

LEGAL NOTICE  
TOWN OF KENT  
NOTICE FOR PROPOSALS FOR TOWN PLANNER SERVICES

NOTICE IS HEREBY GIVEN that the Town of Kent will be requesting sealed proposals from professional planning consultants to provide planning services to the Town of Kent. Proposals will be received by the Town Clerk of the Town of Kent at the Office of the Town Clerk, Town Hall, 25 Sybil's Crossing, Kent Lakes, New York 10512 until **12:00** p.m. local prevailing time on **February 16, 2018** and then at said office shall be publicly opened and read aloud.

Copies of information for those submitting proposals (hereinafter, "bidders"), including information for bidders, specifications, non-collusive bidding certification, and other documents included as part of this request for proposals (RFP) may be obtained at the Office of the Town Clerk, Town Hall, 25 Sybil's Crossing, Kent, New York. This information will also be posted on the Town of Kent website at [www.townofkentny.gov](http://www.townofkentny.gov).

The Town of Kent, hereinafter called the "Town", reserves the right to reject any or all proposals and to waive any formality or technicality in any request for proposal in the interest of the Town.

STATEMENT OF NON-COLLUSION:

Bidders on the Contracts are required to execute a non-collusion bidding certificate pursuant to Section 103(d) of the General Municipal Law of the State of New York.

STATEMENT OF EQUALITY

The Town of Kent hereby notifies all persons submitting proposals that it will affirmatively insure that in regard to any Contract entered into pursuant to this advertisement, qualified bidders will be afforded full opportunity to submit request for proposals in response to this invitation and will not be discriminated against on the grounds of race, creed, color, national origin, sex, age, disability or marital status in consideration for an award.

BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF KENT

YOLANDA CAPPELLI, TOWN CLERK

REQUEST FOR PROPOSALS (RFP)  
PLANNING CONSULTING SERVICES  
FOR THE TOWN OF KENT

1. Purpose

The Town of Kent seeks proposals from qualified firms and professional planning consultants to act as Town Planner. This is a moderately difficult technical planning appointment which will be responsible for reviewing and approving land site plans. Under the general supervision of the Town Supervisor and the Planning Board, the incumbent of this position develops plans for the utilization of land and physical facilities for the orderly physical growth, development and improvement of the Town.

2. Objectives:

The Town Board of the Town of Kent envisions a healthy and thriving Kent, a town equally welcoming to young families and seniors, and equally accommodating to new residents and those who have lived here all their lives. We want a Planning Consultant who can direct the Town in a manner that provides a foundation for sustainable development, who will encourage commercial development and yet preserve our community character, respect our natural endowments of lakes, forests, mountains and fields, maximize existing infrastructure, and improve quality of life. We seek a greater shared sense of Kent as a valued place to live, work, learn and play.

3. Typical Work Activities:

- Planning -** Reviews materials submitted by Design Professionals for completeness and prepares memos describing applications current status and any outstanding items which need to be completed, coordinates review process for applications before the board with the town's consultants and project design professionals; reviews applications and agendas with planning board chairman; coordinates the State Environmental Quality Review Act procedures for applications before the board and files, as appropriate, all SEQRA documents; prepares associated materials and submissions for planning board members; prepares resolutions and determination as requested; reviews bills for professional plan review inspection fees submitted by the town engineer; coordinates and / or prepare such studies and reports as may be requested by the Planning Board; performs a variety of related activities as requested.
- Zoning -** Reviews materials submitted by design professionals for completeness and prepares memos describing applications current status and describe any outstanding items which need to be completed; coordinates review process for applications before the Board with Town's consultants and project design officials; review applications and agendas with ZBA Chairman; prepares associated materials and submittals for ZBA members.

4. Knowledge, skills, abilities and personal characteristics:

The Town Planner is expected to have a thorough knowledge of the theories, concepts and techniques of municipal planning, good knowledge of the problems involved in land development planning work good knowledge of pertinent municipal, county, town and state and planning regulations and rules, working knowledge of geographic information system (GIS) hardware and software for the purpose of program database application, ability to provide guidance and assistance to local community and others interested in land development or planning, ability to prepare technical correspondence in the course of official duties, ability to organize the public officials and the public, ability to read maps, plans and specifications, ability to communicate both orally and in writing, tact and courtesy, mental alertness, and physical condition consistent with the demands of the position.

