

REQUEST FOR PROPOSAL
Contract # T1000726
CONSULTING SERVICES
PREPARATION OF UPDATE TO KENDALL-YATES-CARLTON LOCAL
WATERFRONT REVITALIZATION PROGRAM.

1. Intent

The County of Orleans has been awarded a grant from the Department of State to update the Local Waterfront Revitalization Program, approved in 2004, to guide waterfront development located in the towns of Kendall, Yates and Carlton. The County of Orleans is requesting proposals from qualified consultants (the Consultant) to assist in the completion of an amendment of a Local Waterfront Revitalization Program (LWRP) for the three municipalities, the Towns of Kendall; Yates; and Carlton (KYC), located along Lake Ontario pursuant to the provisions of New York State Executive Law, Article 42. The Updated KYC LWRP will address issues such as community revitalization, erosion, transportation infrastructure, water quality, harbor management, and the identification of strategies for growth that provide economic opportunity. Stakeholder feedback and public input will be solicited throughout development of the KYC LWRP amendment. Completion of this project may integrate preparation of a harbor management plan (HMP) as set forth in 19 NYCRR Part 603 within the LWRP (all together, the Project).

2. Proposal Due Date

Proposals will be accepted up until **5:00 pm, Friday, February 24, 2017**. Five (5) paper copies of submission are required plus one complete submission in a PDF format on a CD or a USB Flash Drive.

Please place proposals in an envelope or box clearly labeled “**Consultant Services Response to RFP for Kendall-Yates-Carlton Update of Local Waterfront Revitalization Program (LWRP) (Project Identification # # T1000726)**” and send or deliver to:

James R. Bensley AICP, Director
Orleans County Department of Planning and Development
14016 Route 31 West
Albion, NY 14411

QUESTION & ANSWER PERIOD

Questions regarding this RFP must be submitted in writing only via e-mail to Sarah Gatti, Planner at sarah.gatti@orleanscountyny.gov no later than **5:00 pm, Friday, February 10, 2017**.

3. Project Purpose Overview

The towns of Kendall, Yates, and Carlton in Orleans County are located on Lake Ontario and have approximately 24 miles of shoreline. Additional waterfront lands within the boundary are located along Johnson Creek, Marsh Creek, Sandy Creek, and the Oak Orchard River which all flow directly or indirectly into Lake Ontario. The primary waterfront issues to be addressed by the County in the LWRP have been preliminarily identified as identifying risks from lake level rise and developing strategies for mitigation; infrastructure improvements; new and enhanced public spaces and parks; maintaining and enhancing the County's unique Lake Ontario shoreline character; protecting and enhancing scenic vistas, fish and wildlife, and natural protective features of the shoreline.

Consultant planning services will be procured by the County of Orleans. Match will be provided by the County in a combination of cash and in-kind services. LWRP update planning activities will be overseen by a Waterfront Advisory Committee. The Waterfront Advisory Committee may include, but need not be limited to: KYC residents, representatives of KYC government agencies, environmental, recreational, historic preservation and economic development interests, business owners, community organizations, Orleans County Emergency Services, the Orleans County Planning and Development Department, and the Department of State.

The updated KYC LWRP will reflect the strategic plans developed by the Genesee/Fingers Lake Regional Planning Council by providing approaches to build greater economic and community resiliency. All tasks related to the development of the KYC LWRP amendment will build-off existing planning efforts such as the Western Orleans Comprehensive Plan, the Carlton Master Plan, and the Kendall Master Plan. In addition, all such tasks should consider the ongoing Lake Ontario State Parkway Transportation Alternatives Feasibility Study and its potential impact on the KYC LWRP.

Conditions within the Waterfront Revitalization Area have changed significantly in the intervening years between initial approval of the LWRP and present day. Specifically, the abandoned Salvation Army Campground, located in Kendall, has been repurposed as the Cottages at Troutberg – a seasonal lakeshore community. Changed conditions such as this will also be considered during the development of the KYC LWRP amendment.

4. Project Organization

A Waterfront Advisory Committee (the Committee) will be formed by the County to provide direction to the Consultant and will act as a primary decision making body for the Project. The

Committee shall be representative of project stakeholders and non-governmental and community based organizations. The Consultant will work closely with project staff from the NYSDOS.

