

REQUEST FOR PROPOSAL

NO. 2024-104

TOWN OF WATSON ZONING CODE UPDATE

Date: January 26, 2024

To Whom It May Concern:

Lewis County is currently seeking a proposal for rezoning for the Town of Watson.

All proposals are to be mailed to:

Cassandra Moser, Clerk of the Board
County Courthouse, 2nd Floor, Room 225
7660 North State Street
Lowville, New York 13367

or delivered in person between the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday.

All proposals must be received on or before 2:00 p.m. March 8th, 2024. Late proposals will not be considered.

Lewis County reserves the right to forego any formalities and reject any or all proposals. Lewis County is an Equal Opportunity Employer.

This RFP can be found on and downloaded from the Lewis County Website:

www.lewiscountyny.gov

Sincerely,



Brian Hanno
Lewis County Purchasing Director
7660 North State Street
Lowville, NY 13367

Introduction

1.1 Purpose/Objective

The Lewis County Planning & Community Development (“Department”), in collaboration with the Town of Watson, has issued this Request for Proposals (RFP) seeking proposals for the development of updated zoning and subdivision regulations for the Town of Watson. The updated regulations will be guided by Smart Growth Principles which encourage aspects such as efficient land use, well-planned spaces, and a sense of place. Updating the zoning and subdivision laws, along with their relative applications and Planning Board Standard Operating Procedures (SOPs), will help the Town implement their recently adopted Comprehensive Plan.

The Zoning Code must address the following general Smart Growth principles, in addition to the elements suggested by the New York State statutes:

- Promote mixed land uses in focus areas
- Create an adequate range of housing opportunities and choices
- Promote development and redevelopment where infrastructure is adequate and sustainable
- Build on traits that make a distinctive and attractive community with a strong sense of place
- Promote well-planned and well-placed public spaces
- Promote sustainable, compact neighborhoods
- Increase mobility and circulation within jurisdictional lines and improve connectivity with areas outside of jurisdictional lines. Promote sustainable mass transit that reduces the local level of greenhouse gas emissions
- Promote walkable/bikeable neighborhood designs
- Promote and integrate clean energy resources and related incentives
- Improve green infrastructure and resident’s participation to this effort
- Increase resiliency to extreme weather events
- Encourage social diversity and integration
- Expand planning and implementation efforts across jurisdictional lines, to increase effectiveness, sustainability, and resiliency
- Promote community and stakeholder collaboration in planning

The County invites interested Bidders to submit written proposals for this zoning and subdivision update that supports the Town of Watson’s Smart Growth Principles and goals. Firms with extensive experience in municipal zoning and subdivision regulation development are encouraged to respond.

More information is described in Section 2.1.

The County intends to open the bid responses to this RFP on Friday, March 8th, 2024, at 2:00 p.m., and to select a qualified firm, if any.

1.2 Inquiries

Any questions related to this RFP should be directed to Brian Hanno, Purchasing Director, by email at brianhanno@lewiscounty.ny.gov

1.3 Minority, Women-owned Enterprises and Service-Disabled Veteran-Owned Businesses:

Lewis County is committed to fostering diversity and inclusion within our projects. For this specific project, we aim to achieve a minimum of 30% MWBE; 15% participation from Women-Owned Businesses (WBE), and 15% participation from Minority-Owned Businesses (MBE). All interested vendors are required to submit proposals that demonstrate MWBE inclusion. Proposals should clearly outline the proposed participation percentage from both WBE and MBE firms and the completion of the attached Form D – M/WBE Utilization Plan is required as part of any submitted proposal. Certified SDVOBs are strongly encouraged to submit a proposal.

1.4 Taxes

No charge will be allowed for federal, state, sales, and excise taxes from which the County is exempt. Exemption Certificates will be provided upon request.

General Description:

2.1 Project Goals

Lewis County, The Town of Watson and a Zoning Advisory Committee shall prepare a Zoning Code pursuant to the zoning enabling statutes contained in General City Law §20(24) and §20(25) / Town Law Article 16 / Village Law Article 7. The Zoning Code will be developed in accordance with an adopted Comprehensive Plan to ensure a development pattern that is consistent with the municipality's built form; guide future sustainable growth within the municipality; enhance the local cultural identity; and protect natural and cultural local resources.

Tasks in accordance with NYS DOS Smart Growth – Zoning Code Update work plan include:

Task 1: Zoning Advisory Committee Meetings

The Zoning Advisory Committee shall meet on a regular basis during the planning process to advance the preparation, review, integration, and approval of the Zoning Code and to organize and conduct community participation events.

