

**Town of Ossining
16 Croton Avenue
Ossining, NY 10562**



REQUEST FOR PROPOSALS

**UPGRADE THE LOUIS ENGEL WATERFRONT PARK
PERFORMANCE SPACE**



MARCH 25, 2024

TOWN SUPERVISOR'S OFFICE

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I. Project Overview

A. Purpose

The Town of Ossining is interested in retaining a consultant to conduct the surveying, design, and engineering services for the installation of a new state-of-the-art performance space, the Ossining Sail, in the park which will allow the Town to provide additional recreation and entertainment programming as well as new opportunities for economic development. This Request for Proposals (RFP) is intended to help the Town select a qualified and experienced consultant.

SCHEDULE (subject to change)

Release of RFP:	March 25, 2024
Pre-Submittal Meeting and Site Visit:	April 10, 2024
Deadline for Developers Questions:	April 12, 2024
Responses to Developers Questions:	April 19, 2024

Submission Deadline:	April 26, 2024
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B. Project Organization

The proposer shall provide a project management team experienced in the design of this type of project to supervise and assume responsibility for all project tasks, activities, and reports.

C. Project Direction

Primary interface of the selected consultant with the Town of Ossining will be through the Town Supervisor's office. The Town Supervisor, her staff, and the Town's planning consultant will be responsible for the direction, review, and approval of all work as well as the program administration of the contract for compliance with, and interpretation of, the project's scope, schedule, and budget.

In carrying out these functions, the Town Supervisor will utilize the various departments and personnel of the Town as required to ensure the project is consistent with Town's policies, procedures, and experiences.

D. Period of Performance

All proposals shall be predicated on a period of performance commencing upon award of the agreement to the selected consultant. It is anticipated that the design should not take more than *seven (7) months* to complete.

E. Site Visit

All proposers are encouraged to attend a site visit with the Town's staff and consultants on April 10, 2024, at 10:00 AM. The site visit will begin at the existing performance space at the park, 25 Westerly Rd, Ossining, NY 10562. All proposers are also free to examine the project site at their convenience prior to the proposal due date specified in Proposal Delivery, Section III, F.

II. Scope of Work

A. Project Description

The Town has obtained grants through the Downtown Revitalization Initiative (DRI), to improve its Hudson River waterfront through capital improvements at the Louis Engel Waterfront Park,

which would include the construction of a new performance space. The installation of a new state-of-the-art performance space, including covered areas and additional technology, in the park will allow the Town to provide additional recreation and entertainment programming as well as new opportunities for economic development. The stage should have a roof or cover to protect stage equipment used for performances during inclement weather. The design of the performance space shall be built to be flood resilient and all electrical components must be located above flood levels. Additionally, the project will coincide with the planned relocation of the existing park comfort station, which, when moved, will increase the area in the park to allow for a greater number of visitors to attend community events and safely enjoy the park. When the stage is not in use, the lawn area will provide visitors with play space.

Attachment A is a conceptual plan of the proposed new performance space as shown in the Town's DRI application; the image is for background and location purposes only as some project elements shown in the rendering will be different than elements in this project description (e.g. seating may be incorporated).

The selected consultant's scope of work includes:

1. Preparing detailed engineering design plans and specifications for a public bid,
2. Developing the bid documents,
3. Providing assistance during the construction phase in scheduling and chairing a pre-construction meeting, preparing meeting minutes, and reviewing submittals, and
4. Performing site visits during construction, reviewing contractor requests for payment, and project close-out.

The design shall be in accordance with all Federal, State, County and Town codes and regulations.

The services to be provided comprise every professional discipline and expertise necessary to achieve the Project in the best interest of, and within the amount authorized by the Town. The service includes attendance at meetings with the Town when necessary.

The Town will be able to provide the following documents:

1. A topographic survey of the site
2. Information of on-site utilities

Statement of Rights

The Town reserves the right, and may at its sole discretion exercise, the following rights and options with respect to this Request for Proposals:

1. to reject any and all proposals;
2. to issue additional solicitations for proposals and/or amendments to this Request for Proposals;
3. to waive any irregularities in proposals received after notification to proposers affected;
4. to select any proposal as the basis for negotiations of a contract, and to negotiate with proposers for amendments or other modifications to their proposals;
5. to conduct investigations with respect to the qualifications of each proposer;
6. to exercise at its discretion and apply its judgment with respect to any aspect of this Request for Proposals, the evaluation of proposals, and the negotiation and award of any contract;

7. to enter into an agreement for only portions (or not to enter into an agreement for any) of the services contemplated by the proposals;
8. to select the proposal that best satisfies the interests of the Town and not necessarily on the basis of price or any other single factor.