5. Scope of Work

The project will be conducted over a period of 18 months by a Project Team that will include the Consultant, the County of Orleans Planning and Development Director, who will be the Project Manager for the County, and the volunteer "Waterfront Advisory Committee".

6. Budget

The budget for this consultant study shall not exceed \$40,000. The total project budget is \$80,000. County planning staff will be providing in-kind staff support throughout the project as part of each work task.

7. Project Components

Preparation of the KYC Local Waterfront Revitalization Program (KYC LWRP) update, including an integrated Harbor Management Plan (if necessary), shall, at a minimum, involve the following tasks and provisions.

The tasks below are extracts from the DOS Work Plan from the County's contract with DOS and pertain to work that is to be undertaken by the Consultant chosen from this RFP. Please note that although the work plan language states, "the Contractor or its consultant(s)", in application, all work in the below listed tasks is to be performed by the consulting firm(s).

NOTE: The numbering below matches the numbering of tasks in the DOS Work Plan. The Consultant's responsibilities begin with Task 6.

A complete list of tasks is available in Appendix 1: Department Of State Attachment C – Work Plan.

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 update. 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 Update. At a minimum, the process shall include at least three public workshop type meetings to be conducted during the plan development. 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 publicized in the community through press releases, announcements, individual mailings, and any other appropriate means. A summary of each public outreach session will be made available in written form and through other appropriate means, such as notices on the World Wide Web.

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 Boundary

The Contract or its consultant(s) shall: review the existing Waterfront Revitalization Area (WRA) Boundary, Section I; determine whether the existing boundary is adequate or a revision of the inland boundary should be recommended; and, prepare updates as necessary to the narrative description and map of the WRA. The waterside boundary of the WRA will be the official municipal boundary of each town – Kendall, Yates, and Carlton.

The waterfront revitalization area should include surface waters and underwater lands within the Towns of Kendall, Yates, and Carlton, as well as adjacent upland which affect the water bodies through drainage, viewshed, and any other factors. The narrative must be accompanied by a boundary map showing the existing and proposed WRA. If a revision to the boundary is being recommended, the Draft LWRP Amendment document must also discuss the reasons justifying the proposed revision.

References to the Inventory and Analysis section justifying the inclusion of particular areas should be included in this section if beneficial for increased understanding.

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 review the existing Kendall, Yates, and Carlton LWRP, Section II, and prepare updates as necessary to the inventory – describing existing natural and built resources and conditions within the WRA including the surface waters and underwater lands. 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 reflect the strategies developed by the Finger Lakes Regional Economic Development Council for economic growth and development in the region, and provide a reasonable assessment of the vulnerable resources and potential risks associated with storms, flooding, and the effects of climate change.

Topics to be addressed include, but are not limited to, the following:

- 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, swimming areas, vessel anchorage and mooring areas, commercial or recreational fishing or shell fishing areas and uses)
- 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
 - 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, combined sewer overflows, and septic systems; electric utilities and transmission lines; dams, shoreline stabilization infrastructure and other in-water structures; and transportation systems, critical facilities, 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 and forested land cover, areas of flood inundation, sea level rise impacts and flood storage capacity
 - Existing infrastructure or actions that may cause adjacent or downstream flooding impacts
- Assessment of issues related to navigation and dredging
- 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, and the Department of Interior;
 - 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.

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.

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.

Task 11: Draft Section III - Local Waterfront Revitalization Policies

The Contractor or its consultant(s) shall review the existing Kendall, Yates, and Carlton LWRP, Section III, and prepare updates as necessary to the LWRP and applicable State waterfront revitalization policies, and refine explanations to reflect local conditions and circumstances. 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, 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.

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 review the existing Kendall, Yates, and Carlton LWRP, Section IV, and prepare updates to the narrative and map of proposed land and water uses within the WRA, and the narrative and map of proposed projects necessary to implement the LWRP Amendment.

Proposed projects may include but not be limited to:

- 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 shell fishing;

- 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 proposed long-term land and water uses and proposed projects within the waterfront area- based on identified local waterfront issues and opportunities, and solicit public input regarding the completeness and accuracy of the updated Section IV.

Products: Public information meeting held. Minutes of the public meeting.