5. Minimum qualifications: EITHER

- a. A master's degree in planning or related field and one year of technical work experience
- b. A bachelor's degree in planning or related field and two years of technical work experience
- c. an associate's degree and five years of technical work experience and planning a related work.

Note. Education be on a secondary level must be from an institution accredited recognized by the Board of Regents of the state of New York Department of Education is a post-secondary degree granting Institution. Technical work experience must have included the operation of and use of personal computer and should include familiarity with the principles and application of geographic information systems.

6. Submittal Requirements

Interested firms/individuals shall limit their proposal to a maximum of 18 pages and are required to submit the following information:

- a. A letter of interest;
- b. An organization chart of the project team including identification and associated costs per hour of project manager, professional support staff, principal in charge, and known sub-consultant/contractor relationships.
- c. Statements of qualifications and resumes for project team members with specific mention of related projects including specific knowledge and experience.
- d. A list of three references and contacts from past or current client relationships.

7. Submittal & Proposal Review Timeline:

Interested firms shall deliver ten hardcopies and electronic submittal in a sealed enclosure bearing the name and address of the firm and the project name. Submittals must be received by the Town Clerk no later than **12:00 p.m. on February 16, 2018.**

Responses may be hand delivered, mailed or delivered via courier. Faxes are not accepted and qualification statements received after the deadline will not be considered. Submittal

Points of Contact for Inquiries: Town Clerk, 25 Sybil's Crossing, Kent, New York

8. Evaluation:

The evaluation of the proposals for these services will be based on the following considerations and their respective weights for the services listed in the scope of work:

- a. 30% - Experience in providing professional planning services.
- b. 25% - Education and experience of professional personnel including sub-consultants, if applicable.
- c. 25% - Past performance.
- d. 20% - The commitment of the firm, its key project members and proposed sub-consultants to provide requested services in accordance with Town of Kent plans and schedules.

9. Non-collusion certification:

Non-collusion certification. Each Proposal must be accompanied by a non-collusion certification as required by General Municipal Law Section 103(d). The certification shall be signed by the bidder. A copy of non-collusion certification is annexed hereto.

10. Conflicts of Interest.

As part of your submission, list any potential conflicts your firm might have due to work being done for outside parties. This should include but not be limited to private developers working in the Town of Kent or other work being done by your firm with others doing business in the Town.

11. Insurance.

It is a requirement of the Town of Kent that the Bidder shall procure and maintain at his own expense, and without expense to the Town of Kent, the insurance specified in this RFP, and shall maintain said insurance for all work performed pursuant to any contract which results from acceptance of a proposal submitted pursuant to this RFP. The Contractor shall file with the Town of Kent, within fourteen (14) days of the issuance by the Town of a notice of award, proof of insurance, as described herein, in a form acceptable to the Town. The insurance certificate evidencing the required insurance coverages shall include a provision that such insurances shall not be cancelled without 30 days prior written notice to the Town, and shall list the Town as additionally insured.

The consulting Planner its agents, employees, contractors and subcontractors shall comply with all applicable State, federal and local laws, rules and regulations, including, but not limited to;

Worker's compensation insurance;  
Comprehensive general insurance; and  
Automobile liability insurance (including contractual liability coverage);  
Professional liability insurance;  
Minimum wage requirements;  
Unemployment insurance requirements of the Labor Law;  
Federal and state employment taxes.

12. Municipality's reservation rights.

It is the Town of Kent's intention that the Proposal will be awarded based on a combination of qualifications and Proposal price. The municipality reserves the right to select the Proposal, or any separate part thereof if separable, the acceptance of which will best serve the interest of the municipality or to reject any and all Proposals and to re-advertise for Proposals. The municipality specifically reserves the right to waive any informalities of the Proposals tendered.

13. Liability of Errors.

While the Town of Kent has used considerable efforts to ensure an accurate representation of information in this RFP, all Bidders are urged to conduct their own investigations into the material facts and the Town of Kent shall not be held liable or accountable for any error or omission in any part of this RFP.

