



# REQUEST FOR PROPOSALS (RFP) Chadakoin River Activation Project | Local Waterfront Revitalization Program under Title 11 of the Environmental Protection Fund CITY OF JAMESTOWN, NY

*This RFP was prepared with funding provided by the New York State Department of State Environmental Protection Fund.*

RESPONDER DUE DATE: November 1, 2024 @ 4:00 P.M  
ISSUE DATE: September 20, 2024

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City of Jamestown, New York  
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Chadakoin River, Greater Jamestown Community Riverwalk





# REQUEST FOR PROPOSALS (RFP)

## Chadakoin River Activation Project

CITY OF JAMESTOWN, NY

### PROJECT BACKGROUND

The City of Jamestown, along with the Chautauqua County Partnership for Economic Growth (CCEG), Gebbie Foundation, Chautauqua County Region Economic Development Corporation (CREDC), County of Chautauqua Industrial Development Agency (CCIDA), Jamestown Board of Public Utilities, Roger Tory Peterson Institute, and Jamestown Renaissance Corporation, created a strategy for developing the area along the Chadakoin River which provides activities and recommendations that address economic development, recreation, entertainment, education, tourism, and the environment in a comprehensive manner, with the goal of maximizing visitation in the corridor and basin areas. Development of the Chadakoin is a highly favorable endeavor for driving tourism in Jamestown, and will allow for greater engagement, enhanced visitor experience, and increased retention.

The strategy offers activities that will generate substantial new economic activity on their own, while complementing the existing Jamestown attractions that directly impact both local and regional economic development objectives.

The project contains several components of the strategy, and will be the first significant step in activating the Chadakoin River. It takes an area that is currently underutilized by the city of Jamestown and seeks to increase public access to the water, while improving quality of life and economic activity in and around the area.

### PROJECT SUMMARY

Through this RFP, the City of Jamestown will select a qualified firm to oversee all aspects of implementation of Phase I of the Chadakoin Activation project. These projects will take place in the basin area as well as the river corridor. Enhancements to the north shore of the basin include a signature garden, mural, tiered seating space, and placemaking items. The south shore will see the addition of a kayak launch, dock, and welcome center for visitors. To make the river itself more navigable, obstacles will be removed and navigation aids will be added.

The selected firm will develop executable plans, which must include realistic timetables and budgets, in cooperation with the City Departments of Development and Public Works, and any other relevant agencies or organizations as necessary.

This RFP is a call for qualified consultants to provide professional design/build services to implement the first phase of the Chadakoin River Activation Plan as detailed in the Scope of Work. The selected consultant will provide professional services to include at minimum licensed Professional Engineering services. Licensed Landscape Architecture services are recommended. In addition, the selected project team will demonstrate the ability to provide full design/build services. Responses are solicited for this project in accordance with the terms, conditions, and instructions set forth in this RFP.

### FEES/BUDGET

The total fee amount for the Chadakoin River Basin Activation Enhancements Project shall not exceed **\$1,280,661.00** including all professional services, expenses, overhead, and profit. Consultant's fees should reflect the substantial amount of work that City staff has done and will be doing alongside the Consultant throughout the process and identify any work tasks identified in this



Scope of Services that the Consultant recommends be performed solely by the Consultant, solely by City staff or divided in a different way than described herein, in order to most effectively and efficiently achieve the goals and objectives set forth by the City.

***\*\*\*Note: Invoicing must align with milestones for specific tasks, itemized appropriately to DOS work plan. The specific tasks and milestones will be agreed upon at the time of Project Scoping, upon contract award.***

As remuneration for the scope of work as described below and detailed in the DOS Work Plan- Appendix 1, the Client shall pay the Consultant a fixed fee, such fee to include all labor, expenses, travel time, and mileage. The Fee for Services provided under the Agreement will be allocated and charged monthly on a progress-to-completion basis. Notwithstanding the terms of the Agreement, for each of the Tasks defined, Client shall be permitted to withhold 15% of the invoiced amount for each Task until (1) the Consultant delivers that Task's "deliverable" (as defined in Attachment A) to the Client, and (2) the Client approves of the deliverable.

### **MWBE GOALS AND REQUIREMENTS**

Pursuant to NYS Executive Law Article 15-A and 5NYCCR Parts 142-144, for purposes of this procurement, the NYS Department of State has established an **overall goal of 60 percent** for MWBE participation. Please identify how the goals will be met. The MWBE Goals are as follows:

MBE Goal:	\$344,099.15 (30%)
WBE Goal:	\$344,099.15 (30%)

The City of Jamestown actively seeks Minority and Women business enterprises to participate in bids to meet the City's procurement needs.

Only businesses certified with the State of New York as minority and/or women business enterprises are counted towards the City's goals. Eligible minority or women-owned businesses are encouraged to seek certification from the State of New York Division of Minority and Women's Business Development (DMWBD) at <https://esd.ny.gov/doing-business-ny/mwbe>.

The City of Jamestown encourages the participation of Service-Disabled Veteran-Owned Business Enterprises (SVDOb)s and Disadvantage Business Enterprises (DBEs). To identify NYS Certified MWBEs, responders can access the NYS Directory of Certified MWBEs at <https://ny.newnycontracts.com/>.

### **EQUAL OPPORTUNITY**

The selection of the consultant shall be made without regard to race, color, sex, age, religion, national origin, or political affiliation. The City of Jamestown is an equal opportunity employer and encourages proposals from minority and women-owned businesses.

### **QUESTIONS**

Questions should be directed to Ellen Shadle, Principal Planner by email only [shadle@jamestownny.gov](mailto:shadle@jamestownny.gov) no later than **October 4, 2024**.

Answers to submitted questions will be posted by **October 11, 2024** on the City's website at: [www.Jamestownny.gov](http://www.Jamestownny.gov)

### **DELIVERABLES**

See Tasks as described in the Anticipated Scope of Work and Appendix 1 for specific deliverables.



## PROPOSAL FORMAT AND REQUIREMENTS

Submit seven (7) complete sealed proposal sets. All submissions become the property of the City of Jamestown upon submission. Sealed submittals must be hand delivered or mailed to:

Ellen Shadle  
Principal Planner  
200 E Third Street  
Department of Development, 4<sup>th</sup> Floor  
Jamestown, New York 14701

The consultant/firm shall provide one (1) electronic copy incorporated into a single PDF file for review **in addition to the hard copies required**. The electronic copy shall be submitted as a single .pdf file via email to [shadle@jamestownny.gov](mailto:shadle@jamestownny.gov).

## SUBMISSIONS MUST BE RECEIVED BY 4:00 PM ON November 1, 2024.

Emailed or faxed submissions without hard copies will not be accepted.

The submission should include the following information in the order listed below, with each section clearly labeled and separated by tabs, with pages numbered.

