

Tioughnioga Waterfront Revitalization Program

Professional Plan Development and Preparation, Project Management, Grant Management and Consulting Services

Issue Date: July 15, 2020

Proposal Response Due Date: August 14, 2020

The City of Cortland in conjunction with municipal partners seeks to update and adopt the existing Tioughnioga River Waterfront Revitalization Program (WRP). The WRP will guide land use along the riverfront and focus on increasing public access to the waterfront, strengthening downtowns, establishing a pedestrian trail and blueway trail, and protecting natural resources.

Issued by:

City of Cortland
Office of Administration and Finance
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Cortland, NY 13045
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Request for Qualifications/Proposal
Tioughnioga Waterfront Revitalization Program
Consultant / Professional Services/Grant Administration

The City of Cortland, New York is seeking a Development Consultant Team to assist the City in update and adopt the existing Tioughnioga River Waterfront Revitalization Program (WRP). The WRP will guide land use along the riverfront and focus on increasing public access to the waterfront, strengthening downtowns, establishing a pedestrian trail and blueway trail, and protecting natural resources.

This project involves the preparation of a Local Waterfront Revitalization Program (LWRP) pursuant to the provisions of New York State Executive Law, Article 42, for portions of the Tioughnioga River. Completion of this project may integrate preparation of a harbor management plan (HMP) as set forth in 19 NYCRR Part 603.3 and further described in guidelines prepared by the Office of Planning and Development. This is in Inland Waterway LWRP.

This project is funded through a grant awarded the City for \$65,000 by the New York Department of State. The Project Initiative is one integrated component with 21 specific tasks enumerated below and described fully in the contract between the Department of State and the City which is attached hereto and incorporated as an integral element of this RFP:

This RFP seeks a single Development Consultant Team to assist the City in implementing all the project. The Development team will coordinate with each participating local government to provide the City, and NYS Department of State with input and feedback on all aspects of the project.

Project Tasks

Project Components

Preparation of the Local Waterfront Revitalization Program (LWRP), including an integrated Harbor Management Plan (HMP), shall, at a minimum, involve the following tasks and provisions:

Task 1: Project Initiation Meeting

The Contractor, the Department, and any partners responsible for managing the project, shall hold an initial meeting to review and agree upon the project scope and schedule, project requirements, roles and responsibilities, the selection process for procuring consultants, State Environmental Quality Review Act (SEQRA) compliance requirements, MWBE requirements, ADA requirements, the number of public meetings and techniques for public involvement proposed for the project, and any other information which would assist in project completion. In addition, the composition of a project advisory committee shall be discussed during the project initiation meeting. The Contractor, or a designated project partner, shall prepare and distribute to all project partners a brief meeting summary clearly indicating the agreements reached at the meeting. Work on subsequent tasks shall not proceed prior to Department approval of the proposed approach as outlined in the meeting summary.

Information on preparing a Local Waterfront Revitalization Program is contained in the Department's guidebooks, "Local Waterfront Revitalization Programs in the Coastal Area: Guidance Manual for Preparing Local Programs", 2019, and "Making the Most of Your Waterfront: Enhancing Waterfronts to Revitalize Communities"

http://www.dos.ny.gov/opd/programs/pdfs/LWRP_guidebook.pdf.

Products: Project initiation meeting held with appropriate parties. Written meeting summary outlining agreements reached.

Task 2: Waterfront Advisory Committee

The Contractor shall establish a Waterfront Advisory Committee to oversee all aspects of the project in cooperation with municipal officials and the project consultant(s), if applicable. The committee shall be representative of project stakeholders, including representatives of State, county, and municipal agencies with jurisdiction over project activities or the project area, and non-governmental and community-based organizations. A draft list of proposed members shall be circulated to the Department for review and approval prior to establishment of the committee.

Products: Draft and final list of proposed members of project advisory committee. Project advisory committee established.

Task 3: Procurement of Consultant (if applicable)

The Contractor shall draft a Request for Proposals (RFP) or similar instrument, including a complete project description with site conditions, expected final results, a schedule for completion, MWBE requirements, and criteria for selecting a preferred proposal. The Contractor shall submit the RFP or similar instrument to the Department for review and approval prior to release for solicitation of proposals.

Consultant services requested shall include all applicable tasks, activities and responsibilities outlined in the "Project Components" section of this work program.

Products: Approved RFP or similar instrument released through advertisement in local papers, the New York State Contract Reporter, or other appropriate means.

Task 4: Consultant Selection and Compliance with Local Procurement Requirements

In consultation with the Department, the Contractor and an appropriate review committee shall review all proposals received as a result of the RFP. At a minimum, the following criteria are suggested for use in evaluating consultant responses:

- Quality and completeness of the response.
- Understanding of the proposed scope of work.
- Applicability of proposed alternatives or enhancements to information requested.
- Cost-effectiveness of the proposal.
- Qualifications and relevant experience with respect to the tasks to be performed.
- Reputation among previous clients.
- Ability to complete all project tasks within the allotted time and budget.
- Ability to satisfy MWBE requirements.