During the first meeting, the Zoning Advisory Committee will review project requirements, roles, and responsibilities, transfer necessary information to the consultant(s), if applicable, and identify new information needs, and next steps. The Zoning Advisory Committee or the Consultant (if applicable), will prepare and distribute a brief meeting summary clearly indicating the understandings reached at the meetings.

All subsequent meetings will advance the preparation of the Zoning Code, and assess the evolution of the project, identify new information needed, changes in roles and responsibilities, and next steps. Work on subsequent tasks shall not proceed before Department review.

Products: Minutes from Zoning Advisory Committee meetings, presentation materials, and/or maps/infographics related to the Zoning Code.

Task 2: Public Participation Plan

Prepare a Community Participation Plan that describes the public outreach and participation efforts that will be conducted during the development of the Zoning Code, pursuant to the local and State statutes. At a minimum, the Community Participation Plan shall include (in-person or virtual) interviews with local and regional stakeholders, a community tour, a public information meeting, one or more public workshops, one or more public hearings, and a webpage with links to announcements, presentations and documents prepared during the planning process. The Community Participation Plan shall identify key individuals, organizations, and entities to be involved, and shall identify roles and responsibilities in coordinating the entire outreach process, logistics, and the proposed schedule of the proposed public outreach and participation efforts.

All public outreach and participation efforts will be publicized in the community through press releases, announcements, individual mailings, digital media and any other appropriate means. Public access must be provided to each public meeting or workshop. Outreach efforts should encourage participation from populations who are frequently underrepresented in this process, including immigrants, refugees, and minorities. A summary of each public outreach and participation efforts will be made available to the public in written form and through other appropriate means, such as websites.

Products: Draft and final Community Participation Plan.

Task 3: Community Tour and Stakeholder Interviews

Organize and conduct a community tour to obtain an on-the-ground understanding of local conditions and issues. The purpose of the tour is to provide contextual understanding of the municipality to the consultant team (as applicable)/ZAC and ground truth desktop analyses. Following completion of the tour, identify a set of topics that shall be discussed with stakeholders to obtain additional relevant information and elicit stakeholder reactions and suggestions.

Products: Community tour photos and a summary of interview findings.

Task 4: Public Information Sessions

Conduct at least two public information sessions, as identified in the Public Participation Plan. The purpose of the two public information sessions is to identify Smart Growth oriented solutions to current issues. The first public information session will be held after the conclusion of the Community Tour and Stakeholder Interviews. The first session will introduce the zoning code update to the public, provide an overview of the planning process, and will describe findings from the Community Tour and the Stakeholder Interviews. The second session will take place after the conclusion of the draft regulations. It will provide the public with the opportunity to provide input on the draft regulations. The Contractor may choose to hold additional public information sessions as needed.

Products: Public Information sessions held. Minutes/summary of meeting prepared including any presentations or handouts and submitted to the Department.

Task 5: Local Regulations Assessment and Recommendations Report

The purpose of the Local Regulations Assessment and Recommendations Report is to evaluate the applicability of DOS Smart Growth Principles to the existing regulatory, natural, and built environment. The report may include, as applicable, but is not limited to: an analysis of existing development regulations, prior and current planning and zoning efforts, the physical details of the community, including its current and historic built patterns and architecture, natural resources such as prime agricultural lands, soil types, floodplains, topography, aesthetic resources, Critical Environmental Areas, current road network, blocks and lots, building types, public spaces, neighborhoods, and building form. The analysis shall also include an examination of existing land uses, density, and community design elements like setbacks, building height, and street width.

The Report shall include tangible, implementable recommendations for changes to the Zoning Code based on the DOS Smart Growth Principles, and the findings from analyses conducted in this section. The Zoning Advisory Committee shall work with the consultant team (if applicable) to collect best practices that could be used by the community and to articulate the best local approach to achieve the vision reflected in the Comprehensive Plan and other adopted planning documents. The Advisory Committee shall review the report before submitting it to the Department.

The Draft Report shall be submitted to the Department for review and comment. Department comments shall be incorporated into the final report.

Products: Draft and final report published online and submitted to the Department.

