

VILLAGE OF MONTOUR FALLS

REQUEST FOR PROPOSALS

LOCAL WATERFRONT REVITALIZATION
PROGRAM PLAN

NYS DEPARTMENT OF STATE CONTRACT
#C1002025

BACKGROUND AND INTRODUCTION

The Village of Montour Falls is situated on the southernmost terminus of the Erie Canal less than three miles from Seneca Lake in Schuyler County NY. Approximately one mile of the Canal is located in Montour Falls. Nearly the entire Village is located within one mile of the Canal, and are located within the 100 year flood zones. The entire Village is at risk from the increasing frequency and severity of severe weather events.

Over the years, the Village of Montour Falls has witnessed increased traffic along SR 14 from increased tourism in the county. The Village is also experiencing growth and traffic in Downtown Montour Falls due to new businesses. While the Village welcomes this increased traffic and growth, there is a desire to ensure that it is sustainable and that The Village's character, natural environment, and water quality are protected. The Village of Montour Falls currently has a poverty rate of 23.7%, the highest in Schuyler County. The provision of an LWRP will establish a direction for future development efforts that maximize opportunities presented by the Canal.

A. PROJECT DESCRIPTION

The Village of Montour Falls (the Village) in partnership with the NYS Department of State (DOS), is seeking proposals from qualified consulting firms to coordinate and conduct the preparation of the Village Montour Falls Local Waterfront Revitalization Program (LWRP). The Village's LWRP Plan will address the 44 State Coastal policies of the NYS Coastal Management program.

The Village of Montour Falls government, businesses, and residents are very involved in building a resilient and sustainable future for the community and will be an active part of the planning process.

The Village will hire a professional planning firm and work in partnership with Schuyler County Partnership for Economic Development, Schuyler County, Canal Corp., NYS DEC, and NYS DOS to develop the LWRP, including research, mapping, citizen participation, and development of the plan that meets the NYSDOS LWRP Program requirements and the needs of the Village. The proposed Waterfront Revitalization Area (WRA) encompassed by the LWRP will include parcels adjacent to the Erie Canal, downtown Montour Falls, tributaries to the canal, and land adjacent to the tributaries. A primary focus will be on the Montour Marina located directly on the Canal.

The expected outcomes of this plan will: (1) guide future development in the WRA, (2) outline actions to protect water quality of the Canal and Seneca lake, (3) integrate with the land-use policies in the Village, (4) focus on enhancement and redevelopment to the Montour Marina, the canal adjacent properties, and downtown Montour Falls, and (5) serve as a resource to the Village, residents, farmers, and business owners in their efforts to revitalize the Village's waterfront.

B. PROJECT ORGANIZATION

The Village will establish a Waterfront Advisory Committee (WAC) to provide direction to the Consultant. The WAC will act as the primary decision making body for the project. WAC membership will represent identified project stakeholders as well as non-governmental and community based organizations. Throughout the duration of the planning process, the Consultant and the WAC will work closely with the Village and Department of State.

C. SCOPE OF WORK

The Consultant must comply with all terms and conditions of the Village's contract with the NYS Department of State for this project (C1002025). The Consultant will complete the tasks in the work plan. In addition to the listed public meetings, the consultant will coordinate and conduct meetings with the WAC. The timeline of this project is limited by the DOS contract for the EPF LWRP grant funding this project. It is expected that a first version of the complete draft LWRP will be completed within 27 months. The delivery of a revised and complete draft ready for the initiation of the 60-day review by State and federal agencies is expected to happen within 33 months from the initiation of the planning effort. The finalization of the LWRP amendment and associated local approval process is expected to be completed within 37 months. The Consultant must integrate in the timeline included in the proposal the time necessary for DOS reviews of different versions of the draft LWRP amendment, the time necessary for the DOS processing and posting of the draft LWRP for the 60-day review process, and the time necessary for DOS review and processing of comments received from State and federal agencies during the 60-day review.

The fixed five year term of the LWRP Master Contract with the Village of Montour Falls is 06/1/2022 – 05/31/2027. Montour Falls is committed to completing this plan well ahead of this deadline.