- Title Page- Provide the name of your firm, address, telephone, and name of contact person on a title page.
- Project Understanding
- Firm Background
- Consultant team qualifications- Qualification, Capabilities & Experience of proposed staff and Ability to meet MBWE goals
- Methodology and Approach- Past performance on similar projects and public engagement plan
- Firm Capacity - Ability to meet schedules and budgets
- Cost Proposal- Cost and proposed distribution effort
- References
  - Provide five (5) current – within the past five (5) years) – references.
  - References provided shall be for work completed for similar type projects.
- Supporting Information (Optional)

## LIABILITY

The City of Jamestown is not liable for any costs incurred by any individual or firm for work performed to prepare its proposal or for any travel and or other expenses incurred in the preparation and/or submission of its proposal. Further, the City of Jamestown is not liable for any costs incurred prior to approval of the contract.

## EVALUATION PROCESS

The City of Jamestown will review submitted proposals with reference to the qualifications and criteria as detailed in this Request for Proposals. The intent is to select the consultant having the technical capability and necessary experience to perform the services as outlined in this RFP within the time frame required.



**PROJECT TIMELINE**

The project is intended to be completed within 12-18 months upon the finalization of a contract and notice to proceed is issued.

**SELECTION/ EVALUATION CRITERIA**

The City of Jamestown reserves the right to seek clarification of any proposal submitted and to select the consultant that is best able to address the project purpose and to reject any and all of the proposals. The City of Jamestown reserves the right to withdraw this request for proposals, to accept or reject any or all proposals, to advertise for new proposals if it is in the best interest of the City to do so, and to award a contract as deemed to be in the best interest of the City. This solicitation of proposals in no way obligates the City of Jamestown to award a contract. The selection committee at its discretion will conduct interviews of finalists prior to award.

**Proposals will be based on the following criteria (100 points maximum):**

Criteria	Weight	Max Points	Points x Weight
Project Understanding	5	5	25
Qualification, Capabilities & Experience of proposed staff	3	5	15
Ability to meet MBWE goals	3	5	15
Past performance on similar projects	3	5	15
Public engagement plan	2	5	10
Ability to meet schedules and budgets	2	5	10
Cost and proposed distribution effort	1	5	5
Overall quality of RFP submission	1	5	5
Total possible points			100

## **ANTICIPATED BID SCHEDULE**

RFP Released	9/20/2024
Questions Submitted by	10/4/2024
Response To Questions by	10/11/2024
Proposals Due	11/1/2024
Short List Interviews conducted	11/11 - 11/15/2024
Consultant Team Selected	11/18/2024
Council Approval Of Contract Award	11/25/2024

## **NOTIFICATION OF AWARD**

The City of Jamestown will notify the successful bidder by phone, followed by written confirmation. Each bidder whose proposal is not accepted will be notified in writing.

The City of Jamestown will authorize the award of a contract to the successful proposer. In the event that a contract cannot be finalized within thirty (30) days of the award, the City of Jamestown reserves the right to enter into negotiations with the consultant which received the second highest evaluation.

## **CONDITIONS GOVERNING PROPOSALS**

Only those proposals which contain complete information and are responsive to the RFP will be considered. Proprietary or patented information which may be included in the proposal must be clearly identified and brought to the City of Jamestown's attention.

The City of Jamestown reserves the following rights:

- to accept or reject any or all proposals;
- to waive or modify minor irregularities in proposals received;
- to negotiate with proposers, within the proposal requirements, to best serve the interests of the waterfront communities and the Department of State;
- to amend specifications after their release, with due notice given to all bidders to modify their proposals to reflect changed specifications;
- to consider every offer as firm and not revocable for a period of sixty (60) days unless withdrawn in writing or unless otherwise specified in the solicitation; and
- to award a contract for any or all parts of a proposal and negotiate with the successful bidder.

By submitting a proposal, the respondent agrees that it will not make any claim for or have any right to damages because of any lack of information or misinterpretation of the information provided in this RFP.

The City of Jamestown will not utilize any of the materials submitted in the RFP process included in unsuccessful proposals without permission.

## **ANTICIPATED SCOPE OF WORK**

In addition to the following, the selected consultant must incorporate the items documented in the NYSDOS Work Plan in Appendix 1. The City reserves the right to award all tasks to the consultant team as submitted including subconsultants of a team, or to individual consultant submittals,

allowing the City to create a team based on the City's preferred selection. The selected consultant(s) shall work with the City to develop a formal scope of services. An anticipated scope of work is outlined as follows:

### **Task 1: Design & Planning**

The City's selected engineering design consultant will prepare detailed plans and designs for each of the proposed projects. The design documents will be used to solicit contractor proposals for the construction of the planned projects listed below. In addition to the standard design considerations, the following items will be addressed for the specific tasks listed below:

- **Signature Gardens**
  - As part of the planning and design, an evaluation of drainage patterns and topography will be completed to identify water movement. That evaluation will aid in a project design that can incorporate sustainable gardening practices including native plantings to create water diversion patterns, minimization of hard surfaces, and identification of water management, storage, collection, and recycling systems that may include rain barrels or cisterns, green roofing, storm water boxes, and bioswales.
  - Specific methods for minimizing hard surfaces include using gravel instead of pavement, installing stepping stones for a pathway instead of concrete, avoiding compacting soil with heavy equipment, and using porous paving.
  - Plantings should include trees, shrubs, and bushes that hold rainwater and keep soil in place, as well as grasses and groundcovers that slow runoff, filter pollutants, and allow water absorption.
- **Dock in the Basin**
  - A bathymetric survey will be necessary to evaluate the extent of dredging and bank stabilization necessary.
  - Engineering considerations will include:
    - Evaluation of river flow and ice
    - Evaluation of locations for piling, trusses, and other structural features
    - Detailed design of dock and gangplank
    - Electrical utilities and lighting
  - Part of the work may include obtaining permits from the U.S. Army Corps of Engineers (ACOE) and the New York Department of Environmental Conservation (NYSDEC), and/or other agencies as identified during the design process.

### **Task 2: Construction of Signature Gardens**

Erosion along the north shore of the Chadakoin River basin is an ongoing concern that threatens the long-term viability of the land uses along the riverbank, reduces the structural integrity of many trees, and poses a potential safety hazard. At the same time, there is significant green space behind the National Comedy Center that is available for development.

The development of the "Signature Gardens" will serve both as an enhancement to the North Basin green space and as infrastructure designed to collect and convey stormwater from the area. Situated on the western end of the north bank of the Chadakoin River Basin near the pedestrian bridge to Panzarella Park, the project will include ornamental trees, native shrubs, annual and

perennial plants, a scenic river overlook, a gazebo, and infrastructure that mitigates the currently unmanaged stormwater runoff.

The Signature Gardens concept was initially designed as a passive recreation asset that would draw visitors to the North Basin, add to the overall attractiveness of the site, enhance the view from the South Basin area, and provide a quiet, shaded, outdoor seating area. It was subsequently suggested that the chosen site could also offer a solution to a long-standing erosion problem caused by severe stormwater runoff due to the lack of vegetation, the grade from the Comedy Center to the river, and the existing soil conditions. Features at the Signature Gardens may include a fountain, benches, pergolas, arbors, annual flowers, perennial plants, shade trees, solar powered lighting, and rainwater collection and conveyance infrastructure. Consideration will be given to incorporating locally-created artworks and craftworks into the design to help create a sense of community pride. The design and installation of features will take into account maintenance and repair responsibilities and costs.

