

REQUEST FOR PROPOSALS

PARKS MASTER PLAN AND IMPROVEMENT STRATEGY

Town of Evans, NY



Response Due:

No later than 2:00 PM on Thursday, December 1st, 2022

Submit Responses and Direct Questions to:

William Smith
Director of Planning and Development
8787 Erie Road
Angola, NY 14006
716-549-0945

wsmith@townofevans.org



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1. NOTICE OF INVITATION

Notice is hereby given that the Town of Evans, NY is seeking to retain a professional planning and design firm and/or teams (the “Consultant”) to provide master planning services for the development of a Parks Master Plan and Improvement Strategy for the Town’s parks and public spaces.

Sealed proposals will be received by the Office of the Evans Town Clerk located at 8787 Erie Road, Angola, NY 14006 by **December 1st, 2022 at 2:00 PM.**

The Town hereby notifies all Proposers that it is the policy of the Town to ensure nondiscrimination on the basis of race, color, national origin, religion, or sex in the award and administration of contracts.

Requests for modifications or clarifications of any requirement must be submitted in writing by email to: wsmith@townofevans.org or by U.S. Mail to the U.S. Postal Service address above. All such requests must be received by **November 17th, 2022 at 4:00 PM.**

Proposals will be examined by the designated Consultant Selection Subcommittee and reported to the Evans Town Board within thirty (30) calendar days after the proposals have been opened. The Town reserves the right to reject any and all proposals; to waive any irregularities or informalities in any proposal or in the proposal procedure; or, to postpone the proposal opening for good cause. Each Proposer will be notified of award of contract, if an award is made.

The RFP Documents are available for download on the Town's website: <https://www.townofevans.org/>

Ultimately, it is the responsibility of the Proposer to check the Town's website for any addenda that may be issued relative to this RFP.

2. PROJECT BACKGROUND

The Town of Evans, New York is accepting proposals from qualified professional planning and design consultants to develop a Parks Master Plan and Improvement Strategy for the Town’s parks and public spaces, including: Lake Erie Beach Park, Evans Town Park, Nettlecreek Park, South Creek Park and Pool, Derby Park– as well as public spaces at the Joel Harvey Eighteen Mile Creek Fishing Access, the Wendt Road Terminus, Purvis Landing, and the recreational facilities located at the Town Hall. The purpose of the plan is to:

- Inventory conditions and facilities of existing parks and public spaces
- Explore ways in which facilities and park improvements can be made to incorporate universal design elements that provide accessibility for people of all ages and abilities
- Provide short term and long-term goals for park improvements and operations
- Identify how the parks and public spaces can best serve community needs
- Explore strategies for parks and public spaces to be used as tourism, economic development, and environmental conservation tools consistent with other planning efforts
- Assess staffing capacity needs for current maintenance and future improvements

- Develop an implementable action plan for the development and maintenance of the parks and public spaces

The plan will build off previous local and regional planning efforts, including, but not limited to the following plans:

- Shoreline Management Solutions Study at Lake Erie Beach (2022)
- Town of Evans & Village of Angola Comprehensive Plan (2019)
- Erie County Parks Master Plan Update (2018)
- Lake Erie Beach Commercial District Revitalization Strategy (2017)
- Lake Erie Beach Neighborhood Revitalization Strategy (2010)
- Master Plan for Lake Erie Beach (1992)
- Horizons Waterfront Commission Action Plan (1992)

The Town of Evans is located on the eastern shore of Lake Erie, in the southwest portion of Erie County, New York. The Town encompasses approximately 47 square miles and is situated south of the Town of Hamburg, west of the Town of Eden and north of the Town of Brant. Evans is situated approximately 30 miles south of the Buffalo metropolitan area. The Town contains approximately 12 miles of shoreline as well as several creeks and streams which outlet into Lake Erie. According to the 2020 American Community Survey's 5-year estimates, the Town's population is about 16,121 people.

The Town's public parks and spaces provide residents and visitors alike with access to key waterfront and natural resources, recreational opportunities, and activities that promote health and wellness within the community. Recognizing the importance of these public spaces, the Town is seeking to develop a Parks Master Plan and Improvement Strategy to guide park improvements and development cohesively and comprehensively over the next ten years.