D. BUDGET

The budget for the Montour Falls LWRP is \$104,750.00. Of this amount, \$78,562 is an EPF LWRP Grant from the NYS Department of State and \$26,188 is the required local match provided by the Village of Montour Falls. This is the budget for the entirety of the project including the consultant, Village support, and Grant management.

E. PROPOSAL SUBMISSION REQUIREMENTS

In order to assist the Village with the evaluation of proposals that are received, each proposal shall use the following format:

1. Statement of Qualifications – a brief description of the firm, or team of firms submitting the proposal including: full business name, legal status (corporate, partnership or sole proprietor), number and type of employees, specialties and longevity. List similar projects, the specific

personnel that worked on them and a list of personnel assigned to work on this project. For past projects, include the name and client, year the project was completed, the budget amount and a telephone number for a contact person with direct knowledge of the project and the tasks performed.

2. Project Team Members (Curriculum Vitae) – List any specialties and/or strengths that make the consultant and the personnel assigned to this project uniquely suited to performance of the work outlined in this RFP. This should include a listing of each individual’s relevant project experience with regard to the tasks they would perform as part of this project. Provide an organizational chart of the employees assigned to work on this project, including the Project Manager. The Project Manager shall serve as the main point of contact for the Village.

3. Project Schedule and Details – The Consultant shall provide a detailed proposed project schedule, including start and completion dates for each task outlined in Section H, Project Components. This should also include a detailed description of the proposed approach, scope of services, and timeline to complete each task. If available, the Village will provide copies of plans, regulations, maps, information regarding infrastructure and any other studies relevant to the project.

4. Cost and Payment Schedule – All invoices shall specify the name and title of Consultant staff providing services, and details as to the services provided. Further, each invoice shall be referenced to the specific work scope item identified in Section H – Project Components, or as otherwise specified in the contract for services between the Consultant and the Village and shall include a calculation of the percentage of work completed for each task. A total, not-to-exceed dollar value for any reimbursable expenses associated with each individual work scope item must be specified, including the rate for all expenses (mileage, printing, etc.).

5. MWBE Requirements – Pursuant to NYS Executive Law Article 15-A and 5NYCRR Parts 142-144, for the purposes of this procurement, the NYS Department of State has established an overall goal of 30 percent for MWBE participation. The specific goals are defined as follows:

MBE – 15% = \$11,784.30

WBE – 15% = \$11,784.30

Total \$23,568.60

Please identify how the MWBE goal will be satisfied.

F. PROPOSAL SUBMISSION

Two (2) paper copies of the submission, as well as one complete submission in PDF format on a USB flash drive are required. Place cost proposals, including reimbursable expenses keyed to each task, in a separate, sealed envelope clearly labeled “Montour Falls LWRP cost proposal”.

Please place proposals, the envelope containing the cost proposal and the USB flash drive in an envelope or box clearly labeled “Consultant Services Response to Montour Falls LWRP RFP”.

Proposals must be sent or delivered to the following:

Emily Byers, Deputy Clerk
Village of Montour Falls
408 W. Main Street
Montour Falls, NY 14865

Proposals will be accepted up until 4 PM on July 29, 2022.

SUBMISSIONS SENT VIA FAX, EMAIL OR ANY OTHER FORM OF ELECTRONIC TRANSMISSION WILL BE REJECTED.

UNDER NO CIRCUMSTANCES WILL LATE SUBMISSIONS BE ACCEPTED.

Questions pertaining to this RFP must be submitted in writing only via email to Emily Byers, Village Deputy Clerk deputyclerk@villageofmontourfalls.com no later than 4 PM on July 8, 2022.

G. REVIEW PROCESS

The Montour Falls Village Board will appoint the WAC to review consultant proposals, establish a short list of qualified consultants, conduct interviews if determined necessary, and recommend a preferred consultant. The WAC will first review the submissions for completeness, eliminating those that do not meet the established submission requirements. Remaining submissions will be evaluated in accordance with the following minimum criteria:

- Quality and completeness of response
- Understanding of and approach to the scope of work
- Experience with assignments of similar size, scope and complexity
- Cost effectiveness
- Qualifications and relevant experience
- References from previous clients
- Ability to complete all tasks on time and within the prescribed budget
- Satisfaction of MWBE requirements

The WAC, after rating and ranking submissions and at its discretion, may elect to conduct interviews with the most qualified firms. Once the selection committee recommends a consultant or team of consultants, the Village will obtain approval from the NYS Department of State before notifying the successful consultant. The Village reserves the right to terminate negotiations concerning scope of work, project approach and project fee if consensus cannot be reached on these items. Under these circumstances, the Village would then enter into negotiations

with the consultant or team of consultants ranked second during the proposal review process.

