections Management Plan is currently underway and it is expected that work will begin within the next few months. A team consisting of NPS staff and the Curator of the Society will write the recommendations for the plan.

The National Park Service has provided funding for both tasks.

III. **Motions and Resolutions**

No motions or resolutions are being put forward to the Commission.

E. General Management Plan and Environmental Impact Statement/Memorial Ideas Planning Report

I. General Management Plan and Environmental Impact Statement

Project Schedule

The project is still on track and within the parameters we discussed in November. Phase I (Creating a Vision) is coming to a close and Phase 2 (Choosing a Design) is beginning. An updated project timeline is provided as *Attachment 1*.

Notice of Intent (NOI)

The NOI was published in the Federal Register on December 10, 2003 and the formal comment period for agency responses closed on January 10, 2003. We received responses from 3 agencies.

Agency Scoping Meeting And Coordination

The NPS held a scoping meeting with local, state, and federal agencies on December 15, 2003 at the office in Somerset. The purpose of the meeting was to share information and discuss issues that may need to be addressed in the planning for the memorial. More than 25 agency representatives braved a Somerset snowstorm to participate. A working-group of these agencies is being formed, and will consult and meet throughout the project. The NPS is also scheduling meetings with the PA Department of Environmental Protection to better understand environmental concerns with the site to inform the design competition, management recommendations, and land acquisition efforts.

Supervisors from the townships and boroughs near the crash site were invited to the meeting but many could not attend because the weather had them out plowing roads. NPS is coordinating with Supervisor Greg Walker to invite the Supervisors of several surrounding townships to a meeting to discuss the project, possible impacts, ongoing studies, and resource/technical assistance that may be available to local jurisdictions for dealing with upcoming issues.

Data Gathering & Mapping

At the November Commission meeting, Jeff Reinbold provided a list of data gathering and mapping work that is underway or about to begin. The following overview provides more information about each study:

- a. *Digital Aerial Photography / Mapping* – In partnership with the U.S. Army Corps of Engineers, we issued a contract to have LIDAR (Light Detection And Ranging) mapping done of the site. LIDAR mapping uses the same principles as radar to create detailed elevation maps. We are creating 2' contour maps and digital photography of the entire site (approximately 1,500 acres) as well as surrounding areas so a detailed viewshed analysis can be completed.

- b. *Geotechnical Engineering Study* – This report will determine the soils suitability and construction stability of the memorial site. The work includes field sampling and testing, conducting soil and laboratory physical classification tests, correlating and analyzing field and laboratory results, and presenting recommendations for the design and construction of foundations to support buildings and structures, pavements, and site grading.
- c. *Hazardous Materials Reports* – The NPS is working with a contractor to prepare an environmental study of each parcel that is under consideration for inclusion in the park. These reports will be summarized and any additional work completed so the design competition, park planning work, and EIS preparation will better understand any contamination, permitting, or other environmental issues.
- d. *Natural Resource Inventory* – The US Fish and Wildlife Service provided us with a list of threatened and endangered species known to be in the area. Given the mining history of the site, it is doubtful that any of these species currently exist on the site. As part of the inventory, a contractor will conduct field investigations and inventory wetlands, surface waters, floodplains, fields and forests, flora and fauna (including invasive species) habitat types, and any ecologically critical areas or unique resources. The contractor will also identify and evaluate surface waters and water quality, hydrology, drainage patterns, groundwater recharge areas and watersheds.
- e. *Socioeconomic Analysis* – This report will focus on Somerset County and in particular, the local jurisdictions near the site. Based on data from national sources, local attractions, and the NPS Social Science Office, the consultant will prepare visitor projections for a 5-year and 15-year planning horizon. The consultant will also prepare economic forecasts for the final design and management alternatives studied in the management plan/EIS.
- f. *Visual Resource Analysis / GIS Mapping* – The GIS (Geographic Information System) mapping will incorporate available data from Somerset County and other partners as well as from the other contractors assisting with this project. The GIS will be used to produce maps and visual displays throughout the project. The visual assessment component of the work will involve identification of viewsheds, mapping of key observation points, inventory and description of landscape character, and analysis of the quality of the scenic resources.
- g. *Cultural Landscape Inventory* – The Olmstead Design Center of the National Park Service is inventorying all features of the site to document the landscape as it existed on September 11, 2001 and during the immediate recovery efforts. The inventory will identify all “witness” features and determine the national significance of features on the site.