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

The Contractor or its consultant(s) shall update the descriptions of existing zoning and local laws and regulations, as well as any new or amended zoning and laws or regulations which are necessary to both improve community resilience and implement the policies, proposed uses, and projects set forth in the updated Sections III and IV. The Contractor or its consultant(s) shall draft such zoning, local laws and regulations as they are necessary (for each town) to implement the amended LWRP. Full drafts of new or amended (existing) zoning, laws, and regulations should be attached as appendices to the LWRP.

The Contractor or its consultant(s) shall also review and update, as appropriate, the descriptions of other public and private section actions necessary to implement the LWRP, including actions by federal and State agencies necessary in order to fully implement and advance projects in the WRA. 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 the local management structure for reviewing proposed waterfront projects for consistency with the approved LWRP

Amendment, and the financial resources required to implement the approved LWRP Amendment.

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 amended Kendall, Yates, and Carlton 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 Amendment, such as public hearings, public informational meetings, and/or meetings with governmental agencies. All activities undertaken to 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 (such as the Waterfront Advisory Committee), as well as 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 Update

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) of the complete Draft LWRP update 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 update 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.

Product: (1) Draft LWRP update acceptable to the Department.

Task 21: MWBE Reports

In accordance with Appendix A-1, Part I, Section M, Paragraph 8, 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 Appendix A-1, Part I, Section M, Paragraph 7 of this Agreement 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 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 but not limited to the submission of Quarterly MWBE Contractor Compliance Report (Form F) forms in accordance with Section M, Paragraph 7, of Appendix A-1 of this Agreement.

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.

Products: Completed Final Project Summary Report and Measurable Results forms submitted to DOS.

9. Submittal Requirements

In order to assist the County with the evaluation of proposals that are received, each proposal shall use the following format:

- A. Statement of Qualifications** - A brief description of the firm submitting the proposal, including: full business name, legal status (corporate, partnership or

sole proprietor), number and type of employees, specialties, and longevity. List similar projects and the specific personnel who worked on them and who are proposed to work on this project. Include each past project's name and client, year completed, dollar amount and telephone number of a contact person at the entity where the work was performed who has direct knowledge of the referenced project. It is very important to include project management experience for the proposed project manager.

B. Project Team Members (Curriculum Vitae) - List any specialties and or strengths that make the Consultant and the personnel assigned to this project uniquely suited to the task of performing the work as outlined in this RFP. Provide an organizational chart of the employees proposed to work on this project, including Project Manager who would be assigned to this project and who shall be the County's main point of contact with the Consultant firm. This shall include a listing of each individual's relevant project experience in regard to the tasks and responsibilities they would perform in this project.

C. Project Schedule & Details - The Consultant shall provide a detailed proposed project schedule consistent with the attached SOW (Appendix A), depicting the start and completion time for each of the work scope items identified in Section II of this RFP. This shall include a detailed description of the Consultant's proposed approach, scope of services, and timeline to complete each task. The County will make available copies of regulations, ordinances, maps, information regarding infrastructure, and any other studies relevant to the project.

D. Cost & Payment Schedule - All invoices shall specify the name and title of Consultant staff providing services, and details as to the services provided. Further, each invoice shall be referenced to the specific work scope item identified in Section II or as otherwise specified in the contract for services between the Consultant and the County, which shall include a calculation as to the percentage of work completed for each task. A total, not-to exceed dollar value for any reimbursable expenses associated with each individual work scope item must be specified. A rate for each type of expense, such as mileage, printing expenses, etc. must be specified.

E. MWBE Requirements: Pursuant to NYS Executive Law Article 15-A and 5NYCRR Parts 142- 144, for the purposes of this procurement, the NYS Department of State establishes an overall goal of 30% of the contract for Minority and/or Women-Owned Business Enterprises (MWBE) participation. For the

purposes of meeting these participation goals, please identify how the MWBE goal is proposed to be satisfied.