B. Inquiries

All inquiries regarding the project and the proposal arising during the process of proposal preparation are to be made *in writing*, until April 12, 2024. Answers to those inquiries will be made via email to all potential proposers. Answers to the inquiries will be posted on the Town's website by April 19, 2024.

Inquiries are to be directed in writing to:

Town Supervisor, Elizabeth Feldman

feldman@townofossining.com

C. Addenda and Supplements to Request for Proposal

In the event that it becomes necessary to revise any part of this request for proposals, or if additional information is necessary to enable the proposer to make an adequate interpretation of the provisions of this request for proposals, a supplement to the request for proposals will be posted on the Town's website by April 19, 2024.

D. Cost of Proposal Preparation

No reimbursement will be made for any costs incurred for preparation of proposals and/or interviews.

E. Contract

If the Town selects a proposal, a formal written contract shall be entered into between the Town and the successful proposer. The proposal, or any part thereof, submitted by the successful proposer, may be attached or become a part of the contract. The contract shall not become binding until signed by both parties.

III. Proposal Requirements

A. Proposal Content and Format

This Request for Proposals is intended to provide interested consultants with an opportunity to demonstrate their ability to perform the required tasks. The content of the proposal should respond to information presented in this Request for Proposals. The proposal submission shall strictly adhere to the following format, including page limits, and is not intended to be an expensive or elaborate presentation. Any proposal that violates these requirements shall be judged non-responsive regardless of the remainder of its contents.

Proposal Format:

Part A: A brief understanding of the project objectives and scope of work. This part is limited to two pages.

Part B: A listing of recent and relevant experience in similar projects that includes the firm's function during those projects (prime or subconsultant, project cost, the firm's share of total project costs, etc.) Three references from the above list including a contact's phone

number and an address at the agency where the work was performed. This part is limited to three pages.

Part C: One-page resumes of the key personnel of the consultant (principal, project manager and project designer only) and all subconsultants (project manager only) that will be assigned to this project.

Part D: Cost proposal that includes the following:

1. Breakdown of costs for surveying services, engineering design services, bid document development services, and construction inspection/administration services.
2. Any anticipated expenses shall be noted. Cost proposal should include a kickoff meeting, two rounds of revisions, and attendance at a Town Board meeting to present the proposed design.

Part E: Estimated project schedule.

In addition, after the proposals have been submitted to the Town, interviews with the most qualified responsive parties may be scheduled. Each party may be expected to make a formal presentation on the content of its proposal and its ability to undertake the required work.

B. Proposer Qualifications and Requirements

An individual must be duly licensed in New York State to provide professional engineering, or architectural services. An entity providing engineering services and practicing as a corporation, limited liability company, limited liability partnership, partnership or joint enterprise must also have a certificate of authorization issued by the New York State Education Department to provide professional engineering services in the State of New York.

If an architect or engineer is licensed in any state besides New York, they must have the appropriate permit issued by the New York State Education Department in order to work on this project.

General DRI Contract Requirements

As the project is awarded under DRI, a Department of State (DOS) grant program, the consultant will need to complete various additional forms throughout the project process. These include but are not limited to:

- Vendor Responsibility Questionnaire
- Payment Requests (submitted quarterly)
- Form B – Staffing Plan
- Semiannual Project Status Reports (using the attached template)
- Final Project Summary Report/Measurable Results (FPSP/MR)

All of these forms are attached to these RFP in Appendix B. Please note, FPSR/MR forms are required to be submitted upon completion of the project.