Task 6: Proposed Local Regulations

Draft Zoning Code, based on the local regulations assessment and recommendations report. The Zoning Advisory Committee shall review the content of the new or amended local regulations before submitting them to the municipal board for review and comments. The Zoning Advisory Committee shall work with the consultant(s), if applicable, to integrate the Zoning Code into the municipality's existing code while ensuring the Draft Code is consistent with the municipality's adopted Comprehensive Plan, the Department's Smart Growth Principles, and other state statutes.

The Draft Zoning Code shall be reviewed by the Zoning Advisory Committee before being submitted to the Department.

Products: Draft Zoning Code submitted to the Department and to the Zoning Advisory Committee

Task 7: Municipal Board Review

Submit the proposed local regulations to the municipal board for review, comments, and recommendations. The comments received from the board shall be addressed by the Zoning Advisory Committee and the consultant (if applicable) before the initiation of the SEQRA

compliance process. The proposed local regulations shall be made available for public review on the municipal website.

The recommendations of the municipal board shall be reviewed by the Advisory Committee before being submitted to the Department.

Products: Comments received from the municipal board and revised proposed local regulations submitted to the Department.

Task 8: Environmental Quality Review

Prepare materials necessary for compliance with the State Environmental Quality Review Act (SEQRA). The adoption of a new or amended Comprehensive Plan is classified as a Type I action, pursuant to the State Environmental Quality Review Act (SEQRA) and 6 NYCRR Part 617. The Comprehensive Planning Committee or the consultant(s) shall comply with SEQRA requirements and, if appropriate, prepare the Generic Environmental Impact Statement (EIS) to provide a review of land use actions proposed in the comprehensive plan. The local municipal board shall declare to be the Lead Agency for the action of adopting the new or amended comprehensive plan.

The Department recommends the following resource:

- Department of Environmental Conservation's SEQR Handbook available at <https://www.dec.ny.gov/permits/6188.html> for guidance on the use of SEQR in the planning process.

Copies of all SEQR documents shall be submitted to the Department.

Products: SEQRA documents

Task 9: Public Hearing

Following completion of the new and amended zoning code, conduct a public hearing to solicit comments on the new or amended regulations. The new or amended zoning code shall be made available in hard copy form in the municipal offices, the municipal website/project website and other key locations throughout the community. The public hearing will be publicized in the community through press releases, announcements, individual mailings, online posting on the municipal website, and any other appropriate means at least ten days prior to the date of the public hearing.

The minutes of the public hearing shall be reviewed by the Zoning Advisory Committee before being submitted to the Department.

Products: Published announcements and the minutes of the public hearing submitted to the Department.

Task 10: County Planning Board Review

The municipal board or the consultant shall submit the revised local regulations to the County Planning Board for review and recommendations, pursuant to the required referral

under General Municipal Law §239-m of the New York State General Municipal Law. The Steering Committee and the consultant shall address the comments received from the County Planning Board before the public hearing.

Products: Comments received from the County Planning Board and revised proposed local regulations submitted to the Department.

Task 11: Final Proposed Local Regulations and Local Adoption

Address all of the received comments and recommendations and produce the final version of the proposed local regulations for the local adoption by the municipal board and subsequent filing with the Town/Village/City Clerk and in the office of the Secretary of State.

The municipal board shall adopt the proposed local regulations pursuant to § 7-706 of the New York State Village Law/§16-264 of the New York State Town Law/§83 of New York State General City Law.

Products: Adopted local regulations and copy of the resolution of adoption submitted to the Department.

Task 12: MWBE Reporting

Comply with MWBE Reporting Requirements by completing the following actions:

- Submit Form C - Workforce Employment Utilization to report the actual work force utilized for this contract broken down by specified categories (every March 31, June 30, September 30 and December 31).
- Submit Form D - MWBE Utilization Plan to indicate any state-certified MWBE firms selected to work on this contract. Form D must be updated and submitted to the Department whenever changes to the selected MWBE firms occur (addition or removal).
- Record payments to MWBE subcontractors using DOS funds through the New York State Contract System (NYSCS).

Technical assistance for use of the NYSCS system can be obtained through the NYSCS website at <https://ny.newnycontracts.com> by clicking on the “Contact Us & Support” link.

Products: Ongoing reporting through NYSCS during the life of the contract. Form C submitted on a quarterly basis and Form D submitted as necessary.

Task 13: Project Status Reports

Submit project status reports semi-annually (every June 30 and December 31) on the form provided, including a description of the work accomplished, the status of all tasks in this work plan, schedule of completion of remaining tasks, and an explanation of any problems encountered.

Products: Completed project status reports submitted during the life of the contract.