- h. *Transportation Analysis* – In cooperation with PennDOT and the Federal Highways administration, we are gathering available traffic counts for roadways near the site. We are gathering existing counts from the 1990s as well as around 9/11/01 and post 9/11/01. We will supplement this information with new traffic counts this visitor season so we better understand potential impacts to the local road network from the expected visitation.

Schedule for Data Gathering and Mapping

Findings and mapping will be shared with the Design Solicitation Committee as soon as the information is available. The draft Cultural Landscape Inventory will be available by the end of February. An interim report on the findings of all data gathering will be provided to the Design Solicitation Committee, the Commission, and all partners in late-March or early April.

Motions and Resolutions

A great deal of work will occur relating to mapping, data gathering and other studies in the months prior to the May 2004 Commission meeting. The NPS will coordinate these efforts with the Design Solicitation and Resource Assessment Committees of the Task Force, as well as the Executive Committee. Should a decision or direction be needed from the Commission in these months, we are asking the Commission to delegate this authority to the Chair so work is not held up.

Moved: The Commission authorizes the Chairman or his designee to work with the National Park Service on it's behalf, and to concur on any decisions or direction relating to studies, mapping or reports for the GMP and EIS.

II. **Memorial Ideas Committee Report**

This committee asked for and received volunteers to summarize all the comments received from the newsletter and the website. These diligent volunteers, Barbara Black, Donna Glessner, Christine Homer, Gina Farfour, and Kathie Shaffer did an outstanding job.

The Memorial Ideas Planning Committee then asked for volunteers to work on the Mission Statement. This Mission Statement Subcommittee currently is working on developing a preliminary draft of the mission statement.

Tentative schedule for approval of Mission Statement:

| | |
|-------------------|---|
| February 2, 2004 | Subcommittee teleconference meeting |
| February 8, 2004 | Subcommittee teleconference meeting. 2 PM (Sunday) |
| February 12, 2004 | Memorial Ideas Planning Committee Meeting (Thursday) |
| February 16, 2004 | Draft of Mission Statement to Executive Taskforce Committee(Monday) |
| February 20, 2004 | Report on Status and Draft to Commission |
| February 21, 2004 | Report on Status and Draft to Task Force |
| February 22, 2004 | Comment Period for Partners begins |
| March 6, 2004 | Deadline for the comment period on the mission statement |
| March - April | Revisions and Subsequent Partner Review |
| May 14, 2004 | Ratification of Mission Statement by Commission |

F. Design Solicitation Committee Report

I. Hiring Competition Consultant

The Request for Proposal (RFP) to hire a design competition consultant has been completed and sent to 6 candidates. Copies of the R.F.P., the Draft for Discussion /Design Competition Guidelines, as well as letters to the 6 potential consultants are attached to this briefing. *See Attachments 2, 3, and 4.*

The tentative schedule is as follows:

- 01.09.04 RFP Issued
- 01.22.04 Questions from Potential Consultants Due
- 01.29.04 Responses Posted on Web Site
- 02.05.04 Proposals Due
- 02.20/21.04 Oral Presentations by invited short list of consultants
- 02.27.04 Consultant Selected

A selection committee has been designated to interview any / all of the candidates that submit proposals.

Design Competition Consultant Selection Committee

Design Solicitation Committee:

- Kiki Homer
- Sandy Felt
- John Felt

Memorial Ideas Committee:

- Esther Heymann
- Betty Kemmerer

Others:

- Ben Wainio
- Barry Hoover

Commission

- John Reynolds
- Calvin Wilson

NPS

- Keith Newlin

We have asked Sandy Felt and she has agreed to take charge of the selection committee until a chair has been selected.

II. Site Video / CD for Disbursement with the Competition Guidelines

Footage of the area as well as interviews are being obtained. Dave Cushing is in contact with Jim McGettigan concerning the NPS assisting with the production and editing process.

III. Conference Call

A committee conference call was held January 28th. Notes will be posted to the build manager website.

