



TOWN OF AMENIA  
TOWN BOARD

4988 Route 22, AMENIA, NY 12501  
(845) 373-8860 [www.ameniany.gov](http://www.ameniany.gov)

**RESOLUTION No.        of 2024**

**RE: AUTHORIZING REQUEST FOR PROPOSALS FOR ARCHITECTURAL / ENGINEERING SERVICES FOR A NEW HIGHWAY GARAGE & SALT STORAGE FACILITY FOR THE TOWN OF AMENIA**

**WHEREAS**, the Town of Amenia is seeking to retain a qualified architectural / engineering organization capable of providing comprehensive design and engineering services for the construction of a new Highway Garage and Salt Storage Facility for the Town of Amenia; and

**WHEREAS**, this is a Type II action under the State Environmental Quality Review Act (“SEQRA”) and therefore not subject to review under SEQRA; and

**WHEREAS**, the Town of Amenia has caused the preparation of a “*Request for Proposals for Architectural / Engineering Services for a New Highway Garage & Salt Storage Facility for the Town of Amenia*”, a copy of which is annexed hereto.

**NOW, THEREFORE, BE IT RESOLVED**, that:

1. The recitations set forth above are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Town Board has determined that this is a Type II action under SEQRA and therefore, not subject to review under SEQRA.
3. The Town Board of the Town of Amenia hereby authorizes the formal solicitation for Request for Proposals for Architectural / Engineering Services for a New Highway Garage & Salt Storage Facility for the Town of Amenia from qualified architectural / engineering organization capable of providing comprehensive design and engineering services for the construction of a new Highway Garage and Salt Storage Facility for the Town of Amenia, as more particularly set forth for in the “*Request for Proposals for Architectural / Engineering Services for a New Highway Garage & Salt Storage Facility for the Town of Amenia*”.

4. The Request for Proposals shall be submitted for publication in the official newspaper of the Town by June 10, 2024, and posted to the Town’s website.

5. All proposals shall be submitted in accordance with the aforementioned Request for Proposals identified above, and such proposals must be submitted in writing to Dawn Marie Klingner, Town Clerk, no later than 2:00 P.M., July 25, 2024.

6. Upon receipt of the proposals, the Town Board shall review same and shall award the contract for the aforementioned services in accordance with the Town’s Procurement Policy and in accordance with General Municipal Law §103, except, however, the Town Board expressly reserves the right to reject any and all proposals in accordance with applicable law.

Motion made by \_\_\_\_\_

Seconded by \_\_\_\_\_

The foregoing resolution was voted upon with all councilwomen/councilmen voting as follows:

- Supervisor Blackman \_\_\_\_\_
- Councilman Rebillard \_\_\_\_\_
- Councilwoman Hamm \_\_\_\_\_
- Councilman Winters \_\_\_\_\_
- Councilwoman Ahearn \_\_\_\_\_

Dated: Amenia, New York  
June 6, 2024

\_\_\_\_\_  
DAWN MARIE KLINGNER, TOWN CLERK

**REQUEST FOR PROPOSALS  
FOR  
ARCHITECTURAL / ENGINEERING SERVICES FOR A  
NEW HIGHWAY GARAGE & SALT STORAGE FACILITY  
FOR THE TOWN OF AMENIA**

Release Date:  
June 10, 2024

Proposals Due:  
July 25, 2024  
2:00 PM

**SUBMIT PROPOSALS TO:**  
TOWN OF AMENIA  
DAWN MARIE KLINGNER, TOWN CLERK  
4988 ROUTE 22  
AMENIA, NY 12501  
(845) 373-8118 EXT.125  
TOWNCLERK@AMENIANY.GOV

**REQUEST FOR PROPOSALS  
RFP-TOA-05-2024**

# NOTICE TO Prospective Respondents

A sealed proposal for:

## **ARCHITECTURAL / ENGINEERING SERVICES FOR A NEW HIGHWAY GARAGE & SALT STORAGE FACILITY**

will be received at the following address:

**TOWN OF AMENIA  
4988 NY-22  
AMENIA, NY 12501**

until **2:00 PM** local time on **July 25, 2024**. The proposals shall be opened and acknowledged by the Town Board at the next regularly scheduled meeting on August 1, 2024 at 7:00 PM at Town Hall, 4988 Route 22, Amenia, NY 12501.