The Signature Gardens are also an ideal venue to introduce the ecology of the entire Chadakoin River experience, offering an opportunity to interpret the various plant life at the site and to use signage and mapping to encourage further exploration of the Basin and River Corridor areas. The Gardens could also host lectures, guided tours, and other educational presentations.

- The Signature Gardens are anticipated to include, at a minimum, the following amenities:
  - Gazebo with interpretive kiosk
  - Benches
  - Brick pavers
  - River overlook
  - Native shrub and perennial plantings
  - Ornamental fruit and flowering trees
  - Evergreen and deciduous shade trees
  - Access points to the National Comedy Center, Riverwalk, and pedestrian bridge to Panzarella Park

### **Task 3: Swings, Benches, Chairs, Placemakers**

An important element to creating a sense of place consists of amenities. These landscape essentials provide places to relax and enjoy the surrounding activity and/or scenery, giving time to rest and reflect. As Jamestown's Basin becomes a hub of activity, swings, chairs, and benches become highly prized. Other amenities may be installed to provide visual highlights or other aesthetics.

This project includes the design of placemaking amenities by a landscape architect with a background in public spaces, the development of conceptual plans, and the installation of the proposed amenities.

### **Task 4: Tiered Seating**

A large parcel along the Chadakoin River overlooks the area known as the Basin. Recent plans and designs identify the Basin as the most critical element in Jamestown's revitalization. Not only does the basin provide the city's best access to the Chadakoin River, this area contains the city's most significant attractions, including the National Comedy Center, Comedy Park, and the Northwest Ice Arena.

The development of tiered seating on the waterfront property immediately south of the Comedy Park is anticipated to be a significant step in the activation of the waterfront. This waterfront parcel is directly across from the downstream pedestrian bridge close to the Washington St. Bridge, which is



currently undergoing a transformative lighting project. Attracting more and more people to the waterfront will spur the continued growth of economic activity in this critical region of the city. The seating will consist of a basic tier design with cement retaining structures built so that the seating area is grass and can be accessed from the sides by a grass ramp to each level where a mower could be driven up onto the structure to mow the area. It will also be designed to be easily expanded as the need for more seating develops as the use increases. Accessibility and safety will be significant considerations during the design process.

#### **Task 5: Mural**

Jamestown's rich industrial and comedic history has been illustrated on exterior walls in portions of the community. However, the Basin is lacking outdoor artwork. This task will address this issue and create a mural on the retaining wall near the north shore of the Basin. The subject of the planned mural will showcase a piece of Jamestown's history (still to be determined), and be painted by a local artist.

With the increasing numbers of visitors to the Basin, public art will act as an additional draw and its presence will remind the community and visitors alike what an interesting history Jamestown has.

#### **Task 6: Navigation Aids**

The stretch of the Chadakoin River between McCrea Point Park and the Basin currently provides recreational navigation and acts as a link between downtown Jamestown and Chautauqua Lake. Although the use of this resource is currently limited for a variety of reasons, a number of proposed projects are expected to facilitate and enhance the use of the river and result in a much greater number of non-motorized recreational boaters on the river. Additionally, plans for a water taxi are underway. For recreational boaters and the water taxi alike, nighttime boating is possible. However, no aids to navigation, such as buoys or beacons, exist along the stretch of the Chadakoin between McCrea Point Park and the Basin.

The project will include the procurement and installation of a series of buoys and beacons at various points between McCrea Point Park and the Basin. Buoys are floating objects that are anchored to the bottom while beacons are that are permanently fixed to the riverbed or on land. The project will include the installation of lighted and non-lighted buoys and beacons to assist with both day and night navigation.

The project details include:

- The planning of the project with close coordination with the ACOE and NYSDEC
- The selection of the most appropriate locations for lighted and non-lighted buoys and beacons
- The preparation of a Request for Proposals for the procurement and installation of the buoys and beacons
- The selection of a contractor for the proposed project
- The procurement and installation of the following:
  - solar powered lighted marker buoys
  - non-lighted buoys
  - solar powered lighted beacons
  - non-lighted beacons

#### **Task 7: Kayak Launch**

Getting people onto the water in the River Corridor and Basin areas is a primary objective of the Chadakoin Activation Plan. However, access is currently facilitated by infrastructure only at McCrea Point Park in the form of a kayak launch and boat ramp. Additional access in the form of launches

and dockage is essential for leveraging increased paddling and other recreational watercraft usage. The need is particularly critical in the Basin area, where short-term watercraft rentals will be an important component of increased activity.

The project proposes to install a ADA compliant kayak launch on the South Bank of the Basin at a location convenient to vehicle access and watercraft rentals. Because one of the primary purposes of the launch is to encourage paddlers to visit and spend time in the Basin area, the launch should be accompanied by a nearby rack or similar facility where paddlers can store their watercraft and potentially a locker facility where equipment, clothing, and valuables can be safely secured.

### **Task 8: Dock in the Basin**

The long-term plan for a Chadakoin River Water Taxi project requires the construction of a dock in the Basin to complete the linkage of Chautauqua Lake to the Basin and downtown. Currently, there is no easy way for boaters or boat passengers to access the banks of the Chadakoin Basin. Currently, with the absence of dockage, a kayak launch, or beach line, there is no easy way for individuals on boats or water recreation equipment to exit their vessel on the banks of the Chadakoin Basin. Construction of a dock on the south shore of the river near the Welcome Center will create a regular stop on the Water Taxi route, as well as docking to accommodate water bikes, upright paddle boats, other recreational craft, and emergency vessels as needed. The location allows for the construction of additional dock space if the demand exists.

The project involves the construction of a new dock along the southern shore of the Chadakoin River Basin to create a landing point for the Chadakoin Water Taxi in proximity to the Welcome Center, Rental Facility, and pedestrian bridges that connect the south shore to the north side of the Chadakoin.

In addition to the construction of the dock, this project will require dredging the river to create space for the construction and placement of a dock. An experienced dredging contractor will be engaged to coordinate any necessary permits for removal and disposal of sediments and debris. Dredging will be conducted in a way that minimizes impacts on the shoreline and wildlife and does not disrupt recreational and other activity within the Basin.

### **Task 9: Welcome Center**

Welcome Centers, also known as visitors' centers or information centers, are structures at points of entry to areas of interest that engage and inform visitors. Welcome Centers usually feature information related to nearby attractions, lodging and dining options, recreational areas, and entertainment options. They may be staffed and include printed and video information, event schedules, transportation options, ticket sales for area attractions, comfort facilities, and other amenities.

The Chadakoin Basin area, because of its size, geography, and variety of available activities and attractions, is an ideal location for a Welcome Center. While initial activity in the area is not likely to be sufficient to support a comprehensive staffed facility, an informational self-service kiosk is envisioned in the near term, with the option of upgrading as activity increases.