Additional information on each of these parks and public spaces can be found below.

A. Town Parks

I. Lake Erie Beach Park

Lake Erie Beach Park is a Town-owned public park on approximately 5.3 acres. The park provides access to Lake Erie, with a large beach area and swimming access points. The park features several amenities, such as a playground, picnic areas, a restroom, and a pedestrian bridge that provides additional access to the Lake Erie shoreline. Portions of Muddy Creek run through the park, providing fishing access to the Creek. The park is set in a unique area along Lake Shore Road, adjacent to the Lake Erie Beach Commercial District. This setting provides park visitors with access to nearby food and entertainment establishments.

In addition to existing park areas, the Town has recently acquired an approximately 0.3-acre parcel across from Lake Erie Beach Park at 9576 Lake Shore Road. The Town hopes to utilize this property to complement the existing park area. The Parks Master Plan and Improvement Strategy will explore potential uses for this parcel that will enhance the park overall.

Several studies have been undertaken to revitalize the park and the surrounding Lake Erie Beach Hamlet. The project consultant will explore these plans in detail, but brief descriptions are provided to give applicants additional context:

- **Master Plan for Lake Erie Beach – 1992**

In the early 1990's, a Master Plan was created for Lake Erie Beach Park. The Master Plan detailed investments and improvements to be made to the park, such as: providing gathering spaces, an amphitheater, a play area, and a fishing bridge. It intended to orient the park as the focal point of the Town's recreation system by creating linkages to surrounding recreational facilities. The plan envisioned a park for year-round use that would help to revitalize and add to the quality of life of the surrounding neighborhood.

- **Lake Erie Beach Neighborhood Revitalization Strategy – 2010**

The Lake Erie Beach Neighborhood Revitalization Strategy focuses on the Lake Erie Beach area as a whole. Lake Erie Beach Park serves as an amenity to the neighborhood and is discussed throughout the plan as a recreational and economic asset. The plan suggests:

- Making better use of the park by providing programming and events for residents and visitors
- Creating a trail network that connects Lake Erie Beach Park, Evans Town Park, and Evangola State Park
- Removing dilapidated structures and housing from the area
- Developing pedestrian amenities in the surrounding area to provide access to the park

- **Lake Erie Beach Commercial District Revitalization Strategy – 2017**

Similar to the prior study discussed, the Lake Erie Beach Commercial District Revitalization Strategy focused on the area around Lake Erie Beach, not only the park itself. The plan focuses on the need for commercial investment and development along the Kennedy Avenue entrance to the park and the surrounding area. The park is noted to be a major asset to the revitalization of the commercial area. Some direct improvements and recommendations for the park noted in the plan include:

- Create better gateways and paths to connect the two sides of the park over Muddy Creek
- Create linkages between the park and the Point Breeze Hotel property
- Develop a boat launch and facilities for kayak, paddle board, and wind surfer rentals.
- Start a local farmers market at the park
- Emphasize year-round programming

- **Shoreline Management Solutions Study at Lake Erie Beach – 2022**

In 2022, a comprehensive Shoreline Management Solutions Study was conducted to identify and evaluate different ways to improve water quality, mitigate streambank and shoreline erosion, improve recreational waterfront access, and reduce maintenance requirements along the areas of Lake Erie Beach and Muddy Creek. The study included a historical and environmental analysis of the area and identified a series of best management practices and projects to improve water quality and address other environmental concerns. The alternatives proposed will affect the

way the Lake Erie Beach Park is accessed, utilized, and maintained. Therefore, the content and recommendations proposed should be carefully evaluated and incorporated into the Parks Master Plan and Improvement Strategy.

II. Evans Town Park

Evans Town Park is a Town-owned 11-acre park. The park is open to Town residents and non-residents by fee. Split by Lake Shore Road, part of the park sits along the Lake Erie shore and provides beach and swimming access. The inland side features a picnic area, parking, court and field sports, and a playground. The park offers pavilions, tennis courts, horseshoe pits, a softball diamond, volleyball areas, and basketball courts. A tunnel situated beneath the roadway connects either side of the park.