This project includes comprehensive design and engineering services including, but not limited to, evaluating, amending and/or implementing the facility identified in the existing feasibility study leading to the construction of a new Highway Garage and Salt Storage Facility for the Town of Amenia.

If the Proposal is received by mail or by hand after the appointed time on the date specified it shall be rejected, notwithstanding that such Proposal may have been placed in a mailbox or other mail receptacle regularly maintained by the United States Postal Service before such time, and ordinarily in sufficient time to have been delivered on time.

The issuing office for the Proposal Documents is:

Town of Amenia  
c/o Dawn Marie Klingner, Town Clerk  
4988 NY-22, Amenia, NY 12501  
Phone: 845-373-8118 ext.125  
E-mail: townclerk@ameniany.gov

Please email the Town Clerk to obtain the Proposal Documents, which shall be furnished electronically.

Attention of Prospective Respondents is particularly called to the requirements for ensuring that employees and applicants for employment are not discriminated against due to race, color, religion, sex or national origin.

**Town of Amenia**, as Owner, reserves the right to waive any informalities or irregularities in the Proposal received, or to reject any Proposal without explanation.

By Order of: Town of Amenia

**REQUEST FOR PROPOSALS  
ARCHITECTURAL/ENGINEERING SERVICES  
NEW HIGHWAY GARAGE/SALET STORAGE FACILITY  
TOWN OF AMENIA, DUTCHESS COUNTY, NEW YORK**

**1.0 INTRODUCTION**

The Town of Amenia (the “Town”) is requesting proposals from qualified architectural/engineering organizations capable of providing comprehensive design and engineering services including, but not limited to, evaluating, amending and/or implementing the facility identified in the existing feasibility study / preliminary engineering report leading to the construction of a new Highway Garage/Salt Storage Facility for the Town. The facility is to be constructed on property acquired by the Town for this purpose, located on NYS Route 22, approximately 1,500 feet southwesterly of the Route 22/Sinpatch Road (County Route 105) intersection on a 5.0-acre parcel to the west and immediately adjacent to the existing NYSDOT Maintenance facility (Parcel No. 7064-00-823855). The Town is interested in developing a facility for the Town of Amenia Highway Department (the “Highway Department”) which will enable the Town Highway Department to leave its current inadequate space in Wassaic and move into a new facility that meets the department’s current needs and has room for expansion.

**2.0 BACKGROUND**

The Town is located in northern Dutchess County; occupies approximately 43.7 square miles; has an estimated population of 3,800 people; and is comprised of five historic hamlets in a rural setting.

The Highway Department is a full-time operation, that repairs and maintains 31 miles of roads, bridges, and culverts on a full-time weekly schedule. The Highway Department provides 24-hour coverage, 7 days per week for snow removal. The Department is staffed by the Town Highway Superintendent, an office manager, a working supervisor, an equipment operator and three (3) additional full-time employees. The Department maintains a fleet of over 12 vehicles and needs room to wash and maintain them.

The Highway Department existing facility is outdated and past its useful life. It consists of a (i) 80’ x 50’ concrete block garage building erected prior to 1955, (ii) a temporary 20’ x 40’ salt shed built in 2006, and (iii) a pole barn structure for equipment storage. The existing facility is located on approximately 2.5 acres of usable land; is partially in a federal wetland and flood plain; and portions are built on an abandoned landfill.

The Town of Amenia Town Board (the “Town Board”) engaged Labella Associates to prepare a Preliminary Engineering Report / Feasibility Study (the “PER”) to review the existing condition of the current Highway Garage, assess the current and future needs of the Highway Department and evaluate the feasibility and cost for constructing a new Town Highway facility, including salt storage on the property located on Route 22. The PER dated March 19, 2024 was submitted and accepted by the Town Board.