The preferred location for the Welcome Center is on the south bank of the Chadakoin River Basin to the east of the Board of Public Utilities (BPU) buildings. The proposed Welcome Center will be adjacent to the existing Riverwalk and close to the proposed water taxi dock. The Welcome Center is intended to be an eye-catching interactive facility that provides visitors with accurate and up-to-date information on the events and activities available in the Chadakoin area and downtown Jamestown.

Initially, the Welcome Center will be assembled simply and with limited features to control capital costs, staffing, and maintenance requirements. A structure of approximately 200 square feet is envisioned with feature boards and informative signage that promote local attractions and events. At least one map of the Chadakoin Basin and Corridor offerings and a map of downtown Jamestown highlighting tourism-focused businesses and attractions can be included. Space will be dedicated for more permanent messaging related to attractions and activities that do not change frequently and for messaging that can be cycled regularly such as for outdoor concerts and exhibits at the National Comedy Center.

At a minimum, the Welcome Center will provide:

- Operating hours, maps, and other information for area businesses and attractions
- Locations of key amenities including free Wi-Fi, parking, public restrooms, and handicap accessibility
- Food and lodging options
- Public and private transportation availability
- Information for attraction and event tickets and admissions
- Key contact information
- As activity in the Basin area increases, amenities can be enhanced, with priority given to the addition of digital features such as wayfinding information, Wi-Fi access, and the capture of visitor data and feedback.

Consideration can then be given to addressing the facility itself by adding space, restrooms, gift shop, refreshments, etc.

## APPENDIX 1: WORK PLAN | CHADAKOIN RIVER BASIN ACTIVATION ENHANCEMENTS

### 1. Project Description

The City of Jamestown will advance the City's Local Waterfront Revitalization Program by designing and constructing enhancements along the Chadakoin River to increase public access to the water and spur economic activity in downtown Jamestown. Enhancements will include a signature garden, mural, tiered seating space, placemaking items, a kayak launch, dock, and welcome center for visitors. To improve navigation for boaters, obstacles will be removed and navigation aids will be installed.

This project advances the City's long-term goal of capitalizing on its location along the Chadakoin River, improving water recreational activities and connecting waterfront visitors with downtown shops, restaurants, and attractions located a short walk away. The enhancements will build on momentum generated by the development of the National Comedy Center (NCC), Downtown Revitalization Initiative projects, and previous EPF LWRP investments along the waterfront. The project is adjacent to the NCC, which is expected to attract more than 100,000 visitors annually, and is designed to extend visitor stays and spending in downtown Jamestown by providing recreational opportunities and new ways to enjoy the city's riverfront. The City will provide cash towards contractual services for the required project match.

### 2. Project Attribution and Number of Copies (CON/COJ)

The Contractor must ensure that all materials printed, constructed, and/or produced acknowledge the contributions of the Department to the project. All final and public facing materials must include the Department of State logo and the following acknowledgment:

*"This [document, report, map, etc.] was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund."*

The contributions of the Department must also be acknowledged in community press releases and other notices issued for the project, including web site postings and other forms of digital distribution. Project press releases and other notices shall be submitted to the Department for review and approval prior to release, to ensure appropriate attribution.

Unless otherwise specified in the Work Plan tasks, the Contractor must submit all required products in the following formats:

- Draft products: one digital copy of each product must be submitted in Microsoft Word and Adobe® Acrobat® Portable Document Format (PDF), created using 300 dpi scanning resolution.
- Final products: one electronic copy of each product must be submitted in Microsoft Word, PDF (20 MB maximum), created using 300 dpi scanning resolution. In addition, one paper copy of each final product (including reports, designs, maps, drawings, and plans) must be submitted.
- Electronic data for all Geographic Information System-based mapping products and associated spatial data must be submitted in either ArcGIS format, or similar product acceptable to the Department, and comply with the requirements for Contract GIS Products. Formal metadata must be provided with all digital GIS data which includes, at minimum, a file summary/abstract, intended use, data, source data, and author information.
- Electronic data for all designs, drawings, and plans must be submitted in the original software that they were created (such as CAD format or other similar product acceptable to the Department), as well as in JPG format.
- Photographs and images must be submitted in JPG format with a minimum resolution of 300 dpi must be dated and captioned with the location and a brief description of the activity being



documented and include any associated metadata (including the photo's GPS location where available).

### **3. Compliance with Procurement Requirements (CON)**

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

### **4. Project Components (CON)**

The Contractor shall ensure the completion of the following tasks and submit products associated with each task:

#### **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.

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

#### **Task 2: Project Advisory Committee (COJ)**

Establish a project 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 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) (COJ)**

Prepare a Request for Proposals (RFP) or similar instrument (if applicable) including a complete project description with site conditions, expected final results, a schedule for completion, MWBE requirements, and criteria for selecting a preferred proposal. Consultant services requested shall include all applicable tasks, activities and responsibilities outlined in the "Project Components" section of this work program.

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 Contractor must actively solicit bids for contracts and subcontracts from qualified State certified

MWBEs which can be identified using the NYS Directory of Certified Firms (<https://ny.newnycontracts.com/>). The Contractor must retain records of the procurement process including direct solicitation to MWBEs; results; and any actions that its subcontractors have taken toward meeting MWBE contract participation goals. To demonstrate good faith efforts to achieve MWBE contract goals the following should be retained:

- Evidence of outreach to MWBEs: mail, email, phone calls and follow-up;
- Written responses by MWBEs to the grantee/vendor's outreach;
- Copies of search(es) of the directory and advertisements for participation by MWBEs in appropriate general circulation, trade, and minority or women-oriented publications;
- Attendance at any pre-bid, pre-award, or other meetings, if any, scheduled by the grantee with MWBEs including dates and location;
- Description of how the scope of work maximizes opportunities for MWBE participation; and
- Description of how non-MWBE subcontractors' have engaged MWBEs to undertake part of the project's work or to procure equipment/ materials/supplies.

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. Submit the RFP or similar instrument to the Department for review and approval prior to release for solicitation of proposals.

Products: Approved RFP or similar instrument released through advertisement in local papers, the New York State Contract Reporter, or other appropriate means. Documentation of procurement including direct solicitation to MWBEs and actions taken toward meeting MWBE contract participation goals.

#### **Task 4: Subcontract and Compliance with Local Procurement Requirements (COJ)**

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. Incorporate the Department's comments on the subcontract work plan, or scope of services, prior to execution of the final subcontract(s).

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. A procurement certification form will be supplied by the Department.

The Contractor's procurement record and consultant selection are subject to approval by the Department. 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: Consultant(s) selected and approved by the Department. Executed subcontracts and written certification of compliance with procurement procedures.

#### **Task 5: Project Advisory Committee Meetings (CON)**

Hold a second project meeting with the consultant (if any) and Project Advisory Committee to review project requirements, site conditions, and roles and responsibilities; identify new information needs and next steps; and transfer any information which would assist in completion of the project.

The Project Advisory Committee shall meet regularly over the course of the project to guide project development and review findings and documents. Following each meeting, the Contractor, or its

consultant(s) shall prepare and distribute a brief meeting summary including attendees, main topics discussed, decisions agreed upon by committee, and action items.