III. Nettlecreek Park

Along Nettlecreek Drive, Nettlecreek Park sits on an 8.9 acre parcel that is owned by the Town of Evans. Most of the park is undeveloped greenspace. A newer play structure has replaced an old wooden play area with a handicap accessible playground and swing set. The park is open year-round and has a small picnic area.

IV. South Creek Park and Pool

South Creek Park is about 3.5 acres and is owned by the Town. The park offers a pool to Town residents and non-residents by fee. The pool is staffed with on duty lifeguards. In addition to the pool, the park also features a splash pad. The park has a basketball court, picnic areas, a playground, and a comfort station. A conceptual plan for park enhancements was created during the development of the Town's most recent comprehensive plan.

V. Derby Park

Derby Park is located on the corner of Nettlecreek Drive and Route 5. The park is owned by the Town and sits on a 0.3 acre lot. Currently, the park features a few short walking paths and benches. The area is wooded, providing visitors with a shaded, natural setting. Short term and long-term improvements, amenities, and maintenance needs should be identified to enhance this public space.

B. Public Spaces

I. Joel Harvey Eighteen Mile Creek Access Point

The Joel Harvey Eighteen Mile Creek Access Point is a 3.09-acre Town owned area along the Eighteen Mile Creek. This site is a popular location for fishermen seeking trout, suckers, smallmouth bass and other local species that frequent the creek. This site also provides access to the creek corridor, which is a popular location for fossil hunting and kayaking.

Recently, the Town has developed a conceptual plan for improvements to this public space to include green infrastructure elements, ADA accessibility features, and improved parking amenities.

II. Wendt Road Terminus

Along Wendt Road, the Town owns Right of Way access leading to the waterfront. Previously, this area was used as a public waterfront access point and boat launch. The site is no longer used as a formal public access point, although it is used by local residents on an informal basis. The terminus of the roadway has sufficient room, with some improvement, to accommodate limited parking. With some additional minor improvements, the area could be restored as a more formalized location for launching small vessels and gaining access to the beach. This location is situated at the mouth of Big Sister Creek and provides expansive scenic views and access to the lake for swimming, as well as boating. A conceptual plan has been proposed to restore this site as a usable public access point.

III. Purvis Landing

Purvis Landing is a 0.25-acre property that offers limited opportunities for passive recreation. A boat launch was previously situated on this land but is now a grassed area with a sidewalk that leads to the beach. The Town-owned site offers opportunities for canoeing or kayaking, but lack of adequate parking is an issue. Opportunities for this Town-owned site will be explored through this planning process.

IV. Town Hall Parcel and Recreational Facilities

The Town Hall sits on a 7.8-acre parcel which features both a dog park and a skate park for public use. The dog park provides a space for dog owners to let their pets exercise off leash. The Town's skatepark provides a safe environment for skateboarding activities. Both parks are utilized by residents, but could benefit from equipment, accessibility, and signage improvements.

3. SCOPE OF WORK

The Town recognizes the expertise of the consultants responding to the RFP and wishes to rely on that expertise to develop a plan that meets the specific needs identified by the Town. The following scope of work presents the minimum activity that the Town envisions as being needed to complete this project:

A. Project Initiation/Kickoff

Conduct a meeting between the Town, the Consultant, and the Steering Committee, to initiate work on the project. This first meeting will accomplish the following:

- Confirm the scope of work tasks and deliverables
- Provide the consultant with up-to-date copies of all reports, data and studies relevant for this project
- Confirm roles and expectations
- Review the project schedule, including the schedule for future meetings
- Review the Community Outreach plan as described below, discuss the use of the Town website for keeping the public informed on the progress of the plan, and select dates and locations for the first stakeholders' and public meetings
- Establish/discuss a preliminary list of issues and opportunities, as well as a vision for the plan

Products: A revised and finalized project scope and schedule.