The Town Board will work with the Highway Superintendent and the Town Engineer in the selection of an architectural/engineering organization. The Town Board and the Town Highway

Superintendent will then work with the selected entity to adjust the site plan, interior layout, and architecture from the PER to move into the next phase of the work and on to completion. All final decisions on this project, including the selection of the architectural/engineering organization, shall be made by the Town Board

### **3.0 PROJECT DESCRIPTION**

The project generally consists of a new highway garage, salt storage facility and ancillary structures designed and constructed solely for Highway Department use. The facility is to be constructed on the 5.0-acre lot on Route 22 adjacent to the NYS DOT parcel described above. The new facility shall be appropriately arranged on the site to function efficiently and be architecturally compatible with the historic, rural character of the Town. The project shall include all necessary elements, site improvements, utilities, and other amenities for a fully functional and operational facility. The current garage facility will be abandoned.

A preliminary site and building plan have been developed as part of the PER. The Town currently envisions the project to consist of a one story, approximately 17,000 square foot, corrugated steel building on a slab at grade with a 60'X 80' salt storage facility. The garage proper will have six (6) double bays plus covered equipment storage. It should include a mechanic's bay and a wash bay.

The Town envisions a conventional design and construction process and will entertain recommendations for alternative approaches, ultimately selecting whatever best fits the needs of the Town, is in the best interest of the public and is most cost effective. The PER's concept probable cost estimate is \$6.3M. which should be considered the construction budget for purposes of this proposal.. The Town is seeking to find cost savings approaches to reduce the final project cost.

Attached hereto is a complete copy of the PER for background purposes. The PER includes a site survey, conceptual site plan, building and salt storage shed layouts and architecture. The selected A/E will be responsible for verifying all site information.

### **4.0 TENTATIVE SCHEDULE**

The Town expects to award the architect/engineering contract in October of 2024. All preconstruction, up through bidding, is to take place between then and August 2025. Construction is proposed to occur between August 2025 and May 2026 with full occupancy and start-up of the new facility by the end of August 2026.

This schedule is conceptual only. It is not intended to be fixed or limiting in any manner. Schedules which may result in accelerated delivery of a completed facility are preferred and encouraged.

## 5.0 SCOPE OF SERVICES

It is anticipated that the selected architectural/engineering organization's scope of services will include the following items:

### A. Pre-design/Program development Phase

The PER includes a needs assessment and program requirements for the project. As noted, the complete PER summarizing the needs assessment along with the conceptual space and program requirements including a concept budget analysis is attached. The selected A/E is expected to review, validate, and accept /or modify the PER as may be appropriate, adjusting or supplementing conceptual space and program requirements. It is not anticipated that this will involve major rework, but rather a cursory evaluation that ensures that all items were properly addressed and accommodated in the program.

### B. Schematic Design Phase

The PER includes a site plan illustrating the project in relation to existing grades, roadways, utilities, and land use factors. The study includes plans, elevations and sections of buildings, construction outline, and a description of the structural, electrical, and mechanical systems. The study also includes a statement of probable construction costs, based upon area, volume and/or other reasonable method or methods of estimating the construction cost.

The selected A/E firm will evaluate, accept and or modify the conceptual plans systems and details based on their review and understanding of the project and the requirements of the Town. Here again this is not expected to require a major modification of the conceptual elements already proposed but rather involves the fine tuning and adjustment of the initial concepts based on their understanding of the requirements of the Town. It is expected that some changes to interior layout and site access may be necessary.

This Phase will also involve refinement and adjustment of the probable construction cost based on the modifications or adjustments that resulted from the new review of the PER.

### C. Design Development Phase

The selected architect shall illustrate the size, scope, and character of the entire project in its essential form as to kinds of materials, type of structure, mechanical and electrical systems, and such other work as may be required to accomplish the foregoing purpose. The Design Development Studies shall include, without limitation, the following items:

- (1) A site plan showing all buildings in the highway facility (including equipment storage, fueling station, and covered salt and sand storage) in relation to projected final grades with all proposed connections to existing or proposed roads and utilities; landscaping shall be blocked in.
- (2) The type, location and specification of all sub-surface soil investigation required.