All proposals must thoroughly address the minimum project components below.

H. PROJECT COMPONENTS

The Village of Montour Fall (Contractor) will complete and adopt a Local Waterfront Revitalization Program. The LWRP Plan will be developed pursuant to the provisions of New York State Executive Law, Article 42 and its implementing regulations, 19NYCRR Parts 600-603. The development of the harbor management component of the LWRP, as set forth in 19 NYCRR Part 603.3, along with guidance on content and how to prepare an LWRP, is further described in the guidance manual prepared by the Office of Planning, Development, and Community Infrastructure. The guidance manual is available online at:

<https://dos.ny.gov/guidance-manual-preparing-local-waterfront-revitalization-programs>

Preparation of the LWRP shall, at a minimum, include the following tasks extracted from the NYS Department of State work plan.

TASK 1: PROJECT MANAGEMENT

The Consultant will work with the Village to develop a comprehensive approach to project management and administration that will monitor tasks, schedule, costs, and submission of deliverables. The Consultant will conduct bi-weekly project management meetings with the Village staff to discuss project progress. In consultation with the Village, the Consultant will prepare a Public Outreach Plan that will outline a strategy and timeline to engage the public and key stakeholders and disseminate project information.

Deliverables: Project Management Plan; Public Outreach Plan

TASK 2: PUBLIC & STAKEHOLDER INVOLVEMENT

Inclusive participation is essential to the success of the LWRP. Members of the public and key stakeholders will be given opportunities to be actively involved and provide useful input. The Public and Stakeholder Involvement meetings and methods will be determined in consultation with the Village during the Project Management task. A minimum of three Public Information Meetings will be held during the Planning Process.

The Consultant will prepare meeting materials (maps, presentations) for public and stakeholder meetings and incorporate the input received into the LWRP, and specifically into the Statement of Goals and Objectives section of the LWRP. This will include:

- Public and key stakeholder meeting to review data and develop a Statement of Goals and Objectives
- Follow-up public and key stakeholder meeting to review development of proposed land

and water uses and potential project opportunities

At the conclusion of the project, the Consultant will prepare a memorandum summarizing the input received. pending final corporate approval.

Deliverables: Public Involvement Summary Memorandum (at project conclusion); Statement of Goals and Objectives

TASK 3: EXISTING CONDITIONS AND DATA REVIEW

The Consultant will compile available data, information, and analysis on existing conditions both locally and regionally, looking beyond the Village to establish its setting within Schuyler County and the Seneca Lake region. Working with the Village, The Consultant will develop the boundaries of a Waterfront Revitalization Area (“WRA”).

Relevant data collected will include: Base-mapping and geographic data (land use, property, environmental, transportation, etc.) available from the state of New York, Schuyler County, Village of Montour Falls, and other relevant sources.

The Consultant will review these materials, conduct site visits, and assess baseline conditions in order to provide an evaluation of existing conditions in the WRA in the form of a comprehensive Inventory & Analysis, including:

- Local and regional context
- Land uses and current zoning; resource conditions
- Land ownership
- Parcel level zoning
- Tourism and recreation facilities
- Natural, built and historic resources
- Condition of Infrastructure
- Environmental conditions and issues
- Topography and geology
- Environmentally sensitive features
- Water quality and pollution
- Vulnerability to environmental conditions and storm events
- Identify planned projects within the WRA

In this task, the Consultant will also conduct a review of Local Waterfront Revitalization Policies at the state and federal level that apply to the WRA.

Deliverables: Existing conditions and data review Technical Memorandum to include: (i.) WRA Boundary identification, (ii.) Summary of Inventory & Analysis, (iii.) Summary of Local Waterfront Revitalization Policies

TASK 4: MARKET CONDITIONS

The Consultant will collaborate with the Schuyler County Partnership for Economic Development and the Village to understand the market conditions at a local and regional levels that would inform the development of a proposed use land program for the WRA. Pertinent information could include housing market data, employment data, income data, tourism data and education data. The Consultant will produce a summary of analysis and findings including recommendations that will inform potential development opportunities to include in the LWRP.