Products: Project Advisory Committee meetings. Written meeting summary of each meeting.

#### **Task 6: Establish Site Control (COJ)**

Establish permanent site control necessary to enable design and construction of Chadakoin River Basin Activation Enhancements on Gebbie Foundation property (tax parcel #387.48-1-24.2.1). The City of Jamestown shall obtain a permanent easement or similar legal instrument giving the City the legal right to undertake work on the Gebbie Foundation's property and establishes permanent public access for the proposed enhancements.

The draft easement or similar legal instrument will be submitted to the Department for review and approval prior to being executed. Proof of site control will be demonstrated by furnishing a copy of the executed easement or similar instrument to the Department. Design development shall not proceed until site control has been established and submitted to the Department.

Products: Easement or similar legal instrument demonstrating the City of Jamestown has obtained the legal right to undertake work on the Gebbie Foundation's property and establishes permanent public access for the proposed enhancements.

#### **Task 7: Site Reconnaissance (CON)**

Conduct site-specific reconnaissance, in preparation for design. Work may include, at a minimum, identification, analysis, and mapping of the following:

- Site survey showing extent of project boundary
- Ownership/grant/lease status of all lands to be incorporated into the design
- Manmade structures, buildings, or facilities on or adjacent to the site
- Above and below ground infrastructure, including stormwater treatment structures
- Transportation/circulation systems (truck, car, bus, ferry, train, pedestrian, bicycle, etc.) that serve or are located near the site
- Adjacent land and water uses
- Historic and archeological resources
- Soil and, as appropriate, core sampling to determine site stability
- Topography and hydrology
- Natural resources, including location of mature trees
- View corridors
- Zoning and other applicable designations
- Site constraints, needs, and opportunities

Products: Map(s) and written summary describing the above information and any other appropriate information identified during the project initiation meeting. Maps and relevant data and information, submitted in either ArcGIS format, or similar product acceptable to the Department.

#### **Task 8: Schematic Designs and Alternatives Analysis (CON)**

Prepare schematic designs and alternative analysis of the facility or facilities, considering and including a summary of the following, as applicable:

- Best management practices to be employed to avoid or reduce water quality impairments from upland runoff or in-water activities, and
- Impacts, if any, to state-designated Significant Coastal Fish and Wildlife Habitat areas, Scenic Areas of Statewide Significance, other Coastal Management Program special management areas, or other sensitive resources, and how those impacts should be avoided or mitigated.

In consultation with the Department and the project advisory committee, the Contractor shall select the preferred schematic design as the basis for final design and engineering/construction plans and specifications, or shall work with the consultant(s) to develop a final schematic design incorporating elements of, or building upon, the alternative schematic designs.

Products: Alternative analysis and preferred schematic designs.

**Task 9: Public Meeting (COJ/CON)**

Hold public information meeting to solicit public input on the schematic designs to assist in selecting a preferred alternative. A written summary of public input obtained at this meeting shall be prepared and provided to the Department for review and comment.

Products: Public information meeting held. Minutes/Summary of meeting prepared including any presentations or handouts.

**Task 10: Permit Analysis and Pre-Permitting Meeting (CON)**

Prepare an analysis of all federal, State, and local requirements for the selected schematic design alternative, such as necessary permits, reviews, and approvals. The analysis will include a written description of how requirements will be satisfied during development of the design. This analysis shall be submitted to appropriate project partners, permit review agencies, and the Department for review. A pre-permitting meeting with the Department and the identified federal, State, and local entities may be required to discuss revisions needed to satisfy regulatory requirements. The Contractor shall not work on developing final design prior to the Department approval of the permit analysis and Contractor response to comments from the pre-permitting meeting, if necessary.

Products: Written permit analysis. Pre-permitting meeting with identified entities. Contractor response to preliminary review comments by regulators.

**Task 11: Design Development (CON)**

Prepare draft and final designs based on the selected schematic design. The designs shall include all required maps, tables, data, written discussions, and other information identified in the contract and subcontract work plans and during the project initiation meeting. The designs shall be provided to the Department and the project advisory committee for review at least two weeks prior to the due date for comments. Department comments must be addressed to the satisfaction of the Department in subsequent revisions of the products and the final design.

Products: Draft and final designs and supporting materials.

**Task 12: Certified Construction Documents (CON)**

Prepare the final construction drawings, plans, specifications, and cost estimates. The final construction documents shall be provided to the Department and the project advisory committee for review at least two weeks prior to the due date for comments. Construction shall not commence prior to addressing the Department's comments. Final construction documents must be certified by a licensed professional engineer, architect or landscape architect and the appropriate seal must be affixed to these documents.

Products: Final construction documents, certified by a licensed professional engineer, architect or landscape architect.

**Task 13: Environmental Quality Review (CON)**

Prepare all documents necessary to comply with the State Environmental Quality Review Act (SEQRA)



through determination of significance. If the lead agency makes a positive declaration of environmental impact, the Contractor shall prepare a Draft Environmental Impact Statement, advertise it as available for public review and comment, and complete the SEQRA process.

Products: SEQRA documents

#### **Task 14: Permits (CON)**

Prepare the necessary permit or other approval applications and obtain the required permits or approvals from regulatory agencies. A pre-application meeting with the Department and the appropriate federal, state and local regulatory authorities may be required to discuss the necessary permit or other approval applications. Prior to filing, the Contractor or its consultant(s) shall submit all applications to the Department for review and comment.

Potential permitting and approval agencies include:

- federal agencies such as the United States Army Corps of Engineers; Federal Highway Administration; Federal Aviation Administration; Federal Communication Commission; Federal Energy Regulatory Commission.
- the Department, pursuant to the consistency provisions of the federal Coastal Zone Management Act;
- other New York State agencies such as the Department of Environmental Conservation; the Office of General Services pursuant to the Public Lands Law, or similar authorization to use or occupy State-owned lands or waters overlying those lands; the Office of Parks, Recreation, and Historic Preservation or the State Historic Preservation Officer; and potential authorizing regional agencies such as Port Authority; St. Lawrence Seaway; Canal Corporation; Metropolitan Transportation Authority; CSX railroad; Amtrak; Adirondack Park Agency; Hudson River-Black River Regulating District.
- agencies of a regional, county, city, town, village, or special purpose district, including: town boards, boards of trustees, or city councils; planning commissions, boards or departments; and/or building or health officials. Demonstrate the project is in compliance with 6 NYCRR Part 502, "Floodplain Management Criteria For State Projects" by obtaining a floodplain development permit, if local regulations establish such requirements, or by submitting a signed certification, by an official authorized to enforce local floodplain management regulations, that the project complies with the requirements of the statute.

Products: All required permits and approvals received. Written certification of compliance with floodplain management regulations, if applicable.

#### **Task 15: Bid Process and Selection of Construction Subcontractor (CON/COJ)**

Prepare and distribute a bid invitation to select a construction subcontractor or subcontractors. The bid invitation shall require the respondents to demonstrate ability to satisfy any applicable MWBE requirements. Prior to distributing the bid invitation, the Contractor shall submit the bid invitation to the Department for review and comment.