- (3) Structural, electrical, and mechanical systems presented in preliminary and one-line diagram form.
- (4) Other consultants or professionals necessary to determine subsoil and water conditions on the site in sufficient detail to permit the proposer to address those conditions at the earliest point in the design of the project.
- (5) Outline specifications describing construction materials and structural, mechanical, and electrical systems.
- (6) Elevations of the exterior and interior of the building of such nature as to permit reasonable evaluation by the Town of the Design Development Studies.
- (7) All drawings and specifications and other documents necessary to obtain building permits and any other permits necessary to construct the project.

The Design Development Studies shall include a statement of probable construction costs, compiled in light of such studies, and based upon area, volume, and/or other reasonable method or methods of estimating the construction cost.

**D. Construction Document Phase**

The selected architect shall prepare, based upon the approved Design Development Studies, Construction Documents, which shall fully describe and delineate the entire project, in such detail as is necessary to permit the entry by the Town into a firm construction contract and accurately reflect all applicable codes, ordinances and regulations.

The Construction Documents shall include the following items:

- (1) Working Drawings
  - a. Site
  - b. Architectural
  - c. Structural
  - d. Mechanical
  - e. Electrical
- (2) Specifications which shall fully describe the scope materials and quality of workmanship of all parts of paragraph D. above (specifications shall be in such format as required by the Town Board, and any other governmental authority having jurisdiction thereof).

The Construction Documents shall include a detailed statement of probable construction costs, by trade, compiled in light of such Construction Documents and based upon quantity take-off of materials and labor.



**E. Bidding Phase**

The selected architect/engineer, following the Town's approval of Construction Documents and the latest statement of probable construction costs, shall assist the Town in obtaining bids or negotiated proposals and in awarding and preparing appropriate construction contracts, management agreements, and construction contracts.

**F. Construction Phase**

The selected architect/engineer will be expected to review and advise the Town as to all shop drawings, materials, samples, schedules, and colors submitted by the Contractors. The architect will be expected to prepare and distribute to all appropriate persons, bulletins, drawings, supplement specifications, etc. necessary to clarify or supplement the Construction Documents throughout the Construction Phase. The architect will be expected to make periodic visits to the site to examine construction activities, render decisions in the field and interpret drawings as well as submit weekly written reports on the progress of construction with recommendations as to materials, manpower and quality of work. The selected A/E will be responsible for conducting weekly job meetings and maintaining and distributing written minutes of all such meetings. The selected A/E will review contractor applications for payment and make recommendations concerning payment to the Town. The selected A/E will be responsible for prevailing wage compliance and reporting to the Town. The architect, at the Town's request, will provide the services of a Project Manager. The Project Manager shall be charged with inspection, coordination, daily work reports, and other tasks required to aid in expediting the project and to guarantee the conformance of the completed works with the Contract Documents. The Project Manager shall make on-site observations necessary to keep the selected architect and the Town and any other persons or governmental authorities either designed by the Town or which have jurisdiction of the project informed of the status of the project. The architect or his project manager shall be in attendance, in the company of the Project Manager, at all project meetings through the course of construction. The architect shall make all reasonably necessary trips to the project site as part of the basic services during the Construction Phase. The architect, in conjunction with the Town shall compile a punch list that, when completed, is intended to result in final payment to the contractor. The architect shall also assist the Town in administering the punch list corrections. The architect will prepare as-built drawings showing construction changes in the work and final locations of mechanical lines and outlets based upon data furnished by the contractor. In addition, the architect shall supply all architectural documents required by any authority having jurisdiction over the project.

At a minimum, the Town intends to employ a Clerk of the Works to act as their direct representative to oversee construction, handle administrative matters and ensure that construction on a daily basis is consistent with the contract documents. Such Clerk of the Works will be in addition to the responsibilities of the Architect. The Architect will be required to coordinate with the Clerk of the Works and file all owner's reports and other required documentation with said Clerk.

The Town may employ the services of a Construction Manager. In preparing their proposal, particularly with respect to fees, the Architect/Engineer shall include alternative

pricing and a scope of work to reflect use by the Town of a Construction Manager.

## 6.0 QUALIFICATIONS

The proposer must demonstrate the following:

- A. **Experience** – The A/E shall demonstrate comprehensive experience in the planning, design, and construction of municipal highway facilities, including salt storage. It is a requirement of the Town that firms submitting proposals have specific experience in the field of planning, design, and construction of highway facilities. Joint ventures and other associations will be considered.