Incomplete proposals that do not address all of the requested components should not be accepted for review and consideration.

NYS Department of State requires a licensed professional engineer, architect or landscape architect licensed to practice in New York State for preparation and certification of final designs and construction documents, and for supervision of construction.

The municipal attorney, chief legal officer or financial administrator of the municipality shall certify in writing to the Department that the Contractor fully complied with applicable provisions of General Municipal Law and with local procurement procedures.

The Contractor's procurement record and consultant selection are subject to approval by the Department.

Products: Consultant(s) selected and approved by the Department. Written certification of compliance with procurement procedures.

Task 5: Subcontract Preparation and Execution

The Contractor shall prepare the draft subcontract(s) to conduct project work with the selected consultant(s). The subcontract(s) shall contain a detailed work plan with adequate opportunity for review at appropriate stages of product completion, a payment schedule with payments tied to receipt of products, and project costs. The subcontract(s) shall specify the composition of the entire consultant team, including firm name and area of responsibility, firm expertise, and those professionals from the consultant team or consulting firm that will be directly involved in specific project tasks including how the identified MWBE goals will be satisfied. The Contractor shall submit the draft subcontract(s) to the Department for review of the subcontract work plan for alignment with the appropriate tasks of the work plan as set forth in Attachment C of this contract. The Contractor shall incorporate the Department's comments on the subcontract work plan, or scope of services, prior to execution of the final subcontract(s). The Contractor remains responsible for the legal

sufficiency of the subcontract in accordance with the requirements in the Master Grant Contract and Attachment A-1.

Products: Draft and final, executed consultant subcontracts.

Task 6: Second Project Meeting

In consultation with the Department, the Contractor shall hold a second project meeting with the consultant(s) and include the Waterfront Advisory Committee to review project requirements, site conditions, and roles and responsibilities; identify waterfront and harbor management planning issues, new information needs and next steps; and transfer any information to the consultant(s) which would assist in completion of the LWRP. Following this meeting, the Department will decide whether development of a harbor management plan will be necessary as part of the LWRP. Project partners at this meeting will review the LWRP preparation process, including compliance with SEQRA, and identify SEQRA lead agency and involved agencies. The Contractor or its consultant(s) shall prepare and distribute a brief meeting summary clearly indicating the agreements/understandings reached at the meeting. Work on subsequent tasks shall not proceed prior to Department approval of the proposed approach as outlined in the meeting summary.

Products: Project meeting held with appropriate parties. Written meeting summary outlining agreements/understandings reached.

Task 7: Preparation of a Community Outreach Process and Plan

The Contractor or its consultant(s), the Waterfront Advisory Committee, and other partners as appropriate, shall prepare a method and process to encourage community participation in development and implementation of the LWRP. The outreach plan shall identify key individuals, organizations, and entities to be involved, and shall identify the visioning process and the roles and responsibilities in coordinating the entire outreach process, logistics, and the proposed schedule of public meetings. All public meetings will be advertised in the community through press releases, announcements, individual mailings, digital media, municipal website postings, and any other appropriate means. Meetings shall be scheduled in a manner that maximizes attendance and participation from all interested community members. The Contractor or consultant(s) may use the Department's Office for New Americans (ONA) and the ONA Community Navigators to encourage participation from populations who are frequently underrepresented in this process, including immigrants, refugees, and minorities. A summary of each public outreach session will be made available in written form and through other appropriate means, such as video. These summaries may be posted on a website, in social media, or at a public library.

The outreach plan shall be submitted to the Department for review and approval.

Product: Approved community outreach plan.

Task 8: Draft Section I - Waterfront Revitalization Area (WRA) Boundary

The Contractor or its consultant(s) shall prepare a narrative description and map of the waterfront revitalization area which includes surface waters and underwater lands. The waterfront revitalization area should include those portions of the water body within the municipality, and adjacent upland which affects the water body through drainage, watershed, and any other factors. If beneficial for increased understanding, Section I should have references to the Inventory and Analysis (Section II) justifying the inclusion of particular areas within the WRA. The narrative must be accompanied by a boundary map showing the proposed waterfront area, including the Harbor Management Plan boundary.

Draft Section I shall be submitted to the Department for review and approval.

Products: Draft Section I - Waterfront Revitalization Area Boundary, including narrative and map(s).

Task 9: Draft Section II - Inventory and Analysis

The Contractor or its consultant(s) shall inventory, describe, and map existing natural and built resources and conditions within the waterfront revitalization area including the harbor, which includes surface waters and underwater lands. (See Chapter 4 of the Making the Most of Your Waterfront: Enhancing Waterfronts to Revitalize Communities Guidebook and the 2019 Guidance Manual for Preparing Local Programs) In addition, this section must provide a thorough analysis of waterfront issues, opportunities, and constraints to economic development and resource protection needs. This section will provide an assessment of the vulnerable resources and potential risks associated with storms, flooding, and the effects of climate change. The inventory and analysis must be broad enough to ensure consideration of important waterfront resources, problems, and opportunities, yet detailed enough to support development of a specific and realistic LWRP. In support of the Harbor Management Plan, this section should also incorporate the inventory and analysis of the relationship between waterside uses that have the potential for conflict, congestion, or competition.