Deliverables: Market Conditions Technical Memo

TASK 5: POTENTIAL DEVELOPMENT OPPORTUNITIES

Pending final corporate approval, the Consultant will work with the Village to prepare potential development scenarios based on the goals and objectives, existing conditions evaluation and the market conditions assessment.

This will include:

- Develop a series of proposed land and water uses for the WRA (2 alternatives proposed)
- Identify preferred new potential development opportunities within the WRA to be included in the LWRP (number of alternatives to be developed with Village and through Public Engagement)
- Develop a Harbor Management Plan to address problems of conflict, congestion, and competition for space within the boundaries of the Village's waterfront resources

Deliverables: (iv.) Proposed Land and Water Uses and Proposed Projects (including Harbor Management Plan)

TASK 6: IMPLEMENTATION AND POLICY REVIEW

The Consultant will conduct a review of policies, regulations, and processes that will support, facilitate, and promote the LWRP. Based on these findings, The Consultant will develop policy and implementation recommendations.

Deliverables: (v.) Techniques for Local Implementation of the Program State and Federal Actions and Programs, (vi.) State and Federal Actions and Programs likely to affect Implementation, (vii.) Local Commitment and Consultation with other affected Federal, State, Regional and Local Agencies

TASK 7: SEQRA DETERMINATION

The Village will identify the lead agency for SEQRA. The Consultant will prepare, distribute and file a Full Environmental Assessment Form for purposes of evaluating the

importance/significance of the impacts associated with preparing and adopting the LWRP, as well as a determination of significance.

Deliverables: SEQRA Determination Technical Memo

FINAL REPORT

The Consultant will compile task deliverables and produce a final LWRP report for the Village; included required sections:

- Statement of Goals and Objectives
- Section 1: WRA Boundary identification
- Section 2: Inventory & Analysis
- Section 3: Local Waterfront Revitalization Policies
- Section 4: Proposed Land and Water Uses and Proposed Projects (including Harbor Management Plan)
- Section 5: Techniques for Local Implementation of the Program State and Federal Actions and Programs
- Section 6: State and Federal Actions and Programs likely to affect Implementation
- Section 7: Local Commitment and Consultation with other affected Federal, State, Regional and Local Agencies

The Consultant will produce any additional required appendices.

Attached is the draft workplan for the entire project. The workplan is for your information only and is subject to slight alterations. All changes will be provided prior to contract finalization.

Village of Montour Falls Local Waterfront Revitalization Program

1. Project Description

The Village of Montour Falls will develop a Local Waterfront Revitalization Program (LWRP) for the Erie Canal waterfront and downtown Montour Falls. The Village will partner with the Schuyler County Planning Department, the Town of Montour, SCOPED, and Project Seneca. The goal of the LWRP is to guide future development and guide enhancements or redevelopment of properties along the Erie Canal and the Village downtown.

This project involves the preparation of a Local Waterfront Revitalization Program (LWRP) pursuant to the provisions of New York State Executive Law, Article 42, and 19NYCRR Parts 600-603, for the City/Town(s)/Village(s) of (municipality). Completion of this project may integrate preparation of a harbor management plan (HMP) as set forth in 19 NYCRR Part 603.3 and further described in guidelines prepared by the Office of Planning and Development.

The Village of Montour Falls is located on the Erie Canal with access to Seneca Lake and has .82 miles of shoreline (4,310 ft.). An additional 3,290 ft of waterway runs from the base of Shequaga Falls to the Canal.

The proposed Waterfront Revitalization Area (WRA) encompassed by the LWRP includes parcels adjacent to the Erie Canal, downtown Montour Falls, tributaries to the canal, and land adjacent to the tributaries. The expected outcomes of the process and plan are: (1) to guide future development in the WRA, (2) to outline actions to protect water quality of the Canal and Seneca lake, (3) to integrate with the land-use policies in the Village, (4) to focus on enhancement and redevelopment to the canal adjacent properties and downtown Montour Falls, and (5) to serve as a resource to the Village, residents, farmers, and business owners in their efforts to revitalize the Village's waterfront.