The A/E shall demonstrate experience on at least two (2) successfully completed highway garage related projects of similar size and complexity. The experience shall include a full description of the management style and design applications necessary to complete the project on time and on budget.

- B. **Performance** – The A/E shall demonstrate, based upon past and/or present work, the ability to respond to the Owner, coordinate between team members, trades and subconsultants, to meet project schedules and budgets and ultimately to provide a cost-effective, operationally efficient facility.
- C. **Management Approach and Staff Qualifications** – The A/E shall demonstrate and clearly identify project staffing requirements and organization. The A/E shall demonstrate the ability to devote adequate staff to the project and to maintain such staff during the course of the project. All staff associated with the project shall be identified and the project architect, manager, designers, and other related consultants shall be identified.
- D. **General Experience** – The A/E shall demonstrate the ability to successfully complete projects of similar size and complexity in a municipal environment. The A/E shall submit a description of the most recent projects, complete with contact information.
- E. **Non-Collusion** – By submission of a proposal, each proposer and each person signing on behalf of that proposer warrants and represents that any ensuing agreement has not been solicited or secured, directly, or indirectly, in a manner contrary to the laws of the State of New York and the Town, and that said laws have not been violated and shall not be violated as they relate to the procurement or the performance of the agreement by any conduct, including the paying or the giving of any fee, commission, gift, gratuity or consideration of any kind, directly or indirectly, to any Town employee, officer or official.
- F. **Non-Discrimination** - In connection with this proposal, the proposer shall not discriminate against any person by reason of race, color, religion, sex, national origin, age, marital status, handicap, social disadvantage or disabled or Vietnam era veteran status.

G. **Funding Agency Requirements** - Respondents will be required to meet all terms and conditions required by agencies that may provide funding for projects resulting from this RFP, including, but not limited to:

- (1) USDA Community Facilities Direct Loan & Grant Program
- (2) NYS Environmental Facilities Corporation (EFC) and Water Quality Improvement Project (WQIP) Program
- (3) NYS Office of Community Renewal Community Development Block Grant (CDBG) Program

Grant-specific terms and conditions may be added to selected firm's contract upon award. The selected respondent will be required to comply with all Minority and Women Business Enterprises (M/WBE), Equal Employment Opportunity (EEO), Service-Disabled Veteran-Owned Business (SDVOB), and Section 3 requirements associated with funding streams that may be utilized for projects as appropriate. Respondents that are Certified M/WBEs or SDVOBs should provide certification with their submittal. Firms that are not M/WBE or SDVOB certified should demonstrate a track record of, and ability to, partner with certified firms to meet the requirements of funding streams that may be utilized for this project.

This RFP for professional services is intended to satisfy the Architectural/Engineering services procurement process for CDBG and EFC funded projects. Agency specific contract clauses may be a requirement in the final engineering contract.

## 7.0 PROPOSAL SPECIFICS

Each interested entity shall submit eight (8) copies of their proposal together with one (1) flash drive carrying the entire proposal in electronic format. All submissions shall be received in the Office of the Town Clerk by **2:00 PM on Thursday, July 25, 2024**. Proposals submitted after the prescribed time will not be accepted.

Proposals must be in sealed envelopes addressed to Dawn Marie Klingner, Town Clerk, Town of Amenia, 4988 Route 22, Amenia, NY 12501, clearly labeled "Request for Proposal – New Highway Facility".

No reimbursement will be made by the Town for any costs incurred for the preparation of this proposal and any subsequent interview.

The New York State Freedom of Information Law as set forth in Public Officers Law, Article 6, Sections 84-90, mandates public access to government records. However, proposals submitted in response to this Request for Proposals may contain technical, financial background or other data, public disclosure of which could cause substantial injury to the proposer's competitive position or constitute a trade secret. Proposers who have a good faith belief that the information submitted in their proposals is protected from disclosure under the New York Freedom of Information Law shall clearly identify the pages of proposals containing such information by typing in bold face on

the top of each page “THE PROPOSER BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE STATE FREEDOM OF INFORMATION LAW.” The Town assumes no liability for disclosure of information so identified, provided that the Town has made a good faith legal determination that the information is not protected from disclosure under applicable law or where disclosure is required to comply with an order or judgment of a court of competent jurisdiction.