Topics to be addressed include the following:

- Community profile, including location, population, and employment
- Overview of the waterfront area, including historical development
- Identification and assessment of existing land use, development, and economic strengths, weaknesses, and opportunities for ongoing economic revitalization
 - Land use and ownership patterns (public and private), including underwater lands
 - Abandoned, deteriorated, or underused sites and buildings
 - Agricultural lands
- Identification and assessment of existing water-dependent uses and related issues
 - Commercial, industrial, and recreational water-dependent uses (such as ferries, marinas, boat yards, transshipment facilities, swimming areas, vessel anchorage and mooring areas, commercial or recreational fishing or shellfishing areas and uses)
 - Port or small harbor development
- Identification and assessment of existing zoning and other relevant local land use and development controls
 - Zoning code, subdivision review, site plan review, and design standards, etc.

- Identification and assessment of existing and desired open spaces, public access sites, and recreation and tourism resources
- Identification and assessment of the condition of infrastructure
 - water supply, stormwater and sewage treatment, vessel waste facilities, solid waste disposal, transportation systems, energy production and transmission, shoreline stabilization infrastructure, such as bulkheads, docks and docking facilities and underwater infrastructure and structures, such as cables and pipelines
- Identification and assessment of federal, State and/or locally-designated historic and scenic resources
 - National Register sites and districts, Scenic Areas of Statewide Significance, locally designated resources, and archaeological resources such as shipwrecks and historic dry docks
- Identification and assessment of natural resources, topography, hydrology, and geology
 - NYS Significant Coastal Fish and Wildlife Habitat areas, locally important fish and wildlife habitats, wetlands, water courses, landscape features, steep slopes, minerals, State-designated Coastal Erosion Hazard Areas, federally identified flood-hazard areas, etc.
 - Asset inventory: natural resource assets and critical infrastructure and systems that have been, or will be, affected by flooding or other climate change hazards including storm surge and sea level rise
 - Identification of actions that reduce the capacity of natural protective features to reduce risk
 - Risk assessment: assessment of risks to key assets and systems - including impacts to wetlands, habitats and other natural resources; water supply, sewage treatment plants, and combined sewer overflows; electric utilities and transmission lines; dams, shoreline stabilization infrastructure and other in-water structures; transportation systems; critical facilities including police and fire stations; housing, health and social services assets; and other valuable community assets
 - Needs and Opportunities Assessment: determine short- and long-range needs and opportunities to enhance resilience to future storms
 - Identification and description of socially vulnerable populations, such as elderly, young, non-English speaking, low-income or unemployed.
- Identification and assessment of issues related to water quality and flooding
 - Point and non-point sources of pollution
 - Water quality classification
 - Impervious surface area, vegetated stream buffers, flood storage capacity and forested land cover
 - Existing infrastructure or actions that may cause adjacent or downstream flooding impacts
 - Ice management
- Assessment of issues related to navigation and dredging
- Air quality
- Summary of the existing authorities of federal, State, regional, and local agencies that have jurisdiction in the waterfront revitalization area. For example:

- the National Oceanic and Atmospheric Administration, the U.S. Coast Guard, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and the Department of Interior;
- the Canal Corporation, the State Departments of State, Environmental Conservation, Health and Transportation, and the Offices of General Services and Parks, Recreation, and Historic Preservation;
- agencies of the city, town, or village, or a county if the county regulates activities in the waterfront revitalization area;
- the local harbormaster, bay constables, code enforcement officer, building inspector, police department or sheriff's office.
- Summary of existing Plans, Projects and Initiatives that effect the waterfront area such as the municipal comprehensive plan, All-Hazard Mitigation Plans, watershed management plans, downtown revitalization plans, community resiliency plans.

Draft Section II shall be submitted to the Department for review and approval.

Products: Draft Section II - Inventory and Analysis with accompanying maps to depict the municipality's waterfront area resources, issues, and opportunities. Electronic data for all Geographic Information System-based mapping products submitted in either ArcGIS format, or similar product acceptable to the Department.

Task 10: First Public Information Meeting

Following completion of the initial drafts of Section I - Waterfront Revitalization Area Boundary and Section II - Inventory and Analysis, the Contractor or its consultant(s) shall conduct a public information meeting regarding the identified local waterfront issues and opportunities and solicit public input regarding the completeness and accuracy of Sections I and II.

Products: Public information meeting held. Minutes of the public meeting, including any presentations or handouts.