Task 14: Final Project Summary Report and Measurable Results

Submit the Final Project Summary Report and Measurable Results electronically at: <https://forms.office.com/g/eZERFeEeKM>.

Products: Final Project Summary Report and Measurable Results submitted to the Planning and Community Development Department.

SPECIFIC REQUIREMENTS:

3.1 The Contractor firm agrees to provide services to the County as an independent contractor and not as an employee, as those terms are understood for New York and Federal law purposes. The Firm agrees to provide for, secure, and/or be solely responsible for any and all required fees, permits, Workers' Compensation coverage, Unemployment Insurance, Disability Insurance, Social Security contributions, income tax withholding and any other insurance or taxes, including but not limited to Federal and New York taxes, for any persons performing services pursuant to a subsequent agreement, including the Contractor, and any employees of the selected Firm. The Contractor agrees to indemnify the County and hold the Country harmless from any claims, suits, losses, or damages, including reasonable attorney's fees, resulting from any failure on the part of the contractor to satisfy its obligations as stated herein.

3.2 The Contractor acknowledges and agrees to purchase, register, and insure any and all necessary equipment and vehicles to provide the scope of services identified. Automobile liability insurance must have a minimum limit for bodily injury and property damage of \$1,000,000 /\$2,000,000

3.3 The contractor acknowledges and agrees to purchase comprehensive general liability insurance with minimum liability limits of \$1,000,000 / \$2,000,000 for personal injury and property damage, and \$2,000,000 aggregate to protect against claims brought against the County, which may arise from the provision of services under a subsequent agreement. Contractor agrees to name the County as an additional primary insured.

3.4 The Contractor agrees to indemnify the County and hold the County harmless from any claims (including but not limited to claims under Labor Law Section 240, if applicable), suits, losses, or damages resulting from or relating to any services provided by the Contractor and/or equipment or materials used by the Contractor, or any other person performing services pursuant to a subsequent agreement. The Contractor shall be liable to the County for any loss, damage or destruction of any property, materials, goods, documents, or other items, including reasonable attorney's fees, resulting from or related to the negligence, or other wrongful acts of the Contractor, the Contractor's employees, or any other person performing services pursuant to a subsequent agreement. The amount of general liability insurance.

3.5 The Contractor may not assign, transfer, sublet or otherwise dispose of the Agreement without the prior written consent of the County.

3.6 The County reserves its right to require additional contractual provisions it deems appropriate to give effect to this Proposal.

3.7 The County has received New York State Smart Growth Comprehensive Planning Grant Program funds for this project. As such, any part of an agreement between the County and Contractor for this project shall contain provisions for specifying (1) that the work performed by the subcontractor must be in accordance with the terms of the NYS Master Contract with the County, (2) that nothing contained in the subcontract shall impair the rights of the State under the Master Contract with the County, and (3) that nothing contained in the subcontract, nor under the Master Contract, shall be deemed to create any contractual relationship between the subcontractor and the State. In addition, subcontracts shall contain any other provisions which are required to be included in subcontracts pursuant to the terms herein. Prior to contract execution between the County and Contractor, NYS will determine whether the proposed Contractor is a responsible vendor.

ELIGIBLE APPLICANTS

4.1 To be deemed an eligible applicant, you must have at least three (3) years of experience in the government marketplace and provide a minimum of three (3) municipal customers as references.

PROPOSAL FORMAT

5.1 To be submitted on your own forms, but must include the bid page, the non-collusion form, anti-sexual harassment form, corporate attestation form, Form D – M/WBE Utilization Plan, and Iran Divestment Act set forth at the end of this RFP.

BASIS OF AWARD:

6.1 All proposals will be evaluated to determine if they meet the requirements of the Request for Proposal. The County may, as it deems necessary, conduct discussions with the contractor(s) it deems reasonably suspected of being selected for award, for the purpose of clarification and responsiveness to requirements. The County has assigned varying weight to criteria and reserves its right to make an award based upon said criteria, including “best value”, if applicable.

Scoring Criteria:

- Relevant Experience of Firm (30 pts)
- Relevant Experience of Project Team (30 pts)
- Public Engagement Process (15 pts)
- Proposal Fees (25 pts)

6.2 Information gathered by the County from the RFP, during any interviews, and any other information and factors deemed relevant by the County may be considered in a final award. Some additional information and criteria the County may consider includes, but is not limited to, the bidder’s commitment to Lewis County, reputation of the contractor, commitment to quality of services, responsiveness.