B. Community Outreach Plan

Prepare a method and process to encourage community participation in the development and implementation of the Parks Master Plan and Improvement Strategy. The outreach plan shall:

- Identify key individuals, organizations, and entities to be involved
- Outline the visioning process and define community supported vision, goals, objectives, and policy statements
- Describe and delegate the roles and responsibilities in coordinating the entire outreach process and logistics
- Provide a proposed schedule of public meetings
- Identify other public engagement activities such as social media, workshops, charrettes, etc. to be used throughout the process

All public meetings will be advertised in the community through press releases, announcements, individual mailings, digital media, municipal website postings, and any other appropriate means. Meetings and public engagement shall be scheduled in a manner that maximizes attendance and participation from all interested community members. Outreach efforts should encourage participation from populations who are frequently underrepresented in this process, including immigrants, refugees, and minorities. A summary of each public outreach session will be made available in written form and through other appropriate means, such as on a website or social media platforms.

The outreach plan shall be submitted for review and shall incorporate comments from the Town into the final document.

Products: Draft and final community outreach plan. Summaries of public outreach opportunities and engagements.

C. Review of Relevant Local Plans and Existing Conditions

Review relevant regional and local plans to understand past and present community goals and desires for the areas. Determine what elements of these planning efforts have been completed and what elements may still be relevant for current and future development.

Complete a thorough inventory and analysis of each of the Town's parks and public spaces included in the study. Descriptions and existing conditions of each park will be documented within the plan.

The inventory and analysis may include a description of the following for each park:

- Location of each park as it relates to the community
- Demographic data of the surrounding community
- Existing land and water facility types (structures, infrastructure, site improvements), location, and general condition
- Existing paved and unpaved trails network summarizing conditions and connections to adjacent neighborhoods, public facilities, and commercial areas

- Existing biological resources in the park including vegetation communities, invasive species, stream environment zones and other sensitive habitats, and opportunities for environmental restoration or habitat enhancement
- Site conditions such as soils, slopes, views, landscape features and context surrounding the site.
- Circulation and access (pedestrian, bicycle, and vehicle) and main park access points
- ADA deficiencies to provide a comprehensive snapshot of accessibility and safety (physical and visual) barriers and constraints
- Use patterns and impacts (including potential hazards, unauthorized encampments, dangerous/high risk areas)
- Existing drawings, master plans, permits, and documents
- Existing and adjacent land and water uses including water-dependent, water-enhanced, residential, commercial, public facilities, utilities, vacant or underutilized, parks and dedicated open space, and institutional
- Existing zoning and other relevant local laws
- Historic or archeologically significant areas, sites, districts, or structures
- Past and potential extreme weather events and their impact on the existing waterside and upland structures
- Upland runoff patterns and erosion
- Sediment circulation and shoreline erosion
- Soundings/underwater topography and/or surveys
- Soil borings in the shoreline area or in the water if available
- Available Topography and public LIDAR hydrology
- Natural resources, including shoals and other significant ecological resources
- Natural features and conditions including upland and waterside features and conditions (including potential need for wetland delineation and areas with rare plants and wildlife)

The selected consultant shall work with the Town to determine what of the above-listed information is readily available based on previous efforts.

Inventory and analysis of the existing conditions and site constraints within the parks and public spaces shall be submitted to the Town for review and shall incorporate comments into the final materials.

Products: A report that describes and addresses past planning efforts as indicated. Narrative and maps defining the park boundaries, a complete inventory and analysis of existing conditions within each of the Town's parks and public spaces, and related GIS data.

D. Needs and Opportunities Assessment

A needs and opportunities assessment that builds off previous plans, the inventory of existing conditions compiled in the previous tasks, and community outreach and input will be provided. The assessment should indicate recreational demand and opportunities for improvements, programming, and maintenance needs to meet current and future park demand and use. This will be used as the basis for the recommendations provided.

The needs and opportunities assessment will be submitted to the Town and comments will be

incorporated into the final narrative.

Products: A draft and final Needs and Opportunities Assessment narrative.

E. Recommendations and Action Plan

The Consultant shall prepare an action plan that includes recommendations to achieve the desired vision for the Town parks and public spaces. The recommendations will describe in detail the specific steps that must be taken to achieve the desired established objectives. The actions will be categorized, described in priority order, and include the short-and long-term actions that must be taken to achieve the desired changes.

The description will include estimated costs, the responsible entity, possible project partners and potential funding sources. Examples of recommended actions include:

- Site specific designs, studies, reports, and strategies
- Feasibility analysis for large construction or infrastructure improvements
- Streetscape improvement plans
- Demolition of abandoned or failing structures
- Drafting new local laws or revising existing local laws
- Programming to achieve year-round functionality
- Strategies for management and investment

Capacity of the Town's Parks Department should be taken into consideration. A management plan should be included to address staffing and capacity needs.