Task 11: Draft Section III - Local Waterfront Revitalization Program Policies

The Contractor or its consultant(s) shall review the forty-four (44) State waterfront revitalization policies and refine the explanation of each applicable policy to reflect local conditions and circumstances. Based on information provided in the Inventory and Analysis, the refined policy explanation will add specific local standards and proposed land and water uses for determining consistency with the policies. Based on the Inventory and Analysis (Section II), the Contractor or its consultant(s) shall also determine if additional policies are needed to address local conditions and needs, which will add specificity to the applicable State Policies. The Contractor or its consultant(s) shall perform a full policy analysis and prepare a matrix to demonstrate how each policy shall be implemented to legally uphold the LWRP.

Draft Section III shall be submitted to the Department for review and approval.

Products: Draft Section III - Local Waterfront Revitalization Policies

Task 12: Draft Section IV - Proposed Land and Water Uses and Proposed Projects

The Contractor or its consultant(s) shall describe and map proposed long-term land and water uses within the waterfront area, and proposed projects necessary to implement the LWRP. The proposed land and water uses of the LWRP translate the Policies into a cohesive, physical plan for the waterfront revitalization area.

Proposed projects may include:

- Capital improvement or construction projects that are necessary to maintain or improve uses or conditions;
- Special studies, plans, design projects, or research necessary to advance or refine components of the LWRP;
- Education, outreach/training materials and programs;
- Projects to redevelop underused or deteriorated areas and sites;
- Projects to provide or improve public access;
- Projects to protect existing, or provide for new, water-dependent uses, such as marinas, boat yards, yacht clubs, port facilities, swimming beaches, or shellfishing;
- Projects to upgrade or relocate critical facilities so that essential community services are secure and/or out of hazardous areas;
- Projects to enhance or restore wetlands, habitats, or other natural protective features; and
- Projects to improve hazard impact prediction and assessment, and mitigation and adaptation planning, such as development of local or inter-municipal Geographic Information Systems.

Draft Section IV shall be submitted to the Department for review and approval.

Products: Draft Section IV - Proposed Land and Water Uses and Proposed Projects accepted by the Contractor and approved by the Department.

Task 13: Second Public Information Meeting

Following completion of the initial draft of Section IV - Proposed Land and Water Uses and Proposed Projects the Contractor or its consultant(s) shall conduct a public information meeting regarding the identified local waterfront issues and opportunities and solicit public input regarding the completeness and accuracy of Section IV.

Products: Public information meeting held. Minutes of the public meeting, including any presentations or handouts.

Task 14: Draft Section V - Techniques for Local Implementation of the Program

The Contractor or its consultant(s) shall describe existing local laws and regulations, and any new or amended laws or regulations which are necessary to both improve community resilience and implement the policies, strategies, proposed uses, and projects set forth in the LWRP. The Contractor or its consultant(s) shall draft such local laws and regulations as are

necessary to implement the LWRP. Full drafts of new or amended existing laws and regulations, including a local consistency review law, should be attached as appendices to the LWRP. Local laws, regulations, and procedures essential to the implementation of the policies and purposes of the LWRP must be in place at the time of approval of the program by the New York State Secretary of State.

The Contractor or its consultant(s) shall also describe other public and private sector actions necessary to implement the LWRP, including actions by federal and state agencies necessary to fully implement or advance projects in the waterfront revitalization area. These actions may include approving anchorage and mooring areas prior to designation, designating vessel waste no-discharge zones, dredging or maintaining major navigation channels and basins, constructing or maintaining breakwaters, funding certain studies, or providing technical assistance.

The Contractor or its consultant(s) shall also describe a local management structure for reviewing proposed waterfront projects for consistency with the approved LWRP, and the financial resources required to implement the approved LWRP. Implementation of the LWRP will be a continuing responsibility of the municipality. In preparing its LWRP, the municipality needs to consider the costs of implementing the program and whether the funds needed are, or can be reasonably expected, to be available.

Draft Section V shall be submitted to the Department for review and approval.

Products: Draft Section V - Techniques for Local Implementation of the Program, and all drafts of any necessary amendments to existing laws or new local laws, including a local consistency review law.

Task 15: Draft Section VI - Federal and State Actions and Programs Likely to Affect Implementation of the LWRP

The Department shall provide to the Contractor or its consultant(s) a generic list of federal and State agency actions and programs which are to be undertaken in a manner consistent with the LWRP. The Contractor or its consultant(s) shall describe specific federal and State actions necessary to further implementation of the LWRP (technical assistance, funding, procedural changes, etc.).

Draft Section VI shall be submitted to the Department for review and approval.

Products: Draft Section VI - Federal and State Actions and Programs Likely to Affect Implementation of the LWRP.

Task 16: Draft Section VII - Local Commitment and Consultation

Developing local support for the LWRP is the most critical factor determining the success of the program. The Contractor or its consultant(s) shall describe the public consultation efforts undertaken in the preparation of the LWRP, such as public hearings, public informational meetings, and/or meetings with governmental agencies. All activities undertaken to consult

and obtain local support and commitment should be thoroughly documented. The Contractor or its consultant(s) shall also describe any local committees created to oversee preparation of the LWRP, and the role of other municipal agencies.