MWBE Contract Requirements

As previously mentioned, this project was awarded as part of a DRI Grant funding. As part of their contract with the DOS through the DRI, the Town agreed to take good faith actions to achieve the

Minority and Women's Business Enterprises (MWBE)¹ contract participation goals set by the State, as outlined below, which may require the contractor to engage subcontractors in portions of the proposed project:

- 30% Minority and Women's Business Enterprise Participation
 - o 15% Minority Business Enterprise Participation
 - o 15% Women's Business Enterprise Participation

This will also require the consultant to undertake appropriate MWBE Reporting, status reports, and other related forms, including but not limited to:

- Form C- MWBE Workforce Employment Utilization (submitted quarterly)
- Form D – MWBE Utilization Plan (as MWBE firms are hired – to be submitted by the Town)
- MWBE Utilization Report (as payments are made)

These forms can be found in Appendix B of this document. MWBE reports and status reports are required to be submitted for the life of the contract. As previously mentioned, FPSR/MR forms are required to be submitted upon completion of the project. As such, MWBE related tasks should not be marked as 100% complete until the entire project is completed, all MWBE utilization has been reported in NYSCS, and the final status report and FPSR/MR forms have been submitted. The target completion date for these tasks should be within 60 days after the project is expected to be completed.

C. Professional Liability and Other Insurance Coverage

All proposals shall include a statement by the proposer and its subconsultants, if any, concerning professional liability for negligent acts, errors and omissions and any other insurance coverage that would protect the Town of Ossining from loss or harm should the proposal be accepted. The standard insurance provisions are as follows:

The Consultant shall, at its sole expense, acquire, continuously maintain during the period in which the Consultant is performing services, and provide the Town with acceptable proof of general liability insurance coverage with policy limits of \$1,000,000 per occurrence and \$2,000,000 in the aggregate and professional liability insurance coverage with policy limits of not less than \$1,000,000 each occurrence and \$2,000,000 general aggregate covering acts, errors, or omissions of a professional nature committed or alleged to be committed by the Consultant or any of its subcontractors as a part of its performance of professional services. The Consultant shall also maintain Workers Compensation Insurance in full force and effect.

Any Agreement resulting from this RFP shall not be effective until the Consultant provides to Town certificates of insurance evidencing compliance with the insurance requirements of this paragraph. The certificates will show the Town as an additional insured, which must be primary and non-contributory with respect to the additional insured and waiver of subrogation provisions in favor of the Town.

D. Proposals to be in Effect

Each proposal shall state that it is valid for a period of one hundred eighty (180) calendar days from the date of submission.

¹ With confirmed certification via: <https://ny.newnycontracts.com/> .

E. Proposal Submission

All respondents are required to submit one (1) original plus three (3) paper copies and one (1) electronic copy of their proposal. Any proposal that fails to meet this requirement may be judged non-responsive regardless of the remainder of its contents.

F. Proposal Delivery

Proposals and all attachments shall be submitted by all proposers in sealed envelopes. All proposals must be received no later than 4:00 p.m. on April 26, 2024, and should be addressed as follows:

Susanne Donnelly – Town Clerk
Town of Ossining, Town Hall
16 Croton Avenue
Ossining, New York 10562

sdonnelly@townofossining.com

Any materials received at a later time and/or date will be judged non-responsive. The Town is not responsible for any internal or external delivery delays that may cause any proposal to arrive beyond the stated deadline. To be considered, proposals must arrive at the place specified herein and be time stamped prior to the deadline.

IV. Factors for Selection

A. General

Selection will be based upon the qualification of the proposer, its ability to satisfy the project requirements, schedule and approach as described in the proposal. The Town reserves the right, at its sole discretion, to reject any and all proposals and to waive minor irregularities. The Town also reserves the right to select any proposal as the basis for negotiating a contract; to exercise its discretion and apply its judgment with respect to any aspect of this request for proposals; the evaluation of proposals and the negotiation and award of any contract; and to weigh its evaluation criteria in any manner it deems appropriate.

B. Proposal Evaluation

Proposals will be evaluated using the following criteria:

1. Responsiveness to the Request for Proposals.
2. Demonstrated understanding of the Project Objectives and Scope of Work.
3. Recent and relevant experience in similar projects.
4. Demonstrated reliability to perform and manage projects of the nature described herein.
5. Qualifications and relevant experience of the consultant team.
6. MWBE Participation in the project
7. Cost-effectiveness of the proposal.
8. Staffing Table.
9. Schedule.

Evaluation criteria are not necessarily listed in order of importance. The Town reserves the right to weigh its evaluation criteria in any matter it deems appropriate.