10. Proposal Evaluation

Proposals will be evaluated and scored on the basis of the following criteria:

A. Experience and Qualifications of the Respondent (maximum 60 points)

Consideration will be given to respondents demonstrating strong capabilities, experience and reputation in undertakings similar to those described in this RFP. Proposal responses should demonstrate the following:

- Experience and expertise in development of Local Waterfront Revitalization Programs and projects similar in scope with the comparable demographics and waterfronts to the Towns of Kendall, Yates, and Carlton.
- Ability to accomplish tasks in a professional, thorough and timely manner.
- Qualifications of staff and resources assigned to project.
- Inclusion of completed M/WBE utilization and staffing forms.
- Availability of Respondent to prepare and give oral presentation to the Consultant Selection Committee regarding Proposed Project Schedule and Budget.

B. Quality of Proposal and Proposal Completion (maximum 40 points)

Proposal responses will be evaluated on completeness, clarity/accuracy of the information requested, and proposal presentation. The ability of the Consultant team to clearly articulate the needs of the County and the capacity of the Consultant to address those needs will also be a factor in the selection process.

11. CONDITIONS AND LIMITATIONS:

The selection and retention of a firm will be contingent upon the availability of the proposed key staff, unless substitutes are approved by the County of Orleans during negotiations. The top-ranked firms may be requested to prepare and give oral presentations before the County of Orleans Consultant Selection Committee.

The County of Orleans expects to select a consulting firm from the proposals submitted, but reserves the right to request substitutions of firms. The County also reserves the right to reject any or all responses to the RFP, to advertise for new responses, or to accept any response deemed to be in our best interest. A response to this RFP should not be construed as a contract or an indication of a commitment of any kind on the part of the

County of Orleans, nor does it commit either to pay for costs incurred in the submission of a response to this request or for any cost incurred prior to the execution of a final contract.

Sub-consultants, sub-contracting and/or joint ventures are permitted.

Upon selection, a Professional Service Contract shall be prepared, negotiated and fully executed before work is initiated.

APPENDIX I

ATTACHMENT C - WORK PLAN

Contractor: Orleans County
Contract Number: T1000726
Program Contact Person: Jim Bensley, Director, Planning & Development
Phone: 585-589-3189
Fax: 585-589-8105
Email: james.bensley@orleansny.gov

Kendall-Yates-Carlton Local Waterfront Revitalization Program Update

1. Project Description

Orleans County, in partnership with the Towns of Kendall, Yates and Carlton, will amend the Kendall-Yates-Carlton Local Waterfront Revitalization Program (LWRP), approved in 2004, to update current conditions, policies, and implementation tools and projects. Issues to be addressed include community revitalization, erosion, transportation infrastructure, water quality, and harbor management. Stakeholder feedback and public input will be solicited throughout development of the LWRP Amendment.

This project involves the preparation of a Local Waterfront Revitalization Program (LWRP) Amendment pursuant to the provisions of New York State Executive Law, Article 42, for the Towns of Kendall, Yates and Carlton. The updated LWRP will reflect the strategic plans developed by the Finger Lakes Regional Council to advance economic priorities, and provide approaches to build greater community resilience. Completion of this project may integrate preparation of a harbor management plan (HMP) as set forth in 19 NYCRR Part 603 and further described in guidelines prepared by the Office of Planning and Development. All tasks related to the development of the LWRP amendment will build-off the existing Town of Kendall, Town of Yates, and Town of Carlton LWRP, in addition to other local planning efforts, including the Western Orleans Comprehensive Plan, the Carlton Master Plan, and the Kendall Master Plan.

The Towns of Kendall, Yates and Carlton have approximately 24 miles of Lake Ontario shoreline. The existing boundary area also encompasses some upstream portions of Johnson Creek, Oak Orchard Creek, Marsh Creek, and Sandy Creek, which directly or indirectly flow into Lake Ontario.

Match will be provided by the County through a combination of cash, in-kind services, supplies, travel costs, and volunteer services from the waterfront advisory committee.

