



## **REQUEST FOR PROPOSALS**

### **PROFESSIONAL PLANNING SERVICES FOR UPDATE OF LAND USE LAWS**

**Town of Germantown, Columbia County, New York**

**Date Issued: May 23, 2022**

**LEGAL NOTICE**

**REQUEST FOR PROPOSALS**

NOTICE IS HEREBY GIVEN that the Town of Germantown, Columbia County, NY hereby issues a Request for Proposals from consultants for technical and professional services to assist the Town in the comprehensive review and update of the Zoning and Subdivision Law for the Town of Germantown. Proposals will be received at the address listed below until 10 a.m. local time on June 30, 2022 at which time they will be publicly opened and read. Proposals not physically received by the Town at 10 a.m. on June 30, 2022 will not be considered.

All proposals must be submitted in a sealed package to:

Town of Germantown  
Re: [Consultant's name]  
Proposal for Professional Planning Services  
Attention: Joyce Vale, Town Clerk  
Germantown Town Hall  
50 Palatine Park Road  
Germantown, New York 12526

No proposal shall be withdrawn for a period of ninety (90) days after the proposal opening date without the consent of the Town.

The Request for Proposals may be examined online at [nyscr.ny.gov](http://nyscr.ny.gov) and [www.germantownny.org](http://www.germantownny.org). Questions regarding this RFP should be directed to [csmith@wbsllp.com](mailto:csmith@wbsllp.com) via email on or before June 9, 2022.

The Town reserves the right to accept or reject any and all submission, and/or waive technical defects, irregularities and omissions, and to award the contract to the consultant deemed, in the Town's sole discretion to be able to perform in the Town's best interests.

All qualified applicants shall be afforded equal employment opportunities without discrimination because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status.

## **INTRODUCTION**

The Town of Germantown (“Town”) is requesting proposals from consultants/firms for technical and professional services to assist the Town in the comprehensive review and update of the Zoning and Subdivision Law for the Town of Germantown.

## **OVERVIEW**

The Town of Germantown is situated on the east bank of the Hudson River in the southwestern part of Columbia County. It is bounded on the west by the Hudson River, on the south and east by the town of Clermont, and on the north by the town of Livingston. Centered in the historic and scenic Hudson Valley, Germantown commands beautiful views of the northern Catskill Mountains range.

The current Comprehensive Plan for the Town was adopted in 2018. This was an update of the Comprehensive Plan adopted in 2011 (written in 2007), which was an update of its 1989 Master Plan. The current Comprehensive Plan, Zoning and Subdivision Law, Zoning Map, along with other documents are available on the Town’s website: and is available for review on the Town’s website at <https://germantownny.org/directories-forms-useful-information/>.

The Town is in the process of developing a Local Waterfront Revitalization Program (“LWRP”) that will express the Town’s vision for its waterfront. The Town is also a certified Climate Smart Community. The Town has a number of advisory committees, including the Germantown Economic Development Advisory Committee (“GEDAC”), LWRP Committee, Waterfront Advisory Committee, Climate Smart Communities Task Force, Short Term Rental Committee, and History Advisory Committee.

The planning process will be guided by a Rezoning Committee, comprised of Town officials and community residents. The committee chairperson will serve as the primary liaison between the consultant, Town Board, and other Town contacts.

## **SCOPE OF SERVICES**

The scope of services includes, at a minimum, the appropriate professional planning skills and deliverables necessary for a full update of the Town’s Zoning and Subdivision Law in accordance with New York State Law, and the following components:

1. Project Meetings. Hold an initial meeting with the Rezoning Committee to discuss project scope, schedule for meetings and deliverables, methods of public engagement, roles and responsibilities. Attend meetings of the Rezoning Committee, Town Board, and other advisory committees when necessary and upon request.
2. Review of Plans, Documents, Data. Review Zoning and Subdivision Law, Zoning Map, current Comprehensive Plan, including studies and plans, regional and state plans, and any relevant changes in state laws, policies and procedures.
3. Community Outreach. Where appropriate, engage in public participation and community outreach by residents, businesses, agencies, Town officials, and Town departments.

4. SEQR. In coordination with the attorney for the Town, the consultant shall be responsible for ensuring compliance with the State Environmental Quality Review Act.
5. Revision of Zoning and Subdivision Law and Ancillary Documents. The Zoning and Subdivision Law will be substantially rewritten to carry out recommendations in the Comprehensive Plan and to address emerging planning and land use issues. The consultant/firm shall provide all necessary documentation for adoption, including, but not limited to, Local Law(s), SEQR Environmental Assessment Forms, and Revised Zoning Map. The firm/consultant will coordinate with the attorney for the Town to ensure compliance with New York State and local laws, rules and regulations. The consultant/firm shall provide the following deliverables at the completion of the project:
  - a. PDF, editable word, and eight (8) hard copies of the final zoning and subdivision law revision;
  - b. Digital files for all maps; and
  - c. Digital files of GIS datasets utilized for all maps.