The action plan shall be submitted to the Town for review and shall incorporate the Town's comments and public input into the final materials.

Products: A description of actions to achieve desired park objectives. Actions should be compiled into an implementation matrix to show costs, potential funding sources, priority and other capacity needs. A management plan to address staffing and management needs will be provided.

F. Draft and Final Planning Documents

The tasks above will culminate into draft and final planning documents. The master plan must include:

- Written goals, objectives, and policy statements
- Summaries of background research and information gathered
- Summaries on existing conditions and park inventories
- Summaries on public outreach conducted and the results received
- An action plan that articulates a clear vision and "roadmap" and model for the future of these parks and public spaces - outcome metrics must be included
- Charts, graphs, maps and other data as needed to support the plan and its presentation to the appropriate audiences should be included
- An implementation strategy which addresses financial and staffing capacity needs

The Consultant will be responsible for any necessary permitting, referral, and public notice procedures required by County, State, and Federal law.

Products: A draft and final Parks Master Plan and Improvement Strategy shall be provided to the Town.

4. RFP SCHEDULE

The major projected milestones of the consultant selection schedule are as follows:

1. RFP Advertised: Thursday, November 3, 2022
2. Pre-Proposal Conference: Thursday, November 10, 2022 (12:00 PM EST)
3. RFP Questions Due: Thursday, November 17, 2022 (4:00 PM EST)
4. RFP Responses Posted: Thursday, November 22, 2022
5. Proposals Due: Thursday, December 1, 2022 (2:00 PM EST)
6. Interviews (up to 3 firms): Thursday, December 8, 2022
7. Award Contract: Wednesday, December 21, 2022 (at Town Board meeting)

The Contract Term is expected to begin in December 2022 and end in January 2024, with Master Plan deliverables completed by December 31, 2023.

5. PRE-PROPOSAL CONFERENCE

The Town of Evans will be made available at a non-mandatory, virtual, pre-proposal conference on Thursday, November 10, 2022 at 12:00 Noon Eastern Standard Time (EST). Respondents must RSVP to receive the pre-proposal conference link. RSVPs can be completed through the following link: <https://forms.gle/txiTobVhencxWKCm9>. During this time, respondents will have the opportunity to ask questions about the Project and/or submittal requirements of the RFP.

6. SUBMITTAL REQUIREMENTS

Respondents are required to submit one (1) signed original, seven (7) printed copies and one electronic copy of their submittal prior to 2:00 PM local time on Tuesday, December 1, 2022. Responses shall be firmly sealed in an envelope or box and contain the Respondent's name and return address.

The Proposal shall be limited to no more than 50 single-sided or 25 double-sided pages. Three-ring binders will not be accepted. Required Forms do NOT count against the page limit.

The Proposal shall be prepared in the order presented herein and contain the following information:

A. Executive Summary

Provide a brief overview of the Team and all proposed sub-consultants, the Team’s experience and qualifications, and the overall approach to the scope of work.

B. Team Background

Each respondent shall submit materials that highlight its unique strengths, planning philosophy, sensitivity to the public realm, approach to creating recreational destinations, breadth of knowledge and experience, and experience with the specific uses similar to those being proposed for the Parks Master Plan and Improvement Strategy. Include the following:

- A history of the Consultant’s experience providing park and public space planning and design services to other municipalities and governmental entities
- A description of the Consultant’s organizational structure noting the principals, project manager(s), and professional staff performing the work
- Resumes of key staff (principals, project manager(s) and senior professional staff)
- An overall description of the Consultant’s relevant work experience. Include examples of up to five (5) park and public space planning projects that the Consultant has completed, including references for the projects worked on and the client names and contact persons

C. Approach to Scope

A description of how the Consultant would work with the Town of Evans and the various project partners, as well as the regulatory agencies in the design of the project. This shall include:

- A statement explaining the Consultant’s unique approach and overall design philosophy
- A description of how the Consultant intends to address the scope of work set forth in Section 3 of this RFP
- A description of how the Consultant intends to maintain a timely and efficient schedule, including specific methods that would be employed
- A list of sub-consultants by respective their respective discipline

D. Fee Proposal

Provide a proposed fee for tasks outlined above in Section 3. Scope of Work. The proposal must include a detailed staffing plan, including the hourly rate of each principal and staff member whose resume is provided or whose job category may be required, as well as a list of anticipated reimbursable expenses.