Select the construction subcontractor(s) from the bid respondents and prepare a draft contract or contract(s). The Contractor must certify to the Department that applicable public bidding procedures of General Municipal Law were followed for the selection of all construction or other subcontractors. The Contractor must actively solicit bids for contracts and subcontracts from qualified State certified MWBEs which can be identified using the NYS Directory of Certified Firms (<https://ny.newnycontracts.com/>). To demonstrate good faith efforts to achieve MWBE contract goals the following should be retained:

- Evidence of outreach to MWBEs: mail, email, phone calls and follow up;
- Written responses by MWBEs to the grantee/vendor's outreach;

- Copies of search(es) of the directory and advertisements for participation by MWBEs in appropriate general circulation, trade, and minority or women-oriented publications;
- Attendance at any pre-bid, pre-award, or other meetings, if any, scheduled by the grantee with MWBEs including dates and location;
- Description of how non-MWBE subcontractors' have engaged MWBEs to undertake part of the project's work or to procure equipment/ materials/supplies. Submit the draft subcontract(s) to the Department for review and approval, and shall incorporate the Department's comments in the final subcontract(s). A copy of the final, executed subcontract(s) shall be submitted to the Department.

Products: Executed construction subcontract(s). Written certification of procurement procedures. Documentation of procurement including direct solicitation to MWBEs and actions taken toward meeting MWBE contract participation goals.

#### **Task 16: Installation of Project Sign (CON)**

Prior to the start of construction, install a sign satisfactory to the Department identifying the Department's funding of the project. The project sign shall remain in place for the useful life of the improvements undertaken. To assist communities in fulfilling this requirement, the Department has developed an attractive low-cost informational sign. A Sign Order Form is available upon request from the Department.

Products: Department-approved sign design, and photo-documentation that sign is installed in project area.

#### **Task 17: Construction, Construction Management and Site Inspection (CON)**

After receipt of all necessary permits, site preparation and construction work may begin according to the final design and construction documents. The Contractor or its subcontractor(s) shall notify the Department at regular intervals of work progress, including any delays which have occurred. The Contractor, its consultant(s), and/or the Department shall verify progress and completion of the work through periodic site inspections. The Contractor or its consultant(s) shall submit to the Department written summaries of progress including photo documentation and identification of problems to be addressed based on periodic site inspections.

Products: Written summary of periodic site visits including photo-documentation (pre-construction, during construction, and once the project is completed) and identification of any problems that need to be addressed.

#### **Task 18: Project Completion (CON/COJ)**

Submit a statement that the work has been completed in accordance with the contract, the final design and construction specifications, and all permit requirements. The completion statement must be certified by a licensed professional engineer, architect, or landscape architect. The Contractor shall submit a set of as-built plans, certified by a licensed professional engineer, architect, or landscape architect. The Contractor shall submit photo-documentation in the form of digital images of the completed project. The Department will not reimburse the Contractor for payment to consultant(s) or subcontractor(s) until the Department concurs that the work is complete.

Products: Statement of completion, certified as-built plans, and photo-documentation (including the photo GPS location where available)

#### **Task 19: MWBE Reporting (CON/COJ)**

Comply with MWBE Reporting Requirements by completing the following actions:

- Submit Form C - Workforce Employment Utilization to report the actual work force utilized for this

contract broken down by specified categories (every March 31, June 30, September 30 and December 31).

- Submit Form D - MWBE Utilization Plan to indicate any state-certified MWBE firms selected to work on this contract. Form D must be updated and submitted to the Department whenever changes to the selected MWBE firms occur (addition or removal).
- Record payments to MWBE subcontractors using DOS funds through the New York State Contract System (NYSCS).

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.

Products: Ongoing reporting through NYSCS during the life of the contract. Form C submitted on a quarterly basis and Form D submitted as necessary.

#### **Task 20: Project Status Reports (COJ)**

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 the Department during the life of the contract.

#### **Task 21: Final Project Summary Report and Measurable Results (COJ)**

Submit the Final Project Summary Report and Measurable Results electronically at: <https://forms.office.com/g/eZERFeEeKM>.

Products: Final Project Summary Report and Measurable Results submitted to the Department.

### **5. Project Responsibilities**

The Contractor shall administer the grant, execute a contract with the Department, and ensure the completion of work in accordance with the approved Work Plan and budget.

#### **The Contractor:**

- will be responsible for conducting all project work in conformance with the Work Plan included in the executed contract with the Department. **(COJ)**
- will be responsible for all project activities including drafting request for proposals and managing subcontracts with consultants and subconsultants. **(COJ)**
- will certify to the Department that the procurement record for project consultants and subcontractors complies with the applicable provisions of General Municipal Law. **(COJ)**
- will receive approval from the Department for any and all consultant subcontracts before beginning project work. **(COJ)**
- will be responsible for submission of all products, M/WBE forms, and payment requests including backup documentation. **(CON/COJ)**
- will be responsible for coordinating participation and soliciting comments from local government personnel, project volunteers, and the public. **(CON/COJ)**
- will keep the Department informed of all important meetings for the duration of this contract. **(COJ)**
- will receive approval from the Department before purchase of any equipment. **(COJ)**
- will secure all necessary permits and perform all required environmental reviews. **(CON/COJ)**
- will ensure that all materials printed, constructed, and/or produced acknowledge the contributions of the Department to the project. **(CON/COJ)**
- will ensure that all products prepared as a part of this contract shall include the NYS Comptroller's contract # as indicated on the Face Page of this contract. **(CON/COJ)**

- will ensure the project objectives are being achieved. **(COJ)**
- 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. **(COJ)**
- 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. **(COJ)**

**The Department:**

- will review and approve or disapprove of subcontracts between the Contractor and consultant(s) and any other subcontractor(s).
- will participate in initial project initiation meeting and subsequent 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 before construction may begin.