### **INSTRUCTIONS**

1. **Receipt and Opening of Proposals:** Sealed proposals from consultants for technical and professional services to assist the Town in the comprehensive review and update of the Zoning and Subdivision Law for the Town of Germantown will be received at the address listed below until 10 a.m. local time on June 30, 2022 at which time they will be publicly opened and read. Proposals not physically received by the Town at 10 a.m. on June 30, 2022 will not be considered.

All proposals must be submitted in a sealed package to:

Town of Germantown  
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2. **Proposals Remain Subject to Acceptance:** Regardless of the award of proposal, no consultant/firm may withdraw its proposal before the expiration of ninety (90) days after the date of opening the proposals. Submittal of a proposal indicates acceptance of the conditions contained in the RFP. The Town reserves the right to retain all proposals submitted, accept or reject any or all proposals, waive informalities, negotiate changes in the scope of work or services to be provided, and otherwise waive any technicalities.
3. **Contract Documents:** This RFP is available at [nyscr.ny.gov](http://nyscr.ny.gov) and [www.germantownny.org](http://www.germantownny.org) or by email upon request. For additional information, contact the Town's Contact:  
Corinne R. Smith  
Title: Attorney for the Town  
Email: [csmith@wbsllp.com](mailto:csmith@wbsllp.com)

4. **Questions:** Any questions or requests for clarification of the RFP documents must be submitted in writing, by email to the Town's Contact by June 9, 2022. The Town will not respond to questions submitted orally. Answers to questions that materially change the conditions of this RFP will be posted on the Town's website after June 16, 2022, as an addendum to this document. It is the responsibility of each consultant/firm to retrieve addenda from the Town's website. Any discussions or documents will be considered non-binding unless incorporated in an addendum to the original. When addenda are issued, the proposal opening date may be extended at the discretion of the Town.
  
5. **Format of Proposals:** One (1) original and one (1) electronic copy on a compact disc or flash drive shall be submitted in a sealed package clearly marked as required above. Each proposal must be submitted on the prescribed forms and use the following format:
  - a. Submit a Cover letter outlining: the consultant's/firm's interest in the project with a description of current workload to demonstrate capability to undertake the work as required; and description of the proposed approach to the project.
  - b. Submit detailed proposed project schedule and budget with fee proposal.
  - c. Provide a brief description of the consultant/firm, including full business name, legal status (corporation, partnership, sole proprietor), number and type of employees, specialties, and longevity.
  - d. Include resumes for all personnel, including subcontractors, who will be assigned to the project describing their professional qualifications and past experience.
  - e. Provide references for three similar assignments within the past five (5) years in the Qualifications form provided.
  - f. Provide information on the circumstances and status of any disciplinary action taken or pending against the consultant/firm during the past five (5) years with State regulatory bodies or professional organizations.
  - g. A copy of any recent peer review(s).
  - h. Any resources and/or assistance you will require from the Town or Rezoning Committee. Existing Town resources are available on the Town's website.
  - i. Non-Collusion Certification in the form provided.
  - j. Statement on Sexual Harassment in the form provided.
  - k. EEO Assurances in the form provided.
  
6. **Qualifications:** Interested consultants/firms should have extensive experience and knowledge in the fields of municipal planning and zoning, including but not limited to, land use, urban design, housing, transportation, economic development, environmental and coastal protection, sustainability and community outreach.

The Town may make such investigations as it deems necessary to determine the ability of the consultant/firm to perform the work, and the consultant/firm shall furnish to the Town all such information and data for this purpose as the Town may require. The Town reserves the right to reject any proposal if the evidence submitted by, or investigation of, such consultant/firm fails to satisfy the Town that such consultant/firm is properly qualified to carry out the obligation of the contract and to complete the work

contemplated therein.