Appendix A



Possible location of stage

Appendix B - Forms

**NEW YORK STATE – DEPARTMENT OF STATE (DOS)
M/WBE UTILIZATION PLAN - FORM D**

Offeror/Grantee's Name:
Address:
City, State, Zip Code:
Telephone No.:
Region/Location of Work:

Federal Identification No.:
Project/Contract No.:

M/WBE Goals in the Contract: MBE % WBE %

1. Certified M/WBE Subcontractors/Suppliers Name, Address, Email Address, Telephone No.	2. Classification	3. Federal ID No.	4. Detailed Description of Work (Attach additional sheets, if necessary)	5. Dollar Value of Subcontracts/ Supplies/Services and intended performance dates of each component of the contract.
A.	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE			
B.	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE			

6. IF UNABLE TO FULLY MEET THE MBE AND WBE GOALS SET FORTH IN THE CONTRACT, OFFEROR/GRANTEE MUST SUBMIT A REQUEST FOR WAIVER FORM E.

PREPARED BY (Signature): DATE: NAME AND TITLE OF PREPARER (Print or Type): SUBMISSION OF THIS FORM CONSTITUTES THE OFFEROR/GRANTEE'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE M/WBE REQUIREMENTS SET FORTH UNDER NYS EXECUTIVE LAW, ARTICLE 15-A, 5 NYCRR PART 143, AND THE ABOVE-REFERENCED SOLICITATION. FAILURE TO SUBMIT COMPLETE AND ACCURATE INFORMATION MAY RESULT IN A FINDING OF NONCOMPLIANCE AND POSSIBLE TERMINATION OF YOUR CONTRACT.	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; border-bottom: 1px solid black;">TELEPHONE NO.:</td> <td style="width: 70%; border-bottom: 1px solid black;">EMAIL ADDRESS:</td> </tr> <tr style="background-color: #e0f2f1;"> <td colspan="2" style="text-align: center; padding: 5px;">FOR M/WBE USE ONLY</td> </tr> <tr> <td style="border-bottom: 1px solid black;">REVIEWED BY:</td> <td style="border-bottom: 1px solid black;">DATE:</td> </tr> </table> <div style="border: 1px solid black; padding: 5px; background-color: #e0f2f1;"> UTILIZATION PLAN APPROVED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____ Contract No.: _____ Project No. (if applicable): _____ Contract Award Date: _____ Estimated Date of Completion: _____ Contract Execution Date: _____ Contract Amount: _____ Amount Obligated Under the Contract: _____ Total Planned MWBE Utilization Amount: _____ Description of Work: _____ NOTICE OF DEFICIENCY ISSUED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____ NOTICE OF ACCEPTANCE ISSUED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____ </div>	TELEPHONE NO.:	EMAIL ADDRESS:	FOR M/WBE USE ONLY		REVIEWED BY:	DATE:
TELEPHONE NO.:	EMAIL ADDRESS:						
FOR M/WBE USE ONLY							
REVIEWED BY:	DATE:						

FOR M/WBE USE ONLY	
Comments:	

General Instructions:

- This form (Form D) or a compliance certification letter (Form D-1) must be submitted within ten (10) business days after the respondent/awardee receives notice from the Department of State that the contract/grant is being awarded.
- In case a compliance certification letter (Form D-1) was submitted at the time of the award notification, the awardee must submit this form D within two (2) weeks following the procurement of any MWBE-applicable purchase or contractual service undertaken in furtherance of the Contract.
- This form D must contain a detailed description of the supplies and/or services to be provided by each certified Minority and Women-owned Business Enterprise (MWBE) that will actually be utilized under the DOS contract. Attach additional sheets if necessary.
- In case of changes to an approved utilization plan, the awardee must submit a revised Form D to the DOS MWBE Program at dos.sm.mwbe@dos.ny.gov
- Any Form D submitted to DOS for review must be completed and signed by the entity in contract with DOS.
- Contact your DOS Program/Project Analyst or the DOS MWBE Program at dos.sm.mwbe@dos.ny.gov, if you have any questions.

Instructions for completing:

The Offeror/Grantee's section on top of the form must contain information on the entity in contract with the Department of State (DOS).

1. Enter the name, address, email address and phone number of each NYS certified MWBE that will actually be utilized under the DOS contract (Look up certified MWBEs in the directory at <https://ny.newnycontracts.com/>)
2. Check off the box to indicate the certification class (MBE or WBE). If the MWBE has both MBE & WBE certifications, check off the appropriate certification class toward which the utilization should count.
3. Enter the federal ID number of each NYS certified MWBE to be utilized.
4. Enter detailed description of the supplies and/or services to be provided by each certified MWBE. Also, enter detailed information on any tier subcontracts, if applicable.
5. Enter the dollar value of subcontracts/supplies/services and intended performance dates of each component of the contract with each certified MWBE. Also, enter detailed information on any tier subcontracts, if applicable.

