



REQUEST FOR QUALIFICATIONS **DRAFT**

Town of Ulysses

2025-2045 Comprehensive Plan Periodic Update and Environmental Impact Statement

September 29, 2023

INTRODUCTION

The Town of Ulysses is soliciting a qualified consultant from a multidisciplinary consulting firm to assist in the development of the 2025-2045 Comprehensive Plan Periodic Update (Comp Plan Update) and associated Environmental Impact Statement (EIS). A copy of the current 2009 Comp Plan (aka Town of Ulysses Comprehensive Plan Final Report September 2009) and associated documents may be downloaded in PDF format at the Town's website:

<https://townofulyssesny.gov/cms/docs/2009-Comp-Plan--Adopted.pdf>.

CONSULTANT SELECTION TIMELINE

The selection process will include review of proposals, preparation of a short list, and interviews. It is the Town's desire to select a Consultant, complete contract negotiations, and award a contract as follows:

- September 29, 2023: Publish and Post Request for Qualifications
- October 13, 2023: Intention to Submit a Proposal
- October 27, 2023: Proposals Due
- November 10, 2023: Shortlist for Interviews
- November 28, 2023: Interviews
- November 30, 2023: Finalist Selection
- December 07, 2023: Final Plan Scope and Contract Negotiations Completed
- December 12, 2023: Town Board Authorizes Contract

The Town invites you to submit a proposal no later than Friday, October 27, 2023 at 4:00 p.m.
See Submission Requirements section for more information.

BACKGROUND

Located in the heart of the Finger Lakes of New York State, the Town of Ulysses is renowned for its abundant farmlands, distinctive natural resources including a shoreline along Cayuga Lake, a designated scenic byway, Taughannock Falls State Park, an abundance of outdoor recreational opportunities, and a strong, vibrant business and arts community. Ulysses has several historic hamlets as well as Trumansburg, a charming village that serves as the Town's commercial and social center, and is only a short drive from the City of Ithaca, Cornell University, and Ithaca College, which provides residents and visitors with a unique blend of rural, agricultural, intellectual, and cultural opportunities. Per the U.S. Census Bureau 2021 American Community Survey 5-Year Estimates Data Profiles, the population of the Town is 4,937.

PROJECT OVERVIEW AND PURPOSE

The Town is in the formative stages to update its 2009 Comp Plan. This project has been funded in part by the [Climate Smart Communities \(CSC\) Grant Program, Title 15 of the Environmental Protection Fund through the New York State Department of Environmental Conservation](#). The Town will incorporate concepts related to sustainability, climate change adaptation, and smart growth into its plans for the community over the next 10-20 year planning cycle. The Comp Plan Update will address population, land use, housing, economic development and tourism, transportation, capital facilities and utilities, environment and natural resources, climate change and resiliency, rural, community well-being, historic preservation and building design, and the policies at the state, regional, and local level that impact them.

The Consultant will work the Town's Planner and the Town-appointed Comprehensive Plan Steering Committee (CPSC) to conduct research and engage stakeholders and the public with interactive processes in order to develop and facilitate a draft of the Comp Plan Update and EIS as further described in the Scope of Work section below that will include, but is not limited to:

- Updated Future Land Use Map;
- Updated Goals, Policies, and Objectives; and
- Updated Action Items and Prioritization

CONSULTANT QUALIFICATIONS, SELECTION CRITERIA, and EVALUATION

The project has a varied scope that will require Consultant expertise in multiple areas. The scope of work will vary depending on the element as outlined in specific tasks. The proposal addressing this Request for Qualifications (RFQ) could include individual firms or a team of firms consisting of a prime Consultant with sub-consultants, hereinafter collectively referred to as the "Consultant."

Qualified Consultants will have experience in a variety of public outreach programs, facilitation of public meetings and forums, compilation of information from varying sources (including GIS), development of online interactive tools (maps, polls, surveys, etc.) and other engaging materials to help to creatively foster public involvement, and preparation and revision of Comprehensive Plans. Additionally, the Consultant will have experience preparing draft and final environmental impact statements. Finally, the Consultant will have familiarity with New York State Town Law, New York State Environmental Quality Review Act, (SEQR), their implementation, and familiarity with local and Tompkins County planning goals and policies. The selected Consultant should also have a strong background in coordinating with stakeholders (agencies, tribes, and the public).

Applicants will be rated and ranked based on the following criteria:

- A. Expertise. Qualifications of the members of the proposed team, including the responsibilities and skills of each team member and the makeup of the team relative to the scope of the project; demonstration that the project team clearly understands the project's objectives and technical requirements; and familiarity with the Town's Comprehensive Plan and process. Examples of such areas include, but are not limited to: (a) comprehensive planning; (b) municipal land use planning; (c) municipal housing plans; (d) municipal economic planning, (e) multi-modal transportation planning; (f) climate and sustainability planning, and (e) innovative and inclusive community development strategies.

- B. Experience. Experience and demonstrated success in performing work similar to that described in this request, and the ability to manage projects of a similar nature, size and scope to this project including experience completing projects on tight deadlines, within budget, and in a professional and thorough manner.
- C. Demonstrated interpersonal and communication skills in the following key areas:
 - i. Working well with a wide variety of people possessing differing levels of understanding of complex topics;
 - ii. Facilitating groups and assisting communities develop visions, goals, and policies;
 - iii. Giving presentations to varied audiences;
 - iv. Preparing written materials in a clear, concise and compelling manner; and
 - v. Problem solving and conflict resolution.
- D. Familiarity with Tompkins County and local issues, initiatives, organizations, and individuals that relate to this project.
- E. Thoroughness and clarity of the proposal.
- F. Project Timeline and Availability and flexibility in meeting Project Timetable and Deliverables.

The CPSC, Town Planner, and Town staff will review all proposals received as part of a documented evaluation process. For each decision point in the process, the CPSC, Town Planner, and Town staff will evaluate respondents on a variety of quantitative and qualitative criteria and will then elevate a select number of submitters to compete in the next level. Respondents not previously elevated may be elevated at a later date. The lowest price proposal will not necessarily be selected.

The Town will select the submission that will provide the best value to the Town by delivering the highest level of service and desired deliverables in the most cost-effective manner that most closely meets the Town's needs.

SUBMISSION REQUIREMENTS

Consultants are encouraged to submit concise and clear responses to the RFQ.

The Town of Ulysses will not pay any cost incurred by any Consultant resulting from preparation or submittal of a proposal in response to this RFQ, nor any costs associated with interviews. The Town reserves the right to modify or cancel in part, or in its entirety, this RFQ.

The selection of Consultant will be made without regard to race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age, disability or genetic information. The Town of Ulysses is an Equal Opportunity Employer.

Response Instructions

1. Those intending to respond to this RFQ are required to submit their intention in writing as described within.
2. Response to this RFQ indicates your ability to meet contract terms described within.
3. All responses must be received by date and time indicated in The Consultant Selection Timeline section. A confirmation e-mail should be sent to both ulysses.clerk@gmail.com and ulysses.planner@gmail.com.