IV. Motions and Resolutions

The Families of Flight 93 and Penn State University were close to finalizing the competition consultant RFP and contract, as well as the contract between PSU and Families of Flight 93 for the administration of the consultant's contract up until Monday January 5. There was a flurry of reviews and revisions during the holidays in order to get the RFP out that week. It was sent out Friday January 9 to six potential consultants. Since the Families did not agree with the conditions of the PSU contract, it was decided on Monday that it was best for all parties to find another way to manage the consultant's contract.

We therefore request that the motion put forward by the Design Solicitation Committee at the November 14, 2003 Commission meeting be revised as follows:

Moved: That the Design Solicitation Committee manages the contract on behalf of the Families of Flight 93. Since we will not have the support of technical expertise in technical expertise of Penn State, our committee will rely on the expertise of the NPS for technical assistance as part of an oversight committee.

The Oversight Committee will operate as a management team for the project, with its leader(s) being the chair(s) of the Design Solicitation Committee. They will be expected to report to the Design Solicitation Committee on a regular basis, as well as to the Executive Committee of the Task Force, to the Families of Flight 93 and to the Flight 93 Advisory Commission, seeking motions and resolutions as appropriate.

Moved: The Committee requests that the Commission delegate the authority to accept the recommendation of the consultant selection committee to the Chair of the Commission or his representative.

We welcome new additions to this committee:

John Felt

Calvin Wilson

G. Fundraising Committee Briefing Report

I. **Fundraising Agreement**

- Families of Flight 93, Inc. formally received 501 c 3 status.
- Reviewed by NPS Solicitor and Family Solicitor
- Reviewed by Commission (November 2003 motion passed to have Chair of Commission sign Agreement upon signature of NPS Director)
- Reviewed by National Park Foundation (fiduciary agent)
- Currently being reviewed by NPS Philadelphia Regional Office
- Briefing given to NPS Partnership Office in Washington on January 26, 2004. Developed procedure for expedited Washington Office review.
- Mid-February give presentation to Washington Office review team on partnership proposal and fundraising agreement.
- Request March 1 deadline (or shortly thereafter) for final approval.
- Note: The Director of the NPS will be signatory. As a courtesy, and because this project is high visibility, we are being requested to brief the Secretary's office as well.

II. **Request for Proposal (RFPs) for Funding Consultant**

- On January 13, 2004, 8 RFPs were sent to consultants that were recommended to us by either the National Park Foundation, by family members, by Task Force members, or by others. These firms were of the caliber and had the experience and national visibility necessary to undertake a proposal such as ours. Since then approximately 4 others have been sent out upon request, since we would not close it to anybody. The RFP was posted on the website.
- The RFP is attached to this briefing as **Attachment 5**.
- The deadline for applications is February 10, 2004.
- A Funding Oversight Working Group will be formed to make the selection process, to manage the consultant contract, and to report back to the Task Force and Commission. Members include the following:
 - Chair; Rick Stafford, Chair of the Task Force Fundraising Committee
 - Patrick White, Chair of the Government Relations Committee
 - Gary Singel, Chair of the Administration Committee
 - Jennifer Price, President, Families of Flight 93, Inc.
 - John Reynolds or designee, Chair of the Advisory Commission
 - Joanne Hanley, Superintendent, National Park Service
 - National Park Foundation representative

III. **Guidelines for Decision-Making Pertaining to Allocation of Donated Funds for the Flight 93 Memorial Project**

In November 2003, the Commission requested that for the February 20, 2004 meeting a presentation be given on how decisions will be made, both in allocating donated funds, and in decisions regarding day-to-day project and/or contract management. The following was developed as an attachment to the Fundraising Agreement, is still in draft and is subject to revision as it undergoes review:

a. Decisions Regarding the Allocation of Donated Funds held at the National Park Foundation

As stated in Article I of this Agreement, the development of the Flight 93 Memorial has been, is, and will continue to be a partnership endeavor between the federal government, the families of the passengers and crew of Flight 93, the Flight 93 Advisory Commission and others, including the Flight 93 Memorial Task Force.

Allocation of donated funds retained at the National Park Foundation in the restricted Flight 93 account will be determined jointly by the key officials identified in Article V from the National Park Service, the Families of Flight 93, Inc., and the Flight 93 Advisory Commission (**this would be the Chair of the Commission, the President of Families of Flight 93, Inc., and the Superintendent, Flight 93 National Memorial**).