7. **Subcontracts:** No subcontractors for any portion of the work is permitted except to the extent disclosed in the proposal.
8. **Interviews:** Upon evaluation of all proposals received, qualified consultants/firms may be invited to interview with Town officials or committee members prior to award of contract.
9. **Contract:** The successful consultant/firm will be required to enter into a contract with the Town. The length of this contract shall be approximately one (1) year, commencing July 27, 2022 and terminating July 26, 2023 unless extended by the Town.
10. **Laws and Regulations:** The firm/consultant shall comply with all applicable federal, state, and local laws, rules and regulations of all authorities having jurisdiction over the project throughout the term of the contract.
11. **Evaluation Criteria:** The Town will award the contract to the firm/consultant deemed, in its sole discretion, to be able to perform in the Town's best interests. Proposals will be evaluated and scored on the basis of the following criteria (100 points):
  - l. Quality of proposal, completeness, and clarity/accuracy of information requested. (35 points)
  - m. Experience, strong capabilities, and reputation in projects similar to those described in this RFP (35 points)
  - n. Personnel assigned to the project demonstrating the consultant's/firm's capacity to complete the requested deliverables on time and within budget (15 points)
  - o. Familiarity with the project area (10 points)
  - p. Proposed budget (5 points)

The Town Board of the Town of Germantown reserves the right to accept or reject any or all proposals and to waive any informalities at its discretion.

12. **Obligations of Consultant/Firm:** At the time of the opening of proposals, each consultant/firm will be assumed to be thoroughly familiar with the RFP documents (including all addenda). The failure or omission of any consultant/firm to examine any form, instrument, or document shall in no way relieve the consultant from any obligation in respect to its proposal. The successful consultant/firm agrees to execute the contract and provide certificates of insurance within fifteen (15) days after receipt.
13. **FOIL:** All proposals will be subject to the Freedom of Information Law.

**TENTATIVE SCHEDULE**

<b>Activity</b>	<b>Estimated Date</b>
1. Advertise RFP	5/23/2022
2. Deadline for Questions	6/9/2022
3. Response to Questions	6/16/2022
4. Deadline for Proposals .....	6/30/2022
5. Interviews.....	beginning of July
6. Town Board Award/Rejection Action .....	7/12/2022
7. Agreement Executed .....	by 7/27/2022
8. Anticipated Project Start .....	by 7/27/2022

The Town reserves the right to amend the schedule at its discretion.

## **QUALIFICATIONS**

### **REFERENCES**

Provide references for three similar assignments within the past five (5) years: (Attach additional documentation if needed)

**Business:**

**Address:**

**Telephone Number:**

**Contact Person:**

**Scope of Work and Dates of Service:**

**Personnel Assigned to Project:**

**Business:**

**Address:**

**Telephone Number:**

**Contact Person:**

**Scope of Work and Dates of Service:**

**Personnel Assigned to Project:**

**Business:**

**Address:**

**Telephone Number:**

**Contact Person:**

**Scope of Work and Dates of Service:**

**Personnel Assigned to Project:**



## ASSURANCES

### **Equal Employment Opportunity (EEO)**

The consultant/firm shall adhere to an EEO policy that does not discriminate with regard to race, color, religion, national origin, sex, sexual orientation, sexual preference, transgender status, disability or age.

The consultant/firm will ensure equal employment opportunity applies to all terms and conditions of employment, personnel actions, and contractor-sponsored programs. Every effort shall be made to ensure that employment decisions, programs and personnel actions are non-discriminatory and that these decisions are administered on the basis of an evaluation of an employee's eligibility, performance, ability, skill and experience.

a. Does the consultant/firm have an EEO policy in place?

Yes

No

b. If the answer to a. above is no, will the consultant/firm have such a policy in place for this project?

Yes

No

**Statement of Assurance.** The consultant/firm assures the Town that it is in compliance with Title VI & VII of the 1964 Civil Rights Act, as amended, in that it does not on the grounds of race, color, national origin, sex, age, handicap, or veteran status, discriminate in any form or manner against employees or employers or applicants for employment and is in full compliance with the Americans with Disabilities Act.

Consultant/Firm Name: \_\_\_\_\_

Authorized Person: \_\_\_\_\_ Signature: \_\_\_\_\_  
(Print/Type)

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_





Authorized Person: \_\_\_\_\_ Signature: \_\_\_\_\_  
(Print/Type)

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_  
[affix stamp]

**FEE PROPOSAL**

**Not to Exceed Amount of Proposal:** \_\_\_\_\_

**Attach hourly rates per discipline and position that shall apply on separate paper.**

**Attach costs for all reimbursable expenses such as meetings, travel reports, deliverables, etc. that shall apply on separate paper.**

**Exceptions or deviations:** \_\_\_\_\_

The undersigned hereby acknowledges having received the full RFP package.

The consultant/firm, in submitting this proposal, affirms to have read and hereby agrees to comply with all proposal requirements..

Consultant/Firm Name: \_\_\_\_\_

Authorized Person: \_\_\_\_\_ Signature: \_\_\_\_\_  
(Print/Type)

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_