4. Confirmation of response receipt will be provided. If confirmation is not received by 4pm on the due date, call 607.387.5767 x221.
5. It is the sole responsibility of the respondent to see that its proposal is received in the proper time. Proposals received after the specified time will not be considered.
6. Adherence to the rules set forth in this RFQ is mandatory to ensure a fair and objective analysis of all proposals. Failure to comply with or complete any portion of this request may result in rejection of a submitted proposal.
7. All proposals submitted to the Town become the property of the Town and are subject to The New York State Freedom of Information Law, Public Officers Law, Article 6, which provides for public access to information. Any confidential information, such as a company's financial status, if required by the specifications, shall be submitted in a separate document with the word "CONFIDENTIAL" as a watermark.
8. Receipt of a proposal by the Town or submission of a proposal to the Town confers no rights upon the respondent nor obligates the Town in any manner.
9. The apparent silence of the specifications as to any details or the omission from it of a detailed description concerning any point shall be interpreted as meaning that only the best commercial practices are to prevail and that only professional services of first quality are to be used, specified or accepted.

Submittal Content

Hard copy submission is required in order to adhere to sealed bid requirements.

The Town Clerk should be copied on receipt of all submissions via email for records retention requirements.

Provide one (1) bound hard copy and a PDF (thumb drive) of the proposal. All pages must be 8.5 x 11 inch format. The documents must have a minimum font size of 11 or greater.

1. Letter of Interest (1 page maximum): Indicate interest and availability to undertake the proposed project within the preferred timeframe, how Consultant intends to conduct work and communications with the Town: in person, remote, hybrid, etc., and current levels of general and professional liability insurance carried by the Consultant.
2. Executive Overview & Project Approach (2 pages maximum): A brief description of the Consultant's philosophy, approach to the project, highlight the understanding of the project described in this proposal, experience with like-projects, and explain the respondent's value that could be provided to the Town for this service.
3. Scope of Work (8 pages maximum): A comprehensive overview of the needs outlined in this proposal. Describe approach to accomplish the plan/scope elements stated in the RFP and identify the methodology proposed. The Consultant is encouraged to include suggestions or supplemental tasks which may enhance the project or streamline the scope of work and improve cost effectiveness. Include a work plan that delineates and defines the various project phases, components, and anticipated deliverables.

4. Schedule (2 pages maximum): A description of the Consultant's proposed approach to project management. Include a timeline showing the estimated length of time required for completion of the phases as described in the scope of work. Text may be provided to describe the schedule.
5. Cost Summary (1 page maximum): Provide a preliminary cost summary of the work to be completed.
6. Project Team (2 pages maximum): Identify the proposed team, including sub-consultants, general qualifications and experience. Identify the project manager and principal contact who will be permanently assigned to the project (it is strongly preferred that they are one and the same person). Include a statement verifying that individual(s) assigned to this project will have reliable transportation for trips within Tompkins County.
7. Relevant Experience (5 pages maximum): Describe Consultant experience in preparing plan/scope elements. Include at least three projects the Consultant has completed that are similar to the project described in the request. For each project, provide the following information:
 - Name and location of each project
 - Project/Contract Start and End Dates
 - Name and contact information of each client and their project manager
 - Project description, noting elements that are common to the plan/scope elements described in this request.
 - Level of Consultant Support
8. Project Team Resumes (provide appendix in proposal, one-page resume per team member, no page limit): Include a paragraph for each key team member, years of experience, education, company affiliation, workplace location, and a brief list of individual project experience.
9. Provide the Following Applicant Contact Information along with the RFQ Response Form as provided in this document:
 - a. Name of individual or consulting firm (lead consulting firm name if applicable);
 - b. Contact info including mailing address, email, and telephone;
 - c. Website;
 - d. Lead contact name, email, phone number;
 - f. Form of Organization (partnership, corporation, sole proprietorship, etc.);
 - g. Where Organized; and
 - h. Names of principals, officers, and directors.
10. Exception Letter: should the respondent take exception to any terms and conditions identified in this request; a letter must be submitted identifying all exceptions. Any exceptions will be part of the evaluation process. The Town will not entertain any exceptions not submitted in this fashion.
11. Acknowledgement of the respondent's ability to meet contract requirements as outlined in the Contract Terms section of this document.

Additional Information Regarding Submission

1. Presentation and Interview.

Selected respondents may submit sample materials, provide links to sample materials, and may be asked to make presentations to the Town. Representative(s) attending these presentations must be qualified to respond to questions related to any component of the proposal.

2. Validity of Proposals.

Proposals are to be good for ninety (90) days from the proposal due date. The Town may hold the proposals for ninety (90) days after the proposal due date, and may award a contract at any time during that period. Should there be reasons why a contract cannot be awarded within the specified period; the time may be extended by mutual agreement between the Town and the selected respondent.

3. Contract Award.

The Town reserves the right to (a) reject any or all proposals, or to make no award, (b) request modifications to initial proposals or (c) make partial or multiple awards. In addition, the Town reserves the right to obtain other supplemental information concerning the proposals. The Town further reserves the right to excuse technical defects in a proposal when, in its sole discretion, such excuse is beneficial to the Town. The Town may award based on initial proposals received, without discussion of such proposals.

Tax Exemption

The Town of Ulysses is tax exempt. Tax exempt certificates, if required, will be forwarded upon request.

Right of Refusal

The Town reserves the right to reject all responses to this RFQ in their entirety. The Town reserves the right to award a contract in any manner deemed in the best interest of its citizens in adherence to local and state law

SCOPE OF WORK & DELIVERABLES

The Consultant will be responsible for developing a planning process that is responsive to the Town Planner and the CPSC, and will assist with broad outreach efforts and have consistent engagement with key stakeholders and the public, leading to the creation of a proposed draft of the Comp Plan Update and EIS. The Consultant will be supported by the Town's Planner and by the Town's Attorney when conducting the environmental review (SEQR) and during development of the draft and final Comp Plan Update.

General Considerations

The plan scope is based on the content topics of a comprehensive plan listed under Town Law ([Consolidated Laws of New York, Chapter 62, Article 16, Section 272-A](#)) as noted in the Comprehensive Plan Framework section below. The following outlines expectations of the Comp Plan Update and associated EIS.

General Public Outreach

The Consultant will assist in engaging the public in various outreach programs and informational updates through plan presentations, workshops, and public hearings scheduled during the plan's development. The purpose of these meetings will be to present progress updates; to receive citizens', CPSC's, Town Planner's, elected officials', and staff's comments; and to present the final draft report and ancillary materials to the CPSC and the Town Board.

The Town Planner and the CPSC have prepared a draft Public Involvement Plan (PIP) which defines programs and methods for engaging the public. It is anticipated that this document will serve as a guideline to the process.