Draft Section VII shall be submitted to the Department for review and approval.

Products: Draft Section VII - Local Commitment and Consultation.

Task 17: Determination of Significance and Compliance with SEQRA

A municipality's preparation and adoption of an LWRP involve compliance with SEQRA. The Contractor shall request designation as Lead Agency for purposes of SEQRA. The Lead Agency shall prepare, distribute and file a Full Environmental Assessment Form for purposes of evaluating the importance/significance of the impacts associated with preparing and adopting a LWRP. Upon completing the Full Environmental Assessment Form, the Lead Agency shall make a Determination of Significance in accordance with the SEQRA regulations. If the Determination of Significance results in a Positive Declaration, the Lead Agency shall prepare a Draft Generic Environmental Impact Statement for the Draft LWRP in accordance with State Environmental Quality Review Act (SEQRA) regulations and guidelines. If the findings of the Determination of Significance are such that the LWRP will not have a significant adverse environmental impact, a Negative Declaration may be prepared and filed. If a Negative Declaration is prepared and filed, then a Draft Generic Environmental Impact Statement will not be necessary and no further actions are necessary under the SEQRA regulations. The Contractor or its consultant(s) shall determine whether a public hearing will be held on the Draft LWRP. Completed SEQRA documents shall be submitted to the Department for review and approval.

Products: Completed Full Environmental Assessment Form and associated SEQRA determination statements (Positive Declaration or Negative Declaration). If the Determination of Significance results in a Positive Declaration, the Lead Agency, with the assistance of the consultant, shall prepare a Draft Generic Environmental Impact Statement for the Draft LWRP in accordance with State Environmental Quality Review Act (SEQRA) regulations and guidelines. If a Draft Generic Environmental Impact Statement is prepared, a public hearing shall be held and the hearing notes should be submitted to the Department.

Task 18: Complete Draft LWRP

The Contractor or its consultant(s) shall submit two (2) paper copies and an electronic copy (Word format with each map as an individual pdf, and a GIS shapefile of the LWRP boundary in a format compatible with the Department's Geographic Information Gateway) of the complete Draft LWRP document, with integrated harbor management, including a complete Draft Generic Environmental Impact Statement (if one is to be prepared) and new or amended (existing) laws and regulations, incorporating comments provided on each component section, to the Department for approval. If revisions to the complete Draft LWRP are needed, based on Department review, the Contractor or its consultant(s) shall make the required changes and resubmit the document to the Department for review.

All comments and requested revisions must be addressed to the satisfaction of the Department prior to advancing the document to 60-Day Review.

Following acceptance of the complete Draft LWRP document by the Department, the Contractor shall formally accept the Draft LWRP as complete and ready for public review and authorize its submission to the Department for review by potentially affected State, Federal, and local agencies - by resolution of the local municipal legislative body. The Contractor or its consultant(s) shall also provide one (1) hard copy and one electronic copy (formatted in either Corel WordPerfect or Microsoft Word) of the complete Draft LWRP document to the Department.

Upon receipt of the required number of copies of the Draft LWRP and Draft Generic Environmental Impact Statement, if applicable, the Department shall initiate a 60-Day Review by State, Federal, and other local agencies concurrent with the SEQRA review (if applicable).

Products: (1) Draft LWRP acceptable to the Department; (2) GIS shapefile of the LWRP boundary in a format compatible with the Department's Geographic Information Gateway and (3) a resolution of the local municipal legislative body accepting the Draft LWRP as complete and ready to be submitted to DOS for review and initiation of the 60-Day review process.

Task 19: Third Public Information Meeting

Following completion of the Draft LWRP and in conjunction with 60-Day Review and compliance with SEQRA the Contractor or its consultant(s) shall conduct a public information meeting or meetings on the Draft Program.

Products: Public meeting(s) held. Minutes of the public information meeting(s) and identification of changes to be made to the Draft Program resulting from the public meeting submitted to the Department for review and approval.

Task 20: Final LWRP

Following the 60-Day Review period of the Draft LWRP (/Draft Generic Environmental Impact Statement, if applicable), the Department shall meet with the Contractor or its consultant(s) to discuss all 60-Day comments received, determine appropriate responses and revise the LWRP document to reflect each response. All supporting local laws proposed for adoption in conjunction with the adoption of the LWRP, and the Final Environmental Impact Statement (if applicable), shall also be revised as necessary to reflect 60-Day comments and responses, to the satisfaction of the Department.

Additionally, the Contractor and/or its consultant(s) shall also submit to the Department a schedule of adoption of the LWRP and any local laws necessary for implementation of the LWRP.