6.3 The County reserves the right to accept or reject any and all Proposals.

6.4 The Award may be made to the most responsible bidder whose proposal is determined to be in the best interest of Lewis County and deemed to best serve the County’s needs and requirements, based on the evaluation of all relevant criteria and information provided

including an interview with Contractor and the Award Committee.

6.5 A successful bidder is encouraged by the County to use in-county and/or local vendors, supply entities and labor force, if possible, in providing the services under the contract awarded for this project, but is not required to do so, nor is same a criteria in the award determination.

6.6 The Award Committee will consist of the Finance and Rules Legislative Committee, County Manager, Purchasing Director, Planning & Community Development Director, Town of Watson Planning Board Chairman, and the County Attorney. The County reserves the right to reject any and all bids and to waive any informality in bids received whenever such rejection or waiver is in the interest of the County. Price will not necessarily be the determining factor in the award of the contract. The Award Committee will make its recommendation to the full Board of Legislators for their approval at the **March 19th, 2024** Finance and Rules Committee Meeting. Contract award will be made by resolution of the Board of Legislators at their regularly scheduled **April 2nd, 2024** BOL meeting.

6.7 Contractors will be notified in writing of the successful award after formal acceptance by the Lewis County Legislature.

CONTRACT PERIOD:

7.1 The intent of the County is to award this contract **on April 2nd, 2024** for a project completion date no later than **October 2nd, 2025**.

GENERAL INFORMATION:

8.1 Your proposal must include the following to be considered:

1. Name, Address, Contact Person.
2. Telephone Number/Fax Number/E-mail Address.
3. Detailed description of the proposed services to be provided based on vendor's recommendation to accomplish the scope of work detailed above for this project.
4. Essential information about the company providing the service including the correct and full legal name of the business, tax identification number, and a listing of all personnel involved in the proposal.
5. Credentials or resumes of the key staff expected to be assigned to provide the scope of work, including but not limited to primary areas of responsibility and experience performing that work.
6. Proposed compensation plan or fee structure.

8.2 PROPOSAL REQUIREMENTS:

- a) Proposals must be accompanied by a Signed Non-Collusion Statement, Signed Anti-Sexual Harassment statement, Form D – M/WBE Utilization Plan, signed Attestation of Good Standing if a corporate entity, and signed Iran Divestment Act. These forms can be found at the end of these specifications.
- b) Provider must submit their written proposal on their own forms.
- c) One original and two (2) copies of the proposal must be provided, in addition an electronic copy on a Flash Drive
- d) Read all documents contained in the proposal package.
- e) Proposals must be submitted to:

Cassandra Moser, Clerk of the Board
Lewis County Courthouse
7660 North State Street
Lowville, New York 13367

To be considered, the proposal must be received no later than **2:00 PM on March 8th, 2024**. No proposals will be accepted after the designated time. Bid packages will be opened on said date and time in the Courthouse Building, Second Floor Chambers, 7660 North State Street, Lowville, NY 13367.

Providers shall indicate on the outside of their sealed proposal the following information:

- Title of Proposal and Proposal Number if any
- Date and Time of Proposal Opening
- Company Name / Bidders Name

Failure to do so may result in the rejection of the proposal as being unresponsive.

8.3 LATE PROPOSALS:

Proposals received in the Clerk of the Board's Office after the date and time prescribed shall not be considered for contract award and shall be returned, unopened, to the Contractor.

NOTE: Any delay due to traffic, weather, mail or express delivery is not an exception to the deadline for receipt of proposals. Please plan accordingly.

8.4 NON-COLLUSION STATEMENT; SEXUAL HARASSMENT POLICY STATEMENT:

Non-Collusion Statement and Sexual harassment compliance statements shall be returned with your proposal.

8.5 PROPOSAL CONTENT:

All information required by these specifications must accompany the proposal or contractor may be disqualified.

8.6 ADDENDA:

Addenda are written instruments issued by the County prior to the date for receipt of offers which modify or interpret the specification document by addition, deletion, clarification or correction. Addenda will be e-mailed to all who are known by the County to have received a complete set of specification documents. Addenda will also be posted on the Lewis County website, www.lewiscountyny.gov. Copies of addenda will also be made available for inspection at Purchasing Director's Office located in the County Courthouse Building. No addendum will be issued later than forty-eight (48) hours prior to the date and time for the receipt of offers, except an addendum withdrawing the RFP, or addendum including postponement.