Specific Tasks

1. Review draft PIP and suggest any final edits.
2. Assist in the implementation of the PIP:
 - a. Assist in the planning and preparation of documents for CPSC and Town Board meetings;
 - b. Develop online interactive tools (maps, polls, surveys, etc.) and other engaging materials to help creatively foster public involvement;
 - c. Assist in the planning and facilitation of community meetings including targeted topic focused forums;
 - d. Prepare materials for public meetings and present research, review drafts, and solicit feedback pertaining to current best practices of applicable goals, policies, and objectives in Comp Plans; and
 - e. Use community feedback to develop the draft Comp Plan Update.

Deliverables

Task 1:

1. Provide draft copy of PIP with suggested edits in track-changes format for Town Planner and CPSC review (Word doc and PDF formats).

Task 2:

1. Provide memos, reports, meeting presentation materials, interactive tools for public engagement, and other items as needed (Word doc, PDF, online maps and surveys, and other formats as needed).

Community Visioning

A refined Vision Statement for the Comp Plan Update will be crafted through a community involvement process. Such opportunities could include open houses, roundtable meetings, and/or workshops. The process will include review by the CPSC, Town Planner, and approval by the Town Board. Virtual attendance will be offered to supplement and augment any open houses, roundtable meetings, and/or workshops held.

Based on public input, the Vision Statement and community values will establish a clear definition of the image and identity of the Comp Plan Update. Visioning may result in character and identity cues carried through the elements of the plan that will define the preferred future for the Town.

Specific Tasks

1. Assist in the preparation, facilitation, and documentation of a visioning process to identify community proposed changes to the 2009 Comprehensive Plan, and incorporate in to the Comp Plan Update.
2. As part of the process for the Comp Plan Update, the Town will hold CPSC and Town Board study sessions to obtain policy direction regarding the extent of the changes. This may be accomplished in a joint meeting with the Town Planner, CPSC, and Town Board.

Deliverables

Task 1:

1. Provide meeting presentation materials, interactive tools for public engagement, and other items as needed (Word doc, PDF, online maps and surveys, and other formats as needed).
2. Provide analysis and draft copy for Town Planner, Town Board, CPSC, and public review and comment (Word doc and PDF format).
3. Provide final draft Vision Statement (Word doc and PDF format).

Task 2:

1. Provide documentation to the Town Planner, the CPSC, and Town Board regarding the extent of proposed changes (Word doc and PDF format).

Environmental Analysis

The environmental analysis will aid in the planning efforts and decision-making for the Comp Plan Update. The final EIS will also serve as a building block for future environmental analysis within the Town.

Specific Tasks

1. Review and survey existing planning area conditions:
 - a. Meet with Town Planner and CPSC to review the scope of work and existing information;
 - b. Conduct site visits and inventory physical conditions;
 - c. Review previously completed planning documents for environmental sensitive areas, transportation, stormwater, water, and other infrastructure; and
 - d. Prepare an Existing Conditions Report.
2. Prepare Draft EIS:
 - a. Meet with Town Planner and CPSC to brainstorm the preferred development concept;
 - b. Describe the proposal, adoption, and implementation of the Comprehensive Plan;
 - c. Identify alternatives developed as part of previous tasks;
 - d. Facilitate public outreach to review preferred alternative elements;

- e. Prepare Determination of Significance/scoping notice, including a conceptual description of the proposal and topics to be addressed in the Draft EIS;
 - f. Conduct an EIS scoping session;
 - g. Conduct environmental analysis. Identify impacts and mitigation for each alternative. Participate in a review meeting with Town Planner and CPSC to review preliminary materials and set the direction for refinements in terms of impacts and mitigation measures. Major environmental elements likely to be studied include land use and aesthetics, transportation, stormwater management, and public services and utilities. Prepare a preliminary Draft EIS for internal review;
 - h. Complete the Draft EIS (Town will publish and distribute);
 - i. Assist in the public hearing on the Draft EIS;
 - j. Compile, analyze, and prepare summary of public comments on Draft EIS; and
 - k. Summarize any new infrastructure needs required to provide service to revised development and redevelopment densities or locations. Technical evaluation for any new infrastructure needs will be evaluated by the Town and documented as a memorandum summarizing evaluation and any modifications to infrastructure system plans.
3. Draft 2025 Comp Plan Update and Final EIS:
- a. Meet with Town Planner and CPSC to discuss updates needed to the project proposal, mitigation measures, and set the direction for the Final EIS;
 - b. Prepare preliminary draft Final EIS and draft Comp Plan Update for internal review;
 - c. Refine, publish, and assist in the adoption of the Final EIS and Comp Plan Update; and
 - d. Prepare reports for the CPSC, Town Board, and DEC as required.

Deliverables

Task 1:

- 1. Base map layers (Word doc and PDF formats).
- 2. Existing Conditions Report (Word doc and PDF formats).
- 3. Outlined set of opportunities for infrastructure improvements and Town actions to support the Comp Plan Update (Word doc and PDF formats).
- 4. Workshop handouts, presentation materials, and other items as needed (Word doc, PDF, and PPT formats).

Task 2:

- 1. Determination of Significance/Scoping Notice with description of alternatives (Word doc and PDF formats).
- 2. Draft EIS (Word doc and PDF formats).
- 3. Compile results of public open house (Word doc and PDF formats).

Task 3:

- 1. Final EIS (Word doc and PDF formats).
- 2. Final Comp Plan Update after adoption (Word doc and PDF formats).

Comprehensive Plan Framework

The scope of work to update the 2009 Comp Plan will include development of a vision statement, identification of community issues and concerns, preferred growth alternatives, and population and employment. The scope will include, but is not limited to, the identification of goals, objectives, and policy statements, and the creation of maps and graphics, that will collectively serve as a working framework for the development of future public policy. This framework will provide clear and predictable guidance to citizens, stakeholders, and developers. It will help maintain collaborative and respectful relationships within the community and surrounding neighbors, and establish policies and priorities for coordinated development/redevelopment and potential infrastructure expansion.

The Comprehensive Plan must provide for quality residential growth for both new and infill development, opportunities for growing employment, support new and current infrastructure, and general improvements for the protection of the quality of life for the Town of Ulysses' residents and businesses. Residential, commercial and employment density, type, and location will be considered in conjunction with existing zoning, environmental conditions, developable land, working land, and existing and identified needs for infrastructure improvements. Required infrastructure improvements resulting from land use change(s) associated with the Comp Plan Update will be identified and documented for further technical evaluation by the Town.

The Comprehensive Plan must be developed with internal consistency of plan elements and external consistency with State plans and regulations, Tompkins County Planning Policies, and the Village of Trumansburg Planning Policies. The Comprehensive Plan will contain an Introduction and the following Plan Elements:

1. Land Use: existing and proposed location and intensity of land uses, including consideration of agricultural uses and working lands, present and potential future general location of commercial and industrial facilities; consideration of population, demographic and socio-economic trends and future projections;
2. Housing: existing housing resources and future housing needs, including affordable housing;
3. Economic Development/Tourism: specific policies and strategies for improving the local economy in coordination with other plan topics;
4. Transportation: location and types of all multi-modal transportation facilities, the level of service, and the current and projected needs;
5. Capital Facilities and Utilities: existing and proposed general location of public and private infrastructure and utilities, the present and future general location of educational and cultural facilities, health facilities, and facilities for emergency services;
6. Environment and Natural Resources: shorelands, natural resources and sensitive environmental areas;
7. Climate Change and Resiliency: greenhouse gas emissions, flooding and extreme weather events, and sustainability;
8. Rural: agricultural, rural lands not designated for urban or suburban growth;
9. Community Well-Being: existing and proposed recreation facilities and parkland, air quality, noise, light pollution, and food security; and
10. Historic Preservation and Building Design: existing historic buildings, sites, and cultural resources.