Products: Two paper copies and electronic version of the Final LWRP and supporting local laws (and Final Environmental Impact Statement, if applicable), along with

electronic data for all Geographic Information System-based mapping products submitted in either ArcGIS format, or similar product acceptable to the Department, and schedule of adoption.

Task 21: MWBE Reporting

In accordance with Attachment A-1, Part I, Section M, Paragraph 6, Contractor shall be required to use the New York State Contract System (“NYSCS”) to record payments to subcontractors (including a breakdown of payments issued to state-certified MWBE firms) and otherwise report compliance with the provisions of Article 15-A of the Executive Law and regulations in relation to funds used pursuant to this Agreement. Contractor shall be required to submit utilization plans in paper format until such time as submission is made available through the NYSCS and notification of such availability is provided to Contractor by the State. Upon such notification by the Department, Contractor shall submit required utilization plans through the NYSCS. So long as Contractor complies with the reporting requirements stated above in the manner directed by the Department, the requirement of Attachment A-1, Part I, Section M, Paragraph 6 for paper filing of Quarterly Reports shall be waived. Technical assistance for use of the NYSCS system can be obtained through the NYSCS website at <https://ny.newnycontracts.com> by clicking on the “Contact Us & Support” link.

In the event that the Contractor does not have the capacity to use the NYSCS in the manner required above, an exception may be granted by the Department of State upon Contractor’s written request and showing of good cause to allow for paper reporting. If such an exception is granted by the Department of State, paper reporting in a manner and form directed by the Department shall be required including the submission of Quarterly MWBE Contractor Compliance Report (Form F) forms in accordance with Section M, Paragraph 6, of Attachment A-1.

Products: Ongoing reporting through NYSCS during the life of the contract.

Task 22: Project Status Reports

The Contractor or its consultant(s) shall submit project status reports semi-annually (every June 30 and December 31) on the form provided, including a description of the work accomplished, the status of all tasks in this work plan, schedule of completion of remaining tasks, and an explanation of any problems encountered.

Products: Completed project status reports submitted to DOS during the life of the contract.

Task 23: Final Project Summary Report and Measurable Results forms

The Contractor or its consultant(s) shall work with the Department project manager to complete the Final Project Summary Report and Measurable Results forms. Final payment shall not be authorized until these forms have been completed and filed with project deliverables.

MWBE Requirements

Contractual services and supplies budget items are applicable to New York State's MWBE utilization goals of 15% for WBE and MBE. The State in the preliminary budget allocated the following:

- WBE Goal \$7,312.50
- MBE Goal \$7,312.50

Proposal Content and Criteria

Proposals (3 copies) should provide a straightforward, concise description of the proposed work to be done and the consultant's ability to meet the requirements of this RFP. This proposal is not a public relations document. All information provided should relate directly to this project.

An officer of the consultant, or a designated agent empowered to bind the consultant in a contract, shall sign the proposal and any clarifications to that proposal.

The proposal shall contain the following in the order described:

I. Cover Letter

Each submission should be accompanied by a cover letter, which includes:

- 1) The consultant's name and address.
- 2) A clearly identified point-of-contact for the consultant, including name, title, telephone number, and email address.
- 3) A statement that the proposal is in response to this RFP.

II. Work Plan

The proposal shall include a detailed work plan that also demonstrates the consultant's understanding of the project and the proposed scope of services. This shall include, but is not limited to, the following:

- Description and/or procedures and the approach to be undertaken by the consultant to accomplish each of the tasks

enumerated above.

- A description of documentation to be provided as an outcome of each task.
- Data updates or information that would be required for each task. Specific note should be made of any data, information or other resources that the consultant anticipates will be needed from City of Cortland for the successful completion of the project.
- Any issues or problems expected to be encountered and an approach for resolving them.
- Schedule for consulting City of Cortland staff during the project and keeping City of Cortland informed on the progress of the work.

III. Schedule of Project Activities

The consultant shall provide a schedule for the work tasks and deliverables. City of Cortland wishes for the project to be completed by December 31 2022.

IV. Pricing Proposal

Description of the method(s) that the contractor will employ to determine the price the City would be charged to provide the services sought. (i.e. Fixed contract; variable per hour, percentage of construction costs, mixed)

V. Statement of Consultant Qualifications

The consultant selected is expected to: have recently (within the last 2 years) been engaged in a similar assignment; have specific personnel experienced in similar projects assigned to the project; and have demonstrated the ability to work well with local entities and agencies. The following consultant information shall be included with the proposal:

- The principal in charge for this project with current contact information.
- A list of, and a detailed resume for, each professional or technical

- person assigned to the project which includes experience or expertise that qualifies the person for this project.
- A summary of similar projects prepared by the personnel assigned to this project. Include contact information for the principal user for these projects.
- At least three references with contact information regarding recent relevant work. The consultant should specify its role in each of these projects.