The match for the project is Village In-Kind Staff Time and cash from the Village's General Fund.

2. Project Attribution and Number of Copies

The Contractor must ensure that all materials printed, constructed, and/or produced acknowledge the contributions of the Department to the project. All final and public facing materials must include the Department of State logo and the following acknowledgment:

"This [document, report, map, etc.] was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund."

The contributions of the Department must also be acknowledged in community press releases and other notices issued for the project, including web site postings and other forms of digital distribution. Project press releases and other notices shall be submitted to the Department for review and approval prior to release, to ensure appropriate attribution.

Unless otherwise specified in the Work Plan tasks, the Contractor must submit all required products in the following formats:

- Draft products: one digital copy of each product must be submitted in Microsoft Word and Adobe® Acrobat® Portable Document Format (PDF), created using 300 dpi scanning resolution.
- Final products: one electronic copy of each product must be submitted in Microsoft Word, PDF (20 MB maximum), created using 300 dpi scanning resolution. In addition, one paper copy of each final product (including reports, designs, maps, drawings, and plans) must be submitted.
- Electronic data for all Geographic Information System-based mapping products and associated spatial data must be submitted in either ArcGIS format, or similar product acceptable to the Department, and comply with the requirements for Contract GIS Products. Formal metadata must be provided with all digital GIS data which includes, at minimum, a file summary/abstract, intended use, data, source data, and author information.
- Electronic data for all designs, drawings, and plans must be submitted in the original software that they were created (such as CAD format or other similar product acceptable to the Department), as well as in JPG format.
- Photographs and images must be submitted in JPG format with a minimum resolution of 300 dpi, must be dated and captioned with the location and a brief description of the activity being documented, and include any associated metadata (including the photo's GPS location where available).

3. Compliance with Procurement Requirements

The municipal attorney, chief legal officer or financial administrator of the municipality shall certify in writing to the Department that applicable provisions of General Municipal Law were fully complied with.

4. Project Components

Draft LWRP sections should be submitted sequentially to the Department for review. Refer to your Introduction to LWRPs email from the DOS Contract Administration Unit for further information. Comments provided by the Department must be addressed in all draft products.

The Contractor shall ensure the completion and submission of products associated with the following tasks to prepare the Local Waterfront Revitalization Program (LWRP), including an integrated Harbor Management Plan (HMP):

Task 1: Project Initiation Meeting

The Contractor, the Department, and any partners responsible for managing the project, shall hold an initial meeting to review and agree upon the project scope and schedule, project requirements, roles and responsibilities, the selection process for procuring consultants, involvement by the municipal attorney, State Environmental Quality Review Act (SEQRA) compliance requirements, MWBE requirements, ADA requirements, the number of public meetings and techniques for public involvement proposed for the project, and any other information which would assist in project completion. In addition, the composition of a project advisory committee shall be discussed during the project initiation meeting. The Contractor, or a designated project partner, shall prepare and distribute to all project partners a brief meeting summary clearly indicating the agreements reached at the meeting. Work on subsequent tasks shall not proceed prior to Department approval of the proposed approach as outlined in the meeting summary.

Information on preparing a Local Waterfront Revitalization Program is contained in the Department's guidebooks:

- “Local Waterfront Revitalization Programs in the Coastal Area: Guidance Manual for Preparing Local Programs” found at:
https://dos.ny.gov/system/files/documents/2021/09/lwrp-preparation-guidance_final_9_1_21.pdf

- "Making the Most of Your Waterfront: Enhancing Waterfronts to Revitalize Communities" found at: https://dos.ny.gov/system/files/documents/2020/08/lwrp_guidebook.pdf

Products: Project initiation meeting held with appropriate parties. Written meeting summary outlining agreements reached.

Task 2: Waterfront Advisory Committee

Establish a Waterfront Advisory Committee to oversee all aspects of the project in cooperation with municipal officials and the project consultant(s), if applicable. The committee shall be representative of project stakeholders, including representatives of State, county, and municipal agencies with jurisdiction over project activities or the project area, and non-governmental and community-based organizations. A draft list of proposed members shall be circulated to the Department for review and approval prior to establishment of the committee.