Introduction Chapter

Town Planner and the CPSC will write this chapter of the Comp Plan Update. Updating this chapter is not included in this RFQ; however, review and consultation to incorporate the chapter and to assist the Town in preparing this chapter will be required by the Consultant.

Specific Tasks

1. Review Town's work to ensure chapter is consistent with elements of the Comp Plan Update.

Deliverables

1. Written feedback on the introduction chapter prepared by the Town, and incorporation of the chapter into the Comp Plan Update (Word doc and PDF formats).
2. Provide final draft Introduction Chapter (Word doc and PDF formats).

1. Land Use

Review and analyze the existing local land use characteristics, the 2009 Comp Plan land use map and associated policies, population and employment growth forecasting, and plans and guidance documents utilized by the Town of Ulysses.

Specific Tasks

1. Create a new Land Use Element Chapter that addresses the following:
 - a. The proposed general distribution and general location and extent of the uses of land, where appropriate for housing, commerce, industry, recreation, agriculture, timber production, open spaces and green spaces, public utilities, public facilities, and other land uses;
 - b. Population densities, building intensities, and estimates of future population growth;
 - c. Protection of the quality and quantity of groundwater used for water supplies;
 - d. Consideration to achieving environmental justice in its goals and policies, including efforts to avoid creating or worsening environmental health disparities;
 - e. Planning approaches that reduce per capita vehicle miles traveled within the Town and promote reduction of greenhouse gas emissions; and
 - f. Other items as needed.
2. Provide an existing Land Use/Land Cover Map based on parcel data, with land use area calculations.
3. Provide an existing Zoning District Map based on parcel data, with area calculations.
4. Provide a baseline assessment that analyzes existing conditions for land use.
5. Prepare a Land Capacity Analysis that will assist in how to best direct growth and development within the Town.
6. Develop a new Future Land Use Map based on parcel data, and land use area calculations.
7. Review existing goals and policies; propose amendments and/or new goals, policies, and objectives; and evaluate and suggest methods to ensure the goals, policies, and objectives of this element are compatible with, and not in conflict with, other goals, policies, and objectives of other elements, especially the housing, transportation, and climate change and resiliency elements, to the maximum extent feasible.

Deliverables

1. Provide draft copies for Town Planner, Town Board, CPSC, and public review and comment (Word doc, PDF, and shapefile formats).
2. Compile public comments received, make recommendations on revisions to the Land Use Map with respect to changes in development, and final draft Land Use Element (Word doc, PDF, and shapefile formats).

2. Housing

Review and analyze the existing local housing conditions, the 2009 Comp Plan housing policies; Tompkins County's Housing Strategy; and population and employment growth forecasts and associated demographics.

Specific Tasks

1. Create a new Housing Element Chapter that addresses the following:
 - a. Inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth, including:
 - i. Units for moderate, low, very low, and extremely low-income households; and
 - ii. Emergency housing, emergency shelters, and permanent supportive housing;
 - b. A statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-unit residences and moderate to high density housing options including, but not limited to, duplexes, triplexes, apartments, and townhomes;
 - c. Identify sufficient capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing, and consideration of duplexes, triplexes, and townhomes;
 - d. Identify and implement provisions for existing and projected needs of all economic segments of the community, including:
 - i. Incorporating consideration for low, very low, extremely low, and moderate-income households;
 - ii. Documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations;
 - iii. Consideration of housing locations in relation to employment location; and
 - iv. Consideration of the role of accessory dwelling units in meeting housing needs;
 - e. Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:
 - i. Zoning that may have a discriminatory effect;
 - ii. Disinvestment; and
 - iii. Infrastructure availability;
 - f. Identify and implement policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions;

- g. Identify areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments;
 - h. Establish anti-displacement policies, with consideration given to investments in low, very low, extremely low, and moderate-income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing;
 - i. Identify and implement planning approaches that reduce per capita vehicle miles traveled within the Town and reduce greenhouse gas emissions; and
 - j. Other items as needed.
2. Analyze how the housing element goals, policies, and objectives will connect with the overall goals of the County and Village of Trumansburg to ensure that the housing element goals will be met.
 3. Provide a baseline assessment that analyzes existing housing.
 4. Provide an Existing Housing Conditions Map.
 5. Analyze residential growth capacity and forecasting.
 6. Analyze three growth alternatives in population in relation to needed housing:
 - a. An analysis of current plans and zoning regulations extended to 2045;
 - b. Increased capacity for new housing units concentrated in key areas in the Town near transit corridors, utilities, and transition areas near Trumansburg and Jacksonville with the majority as middle housing; and
 - c. Increased capacity for new housing units with a dispersed growth throughout the Town with some concentration along transit corridors and transition areas.
 7. Provide Housing Strategy Area Maps, based on parcel data, with development calculations.
 8. Review existing goals and policies; propose amendments and/or new goals, policies, and objectives; and evaluate and suggest methods to ensure the goals, policies, and objectives of this element are compatible with, and not in conflict with, other goals, policies, and objectives of other elements, especially the land use, transportation, and climate change and resiliency elements, to the maximum extent feasible.

Deliverables

1. Provide draft copies for the Town Planner, Town Board, the CPSC, and public review and comment (Word doc and PDF formats).
2. Compile public comments received, and based on the public comments make recommendations on revisions to the growth forecast with respect to changes in development or redevelopment densities, and final draft Housing Element (Word doc, PDF, and shapefile formats).

3. Economic Development & Tourism

Review and analyze the existing local employment and economic conditions, the 2009 Comp Plan economic policies, Tompkins County's Economic Development Strategy, and population and employment growth forecasts.

Specific Tasks

1. Create a new Economic Development/Tourism Element Chapter.

2. Provide a baseline assessment that analyzes and documents local and regional market conditions and forecasts and summarize how they specifically apply to the Town of Ulysses.
3. Create a market overview identifying existing or emerging opportunities for the Town of Ulysses.
4. Use information from the Land Use and Housing Elements to project consistency of planned growth with respect to future market conditions.
5. Create an outline of the existing economic conditions in the Town of Ulysses and surrounding areas.
6. Assess and develop employment and other development targets.
7. Review existing goals and policies; propose amendments and/or new goals, policies, and objectives; and evaluate and suggest methods to ensure the goals, policies, and objectives of this element are compatible with, and not in conflict to, other goals, policies, and objectives of other elements to the maximum extent feasible.