8.7 PROPOSAL RECEIPT BY A THIRD PARTY:

Any Contractor submitting a proposal based on incomplete or inaccurate information resulting from documentation received from any third party shall not have cause for relief from the award or completion of a contract in accordance with the official documents on file

with the County of Lewis. It is STRONGLY suggested that all Contractors interested in participating in this proposal, contact the Lewis County Purchasing Department directly to assure they have received the most accurate and up-to-date material concerning this contract. The County does not offer or supply anyone the list of people who have obtained a copy of these RFP specifications for the project before the opening of the RFP. NO EXCEPTIONS ARE MADE TO THIS POLICY.

8.8 FREEDOM OF INFORMATION LAW (FOIL)

All material submitted in response to this Bid becomes the property of the County, with same being considered public records after the award of the contract, subject to confidentiality and exemptions set forth in the Public Officers Law. Proposals will not be shared with any competing offerors during the selection phase of this procurement, however, after award of the contract to the successful offeror, proposals and/or lawful parts of proposals received in response to this RFP may be subject to disclosure under the Freedom of Information Act. Information in proposals that is clearly identified as proprietary will not be disclosed at any time. Blanket statements that all contents of the proposal are confidential and proprietary will not be honored by the County. The New York State Freedom of Information Law (FOIL), as set forth in Article 6 of the Public Officers Law mandates public access to certain government records. Generally, proposals submitted in response to this Bid may constitute government records subject to FOIL.

Proposals may contain, among other things, certain technical, financial, or other data and information that constitute trade secrets if publicly disclosed. To protect this information from disclosure under FOIL, Proposers should specifically identify the pages of the proposal that contain such information by properly marking the top of the applicable pages with “with the notation: “CONFIDENTIAL” and inserting the following statement in the front of its proposal: “The information or data on page ___ of this proposal, identified on the top thereof as “CONFIDENTIAL”, contain financial, technical, or other information which constitute government records subject to FOIL.” Bidder should explain, among other things, certain technical, financial, or other data and information that constitute trade secrets, if publicly disclosed, that could cause substantial injury to the commercial enterprise’s competitive position, and request that the County use such information only for the evaluation of this proposal.

Bidder must understand that the County is required to comply with the provisions of the New York State Freedom of Information Law (FOIL), and that public disclosure of the information contained in this proposal whether or not marked as “CONFIDENTIAL” may be required. Bidder shall make no claim for any damages as a result of any such disclosure by the County pursuant to FOIL. In the event the County receives a FOIL request for disclosure of information marked as “CONFIDENTIAL”, the Proposer/Bidder shall be notified of the request and may expeditiously submit a detailed statement and explanation indicating the reasons it has for believing that the information requested is exempt from disclosure under the law. This detailed statement and explanation shall be used by the County in making its determination as to whether disclosure is required under the law.

I. CONFLICTING TERMS:

9.1 The requirements provided in the “specification” portion of these documents shall govern in any conflict with any other language provided in the general “Terms and Conditions” or any other boilerplate type information. Any conflict between the specification language and any boilerplate language will be resolved in favor of the specification language.

J. EXECUTORY CLAUSE:

10.1 Any contract offered in response to this RFP shall contain the following clause: “This Contract shall be deemed executory only to the extent of funds appropriated by the Lewis County Board of Legislators and available for the purposes of this Agreement; and no liability on account thereof shall be incurred by Lewis County beyond the amount of such funds.”

K. NO JOINT BIDS:

11.1 Joint Bids will not be accepted. For purposes of the specifications, the term joint Bid shall include, but is not limited to, any Bid submitted jointly by two or more Contractors in the name of partnership, joint venture or other legal entity formed for the purpose of submitting such a Bid or to be formed for the purpose of entering into a contract pursuant to such Bid/RFP.

L. PAYMENTS UNDER CONTRACT AWARD:

12.1 Payment for services shall be following receipt of vendor claims and invoices in accordance with Lewis County accounting/payment practices. Any claim against the contractor may be deducted by the County from any money due him in the same or other transactions. In any case where a question of non-performance of a contract arises, payment may be withheld in whole or in part at the discretion of the County as compensation for any loss, damage, or cost incurred by the County as a result of said non-performance.