2. Project Attribution and Number of Copies

The Contractor must ensure that all materials printed, constructed, and/or produced acknowledge the contributions of the Department to the project. The 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 Contractor must submit to the Department all required products, clearly labeled with the NYS Comptroller's Contract # as indicated on the Face Page of this contract and where applicable, the related Task # from this Work Plan. The Contractor shall submit:

- Draft products: two paper copies of each product. In addition, all draft products must be submitted as an electronic copy in Word or Word Perfect and Adobe Acrobat Portable Document Format –PDF (created using 300 dpi scanning resolution).
- Final products: two paper copies of each product. In addition, all final products (including reports, designs, maps, drawings, and plans) must be submitted as an electronic copy in Word Perfect or Microsoft Word and Adobe® Acrobat® Portable Document Format - PDF (created using 300 dpi scanning resolution) and be submitted on a labeled CD-R type CD. The CD must be labeled with the contractor name, the Departments contract #, and project title.
- Electronic data for all Geographic Information System-based mapping products must be included in either ArcGIS format, or similar product acceptable to the Department, and comply with the requirements for Contract GIS Products.
- 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 JPEG or GIF format.
- Pictures and photographs must be dated and captioned with the location and a brief description of the activity being documented. Electronic data for all pictures and photographs must be submitted in JPG or GIF format or other similar product acceptable to the Department.

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.

3. Compliance with Procurement Requirements

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

Preparation of the Kendall, Yates and Carlton LWRP Amendment, including an integrated Harbor Management Plan (HMP), shall, at a minimum, involve the following tasks and provisions:

Task 1: Project Kick-Off Meeting

The Contractor, the Department, project partners and any other appropriate entities shall hold an initial meeting to review the project scope, project requirements, LWRP preparation requirements, roles and responsibilities of project partners and entities involved in preparing the LWRP, the selection process for procuring consultant services for the project, State Environmental Quality Review Act (SEQRA) compliance requirements, the schedule for submission of sections of the draft LWRP, 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 Waterfront Advisory Committee shall be discussed during the project kick-off meeting. The Contractor, or a designated project partner, shall prepare and distribute to all project partners 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: Meeting held with appropriate parties. Written meeting summary outlining agreements/ understandings 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). 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: Request for Proposals

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

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

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

Task 4: Consultant Selection and Compliance with 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.

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

For preparation/certification of final designs and construction documents, and for supervision of construction, a licensed professional engineer, architect or landscape architect licensed to practice in New York State is required.

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.

The Contractor's procurement record and consultant selection is 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 a draft subcontract or subcontracts to conduct project work with the consultant or consultants selected. The subcontract(s) shall contain a detailed work plan with adequate opportunity for review at appropriate stages of project completion, a payment schedule (payments should be tied to receipt of products), and a project cost. The subcontract(s) shall specify the composition of the entire consultant team, including firm name and area of responsibility/expertise, and those professionals from the consultant team or consulting firm that will be directly involved in specific project tasks. The Contractor shall 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 shall be submitted to the Department.

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 Update. A decision will be made by the Department following this meeting, as to 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 Update. At a minimum, the process shall include at least three public workshop type meetings to be conducted during the plan development. 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 publicized in the community through press releases, announcements, individual mailings, and any other appropriate means. A summary of each public outreach session will be made available in written form and through other appropriate means, such as notices on the World Wide Web.

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 Boundary

The Contractor or its consultant(s) shall: review the existing Waterfront Revitalization Area (WRA) Boundary, Section I; determine whether the existing boundary is adequate or a revision of the inland boundary should be recommended; and, prepare updates as necessary to the narrative description and map of the WRA. The waterside boundary of the WRA will be the official municipal boundary of each town – Kendall, Yates and Carlton.

The waterfront revitalization area should include surface waters and underwater lands within the Towns of Kendall, Yates and Carlton, as well as adjacent upland which affect the water bodies through drainage, viewshed, and any other factors. The narrative must be accompanied by a boundary map showing the existing and proposed WRA. If a revision to the boundary is being recommended, the Draft LWRP Amendment document must also discuss the reasons justifying the proposed revision.

References to the Inventory and Analysis section justifying the inclusion of particular areas should be included in this section if beneficial for increased understanding.

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 review the existing Kendall, Yates and Carlton LWRP, Section II, and prepare updates as necessary to the inventory – describing existing natural and built resources and conditions within the WRA including the surface waters and underwater lands.

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 reflect the strategies developed by the Finger Lakes Regional Economic Development Council for economic growth and development in the

region, and provide a reasonable assessment of the vulnerable resources and potential risks associated with storms, flooding, and the effects of climate change.