Deliverables

1. Provide draft copy for the Town Planner, the Town Board, the CPSC, and public review and comment (Word doc and PDF formats).
2. Compile public comments received, and based on those public comments make recommendations on revisions to the economic goals and policies with respect to changes in economic development and tourism, and final draft Economic Development Element (Word doc and PDF formats).

4. Transportation

Review and analyze the existing local conditions and level of service for all modes of transportation, the 2009 Comp Plan transportation policies, Tompkins County's Long Range Transportation Plan, and population and employment growth forecasts.

Specific Tasks

1. Create a new Transportation Element Chapter that addresses the following:
 - a. Land use assumptions used in estimating travel;
 - b. Estimated multimodal level of service impacts to state, regional, and locally owned transportation facilities resulting from land use assumptions to assist in monitoring the performance of facilities; to plan improvements for the facilities; and to assess the impact of land-use decisions on transportation facilities;
 - c. The needs of facilities and services, including:
 - i. An inventory assessment of transportation facilities and services, including transit alignments, and active transportation facilities, to define existing capital facilities and travel levels to inform future planning. This inventory will document all state, regional, and locally owned transportation facilities within the Town;
 - ii. Multimodal level of service standards for all locally owned arterials, locally and regionally operated transit routes, state-owned or operated transit routes, and active transportation facilities to serve as a gauge to judge performance of the system and success in helping to achieve the goals of this chapter consistent with environmental justice;
 - iii. For state-owned transportation facilities, multimodal level of service standards for highways to gauge the performance of the system. Address measures to monitor the

performance of the system, evaluate improvement strategies, and to facilitate coordination between the County's or Town's street, road, active transportation, or transit program and the State;

- iv. Specific actions and requirements for bringing into compliance transportation facilities or services that are below an established multimodal level of service standard;
 - v. Forecasts of multimodal transportation demand and needs for at least ten (10) years based on the adopted land use plan to inform the development of a transportation element that balances transportation system safety and convenience to accommodate all users of the transportation system to safely, reliably, and efficiently provide access and mobility to people and goods. Priority must be given to inclusion of transportation facilities and services providing the greatest multimodal safety benefit to each category of roadway users for the context and speed of the facility;
 - vi. Identification of state and local system needs to equitably meet current and future demands. Local system needs should reflect the regional transportation system and local goals, and strive to equitably implement the multimodal network; and
 - vii. Recommendations for a transition plan, as required in Title II of the Americans with disabilities act of 1990 (ADA), that address any deficiencies relative to accessibility requirements of the ADA. Recommendations will address ways the transition plan will achieve the following:
 - 1. Identify physical obstacles that limit the accessibility of facilities to individuals with disabilities;
 - 2. Describe the methods to be used to make the facilities accessible;
 - 3. Provide a schedule for making the access modifications; and
 - 4. Identify the public officials responsible for implementation of the transition plan;
 - d. Finance, including:
 - i. An analysis of funding capability to assess needs against probable funding resources;
 - ii. A multiyear financing plan based on the needs identified in the comprehensive plan; and
 - iii. A discussion of how additional funding could be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met should probable funding fall short of meeting the identified needs of the transportation system, including state transportation facilities;
 - e. Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;
 - f. Demand-management strategies;
 - g. Active transportation component to include collaborative efforts to identify and designate planned improvements for active transportation facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles;
 - h. Planning approaches that promote physical activity and reduce per capita vehicle miles traveled within the Town and decrease greenhouse gas emissions; and
 - i. Other items as needed.
- 2. Provide a Transportation Network Map.
 - 3. Review existing goals and policies; propose amendments and/or new goals, policies, and objectives; and evaluate and suggest methods to ensure the goals, policies, and objectives of this

element are compatible with, and not in conflict to, other goals, policies, and objectives of other elements, especially the land use, housing, and climate change and resiliency elements, to the maximum extent feasible.

Deliverables

1. Provide updated draft copies for the Town Planner, the Town Board, the CPSC, and public review and comment (Word doc and PDF formats).
2. Compile public comments received, and based on the comments, make recommendations on needed revisions, and final draft Transportation Element (Word doc, PDF, and shapefile formats).

5. Capital Facilities & Utilities

Review and analyze the existing local capital facilities and utilities, the quality of and access to services, the 2009 Comp Plan policies related to capital facilities and utilities, and population and employment growth forecasts.

Specific Tasks

1. Create a new Capital Facilities & Utilities Element Chapter that addresses the following:
 - a. An inventory assessment of existing capital facilities owned by public entities, including police, fire, water districts, school districts, and green infrastructure, showing the locations and capacities of the capital facilities;
 - b. A forecast of the future needs for such capital facilities;
 - c. The proposed locations and capacities of expanded or new capital facilities;
 - d. An assessment of projected funding capacities and opportunities for capital facilities that identifies sources of public money for such purposes;
 - e. Assessment of the land use element if probable funding falls short of meeting existing and future needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities will be noted in the capital facilities plan assessment and referred to the Community Well-Being Element;
 - f. An inventory assessment consisting of the general location, proposed location, ownership, and capacity of all existing and proposed utilities including, but not limited to, electrical, telecommunications, and natural gas systems; and
 - g. Other items as needed.
4. Provide a Capital Facilities and Utilities Map.
5. Review existing goals and policies; propose amendments and/or new goals, policies, and objectives; and evaluate and suggest methods to ensure the goals, policies, and objectives of this element are compatible with, and not in conflict to, other goals, policies, and objectives of other elements to the maximum extent feasible.

Deliverables

1. Provide updated draft copies for the Town Planner, the Town Board, the CPSC, and public review and comment (Word doc and PDF formats)

2. Compile public comments received, and based on the comments make recommendations on needed revisions, and final draft Capital Facilities & Utilities Element (Word doc, PDF, and shapefile formats).

6. Environment and Natural Resources

Review and analyze the natural environment and resources in the Town of Ulysses, including streams, wetlands, soil maps, geologically hazardous areas/steep slopes, and Cayuga Lake; the 2009 Comp Plan policies related to natural resources; population and employment growth forecasts, and plans and guidance documents utilized by the Town of Ulysses.

Specific Tasks

1. Create a new Environment and Natural Resources Element Chapter that addresses the following:
 - a. An inventory that documents the following:
 - i. All federal, state, and locally designated streams;
 - ii. All known federal, state and locally designated wetlands;
 - iii. All soils types;
 - iv. All geologically hazardous areas and steep slopes; and
 - v. Existing and proposed FEMA designated flood zones;
 - b. An assessment of significant natural communities;
 - c. An assessment of rare plants and animals including those listed as vulnerable, threatened, and endangered;
 - d. An assessment of federal, state, and local laws and regulations that help protect these environmentally sensitive areas, plants, and animals;
 - e. An assessment of ground and lake water including the quality and access to potable drinking water;
 - f. Assess existing and future needs of both residential and non-residential development in relation to potential impacts on environmentally sensitive areas, plants, and animals; and in respect to the land use element, the economic development element, and the capital facilities element;
 - g. Review drainage, flooding, and stormwater runoff in the Town and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute surface waters, including Cayuga Lake or waters entering Cayuga Lake; and
 - h. Other items as needed.
2. Provide a Soils Map, and area calculations.
3. Provide a Geologically Hazardous/Steep Slopes Map with topographic data and area calculations that includes lands potentially erodible and those with low erosion probabilities.
4. Provide a Stream, Wetland, Flood Zone, and Watersheds Map.
5. Review existing goals and policies; propose amendments and/or new goals, policies, and objectives; and evaluate and suggest methods to ensure the goals, policies, and objectives of this element are compatible with, and not in conflict to, other goals, policies, and objectives of other elements to the maximum extent feasible.