Previous Research

The City has commissioned a previous study of the Tioughnioga River Water Front Revitalization Program that may be of interest to bidders. One is the original WRP The second, Revitalization River Urban Headwaters Action Plan, funded by the National Fish and Wildlife Association Each is available upon request to mcook@cortland.org

Notice of Interest

All entities interested in submitting a proposal are encouraged to express that interest via e-mail to mcook@cortland.org. An e-mail list will be generated from such responses.

Pre-submission Meeting

A pre-submission meeting will be held on June 30, 2020 at 10:00 AM via ZOOM. Please e-mail interest in participating by email to mcook@cortland.org. There after all questions regarding this Request must be submitted via e-mail to; mcook@cortland.org. Answers to all questions will be via e-mail to all entities expressing interest in bidding

Submission and Evaluation

Submission of a proposal to City of Cortland indicates the consultant's ability to meet the requirements of this RFP. All proposals shall be submitted by 3:00 p.m. Eastern Standard Time on August 14, 2020 to:

City of Cortland
Office of City Clerk
25 Court Street
Cortland, NY 13045

It is the consultant's responsibility to ensure the City of Cortland has received the proposal. Confirmation of receipt will be sent by email to the consultant when the proposal is received.

No changes will be accepted after 3:00 pm Eastern Standard Time August 14, 2020. The consultant has the right to submit questions concerning this solicitation and project. City of Cortland reserves the right to provide the question asked and its answer to all Consultants.

City of Cortland reserves the right to reject any submission for failure to adhere to the requirements described in this solicitation, and to waive irregularities therein. All submitting firms grant City of Cortland a non-exclusive right to use, or cause others to use, the contents of the submission for any purpose. All submissions will become the sole property of the City of Cortland.

City of Cortland reserves the right to select more than one consultant. All contracts will be subject to final negotiation.

Selection Criteria

Proposals will be received and reviewed by City of Cortland for this project. Proposals will be reviewed based on the following criteria:

- Methodology proposed, including timetable of work.

- Additional information the consultant provides that brings value to the analysis including where appropriate adding specialists to the proposed development team that enhances required expertise.
- Successful work experience with similar projects demonstrating that the consultant can perform the services described in the Project Scope.
- References. The consultant shall have completed at least two similar engagements during the past two years, and provide references pertaining to these engagements.
- Experience of firm, including resumes of staff who will be assigned to this project.
- Project cost.

Proposal Obligations

The contents of the proposal and any clarifications to the contents submitted by the successful applicant shall become part of the contractual obligation and shall be incorporated by reference into the contract.

Preparation Costs

All costs incurred under this solicitation for proposal preparation, presentation or contract negotiations are the responsibility of the consultant. City of Cortland is not responsible for the cost of any information solicited or received.

Award

The award shall be made by the City of Cortland. The City anticipates that the selection of a consultant will be made within 45 days of the proposal submission deadline, but will not be bound by this timeline. Contract negotiation will begin immediately following consideration.

Should contract negotiation not prove successful, the City reserves the right to select no consultant; offer a new solicitation; or select from other proposals responding to this RFP.

Terms

The terms of any agreement will be negotiated. The successful consultant will be expected to commence the provision of services immediately upon full execution of the agreement. The following are some terms and conditions in the grant

contract between New York State and the City that may impact the contract between the City and the selected consultant:

Any contract proposal presented is subject to all, and must include responses to, all applicable terms contained in the 'Master Contract for Grants' and attachments/ supplements thereto, as entered into by and between the City and the State of New York, Department of State. Such agreement is therefore incorporated herein by reference and attached hereto.

The City:

The Contractor:

- will be responsible for conducting all project work in conformance with the Work Plan included in the executed contract with the Department.
- will be responsible for all project activities including drafting request for proposals and managing subcontracts with consultants and subconsultants.
- will certify to the Department that the procurement record for project consultants and subcontractors complies with the applicable provisions of General Municipal Law.
- will receive approval from the Department for any and all consultant subcontracts before beginning project work.
- will be responsible for submission of all products, M/WBE forms, and payment requests including backup documentation.
- will be responsible for coordinating participation and soliciting comments from local government personnel, project volunteers, and the public.
- will keep the Department informed of all important meetings for the duration of this contract.
- will receive approval from the Department before purchase of any equipment.
- will secure all necessary permits and perform all required environmental reviews.
- will ensure that all materials printed, constructed, and/or produced acknowledge the contributions of the Department to the project.
- will ensure that all products prepared as a part of this contract shall include the NYS Comptroller's contract number as indicated on the Face Page of this contract.
- will ensure the project objectives are being achieved.
- will ensure that comments received from the Department and the project advisory committee, or other advisory group, are satisfactorily responded to and reflected in subsequent work.
- will recognize that payments made to consultants or subcontractors covering work carried out or products produced prior to receiving approval from the Department will not be reimbursed unless and until the Department finds the work or products to be acceptable.

The Department:

- will review and approve or disapprove of subcontracts between the Contractor and consultant(s) and any other subcontractor(s).
- will participate in project initiation meeting and attend meetings that are important to the project.
- will review all draft and final products and provide comments as necessary to meet the objectives.
- must approve or disapprove any and all design, site plan, and preconstruction documents. Department approval must be obtained before construction may begin.