Products: Draft and final list of proposed members of waterfront advisory committee. Waterfront advisory committee established.

Task 3: Procurement of Consultant (if applicable)

Prepare a Request for Proposals (RFP) or similar instrument (if applicable) including a complete project description with site conditions, expected final results, a schedule for completion, MWBE requirements, and criteria for selecting a preferred proposal. Consultant services requested shall include all applicable tasks, activities and responsibilities outlined in the "Project Components" section of this work program.

NYS Department of State requires a licensed professional engineer, architect or landscape architect licensed to practice in New York State for preparation and certification of final designs and construction documents, and for supervision of construction.

The Contractor must actively solicit bids for contracts and subcontracts from qualified State certified MWBEs which can be identified using the NYS Directory of Certified Firms (<https://ny.newnycontracts.com/>). The Contractor must retain records of the procurement process including direct solicitation to MWBEs; results; and any actions that its subcontractors have taken toward meeting MWBE contract participation goals. To demonstrate good faith efforts to achieve MWBE contract goals the following should be retained:

- Evidence of outreach to MWBEs: mail, email, phone calls and follow-up;
- Written responses by MWBEs to the grantee/vendor's outreach;
- Copies of search(es) of the directory and advertisements for participation by MWBEs in appropriate general circulation, trade, and minority or women-oriented publications;
- Attendance at any pre-bid, pre-award, or other meetings, if any, scheduled by the grantee with MWBEs including dates and location;
- Description of how the scope of work maximizes opportunities for MWBE participation; and
- Description of how non-MWBE subcontractors' have engaged MWBEs to undertake part of the project's work or to procure equipment/ materials/supplies.

NYS Department of State requires a licensed professional engineer, architect or landscape architect licensed to practice in New York State for preparation and certification of final designs and construction documents, and for supervision of construction.

Submit the RFP or similar instrument to the Department for review and approval prior to release for solicitation of proposals.

Products: Approved RFP or similar instrument released through advertisement in local papers, the New York State Contract Reporter, or other appropriate means. Documentation of procurement including direct solicitation to MWBEs and actions taken toward meeting MWBE contract participation goals.

Task 4: Subcontract and Compliance with Local Procurement Requirements

Prepare the draft subcontract(s) to conduct project work with the selected consultant(s). The subcontract(s) shall contain a detailed work plan with adequate opportunity for review at appropriate stages of product completion, a payment schedule with payments tied to receipt of products, and project costs.

Incorporate the Department's comments on the subcontract work plan, or scope of services, prior to execution of the final subcontract(s).

The municipal attorney, chief legal officer or financial administrator of the municipality shall certify in writing to the Department that the Contractor fully complied with applicable provisions of General Municipal Law and with local procurement procedures. A procurement certification form will be supplied by the Department.

The Contractor's procurement record and consultant selection are subject to approval by the Department.

The Contractor remains responsible for the legal sufficiency of the subcontract in accordance with the requirements in the Master Grant Contract and Attachment A-1.

Products: Consultant(s) selected and approved by the Department. Executed subcontracts and written certification of compliance with procurement procedures.

Task 5: Waterfront Advisory Committee Meetings

Hold a second project meeting with the consultant(s) and Waterfront Advisory Committee to review project requirements, site conditions, and roles and responsibilities; identify new information needs and next steps; and transfer any information to the consultant(s) which would assist in completion of the project.

The Waterfront Advisory Committee shall meet regularly over the course of the project to guide project development and review findings and documents. Following each meeting, the consultant(s) shall prepare and distribute a brief meeting summary including attendees, main topics discussed, decisions agreed upon by committee, and action items.

Products: Waterfront Advisory Committee meetings. Written meeting summary of each meeting

Task 6: Preparation of a Community Outreach Process and Plan

Prepare a method and process to encourage community participation in development and implementation of the LWRP. The outreach plan shall identify key individuals, organizations, and entities to be involved, and shall identify the visioning process and the roles and responsibilities in coordinating the entire outreach process, logistics, and the proposed schedule of public meetings and other public engagement activities such as social media, workshops, charrettes, etc. All public meetings will be advertised in the community

through press releases, announcements, individual mailings, digital media, municipal website postings, and any other appropriate means. Meetings and public engagement shall be scheduled in a manner that maximizes attendance and participation from all interested community members. 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 session will be made available in written form and through other appropriate means, such as website or social media.