Deliverables:

1. Provide updated draft copies for the Town Planner, the Town Board, the CPSC, and public review and comment (Word doc and PDF formats)
2. Compile public comments received, and based on those comments make recommendations on needed revisions, and final draft Environment and Natural Resources Element (Word doc, PDF, and shapefile formats).

7. Climate Change and Resiliency

Review and analyze ways to reduce overall greenhouse gas emissions and enhance resiliency to, and avoid the adverse impacts of, climate change, including ways to reduce localized greenhouse gas emissions and avoid creating or worsening localized climate impacts to vulnerable populations and overburdened communities.

Specific Tasks

1. Create a new Climate Change and Resiliency Element Chapter that addresses the following:
 - a. A greenhouse gas emissions reduction sub-element to include:
 - i. Identify actions the Town will take during the planning cycle that will:
 1. Result in reductions in overall greenhouse gas emissions generated by transportation and land use within the Town but without increasing greenhouse gas emissions elsewhere in the state;
 2. Result in reductions in per capita vehicle miles traveled within the Town but without increasing greenhouse gas emissions elsewhere in the state;
 3. Prioritize reductions that benefit overburdened communities in order to maximize the co-benefits of reduced air pollution and environmental justice; and
 4. Other items as needed;
 - b. A resiliency sub-element that will:
 - i. Address ways to equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems through goals, policies, and programs consistent with the best available science and scientifically credible climate projections and impact scenarios that moderate or avoid harm, enhance the resiliency of natural and human systems, and enhance beneficial opportunities;
 - ii. Prioritize actions that benefit overburdened communities that will disproportionately suffer from compounding environmental impacts and will be most impacted by natural hazards due to climate change; and
 - iii. Identify goals, policies, and programs that will:
 1. Identify, protect, and enhance natural areas to foster resiliency to climate impacts, as well as areas of vital habitat for safe passage and species migration;
 2. Identify, protect, and enhance community resiliency to climate change impacts, including social, economic, and built environment factors, that support adaptation to climate impacts consistent with environmental justice;
 3. Address natural hazards created or aggravated by climate change, including landslides, flooding, drought, heat, smoke, wildfire, and other effects of changes to temperature and precipitation patterns;

4. Identify measures and opportunities that will assist in a natural hazard mitigation plan; and
 5. Other items as needed.
2. Develop goals, policies, and objectives that address sustainability as well as the three E's of sustainability: environment, economy, and equality.
 3. Evaluate how the following will assist in the goals and objectives of both the greenhouse gas emissions reduction sub-element and the resiliency sub-element:
 - a. Alternative modes of transportation;
 - b. Smart growth principles;
 - c. Conservation of natural areas;
 - d. Promotion of a healthy and safe community; and
 - e. Equality.
 4. Evaluate how the following will assist in the goals and objectives of both the greenhouse gas emissions reduction sub-element and the resiliency sub-element:
 - a. Green economic development;
 - b. Decreased dependence on fossil fuels and the support of energy efficiency and renewable energy production;
 - c. Efficient use of natural resources;
 - d. Development or conservation of local food systems;
 - e. Minimization of solid waste;
 - f. Protection of drinking water sources; and
 - g. Promotion of adaptation to climate change.
 5. Evaluate the [CSC Certification Action Item 6, 'Implement Climate-Smart Land Use'](#), and identify methods the Town can implement each of the listed elements within the Comp Plan Update.
 6. Review existing goals and policies; propose amendments and/or new goals, policies, and objectives; and evaluate and suggest methods to ensure the goals, policies, and objectives of this element are compatible with, and not in conflict to, other goals, policies, and objectives of other elements, especially the land use, housing, and transportation elements, to the maximum extent feasible.

Deliverables

1. Provide updated draft copies for the Town Planner, the Town Board, the CPSC, and public review and comment (Word doc and PDF formats)
2. Compile public comments received, and based on those comments make recommendations on needed revisions, and final draft Climate Change and Resiliency Element (Word doc and PDF formats).

8. Rural

Review and analyze local rural, agricultural and forested lands, measures to protect rural lands from low density sprawl while ensuring population growth targets can be met, the 2009 Comp Plan policies related to rural lands and agriculture, the 2013 Agriculture and Farmland Protection Plan policies, population and employment growth forecasts, and plans and guidance documents utilized by the Town of Ulysses.

Specific Tasks

1. Create a new Rural Element Chapter that addresses the following:
 - a. An inventory that documents the following:
 - i. Changes to rural agricultural land and Tompkins County Agricultural District 2 since the 2008 and 2016 assessments;
 - ii. Changes to farming practices and uses since the 2008 and 2016 assessments; and
 - iii. Changes to farm ownership since the since the 2008 and 2016 assessments;
 - b. Assessment of the Town's [2013 Agriculture and Farmland Protection Plan](#);
 - c. Assessment of Tompkins County Agriculture Resource Focus Area and [2015 Agriculture and Farmland Protection Plan](#);
 - d. Assessment of projected growth targets and how rural lands densities and uses will best serve the community, and identify essential public facilities and services needed;
 - e. Assessment of measures that could be applied to rural development that will protect the rural character of the area, including subdivision clustering, transfer of development rights, design guidelines, conservation easements, and other innovative techniques, that will help protect conversion of rural land to low-density development;
 - f. Assessment of measures that could be utilized to protect and enhance the quality of environmentally sensitive areas including surface water and groundwater resources; and
 - g. Other items as needed.
2. Provide an Agricultural Land Ownership Map that delineates parcels owned and those leased with area calculations;
3. Provide an Agricultural Parcel Size Map that delineates the parcel size of ag lands with area calculations;
4. Provide an Agricultural Farming Operations Map that delineates how the land is worked, including those parcels that are inactive or fallow, and soils that are prime or of statewide importance;
5. Provide an Agricultural District Map that delineates changes in ag land since 2016;

Deliverables

1. Provide updated draft copies for the Town Planner, the Town Board, the CPSC, and public review and comment (Word doc and PDF formats)
2. Compile public comments received, and based on those comments make recommendations on needed revisions, and final draft Environment and Natural Resources Element (Word doc, PDF, and shapefile formats).

9. Community Well-Being

Review and analyze existing social and recreational programs; related 2009 Comp Plan policies; population and employment growth forecasts; and ways to improve and safeguard the general health, safety, and welfare of the community.