FORM C **WORK FORCE EMPLOYMENT UTILIZATION**

Contract No.:	Reporting Entity: <input type="checkbox"/> Contractor <input type="checkbox"/> Subcontractor	Reporting Period: <input type="checkbox"/> January 1, 20__ - March 31, 20__ <input type="checkbox"/> April 1, 20__ - June 30, 20__ <input type="checkbox"/> July 1, 20__ - September 30, 20__ <input type="checkbox"/> October 1, 20__ - December 31, 20__
Contractor's Name:		Report includes: <input type="checkbox"/> Work force to be utilized on this contract <input type="checkbox"/> Contractor/Subcontractor's total work force
Contractor's Address:		

Enter the total number of employees in each classification in each of the EEO-Job Categories identified.

EEO-Job Category	Total Work force	Work force by Gender		Work force by Race/Ethnic Identification													
		Male (M)	Female (F)	White (M) (F)		Black (M) (F)		Hispanic (M) (F)		Asian (M) (F)		Native American (M) (F)		Disabled (M) (F)		Veteran (M) (F)	
Officials/Administrators																	
Professionals																	
Technicians																	
Sales Workers																	
Office/Clerical																	
Craft Workers																	
Laborers																	
Service Workers																	
Temporary /Apprentices																	
Totals																	

PREPARED BY (Signature):	TELEPHONE NO.:	DATE:
NAME AND TITLE OF PREPARER (Print or Type):	EMAIL ADDRESS: Submit completed form to: NYS Department of State Division of Local Government Services 99 Washington Ave, Ste. 1015 Albany, NY 12231	

General Instructions: The work force utilization (FORM C) is to be submitted on a quarterly basis during the life of the contract to report the actual work force utilized in the performance of the contract broken down by the specified categories. When the work force utilized in the performance of the contract can be separated out from the contractor's and/or subcontractor's total work force, the contractor and/or subcontractor shall submit a Utilization Report of the work force utilized on the contract. When the work force to be utilized on the contract cannot be separated out from the contractor's and/or subcontractor's total work force, information on the total work force shall be included in the Utilization Report. Utilization reports are to be completed for the quarters ended 3/31, 6/30, 9/30 and 12/31 and submitted to the MWBE Program Management Unit within 15 days of the end of each quarter. If there are no changes to the work force utilized on the contract during the reporting period, the contractor can submit a copy of the previously submitted report indicating no change with the date and reporting period updated.

Instructions for completing:

1. Enter the number of the contract that this report applies to along with the name and address of the Contractor preparing the report.
2. Check off the appropriate box to indicate if the entity completing the report is the contractor or a subcontractor.
3. Check off the box that corresponds to the reporting period for this report.
4. Check off the appropriate box to indicate if the work force being reported is just for the contract or the Contractor's total work force.
5. Enter the total work force by EEO job category.
6. Break down the total work force by gender and enter under the heading 'Work force by Gender'
7. Break down the total work force by race/ethnic background and enter under the heading 'Work force by Race/Ethnic Identification'. Contact the Office of Affirmative Action Programs at (518) 473-2507 if you have any questions.
8. Enter information on any disabled or veteran employees included in the work force under the appropriate heading.
9. Enter the name, title, phone number and email address for the person completing the form. Sign and date the form in the designated boxes.

RACE/ETHNIC IDENTIFICATION

Race/ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. For the purposes of this report, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one race/ethnic group. The race/ethnic categories for this survey are:

- **WHITE** (Not of Hispanic origin) All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- **BLACK** a person, not of Hispanic origin, who has origins in any of the black racial groups of the original peoples of Africa.
- **HISPANIC** a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- **ASIAN & PACIFIC ISLANDER** a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands.
- **NATIVE INDIAN (NATIVE AMERICAN/ALASKAN AFFILIATION OR COMMUNITY RECOGNITION. NATIVE)** a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

OTHER CATEGORIES

- **DISABLED INDIVIDUAL** any person who:
 - has a physical or mental impairment that substantially limits one or more major life activity(ies)
 - has a record of such an impairment; or
 - is regarded as having such an impairment.
- **VIETNAM ERA VETERAN** a veteran who served at any time between and including January 1, 1963 and May 7, 1975.
- **GENDER** **Male or Female**