8. SELECTION PROCESS

Final selection will be based on the Proposal score (100 points total) and the interview performance score (100 points total). The Town of Evans reserves the right to:

- Seek clarification and revisions of proposals
- Seek a final and best offer from those firms short-listed.
- Make an award under the RFP in whole or in part.

It is expected that a maximum of three (3) applicants will be selected, or 'short-listed' for interviews. Interviews will tentatively be held on Thursday, December 8, 2022, at the Town of Evans Municipal Center. 'Short-Listed' applicants will be notified two weeks prior to the Interview. Selection for interviews will be based on an independent evaluation of the submitted proposals using the factors listed below. Selection for interviews shall be based on "best value", made in accordance with the following evaluation criteria and weights as follows:

1. Team Background (40%)
 - a. Experience of team on similar projects: 25 pts
 - b. Experience of project manager: 15 pts
2. Approach to Scope of Work (40%)
 - a. Understanding of project intent and goals: 20 pts
 - b. Understanding tasks, deliverables and schedule: 20 pts
3. Fee Proposal (20%)
 - a. Hourly rates of principals and personnel: 10 pts
 - b. Overall project cost proposal: 10 pts

Town of Evans is an equal opportunity employer. In accordance with anti-discrimination law, it is the purpose of this policy to effectuate these principles and mandates. Town of Evans prohibits discrimination and harassment of any type and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, or any other characteristic protected by law. Town of Evans conforms to the spirit as well as to the letter of all applicable laws and regulations.

9. INSURANCE REQUIREMENTS

A. GENERAL PROVISIONS

As to all required insurance:

- a) The Vendor shall provide current Certificates of Insurance and accompanying documents as described herein for the Town's approval prior to Town's signing of contract(s).
- b) "Certificate Holder" shall be Town of Evans at the address of 8787 Erie Road, Angola, NY 14006.

- c) Coverage must comply with all specifications set forth herein.
- d) All insurance documents must be executed with authorized signatures.
- e) The Vendor's required liability policies must be endorsed to provide that any Notice of Cancellation or Notice of Non-Renewal given to the First Named Insured shall also be given to the Additional Insureds for this project. A copy of such endorsement(s) must be furnished to the Certificate Holder.
- f) Failure of the Town to object to the Vendor's failure to furnish a Certificate or other evidence of the required insurance coverages, object to any defect in such Certificate or other evidence of coverage, or demand receipt of such Certificate or other evidence of coverage shall not be deemed a waiver of Vendor's obligation to furnish the required insurance coverages described herein. Nothing contained herein imposes on the Town a duty or obligation to review any evidence of insurance coverages or issue any formal approval or acceptance of such evidence.
- g) The Vendor's liability and indemnification of the Town shall not be relieved or diminished by the Vendor securing insurance coverage in accordance with the Town's requirements. Any approval by the Town of such insurance coverage shall not be construed as accepting in any way the deficiencies in the Vendor's insurance coverage.
- h) In addition to Certificates of Insurance and other documents, the Vendor shall provide to the Town and other Certificate Holders, on a timely basis, copies of any subsequently issued endorsement(s) that amend applicable coverages or limits.
- i) When any required insurance shall expire, due to the attainment of a normal expiration or renewal date, the Vendor shall supply, no later than ten (10) days prior to such expiration, the Town with Certificates of Insurance and accompanying documents evidencing continuation of coverage in the same manner, limits of protection and scope as provided by the previous policy.
- j) The Vendor will assure that any and all subcontractors retained by the Vendor carry and maintain insurance with reasonably prudent limits and coverage satisfactory to the Town in light of the work to be performed, written by companies meeting the same criteria as required in Section 2. LIABILITY INSURANCE, and that the Town is named additional insured on the subcontractor's liability policies according to the same requirements as described in Section 2.1(b).
- k) The Vendor shall disclose to the Owner any deductible or self-insured retentions applicable to any of the coverages required herein of the Vendor.
- l) The Town reserves the right to modify the requirements herein, including limits, based on circumstances involved, including but not limited to the nature of the risk involved, prior experience, insurer, or coverage