NON-COLLUSIVE BIDDING CERTIFICATION

Selection 103-d New York State General Municipal Law, as amended

A - By submission of this bid, each bidder and each person signing on behalf of any bidder certifies and in the case of a joint bid, each party thereto certified as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- (1) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
- (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition. (The certificate should be signed by an officer if the bidder is a corporation, or by a principal if the bidder is unincorporated. Bids will be declared "informal" in the event no signature appears on this form.)

Signature: _____

Title: _____

Signature: _____

Title: _____

FAIR EMPLOYMENT CLAUSE

The following are certain equal employment opportunities provisions to which subject contractors shall agree.

Accordingly, the undersigned, a contractor herein, promises:

1. That it will not discriminate and that it will take affirmative action to promote nondiscrimination in hiring, recruitment, training, promotion and wage practices and take procedures to prevent reverse discrimination, and
2. That such affirmative action shall include but not be limited to incorporation of appropriate equal opportunity language in all employment recruitment efforts, notifications to appropriate unions of the contractor's obligations hereunder, incorporation of affirmative action conditions in any subcontract, and
3. That it will complete and submit the required FHWA employment opportunity reports to the City of Cortland, and as additional state and federal mandates may apply to this contract, the undersigned contractor further agrees:
4. That it will in good faith consult with and cooperate with staff of the City of Cortland in order to achieve compliance with any other applicable equal employment opportunity laws and regulations. Failure to comply with the forgoing provisions may result in cancellation of this contract and in other sanctions as provided by law.

Dated: _____

Firm

By: _____

BIDDERS ADDRESS

(This form must be completed prior to the Submission of the Bid) PLEASE COMPLETE INFORMATION REQUESTED BELOW:

The post office address of the bidder is

(Street)

(City and State)

IF A CORPORATION:

NAME ADDRESS

_____ President _____

_____ Secretary _____

_____ Treasurer _____

IF A FIRM:

NAME ADDRESS

CONFLICT OF INTEREST

(A) AFFIDAVIT:

At the time the Contractor submits a bid, or, if no bid is submitted, prior to performing any services, the Contractor shall serve upon the City Attorney the attached Affidavit certifying that the Contractor has no interest and will not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of services to the City. The affidavit shall further state that the Contractor agrees that in the rendering of services to the City no persons having any such interest shall be employed by the Contractor. The Contractor assumes full responsibility for knowing whether its employees or agents have any such interest and in certifying the absence of such conflict to the City.

(B) DUTY TO DISCLOSE:

During the course of performing services for the City, the Contractor agrees to disclose immediately to the City, by Affidavit, every known or apparent conflict of interest and every ostensible or potential conflict of interest of the Contractor, its employees and agents. The duty to disclose is a continuing duty. The Contractor agrees that disclosure is a material obligation of the contract and that failure to comply with these provisions affords the City the right to pursue any and all remedies for breach of contract. In the event of an apparent or actual conflict of interest during the course of performance, the Contractor agrees that all work, services and payments shall be suspended pending final approval by the City. If the conflict cannot be resolved to the satisfaction of the City, the City may terminate the contract by written notice. Nothing herein shall be construed as limiting or waiving the City's rights to pursue damages or other remedies.

A conflict of interest includes any circumstance which might influence or appear to influence the judgment of the Contractor, and the Contractor shall disclose the same. The Contractor shall disclose further the acceptance of compensation, monetary or otherwise, from more than one (1) payer or party for services on the same project or related project. The Contractor shall disclose further the direct or indirect solicitation or acceptance of financial or other consideration parties other than the City for work on the project to which the contract pertains. If applicable, the Contractor shall disclose further the direct or indirect acquisition of any interest in the real estate which is the subject of the project or in the immediate vicinity thereof. A conflict of interest on the part of the Contractor's employees or agents shall be deemed a conflict of interest on the part of the Contractor, giving rise to the same duty to disclose.

(C) DUTY TO MAINTAIN CONFIDENTIALITY:

The Contractor agrees not to disclose any data, facts or information concerning services performed for the City or obtained while performing such services, except as authorized by the City in writing or as may be required by law.

CONFLICT OF INTEREST

AFFIDAVIT

(STATE OF NEW YORK)
(CITY OF CORTLAND)

_____, being duly sworn, disposes and says that:

1. I, _____, am an independent contractor, and have this date signed a contract to provide services to the City of Cortland.
2. I certify that, as the Contractor, I have no interest nor will I acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of these services to the City
3. I agree that in the rendering of services to the City, no persons having any such interest shall be employed by me. I assume full responsibility for knowing whether my employees or agents have any such interest and hereby certify that no such interest exists.

Dated: _____, 2019

By: _____

Sworn before this _____ day of _____, 2020.

Notary Public