The contents of the proposal, except portions “Protected from Disclosure,” which is accepted by the Town may become part of any agreements resulting from this Request for Proposals.

All inquiries concerning the proposal arising during the process of proposal preparation are to be made by email to [townclerk@ameniany.gov](mailto:townclerk@ameniany.gov), and to be considered must be received at least seventy-two (72) hours prior to the date fixed for the submission of proposals. The response to all such inquiries will be made by email not later than twenty-four (24) hours prior to the date fixed for the submission of proposals. No interpretation or inquiry response will be made to any potential proposer orally.

Each proposal shall contain, at a minimum, the following:

A. **Table of Contents**

B. **Summary**

A brief statement summarizing the important and unique features of the proposal, including but not necessarily limited to the means and methods of managing the project and ensuring that the goals of the Town are adequately met.

C. **Proposer Description**

A full and complete description of the entity submitting the proposal, including a description of the legal status of the entity and demonstration of appropriate licensure in the State of New York. This should further include the name, address, and position of all persons within the firm who are authorized to execute contracts on its behalf.

D. **Project Team Breakdown**

An organizational chart listing by name each person in each firm, by each discipline, complete with qualifications.

E. **Relevant Project Experience**

Two (2) examples of recent and relevant highway facility projects completed by the entity submitting the proposal. Individual experience will be considered. Projects shall be described by type, location, budget, and schedule. A list of contacts with names, email addresses and telephone numbers should be submitted.

F. **General Project Experience**

Five (5) examples of recent or ongoing projects of similar size and complexity in a municipal or governmental setting. Projects shall be described by type, location, budget, and schedule. A list of contacts with names, email addresses and telephone numbers should be submitted.

G. **Insurance Requirements**

Proof of insurance complying with the annexed Town of Amenia Certificate of Insurance Requirements.

H. **Methodology and Schedule**

This is a general section which will allow each proposer to identify their responses and to demonstrate unique experiences and approaches. Please include potential approaches that may reduce the overall project cost through efficiencies and/or removal of potentially unnecessary elements of the PER. All proposers shall include a complete preliminary project schedule and/or timeline including assumptions, durations, and key milestones.

I. **Fee Proposal Compensation**

All proposers are expected to submit a fee proposal for this project. **The fee proposal shall be submitted in a separate sealed envelope, clearly identifying the project specifics, and labeled Fee Proposal.** The fee proposal shall be based on the scope of work delineated in the A/E's response to the RFP. At a minimum, the A/E shall submit a fee proposal based on conventional method of project delivery. Final professional fees will be negotiated and will be based upon a clear understanding of the final design, construction and schedule, project budget and the extent of professional services required. Each fee proposal shall include hourly rates for all persons who will work on the project, shall provide for a not to exceed fee which covers all services outlined in the RFP, and shall further include an outline schedule indicating how this fee should be paid and tied to project milestones. Each proposal shall further include a listing and estimate for any items or services not included in the above-described fee.

**8.0 SELECTION PROCESS**

It is the intent of the Town to select an architectural/engineering entity based upon the qualifications of the proposer and its ability to satisfy the project requirements, schedule and approach of the Town as described in the proposal. The Town reserves the right, at its sole discretion, to reject any and all proposals and waive any irregularities. The Town further reserves the right to select any proposal as the basis for negotiating a contract, to exercise its discretion and apply its judgment with respect to any aspect of the RFP, the evaluation of proposals and the negotiation and award of any contract and to weigh its evaluation criteria in any way it deems appropriate.

Each proposer will be evaluated on recent and relevant experience on highway facilities in New York State or the northeast of similar size and complexity, the overall ability to perform, manage and operate projects of this nature, the ability to maintain the proposed project schedule and the ability to provide consistent management and control throughout the project.

The Town intends to narrow the list of proposers to three. Each of the three proposers will be further evaluated and may be subject to a personal interview and presentation to the Amenia Town Board.