The outreach plan shall be submitted to the Department for review and approval.

Product: Approved community outreach plan.

Task 7: Draft Section I - Waterfront Revitalization Area Boundary

Prepare a narrative description and map of the waterfront revitalization area which includes surface waters and underwater lands. The waterfront revitalization area should include those portions of the water body within the municipality, as well as adjacent upland which affects the water body through drainage, watershed, and any other factors. Include references to the Inventory and Analysis section justifying the inclusion of particular land use areas in this section if beneficial for increased understanding. The narrative must accompany a boundary map showing the proposed waterfront area, including the Harbor Management Plan boundary. For the New York State Coastal Boundary and other data that may be useful for preparing the LWRP boundary see the Geographic Information Gateway at: <http://opdgig.dos.ny.gov/#/map>. See Department staff for additional tools and guidance to complete this section.

Submit Section I to the Department for review, comment, and approval. Comments from the Department must be addressed in subsequent drafts of Section I.

Products: Draft Section I - Waterfront Revitalization Area Boundary, including narrative and map(s).
Comments from the Department must be addressed in all drafts of Section I.

Task 8: Draft Section II - Inventory and Analysis

A. Inventory, describe, and map existing natural and built resources and conditions within the waterfront revitalization area including the harbor (which includes surface waters and underwater lands). For guidance see: “Local Waterfront Revitalization Programs in the Coastal Area: Guidance Manual for Preparing Local Programs” found at: https://dos.ny.gov/system/files/documents/2021/09/lwrp-preparation-guidance_final_9_1_21.pdf and the Inventory and Analysis Checklist. See Department staff for additional tools and guidance to complete this section.

This section must provide a thorough analysis of waterfront issues, opportunities, and constraints to economic development and resource protection needs. This section will provide an assessment of the vulnerable resources and potential risks associated with storms, flooding, and the effects of climate change. The inventory and analysis must be broad enough to ensure consideration of important waterfront resources, problems and opportunities and detailed enough to support development of a specific and realistic LWRP. This section should also incorporate the inventory and analysis of the relationship between waterside uses that have the potential for conflict, congestion, or competition in support of the Harbor Management Plan.

Topics to be addressed, commensurate with the local conditions, in the Inventory and Analysis Checklist, include:

- Community Profile
- Existing Land and Water Uses and Public Access
- Natural Resources
- Flooding and Erosion (Risk and Resiliency)
- Historic and Cultural Resources
- Harbor Management Plan Inventory
- Existing Authorities of Federal, State, Regional, and Local Agencies that have Jurisdiction in the Waterfront Revitalization Area
- Summary of existing Plans, Projects and Initiatives that effect the waterfront area such as the municipal comprehensive plan, All-Hazard Mitigation Plans, watershed management plans, downtown revitalization plans, community resiliency plans.

Submit Draft Section II to the Department for review, comment, and approval. Comments from the Department must be addressed in all drafts of Section II.

Products: Draft Section II - Inventory and Analysis with accompanying maps to depict the waterfront revitalization area resources, issues, and opportunities. Comments from the Department must be addressed in all drafts of Section II. Electronic data for all Geographic Information System-based mapping products submitted in either ArcGIS format, or similar product acceptable to the Department.

B. Provide existing local land use laws/ regulations/ ordinances that will implement the LWRP. See the LWRP Preparation Guidance on local laws for additional information.

Products: List of current existing local land use laws/ regulations/ ordinances.

Task 9: First Public Information Meeting

Following completion of the initial drafts of Section I - Waterfront Revitalization Area Boundary and Section II - Inventory and Analysis, conduct a public information meeting regarding the identified local waterfront issues and opportunities and solicit public input on draft Sections I and II.

Products: Public information meeting held. Minutes of the public meeting, including any presentations or handouts.

Task 10: Draft Section III - Local Waterfront Revitalization Program Policies

The Contractor will receive the State waterfront revitalization policies from DOS staff. Any additions to the policy explanations proposed by the municipality shall be inserted in the policy explanation portions of the provided document and returned to DOS staff for review, comment, and approval.