**APPENDIX 2:  
ADDITIONAL INFORMATION | CHADAKOIN RIVER BASIN ACTIVATION ENHANCEMENTS**

- No Gratuities
  - Respondents will not offer any gratuities, favors, or anything of monetary value to any official or employee of the City for the purpose of influencing the selection.
  - Any attempt by a respondent to influence the selection process by any means, other than disclosure of qualifications and credentials through the proper channels, will be grounds for exclusion from the selection process
  - Accordingly, contacts with members of the Staff Evaluation Panel, which are outside of the established process, should not be initiate
- Verifiable information
  - By submitting a response, respondents represent and warrant to the City that all information provided in the response submitted shall be true, correct and complete.
  - Respondents who provide false, misleading or incomplete information, whether intentional or not, in any of the documents presented to the City for consideration in the selection process may be excluded.
- Interviews
  - After the initial evaluation of the statements of qualifications, respondents will be notified by e-mail of their status in the selection process
  - Respondents who are "short-listed" will be contacted by both phone and e-mail.
    - They will be invited to participate in interviews that will focus not only on the respondent's application, their project approach, and an appraisal of the planning professionals who would be directly involved in the project.
- Inquiries
  - Do not contact the Mayor and City Council or the Staff Evaluation Panel to make inquiries about the progress of this selection process.
  - Respondents will be contacted by the Department of Development when it is appropriate to do so. Inquiries related to this RFP may be directed to Ellen Shadle, Principal Planner – [shadle@jamestownny.gov](mailto:shadle@jamestownny.gov); 716-483-7657.
- Cost of Responses
  - City is not responsible for the costs incurred by anyone in the submission of responses
- Contract
  - This RFP is not to be construed as a contract or as a commitment of any kind.
  - To ensure that the appropriate staff is assigned to the project, the City intends to make the inclusion of a "key persons" clause a part of the contract negotiations.
- No Obligation - The City reserves the right to:
  - Evaluate the responses submitted
  - Waive any irregularities therein
  - Select candidates for the submittal of more detailed or alternate proposals
  - Accept any submittal or portion of submittal
  - Reject any or all respondents submitting responses, should it be deemed in the City's best interest
  - Cancel the entire process.
- Professional Liability Insurance
  - The respondent shall have the appropriate liability insurance written by an insurer authorized to transact insurance in the State of New York.

**APPENDIX 3  
MUNICIPALITY PROCUREMENT REQUIREMENTS | CHADAKOIN RIVER BASIN ACTIVATION  
ENHANCEMENTS**

***SAMPLE INSURANCE REQUIREMENTS***

City of Jamestown  
200 E. Third Street, Jamestown, New York 14701  
AMBULANCE AND EMS SERVICE Insurance Requirements

1. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the Ambulance/ EMS Service, herein referred to as the Provider, hereby agrees to effectuate the naming of the City of Jamestown, herein referred to as the Municipality, as an additional insured on the Ambulance/ EMS Service Provider's insurance policies, with the exception of Volunteer Fireman's Benefits, N.Y. State Disability and professional liability insurance. If the policy is written on a claims-made basis, the retroactive date must precede the date of the contract.
2. The policy naming the Municipality as an additional insured shall:
  - a. Purchase an insurance policy from an A.M. Best rated "Secure" insurer, licensed to do business in New York State. A New York State admitted insurer is preferred. The decision to accept specific insurers lies exclusively with the Municipality.
  - b. The certificate of insurance must state that the Provider's coverage shall be primary and noncontributory coverage for the Municipality, its Board, employees and volunteers.
  - c. Additional insured status shall be provided by standard or other endorsements that extend coverage to the Municipality for both on-going and completed operations.

The decision to accept an endorsement rests solely with the Municipality. A completed copy of the endorsements must be attached to the certificate of insurance.
  - d. At the Municipality's request, the Provider shall provide a copy of the declaration page of the liability policies with a list of endorsements and forms. If so requested, the consultant will provide a copy of the policy endorsements and forms.
3. The Provider agrees to indemnify the Municipality for any applicable deductibles and self-insured retentions. To the fullest extent permitted by law, the Provider agrees to defend, indemnify and hold harmless The City of Jamestown, its officers, directors, agents and employees from and against any and all claims, suits, liens, judgments, damages, losses and expenses including reasonable legal fees and costs arising in whole or in part and in any manner for acts, omissions, breach or default of the Provider, in connection with performance of any work by the Provider, its officers, directors, agents, and employees.
4. Required Insurance:
  - a. **Commercial General Liability Insurance**  
Bodily Injury & Property Damage:

- \$1,000,000 per occurrence/ \$2,000,000 aggregate
- b. **Automobile Liability**  
Bodily Injury & Property Damage: \$1,000,000 combined single limit for owned, hired and borrowed and non-owned motor vehicles
  - c. **Personal Injury and Advertising Liability:**
    - 1. \$1,000,000 per occurrence/\$2,000,000 aggregate
      - ii. Contractual Liability with no non-standard exclusions
      - iii. State that the organization's coverage shall be primary and non-contributory coverage for the Municipality, its Board, employees and volunteers.
      - iv. The Municipality shall be listed as an additional insured by using endorsement CG 2026 or equivalent. A completed copy of the endorsement must be attached to the certificate of insurance.
      - v. Waiver of Subrogation
      - vi. Policies must include a 30 Day Prior Written Notice to The City of Jamestown in the event of cancellation or non-renewal
  - d. **N.Y.S. Disability**  
Statutory N.Y.S. Disability Benefits Insurance for all employees. Proof of coverage must be on the approved specific form, as required by the DB120.1 form for NYS Disability Benefits. ACORD certificates are not acceptable.
  - e. **Medical Malpractice Insurance**  
\$2,000,000 per occurrence/ \$2,000,000 aggregate for the professional acts of the Provider performed under the contract for the Municipality. If written on a "claims-made" basis, the retroactive date must pre-date the inception of the contract or agreement. If this coverage is provided in the General Liability proof of coverage must be indicated on the certificate of insurance.
  - f. **Excess Insurance**  
\$2,000,000 each occurrence and aggregate. Excess coverage shall be on a follow-form basis.
5. Provider acknowledges that failure to obtain such insurance on behalf of the Municipality constitutes a material breach of contract. The Provider is to provide the Municipality with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of services. The failure of the Municipality to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any and all rights held by the Municipality.

## INVESTIGATION AUTHORIZATION - COMPANY

The undersigned organization, a prospective proposer to provide emergency advanced life support ambulance service for the City of Jamestown, recognizes that public health and safety requires assurance of safe, reliable, cost-efficient ambulance service. That assurance will require inquiry into aspects of company operations deemed relevant by the City of Jamestown, or its agents. The company specifically agrees that the City of Jamestown or its agents may conduct an investigation into, but not limited to the following matters:

1. The financial stability of the company, including its owners and officers, any information regarding potential conflict of interests, past problems in dealing with other clients or cities where the company has rendered service, or any other aspect of the company operations or its structure, ownership, or key personnel which might reasonably be expected to influence the City of Jamestown's selection decision.
2. The company's current business practices, including employee compensation and benefits arrangements, pricing practices, in-service training programs, means of competing with other companies, employee discipline practices, public relations efforts, current and potential obligations to other buyers, and general internal personnel relations.
3. The attitude of current and previous customers of the company toward the company's services and general business practices, including patients or families of patients served by the company, physicians or other health care professionals knowledgeable of the company's past work, as well as other units of local government with which the company has dealt in the past.
4. Other business in which company owners and/ or other key personnel in the company currently have a business interest.
5. The accuracy and truthfulness of any information submitted by the company in connection with such evaluation.

This authorization shall expire one year from the date of signature.

AUTHORIZATION FOR SUCH INVESTIGATION IS HEREBY EXPRESSLY GIVEN BY THE COMPANY:

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Company Name

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Date

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By: Signature (authorized representative)

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Name & Title Printed



State of: \_\_\_\_\_

County of: \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_ 2020 before me, the undersigned,  
date month

\_\_\_\_\_ a Notary Public in and for the said County and State,  
name (printed)

personally appears.