14. Selection of Proposal.

The Town of Kent reserves the right to select a proposal other than the proposal with the lowest cost, reject any and all proposals, to waive defects in the submission whether substantial or otherwise, request modifications to proposal, to award a contract in part or in full, or not at all.

15. Financial Stability.

The successful Bidder must demonstrate financial stability. The Town of Kent reserves the right to conduct independent background checks to determine the financial strength of any and all organizations or individuals submitting proposals.

16. Qualifications of bidders.

The municipality may make such investigations as it deems necessary to determine the ability of the bidder to supply the items, and the bidder shall furnish the municipality all such

information and data for this purpose as the municipality may request. The municipality reserves the right to reject any Proposal if the evidence submitted by or investigation of such bidder fails to satisfy the municipality that such bidder is properly qualified to supply the items. Conditional Proposals will not be accepted.

17. Shortlist.

Unless there is a single successful Bidder based on the responses, the evaluation procedure will be to develop a shortlist based on the stated evaluation criteria. The shortlist of Bidders may be asked to participate in an interview/prepare a presentation and/or provide additional information prior to the final selection.

18. Reimbursement of RFP Costs.

Costs associated with the preparation of a proposal, including but not limited to any transportation costs to any subsequent interviews shall be the sole responsibility of the bidder.

19. General Requirements of Services.

1. The Planner shall provide monthly billing statements based on logs kept by any individual for which payment is sought, which clearly indicate personnel and work performed, with dates and hours, categorized for each item on the list of services.
2. The selected Planner will be expected to provide the Town with copies of all work product without limitation which shall include legal opinions, reports, analyses, correspondence, and any other documents produced in connection with the consulting relationship with the Town in printed form as well as in electronic form, as requested. The Town shall own all rights, title and interest, including all copyrights and intellectual property rights, to all documents that are created in connection with the consulting relationship with the Town. The Planner shall provide all material prepared for each work project to the Town directly. No information shall be released to any party other than the Town without the approval of the Town.

20 Miscellaneous Provisions.

Compliance With Laws. This RFP and any contract entered into between the Bidder and the Town of Kent shall be governed by and in accordance with the laws of the State of New York and the United States of America. The Vendor shall comply with all the laws applicable to the work or the performance of work in this RFP. Conviction of any violation of Federal, State or Local Law shall be reasonable cause for the Town of Kent to terminate any contract.

Labor Law. Prevailing Wages. The successful Bidder, at its sole cost and expense, shall comply with all provisions of the New York State Labor Law, especially as it pertains to the payment of prevailing wage's including, without limitation, Articles 8, 8-

A and 9 thereof, the lien of law, the worker's compensation law and all other laws or ordinances affecting this Contract.

Employees. Each employee of the successful Bidder shall be a citizen of the United States or an alien who has been lawfully admitted to the United States for permanent residence, as evidenced by an alien registration receipt card. The Bidder will supervise and train its staff to perform their duties and to conduct themselves in an orderly and professional manner at all times.

The firm shall provide its own electronic equipment, library, clerical, professional and support staff necessary to provide the services described herein.

Record Keeping. The selected Planner under contract to provide legal services shall maintain complete legal records and files on any matter in which they have rendered services to the Town. All such records compiled by the Planner pursuant to any contract in furtherance of this RFP shall revert to the Town of Kent upon termination of the contract, including but not limited to pleadings, transcripts, written reports, studies, computer printouts, graphs, charts, plans and all similar recorded data.

**GENERAL MUNICIPAL LAW: Section 103(d)**  
**NON-COLLUSIVE BIDDING CERTIFICATE**

1. By submission of his 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 their knowledge and belief:
  - a. 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, with any competitor;
  - b. 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, to any other bidder or to any competitor; and
  - c. No attempt has been made or will be made by the bidder to include any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

Name of Bidder:

\_\_\_\_\_

By:

\_\_\_\_\_

Address:

\_\_\_\_\_

Accepted:

\_\_\_\_\_

Date:

\_\_\_\_\_