M. CONFLICTS OF INTEREST:

13.1 In executing and submitting this Bid, the bidder represents and warrants that no person who is an elected official, officer, or employee of Lewis County, nor any person whose salary is payable, in whole or in part, by the County, or any corporation, partnership or association in which such official, officer or employee is directly interested, shall have a direct financial interest, in the contract to be awarded hereunder or in the proceeds thereof, unless such person completes and submits a Disclosure Form, on a form acceptable to the County, disclosing their interest or seeks a formal opinion from the Lewis County Ethics Board as to whether or not a conflict of interest exists. For a breach or violation of such representations or warranties, the County shall have the right to annul this Agreement without liability entitling the County to recover all monies paid hereunder and Contractor shall not make claim for, or be entitled to recover, any sum or sums otherwise due under any contract awarded hereunder.

N. IRANIAN ENERGY SECTOR DIVESTMENT:

14.1 Contractor hereby represents that said Contractor is in compliance with New York State General Municipal Law Section 103-g entitled “Iranian Energy Sector Divestment”, in that said Contractor has not: a. Provided goods and services of \$20 Million or more in the energy sector of Iran including but not limited to the provision of oil or liquified natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquified natural gas for the energy sector of Iran; or b. Acted as a financial institution and extended \$20 Million or more in credit to another person for forty-five days or more, if that person’s intent was to use the credit to provide goods or services in the energy sector in Iran. Any Contractor who has undertaken any of the above and is identified on a list created pursuant to Section 165-a (3)(b) of the New York State Finance Law as a person engaging in investment activities in Iran, shall not be deemed a responsible Bidder pursuant to Section 103 of the New York State General Municipal Law. Except as otherwise specifically provided herein, every

Contractor submitting a bid in response to this Request for Bids must certify and affirm that it is not on the list created pursuant to NYS Finance Law Section 165-1 (3)(b), as set forth on one of the required forms located at the end of this RFP.

YOU MUST RETURN THIS SHEET WITH YOUR PROPOSAL

SIGNATURE PAGE

REQUEST FOR PROPOSAL

No. 2024-104

Town of Watson Zoning Code Update

TO: Clerk of the Board, County of Lewis

THE UNDERSIGNED PROPOSES TO PROVIDE THE GOODS AND SERVICES required as set forth in the referenced Request for Proposal. If successful, the Bidder hereby agrees to furnish the goods and services in accordance with all terms, conditions, and specifications contained within the referenced Request for Proposal, at prices submitted in the referenced specifications. I certify that I am authorized to sign this proposal, myself or on behalf of the company or firm I represent, and to enter into a binding contract with Lewis County. This signed proposal will become part of a binding contract after award by the Lewis County Legislature to the successful bidder.

NOTE: By signing and submitting the proposal form for consideration by the Lewis County Legislature, the Contractor acknowledges they have read, understood, and agree to all aspects of the specifications as presented without reservation or alteration.

Legal name of person/firm/corporation

Authorized Signature/ Position

Address

Typed Name

City/State/Zip

Title

Date

Telephone No.

Fax No.

E-mail address

YOU MUST RETURN THIS SHEET WITH YOUR PROPOSAL

NON-COLLUSION FORM

REQUEST FOR PROPOSAL

No. 2024-104

Town of Watson Zoning Code Update

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, as to its own organization, under penalty or perjury, that to the best of his or her knowledge and belief:

1. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.
2. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
3. No attempt has been made or will be made by the bidder to induce any other person, partnership, or corporation to submit or not to submit, a bid for the purpose of restricting competition.
4. No person, broker or selling agent has been employed or retained by the bidder to solicit or secure this award upon an agreement or upon an understanding for a commission, percentage, a brokerage fee, contingent fee or any other compensation. The bidder further represents and warrants that no payment, gift or thing of value has been made, given or promised to obtain this or any other agreement between the parties.

In compliance with this invitation for bids, and subject to the conditions thereof, the undersigned offers and agrees, if this bid is accepted within forty-five (45) days from the date of opening, to furnish any and all of the items upon which prices are submitted.

Legal name of firm/corporation	Authorized Signature
--------------------------------	----------------------

Address	Typed Name
---------	------------

City/State/Zip	Title
----------------	-------

Date	Telephone No.	Fax No.
------	---------------	---------

FORM D – M/WBE UTILIZATION PLAN

INSTRUCTIONS: This form must be submitted with any bid, proposal, or proposed negotiated contract or within a reasonable time thereafter, but prior to contract award. This Utilization Plan must contain a detailed description of the supplies and/or services to be provided by each certified Minority and Women-owned Business Enterprise (M/WBE) under the contract. Attach additional sheets if necessary.