To me known to be the person described herein and who executed the foregoing statement, and acknowledged that s/he executed the same as her/his free act and deed. Witness my hand and Notary Seal subscribed and affixed in said County and State, the day and year above written.

\_\_\_\_\_  
Notary Public (signed)

**CERTIFICATION PURSUANT TO  
SECTION 103-G OF THE NEW YORK STATE**

**General Municipal Law**

- A. By submission of this bid/proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the New York State Finance Law. Such list can be found on the website of the office of general services, <http://ogs.ny.gov/default.asp>."

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Print

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Signature

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Title

---

Date

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Company Name

On January 13, 2012, Chapter 1 of the Laws of New York for 2012 was signed into law by Governor Andrew M. Cuomo. The law is known as the "Iran Divestment Act of 2012" (the "Act") and can be found at § 165-a of the NY State Finance Law. The Act became effective on April 12, 2012. The Act imposes limitations on "persons" that are determined to be engaged in investment activities in the Iranian energy sector, as defined in the Act.

On July 17, 2012, Governor Cuomo signed into law Chapter 106 of the laws of 2012, which extended the Iran Divestment Act to State and local public authorities, the State University of New York, and the City University of New York.

**NON-COLLUSIVE BIDDING CERTIFICATION**  
**Required by Section 139-D of the State Finance Law**

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

[1] The prices of this bid have been arrived at independently, without collusion, consultation, communication, or agreement, for the purposes 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 and will not knowingly be 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.

*A BID SHALL NOT BE CONSIDERED FOR AWARD NOR SHALL ANY AWARD BE MADE WHERE [1], [2], [3] ABOVE HAVE NOT BEEN COMPLIED WITH; PROVIDED HOWEVER, THAT IF IN ANY CASE THE BIDDER(S) CANNOT MAKE THE FORGOING CERTIFICATION, THE BIDDER SHALL SO STATE AND SHALL FURNISH BELOW A SIGNED STATEMENT WHICH SETS FORTH IN DETAIL THE REASONS THEREFORE:*

**[AFFIX ADDENDUM TO THIS PAGE IF SPACE IS REQUIRED FOR STATEMENT.]**

Subscribed to under penalty of perjury under the laws of the State of New York, this \_\_\_\_\_ date  
day of \_\_\_\_\_, 20\_\_\_\_ as the act and deed of said corporation of partnership.  
month year

**IF BIDDER(S) (ARE) A PARTNERSHIP, COMPLETE THE FOLLOWING:**

NAMES OF PARTNERS OR PRINCIPALS	LEGAL RESIDENCE
_____	_____
_____	_____
_____	_____
_____	_____



Q: Is the total fee of \$1,280,662.00 for the design and construction of the scope outlined in the RFP? Or is this fee designated for design services only?

A: *The total fee is for design AND construction.*

Q: Please confirm that the M/WBE goals are in fact 30% MBE plus 30% WBE –

A: *The indicated M/WBE goals are at the direction of the Department of State and are goals, not requirements. There is no expectation for applicants to submit anything that is not financially viable in relationship to the indicated goals.*

Q: The RFP refers to Phase 1 - is it the intent that the tasks and scope described in the RFP are all part of Phase 1, or is part of the initial design task to master plan and cost estimate all the elements and then determine a Phase 1 implementation project based on available budget and client/stakeholder priorities?

A: *Phase 1 is inclusive of the delivery of the tasks and scope described in the RFP.*

Q: Under Project Summary, the text states “This RFP is a call for qualified consultants to provide professional design/building services...” Design consultants and contractors typically have very different insurance requirements. [As] design consulting firm, if we teamed with a contractor, would the City contract directly with each entity or only have one contract?

A: *There would be one contract under and with the lead proposal applicant.*

Q: Does the MBE / WBE percentage have to be 30% each or can one be higher and offset the other (e.g. 50% WBE and 10% MBE)

A: *The percentages do not need to be equal.*

Q: In the Anticipated Scope of Work section, the text states that “[i]n addition to the following, the selected consultant must incorporate items documented in the NYSDOS Work Plan in Appendix



1.” Can you please specify which tasks the consultant will be responsible for completing? Some tasks, such as Tasks 1 through 6 seem more appropriate for the City to lead and/or complete.

A: *Any and all tasks are ultimately completed in partnership with and with the approval of the City in accordance with the directive of the NYSDOS. Specific tasks and responsibilities are noted in the Work Plan (Appendix 1), designated as DOS (Dept. of State), COJ (City of Jamestown), or CON (Consultant).*

Q: [I]n the Anticipated Scope of Work section, the text states “In addition to the following, the selected consultant must incorporate the items documented in the NYSDOS Work Plan in Appendix 1. The City reserves the right to award all tasks to the consultant team as submitted including subconsultants of a team, or to individual consultant submittals, allowing the City to create a team based on the City’s preferred selection”. Is the City intending to select one consultant team (which would include subconsultants) for this project or will the City select various consultant’s/consulting teams for different tasks?

A: *Yes, the city is intending to select one consultant as the prime which we assume would propose a multifaceted team of qualified subconsultants with which to complete all tasks listed in RFP.*

Q: Task 1 states that the design documents will be used to solicit contractor proposals for the construction of the planned projects listed below – the two listed projects are Signature Gardens and Dock in the Basin. Task 2 is titled Construction of Signature Gardens. Do we need to provide a cost for Task 2 for constructing the gardens?

A: *The cost for the construction for the gardens should be included as part of the overall budget as the selected applicant will deploy the \$1,280,611 accordingly to accommodate that cost.*

Q: What scope of work needs to be completed by the design consultant for Task 5: Mural?

A: *The scope of work regarding the mural includes 1) procurement of muralist and 2) conducting the public engagement for design development of mural.*

Q: Task 6 includes the preparation of a “Request for Proposals” for the procurement and installation of buoys and beacons. It also includes selection of a contractor for the proposed

project. Can you clarify what the actual scope of work is for the design consultant and contractor for this Task?

A: *The procurement and installation of buoys and beacons should be a task that is jointly achieved between the design consultant and selected subcontractor/subconsultants(s).*

Q: Task 7 text states that the “project proposes to install a[n] ADA compliant kayak launch”. Is this task to design the launch and nearby rack/facility, or does it include construction.

A: *It includes design and construction.*

Q: For Task 8 – do we need to include the dredging design in our scope or will that be done separately?

A: *It is not included in this project and will be handled separately. If selected consultant recommends dredging need occur in order for portions of this project to be completed, the City will take that under advisement.*

Q: Is the design consultant responsible for any SEQR compliance evaluations or reporting?

A: *Yes, but if useful or necessary this can be completed in partnership with and support from the City.*

Q: Since the responses to questions will not be provided until October 11, 2024, will the City consider extending the proposal deadline until November 6, 2024.

A: *There are currently no intentions to change the existing deadline to submit proposals however, the City will take it into consideration should the deadline be a barrier to consultants, prohibiting submission.*

Q: Please clarify “cost distribution effort”

A: *This refers to the itemization of costs that demonstrates how the applicant intends and projects the project fee will be broken down.*