Specific Tasks

1. Create a new Community Well-Being Element Chapter that addresses the following:
 - a. Estimates of park and recreation demand for at least a ten-year period;
 - b. Evaluation of park and recreational facilities and service needs;

- c. Evaluation of tree canopy coverage and forested areas;
 - d. Evaluate open space connectivity and public access corridors;
 - e. Evaluate intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand;
 - f. Assess current and potential future air quality issues due to land uses and climate change;
 - g. Assess current and potential future noise and light pollution;
 - h. Assess food security and ways to promote a resilient local food system; and
 - i. Other items as needed.
2. Provide a Park, Recreational, Sidewalk, and Trail Map.
 3. Review existing goals and policies; propose amendments and/or new goals, policies, and objectives; and evaluate and suggest methods to ensure the goals, policies, and objectives of this element are compatible with, and not in conflict to, other goals, policies, and objectives of other elements to the maximum extent feasible.

Deliverables

1. Provide updated draft copies for the Town Planner, the Town Board, the CPSC, and public review and comment (Word doc and PDF formats)
2. Compile public comments received, and based on those comments make recommendations on needed revisions, and final draft Well-Being Element (Word doc, PDF, and shapefile formats).

10. Historic Preservation and the Built Environment

Review and analyze buildings and districts listed on a historic register and those eligible for listing, existing architectural styles, and ways to improve and address the built environment.

Specific Tasks

1. Create a new Historic Preservation and the Built Environment Element Chapter that addresses the following:
 - a. Examines the general image of the community;
 - b. the character of the neighborhoods;
 - c. the quality of buildings, streets, and public spaces;
 - d. Historical attributes; and
 - e. Other items as needed.
2. Provide a Historic Resources Map.
3. Review existing goals and policies; propose amendments and/or new goals, policies, and objectives; and evaluate and suggest methods to ensure the goals, policies, and objectives of this element are compatible with, and not in conflict to, other goals, policies, and objectives of other elements to the maximum extent feasible.

Deliverables:

1. Provide draft copies for the Town Planner, the Town Board, the CPSC, and public review and comment (Word doc and PDF formats).
2. Compile public comments received, and based on those comments make recommendations on needed revisions, and final draft Well-Being Element (Word doc, PDF, and shapefile formats).

Action Items

Specific Tasks

1. Provide a memo of action items the Town will need to pursue in order to achieve the goals, objectives, and policies in the Comp Plan Update.
2. Provide a recommended prioritization list of all action items that refer to all of the goals, objectives, and policies, and include a general cost analysis and time allocation for each action item.
3. Provide a metric template for documenting the effectiveness of completing actions items, including financial cost analysis, staffing analysis, and overall effectiveness.

PROJECT MANAGEMENT, STRUCTURE, AND PROCESS

The Comp Plan Update Project Team will include the Town Planner, the Consultant, and the CPSC. Town Planner will play a proactive role in the management and processing of the Comp Plan Update. The CPSC, Planning Board, Town Board, and Town Planner, which are most familiar with the day-to-day issues faced by the Town, will be utilized throughout the process.

Specific aspects of Town involvement in the plan update, which are to be recognized in proposals, include the following:

1. The CPSC and Town Planner intend to work closely with the Consultant selected to prepare the draft Comp Plan Update and EIS to ensure that the Consultant is provided with a constant source of Town input, and that the draft document evolves based upon public comments, and the recommendations and guidance of the CPSC, the Town Planner, and the Town Board.

The Consultant will include time for meetings and work sessions with Town Planner every two weeks, or as directed by the Town Planner and/or CPSC. The Consultant and Town Planner may agree to a longer time between sessions due to additional time needed to perform a task, but in any event, contact will be made by the Consultant to provide written progress updates and/or reports at least once every two weeks and will engage with the CPSC throughout the process.

Except for discharges, resignations, or retirements from Consultant, or the Town Planner, CPSC, and/or Town Board's request for removal from the project team, Consultant will maintain the same members of its project team for the duration of the project. Any changes made in the Consultant's project team must be communicated to the Town Planner, along with a brief reason for the same.

The Consultant's position is a contract position with defined deliverables and payments based on production of those deliverables to the satisfaction of the Town Planner, CPSC and Town Board. The Consultant directly reports to the Town Planner and CPSC, and may be required to also directly report to the Town Board. The Town Planner and CPSC will be responsible for initially evaluating Consultant's progress with respect to milestones and performance goals in coordination with a defined payment schedule.

2. The Consultant is expected to have its own workspace(s), computer(s), internet access, phone, and any other necessary office equipment. The Consultant is expected use its own vehicle(s) to travel to and throughout the Town of Ulysses and Tompkins County. The Consultant will be available for meetings during both the day and evening, as needed to maintain contact with the Town Planner, CPSC, Town Board, the public, and stakeholder groups.

Consultant is an independent contractor. The parties understand that no employer-employee relationship will result from being selected as Consultant and performing under the requirements of this RFQ and subsequent contract. No benefits, including but not limited to health insurance, worker's compensation benefits, or disability benefits will inure from any agreement between the Consultant and the Town or this RFQ. At its own expense, Consultant will maintain worker's compensation insurance, liability insurance, disability insurance, and any other benefit for its employees, agents, assigns, and officers, including but not limited to paid time off.

3. The Consultant will be responsible for preparing the majority of the Comp Plan Update and EIS, which will be reviewed and fine-tuned by Town Planner and the CPSC. Additionally, the Consultant will be responsible for the development of educational and promotional materials about the project for public dissemination and engagement. Consultant will present the technical data and analysis to the CPSC, the Town Board, and at all public workshops. Technical data associated with Town infrastructure (roads, stormwater, water, and sewer) will be provided by the Town for review and coordination by the Consultant, otherwise Town staff will have a supporting role in the presentation of technical data. Additional data, research, materials etc. can be provided by the Town for review and coordination by the Consultant to assist in off-setting these costs throughout the process.
4. Geographic Information System (GIS): The Consultant will be responsible for preparing maps associated with the update. Tompkins County has an extensive GIS database and the capabilities of producing data and some maps. It is anticipated that their GIS system and staff may be utilized during this process to assist in off-setting these costs throughout the process. All final products shall be provided in both Shapefile and PDF format.
5. File Formats and Electronic File Coordination: The Native format for report documents will be MSWord with imbedded graphic files in JPG format. Final documents shall be provided in both MSWord and PDF format and formatted as printed. The Consultant will setup and maintain a SFTP site to coordinate electronic document transfer with the Town.
6. Upon completion of the project or its early termination, and upon Consultant's receipt of final payment, any and all documents, maps, graphics, pictures, data, reports, minutes, intellectual property, and products produced by the selected Consultant become the Town's property. Consultant will execute any necessary paperwork to finalize this transfer of ownership.