Topics to be addressed will include, but are not limited to, the following:

- 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 areas and uses)
- 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, 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
 - 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; and, water supply, sewage treatment plants; combined sewer overflows, electric utilities, transmission lines, dams, shoreline stabilization infrastructure and other in-water structures, transportation systems, critical facilities, 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

- Assessment of issues related to navigation and dredging
- 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, and the Department of Interior;
 - 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.

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.

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 updated Sections I and II.

Products: Public information meeting held. Minutes of the public meeting.

Task 11: Draft Section III - Local Waterfront Revitalization Policies

The Contractor or its consultant(s) shall review the existing Kendall, Yates and Carlton LWRP, Section III, and prepare updates as necessary to LWRP and applicable State waterfront revitalization policies, and refine explanations to reflect local conditions and circumstances. 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, 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.

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 review the existing Kendall, Yates and Carlton LWRP, Section IV, and prepare updates as necessary to the narrative and map of proposed land and water uses within the WRA, and the narrative and map of proposed projects necessary to implement the LWRP Amendment.

Proposed projects may include but not be limited to:

- 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, or swimming beaches;
- 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 proposed long-term land and water uses and proposed projects within the waterfront area – based on identified local waterfront issues and opportunities, and solicit public input regarding the completeness and accuracy of the updated Section IV.

Products: Public information meeting held. Minutes of the public meeting.

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

The Contractor or its consultant(s) shall update the descriptions of existing zoning and local laws and regulations, as well as any new or amended zoning and laws or regulations which are necessary to both improve community resilience and implement the policies, proposed uses, and projects set forth in the updated Sections III and IV. The Contractor or its consultant(s) shall draft such zoning, local laws and regulations as are necessary (for each town) to implement the amended LWRP. Full drafts of new or amended (existing) zoning, laws and regulations, should be attached as appendices to the LWRP.

The Contractor or its consultant(s) shall also review and update, as appropriate, the descriptions of other public and private sector actions necessary to implement the LWRP, including actions by federal and State agencies necessary in order to fully implement and advance projects in the WRA. 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 the local management structure for reviewing proposed waterfront projects for consistency with the approved LWRP Amendment, and the financial resources required to implement the approved LWRP Amendment. Implementation of the LWRP

Amendment will be a continuing responsibility of the Towns of Kendall, Yates and Carlton. In preparing the LWRP Amendment, the towns and county need 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 zoning and/or local laws, or new zoning and/or local laws.

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 amended Kendall, Yates and Carlton 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 Amendment, such as public hearings, public informational meetings, and/or meetings with governmental agencies. All activities undertaken to 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 (such as the Waterfront Advisory Committee), as well as 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 significance of the impacts associated with preparing and adopting the LWRP Amendment. 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 Amendment 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 Amendment. 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 Amendment 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 Amendment

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) 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 Amendment 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 Microsoft Word) of the complete Draft LWRP document to the Department.

Upon receipt of the required number of copies of the Draft LWRP (/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; and (2) 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 Amendment 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 as a result of the public meeting submitted to the Department for review and approval.

Task 20: Final LWRP Amendment and Adoption Schedule

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 zoning and/or local laws necessary for implementation of the LWRP.

Products: Two paper copies and electronic version of the Final LWRP and supporting zoning and/or local laws (and Final Environmental Impact Statement, if applicable), and schedule of adoption.

Task 21: MWBE Reporting

In accordance with Appendix A-1, Part I, Section M, Paragraph 8, 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 Appendix A-1, Part I, Section M, Paragraph 7 of this Agreement 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 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 but not limited to the submission of Quarterly MWBE Contractor Compliance Report (Form F) forms in accordance with Section M, Paragraph 7, of Appendix A-1 of this Agreement.

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.

Products: Completed Final Project Summary Report and Measurable Results forms submitted to DOS.

5. Project Management 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. Unless otherwise specified in the Project Description or under Project Components, the Contractor and/or its approved consultant(s) or subcontractor(s) shall conduct all work as described in the component tasks.

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 and payment requests.
- 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 # 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 kick-off 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.

APPENDIX II



KENDALL-YATES-CARLTON LWRP
Waterfront Revitalization Area
Prepared by Orleans County
Department of Planning and Development Created: December 23, 2016



Legend:  Waterfront Revitalization Area