Specific criteria to be used in evaluating the various proposers includes, but is not limited to:

- A. Experience of the proposer with the program development, design, and construction of highway facilities.
- B. Ability of the proposer to complete the work in a timely fashion and within an established budget.
- C. The overall resources and staff qualifications of the proposer.
- D. The ability of the proposer to work with the Town Supervisor, Highway Superintendent, Town staff and other authorities having jurisdiction.
- E. AIA Document B141-1997- Standard Form of Agreement Between Owner and Architect with Standard Form of Architect Services shall form the basis for negotiation of a contract between the Town and the Architect/Engineer defining responsibility and preferred services, as well as compensation and fees.

**Proposal Available** Monday, June 10, 2024

**Proposal Due** Thursday, July 25, 2024

**Interviews** Week of August 12, 2024, Top three (3) selected firms, scheduled Town Board meeting.

**Selection** Thursday, October 3, 2024

The Town reserves the right to accelerate this schedule and may elect to hold a special meeting to make the final selection.

The Town hereby notifies all proposers that it will affirmatively ensure that minority business enterprises will be afforded full opportunity to submit proposals in response to this request and will not be discriminated against on the grounds of race, color, or national origin in consideration for any award.

### **END OF REQUEST FOR PROPOSAL**

## Insurance

1. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the consultant hereby agrees to effectuate the naming of the Municipality as an additional insured on the architect or engineer's insurance policies, with the exception of Workers' Compensation, NY State Disability and professional liability insurance. If the policy is written on a claims-made basis, the retroactive date must precede the date of the contract.
2. The policy naming the Municipality as an additional insured shall:
  - a. Be an insurance policy from an A.M. Best rated "Secure" New York State licensed insurer. A New York State licensed insurer is preferred. The decision to accept specific insurers lies exclusively with the Municipality.
  - b. State that the organization's coverage shall be primary and non-contributory coverage for the Municipality, its Board, employees and volunteers.
  - c. Be provided by standard or other endorsements that extend coverage to the Municipality for both on-going and completed operations. The decision to accept an endorsement rests solely with the Municipality. A completed copy of the endorsements must be attached to the certificate of insurance.
3. The consultant agrees to indemnify the Municipality for any applicable deductibles and self-insured retentions.
4. At the Municipality's request, the consultant shall provide a copy of the declaration page of the liability and umbrella policies with a list of endorsements and forms. If so requested, the consultant will provide a copy of the policy endorsements and forms.
5. Required Insurances:
  - a. Commercial General Liability Insurance  
\$1,000,000 per occurrence and \$2,000,000 aggregate.
  - b. Automobile Liability  
\$1,000,000 combined single limit for owned, hired, borrowed and/or non-owned motor vehicles.

c. Workers' Compensation and N.Y.S. Disability

Statutory Workers' Compensation, Employers' Liability and N.Y.S. Disability Benefits Insurance for all employees. Proof of coverage must be on the approved specific forms as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable.

d. Architects & Engineers' Professional Errors and Omissions Insurance

\$1,000,000 per occurrence, \$2,000,000 aggregate for the professional acts of the consultant performed under the contract for the Municipality. If written on a claims-made basis, the retroactive date must pre-date the inception of the contract or agreement. Coverage shall remain in effect for two years following the completion of work. If the architect or engineer is providing or managing environmental services, the errors & omissions policy must have endorsement to include coverage for these services.

e. Excess Insurance

\$5,000,000 each occurrence and aggregate. Excess coverage shall be on a follow-form basis. Consultant acknowledges that failure to obtain such insurance on behalf of the Municipality constitutes a material breach of contract.

6. The consultant is to provide the Municipality with a certificate of insurance, evidencing the above requirements have been met prior to the commencement of work or use of facilities. The failure of the Municipality to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any and all rights held by the Municipality.
7. Consultant acknowledges that failure to obtain such insurance on behalf of the Municipality constitutes a material breach of contract. The consultant is to provide the Municipality with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities. The failure of the Municipality to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any right held by the Municipality.
8. The Municipality is a member/owner of the NY Municipal Insurance Reciprocal (NYMIR). The consultant further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the Municipality but also the NYMIR, as the Municipality's insurer.