B. LIABILITY INSURANCE

The Vendor agrees to secure and maintain, at the Vendor's own expense, all insurance coverage required herein from one or more insurance companies that are licensed to write such insurance in New York State or are eligible non-admitted insurers, per the current Excess Line Association of New

York’s (ELANY) official list. Insurers must carry an A.M. Best “Secure” rating of B+ or better. The Vendor’s insurance shall include the following, and shall be written with limits no less than hereinafter specified:

I. COMMERCIAL GENERAL LIABILITY

- (a) Occurrence based Commercial General Liability coverage to include bodily injury, personal injury, and property damage applicable to ongoing operations and contractual liability. The coverage limits applicable shall be the greater of the amounts indicated below or the amounts carried by the VENDOR:

General Aggregate	\$2,000,000
Products & Comp/Op. Aggregate	\$2,000,000
Personal & Advertising Injury	\$1,000,000
Each Occurrence	\$1,000,000
Fire Damage (any one fire)	\$ 50,000
Med. Expense (any one person)	\$ 5,000

- (b) **Additional Insured:** Coverage in Commercial General Liability, Automobile Liability, and Excess Liability and/or Umbrella Liability policies or coverage sections shall be written or endorsed so as to apply to the following as **additional insured on a primary and non-contributory basis**:

"Town of Evans and its employees, authorized volunteers and board members."

The Certificate of Insurance must clearly state how Additional Insured coverage is achieved in the General Liability, Automobile Liability, and Umbrella/Excess Liability policies. Certificates of Insurance must show the form numbers that are used to achieve all of the Additional Insured coverage. A copy of the actual policy language that effects this coverage in each policy must be provided to the Town with the Certificate of Insurance.

- (c) **Waiver of Subrogation:** To the fullest extent permitted by applicable state law, a Waiver of Subrogation Clause shall be added to the General Liability, Automobile, Umbrella/Excess Liability, and Workers Compensation policies in favor of the Town.
- (d) If the Vendor’s work on this project in any way involves the use of **unmanned aircraft**, the Vendor’s General Liability policy must include form CG 24 50 06 15 or equivalent providing coverage for this project.²

II. AUTOMOBILE LIABILITY INSURANCE

Bodily Injury and Property Damage, coverage for the Vendor as the owner or the lessee of automobiles, trucks, trailers, self-propelled Vendor’s equipment and all other owned, hired and non-owned vehicles registered for use on the public highway and/or used in operations relating to work under contract. The coverage limit applicable shall be the greater of the amounts indicated below or the amount(s) carried by the Vendor:

Combined Single Limit	\$1,000,000
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See Section 2.1(b) above for *additional insured* requirements applicable to Automobile Liability insurance.

III. EXCESS LIABILITY AND/OR UMBRELLA LIABILITY applicable to Commercial General and Automobile Liability policies. The Excess Liability and/or Umbrella Liability coverage limits applicable shall be the greater of the amounts indicated below or the amounts carried by the Vendor:

Each Occurrence	\$1,000,000
Aggregate	\$1,000,000

See Section 2.1(b) above for *additional insured* requirements applicable to the Excess Liability and/or Umbrella Liability insurance.

IV. PROFESSIONAL LIABILITY: *IF* the Vendor's work involves rendering professional services, the Vendor shall provide Professional Liability coverage for the Vendor's errors, omissions, and negligent acts arising from the performance of the Vendor's services under this contract. Coverage limits shall be the greater of the amounts indicated below or the amounts carried by the Vendor:

Each Occurrence/Claim	\$1,000,000
Aggregate	\$3,000,000

V. DATA BREACH/CYBER LIABILITY

Each Occurrence/Claim	\$ 250,000
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C. WORKERS COMPENSATION AND EMPLOYER'S LIABILITY INSURANCE

Coverage as required by New York State statutory limits.

D. NEW YORK DISABILITY (NYDBL)

Coverage as required by New York State statutory limits.