Phasing

The update will be conducted in four phases:

- Phase I (Q4 2023 – Q1 2024) Assess 2009 Comp Plan, vision, survey, environmental scope for EIS
- Phase II (Q2 – Q3 2024) Draft elements and draft EIS
- Phase III (Q3 – Q4 2024) Finalize draft Comp Plan Update and complete draft EIS
- Phase IV (Q4 2024 – Q1 2025) Adoption of Comp Plan Update

QUESTIONS AND COMMUNICATION

- A. Questions regarding this RFQ shall be submitted via email to ulysses.planner@gmail.com and ulyssess.clerk@gmail.com by 4:00 PM (EST) **October 13, 2023**. An optional information session via MS Teams/Zoom may be made available for all potential respondents to ask questions.
- B. Additional Information:
- i. Intention to submit a proposal, and questions about or errors found regarding this document are required to be submitted in writing by the date indicated in section Consultant Selection Timeline to both ulysses.clerk@gmail.com and ulysses.planner@gmail.com.
 - ii. Intention to submit can be a simple statement via email, it is not binding and is meant to ensure uniformity in responses to all interested vendors.
 - iii. Inquiries will be answered and released uniformly to all those who have submitted their intent to submit a proposal and will be included as an addendum to this document as well as the final contract with the selected respondent.
 - iv. Errors found post release of this document that may impact responses will be specified and clarified as an addendum to this document. Failure to report errors constitutes acceptance as written.

CONTRACT TERMS

Responding to this proposal recognizes standard clauses in the Town's contract requirements, summarized below. **Please note that these contract terms are not in final form and are provided in order to outline a basic understanding of required contract terms.**

This section is provided for informational purposes. If contract terms impact the cost of providing services, potential respondents must ask questions regarding contract terms prior to their proposal submission, send questions via email to: townofulysses@gmail.com

1. Term of Service

The initial term of the proposed contract shall be for a set period of time. The contract shall be in effect from the date of execution by the Town through project completion. The assessment completion date shall be within a mutually agreed period of time after receipt of Notice to Proceed.

2. Communication

Immediate notification to the Town Supervisor of any urgent issues identified along with an estimation of the risk.

3. Nature of Relationship

The relationship between the parties to a contract resulting from this solicitation shall be that of independent contractors. Nothing contained herein shall be interpreted or construed as establishing an agency or employer/employee relationship between the parties or between either party and the employees or representatives of the other party. The contractor is responsible for all Social Security taxes and Bureau of Workers Compensation contributions for itself and any of its employees.

4. The Town of Ulysses is required to follow New York State procurement laws as well as the Town’s procurement policy. This applies to all purchase including service contracts, hardware and software.

5. NYS Prohibition of Assignment of Contracts

In accordance with the provisions of Section 109 of the General Municipal Law of the State of New York, the Contractor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Contract, or of its right, title or interest in this Contract, or its power to execute this Contract, to any other person or corporation without the previous consent in writing of the Town.

6. Ownership of Records

- a. The Contractor will take no action to compromise the Town’s legal obligation to maintain records and adequate documentation transactions of public business. The Contractor agrees that records and other documentation produced from this work are the property of the Town.
- b. All records, documents, data, reports or other material, regardless of form or finish, produced by the Contractor as a result of services provided hereunder, are work for hire, and shall become the property of the Town upon creation. The Contractor may not assert any right, title or interest in any product produced under this Contract.

7. Recognition of NYS Freedom of Information Law

The Contractor acknowledges that the Town of Ulysses shall adhere to The New York State Freedom of Information Law, Public Officers Law, Article 6, which provides for public access to information.

8. Insurance Requirements

- a. A waiver of subrogation in favor of the Owner shall be included in all comprehensive general liability insurance policies.
- b. The Contractor shall obtain, and maintain during the life of this Contract, general liability and property damage insurance as shall protect it from claims for damages for personal injury, including accidental death, as well as from claims for property damage which may arise from operations under this Contract. The amounts of such insurance shall be as follows:

- i. General liability insurance in an amount not less than \$_____ (dollar figure in alpha) for injuries, including wrongful death to any one person and subject to the same limit for each person, in an amount not less than \$1,000,000 (one million dollars) on account of any one occurrence.
 - ii. Property damage insurance in an amount not less than \$_____ (dollar figure in alpha) for damage on account of all occurrences.
 - iii. The Contractor shall furnish the above insurances to the Town and shall also name the Town as an additional named insured on a primary and noncontributory basis in said policies.
 - c. Umbrella Liability of Subcontractors
 - i. Contractor shall ensure that all Subcontractors provide bodily injury and property damage insurance.
 - 1. Liability Limit: each accident or incident \$_____ (dollar figure in alpha)

9. Termination

- a. Termination for Cause: If through any cause, one party shall fail to fulfill in timely and proper manner, its obligations under this Contract, or if one party shall violate one of the covenants, agreements, or stipulations of this Contract, the other party shall thereupon have the right to terminate this Contract hereunder by giving written notice of such termination. In case of termination, all finished and unfinished documents shall become the property of the Town.
- b. Termination for Convenience: The Town may terminate this Contract at any time for any reason, upon submitting to Contractor 10 (ten) days prior written notice of its intention to terminate. Upon receipt of such notice, Contractor shall immediately cease to incur expenses pursuant to this Contract unless otherwise directed in the termination notice. Contractor shall promptly notify the Town of costs incurred to date of termination and the Town shall pay all such reasonable and supportable costs which payment shall not exceed the unpaid balance due on this Contract.
- c. In the event of termination, the Contractor shall be compensated payment of an amount equal to the services or goods actually provided by the Contractor to the Town as of the date of termination.

10. Prevailing Wage

- a. The parties hereto, in accordance with the provisions of section 220(3) of the Labor Law, hereby agree that if the work to be performed by Contractor is considered “public work” as defined by the New York State Labor Law, then there shall be paid each employee engaged in work under this Contract not less than the wage rate and supplements set opposite the trade or occupation in which he/she is engaged, as listed on Appendix ___ attached hereto and made a part of this Agreement, which are the wage rates and supplements established as the prevailing rate of wages for the work covered by this Contract.
- b. Labor classifications not appearing on the schedule of wages can be used only with the consent of the Owner and then the rate to be paid will be given by the Owner after being advised by the Department of Labor.

- c. The Contractor shall post in a prominent and accessible place on the site of the work a legible statement of all wage rates and supplements, as specified in the Contract, for the various classes of mechanics, workingmen/women, or laborers employed on the work.

11. Standard Clauses for NYS and Fed Money [if we are using ARPA funds, we will need to include this]

- a. Labor Law section 220-e and Executive Law sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and providing equal opportunity.
- b. Affirmative action as required by the Labor Law.
- c. Prevention of dust hazard required by Labor Law section 222-a.
- d. Preference in employment of persons required by Labor Law section 222.
- e. Eight-hour workday as required by Labor Law section 220(2).
- f. New York State Sexual Harassment Training Requirements
- g. New York State Workplace Violence Training Requirements
- h. The Standard Clauses of New York State Contracts, a copy of which is attached hereto as Appendix ___ and made a part hereof.