When the consultant submits a final Funding Plan, the three officials will use the identified funding goals to develop a spending plan for the donated funds, which will allocate funds to the various project elements. This spending plan will be forwarded to the NPS for approval, as required in Article III.A.6, recognizing that the NPS has been authorized by Congress to approve all actions within the national memorial.

On a monthly basis, all four officials identified in Article V (**this adds the National Park Foundation representative to the mix**) will meet or conference call for the following purposes:

- Review of accounts, income, expenditure, and balances;
- Review of spending plan and priorities; make adjustments as needed; and
- Request participation of others in the meeting/call for status reports on projects and/or contracts which:
 1. Are in support of the fundraising feasibility study or the fundraising campaign, or
 2. Use donated funds.

b. Decisions Regarding Day-to-Day Project and/or Contract Management

Funds raised in support of the Flight 93 National Memorial will be expended by the NPS in accordance with funding priorities identified in the manner outlined above. The NPS will adhere to all government contracting and procurement regulations, and will report on project progress to all partners through the meetings of the Flight 93 Task Force, the Flight 93 Advisory Commission, and the Families of Flight 93, Inc. as requested.

On occasion, it may be determined that it would be more effective for one of the Partners to implement projects through contractual arrangements. In this case, an **Oversight Working Group** will be formed for each project and will have the following members (**as an example, see the Funding Oversight Working Group, described in Section II above**):

- A Chair who will be responsible and accountable for project/contract management and supervision of any consultants;
- Representative(s) from the Families of Flight 93;
- Representative(s) from the Flight 93 Advisory Commission
- Representative(s) from the NPS
- Representative(s) from the Flight 93 Memorial Task Force
- Other(s) as appropriate

Each oversight Working Group:

- will in effect, operate as a project management team, with its team leader being the chair(s).
- will be expected to report on a regular basis to the key officials identified in Article V of this agreement and as described in section A above, and
- will report to each meeting of the Executive Committee of the Task Force, the Full Task Force, and the Flight 93 Advisory Commission, seeking motions and resolutions as appropriate.

IV. **Motions and Resolutions**

Moved: The Commission endorses the proposal that the Families of Flight 93, Inc. retain the professional consultant recommended by the Funding Oversight Working Group to prepare and recommend a Plan of Funding to implement the purposes outlined in the Flight 93 Memorial Act.

Further, that the Commission delegate the authority to the Chair of the Commission, or his designee, to concur with the recommendation of the Funding Oversight Working Group in the selection of the consultant, and that through the Designated Federal Officer, the appropriate NPS and Interior staff are kept fully briefed.

H. Administration Committee Report

I. Development of Spending Plan

At the November 2003 Commission meeting, the Administration Committee was tasked with assembling a proposed spending plan for \$200,000 in technical assistance and aid required for the planning and design of the Flight 93 Memorial. Each Committee Chair of the Flight 93 Memorial Task Force was requested to complete a list of needs and related costs, and send this to the Administration Committee for review.

A Committee conference call was scheduled for February 2nd but had minimal participation. The final list was sent out to all committee members with minimal response.

Following is a summary of the spending requests for the available \$200,000. A detailed chart is provided in *Attachment 6*.

Total Funding Requests from FY 04 \$200,000 Federal Advisory Commission Statutory Aid

| | |
|---------------------------------|------------------|
| Memorial Ideas & Planning | \$ 30,000 |
| Resource Assessment | \$ 26,000 |
| Design Solicitation | \$ 5,355 |
| Fundraising | \$ 53,000 |
| Government Relations | \$ 2,000 |
| Family Memorial | \$ 50,000 |
| <u>Temporary Memorial Mngt.</u> | <u>\$ 32,100</u> |
| TOTAL | \$198,455 |

II. Motions and Resolutions

Moved: The Commission accepts the recommendations of the Administration Committee and directs each of the Committee Chairs to work with the National Park Service to ensure that the funding is obligated by the designated end-of-year deadlines for FY 04.

Moved: The Commission delegates the authority to the Chair of the Commission and the Chair of the Administration Committee to approve the use of the remaining funds, and to use discretion in reprogramming existing requests.