Offeror's Name: Lewis County
Address: 7660 N. State Street
City, State, Zip Code: Lowville, NY 13367
Telephone No.: 315-348-6487
Region/Location of Work: NC

Federal Identification No.: 15-6000458
Project/Contract No.: C1002345
M/WBE Goals in the Contract: MBE 15.00% WBE 15.00%

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			
C.	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE			
D.	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE			
E.	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE			

F.	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 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'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE MWBE 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.				
TELEPHONE NO.: _____		EMAIL ADDRESS: _____		
FOR MWBE USE ONLY				
REVIEWED BY: _____		DATE: _____		
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: _____				
Amount Obligated Under the Contract: _____				
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: _____				

YOU MUST RETURN THIS SHEET WITH YOUR PROPOSAL

AFFIRMATION STATEMENT ON SEXUAL HARASSMENT

REQUEST FOR PROPOSAL

No. 2024-104

Town of Watson Zoning Code Update

In compliance with State Finance Law § 139-l, the undersigned bidder hereby certifies and affirms under penalty of perjury:

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.

Legal name of firm/corporation	Authorized Signature	
Address	Typed Name	
City/State/Zip	Title	
Date	Telephone No.	Fax No.

Note: Pursuant to State Finance Law §139-l 3, if the Bidder cannot make the foregoing certification and, such bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons, therefore.

YOU MUST RETURN THIS SHEET WITH YOUR BID

CORPORATE APPLICANT/ENTITY ATTESTATION OF GOOD STANDING

REQUEST FOR PROPOSAL

No. 2024-104

Town of Watson Zoning Code Update

As a duly authorized official of the Applicant Entity identified below, I certify and attest that the following conditions are true and accurate:

The applicant is not currently the subject of an enforcement action related to an investigation by a State or Federal agency.

The applicant corporate entity is in good standing and is in compliance with required corporate filings.

Legal name of firm/corporation

Authorized Signature

Address

Typed Name

City/State/Zip

Title

Date

Telephone No.

Fax No.

YOU MUST RETURN THIS SHEET WITH YOUR BID

CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT

REQUEST FOR PROPOSAL

No. 2024-104

Town of Watson Zoning Code Update

As a result of the Iran Divestment Act of 2012 the Office of General Service must develop a list of persons who are engaged in certain investment activities in Iran. Contracts cannot be awarded to persons or entities on that list, with some exceptions. All bidders are required to execute the following statement:

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to Paragraph (b) of Subdivision 3 of Section 165a of the State Finance Law.

Corporate or Company Name

BY:

Signature

Title

NOTE: If the bidder cannot make the above certification, it shall so state and furnish with the bid a signed statement which sets forth in detail the reason for that.

RECEIPT OF ADDENDUM ACKNOWLEDGMENT

No. 2024-104

Town of Watson Zoning Code Update

ADDENDUM ACKNOWLEDGEMENT

ADDENDUM NO. _____

Please acknowledge the receipt of the above ADDENDUM issued by the County of Lewis, by signature and recording the date of receipt below.

Bidder: _____

Authorized Signatory: _____

Date: _____

****NOTE:** This form must be included in your bid documents if any Addendum is issued

NON-BIDDER'S RESPONSE

For the purpose of maintaining accurate Bidder's lists and facilitating your firm's response to our invitation for bid, the County of Lewis is interested in ascertaining reasons for prospective Bidder's failure to respond to invitations for bids. If your firm is not responding to this bid, please indicate the reason(s) by checking any appropriate item(s) below and returning this form to the Lewis County Purchasing Director, 7660 North State Street, Lowville, New York 13367. This form may be returned by mail or fax. Faxes may be sent to 315-376-4917. Failure to submit either a bid proposal or return this form will result in removal of your firm's name from our Bidder's lists. Thank you for your cooperation.

We are not responding to this invitation for bid for the following reason(s)

Items or materials requested not manufactured by us or not available to our company.

Our items or materials do not meet specifications.

Specifications not clearly understood or applicable (too vague, too rigid, etc.)

Quantities too small.

Insufficient time allowed for preparation of bid.

Incorrect address used. Correct mailing address is:

Our branch/division handles this type of bid.

Correct name and mailing address is:

We are unable to bid but would like to continue to receive invitations for bids.

We are unable to bid and wish to be removed from the Bidder's list.

Name Of Firm: _____

Mailing Address: _____

City/State/Zip Code _____

BY: _____

Signature of Representative

DATE: _____

Document Number: _____

Document Name: _____