Proposed additions should be based on information provided in the Inventory and Analysis. The policy explanation may add specific local standards, geographic features, or applicable locations, for determining consistency with the policies. Prepare a full policy analysis and matrix prepared with local laws to demonstrate how each policy shall be implemented to legally uphold the LWRP. The Department will provide a template for the matrix.

Should the municipality propose additions to policy explanations a conference call may be conducted with DOS staff to discuss the proposed additions.

Submit Draft Section III to the Department for review, comment, and approval. Comments from the Department must be addressed in all drafts of Section III.

Products: Draft Section III - Local Waterfront Revitalization Policies with comments or notes. Comments from the Department must be addressed in all drafts of Section III.

Task 11: Draft Section IV - Proposed Land and Water Uses and Proposed Projects

Describe and map proposed land and water uses within the waterfront area, and proposed projects necessary to implement the LWRP. For guidance on what information is necessary to describe a proposed project see Appendix 8 of the LWRP Preparation Guidance found at:

https://dos.ny.gov/system/files/documents/2021/09/lwrp-preparation-guidance_final_9_1_21.pdf

See Department staff for additional tools and guidance to complete this section.

Submit Draft Section IV to the Department for review, comment, and approval. Comments from the Department must be addressed in all drafts of Section IV.

Products: Draft Section IV - Proposed Land and Water Uses and Proposed Projects with comments or notes. Comments from the Department must be addressed in all drafts of Section IV.

Task 12: Second Public Information Meeting

Conduct a public information meeting regarding the identified local waterfront issues and opportunities to solicit public input on Section IV.

Products: Minutes of the public meeting, including any presentations or handouts.

Task 13: Draft Section V - Techniques for Local Implementation of the Program

Describe existing local laws and regulations, and any new or amended laws or regulations necessary to both improve community resilience and implement the policies, strategies, proposed uses, and projects set forth in the LWRP. Relevant local land use controls may include, the zoning code, subdivision review, site plan review, design standards, stormwater management and flood damage prevention. The Contractor shall draft local laws and regulations necessary to implement the LWRP. Full drafts of new or amended existing laws and regulations, including a local consistency review law, should be attached as appendices to the LWRP. Local laws, regulations, standards, and procedures essential to the implementation of the policies and purposes of the LWRP must be in place at the time of approval of the LWRP by the Secretary of State.

Describe other public and private sector actions necessary to implement the LWRP, including actions by federal and State agencies necessary to fully implement and advance projects in the waterfront revitalization area. These actions may include approving anchorage and mooring areas prior to designation, designating vessel waste no-discharge zones, dredging or maintaining major navigation channels and basins, constructing or maintaining breakwaters, funding certain studies, or providing technical assistance.

Describe a local management structure for reviewing proposed waterfront projects for consistency with the approved LWRP, and the financial resources required to implement the approved LWRP. Implementation of the LWRP will be a continuing responsibility of the municipality. In preparing its LWRP, the municipality

needs to consider the costs of implementing the program and whether the funds needed are, or can be reasonably expected, to be available.

Submit Draft Section V to the Department for review, comment, and approval. Comments from the Department must be addressed in all drafts of Section V.

Products: Draft Section V - Techniques for Local Implementation of the Program, and all drafts of any necessary amendments to existing laws or new local laws, including a local consistency review law. Comments from the Department must be addressed in all drafts of Section V.

Task 14: Draft Section VI - Federal and State Actions and Programs Likely to Affect Implementation of the LWRP

The Department shall provide to the Contractor a generic list of federal and State agency actions and programs which are to be undertaken in a manner consistent with the LWRP. The Contractor or its consultant(s) shall describe specific federal and State actions necessary to further implementation of the LWRP (technical assistance, funding, procedural changes, etc.).

Submit Draft Section VI to the Department for review and approval.

Products: Draft Section VI - Federal and State Actions and Programs Likely to Affect Implementation of the LWRP, revised if necessary.

Task 15: Draft Section VII - Local Commitment and Consultation

Describe the public consultation efforts undertaken in the preparation of the LWRP, such as public hearings, public informational meetings, or meetings with governmental agencies. All activities undertaken to consult and obtain local support and commitment should be thoroughly documented in Section VII.

Describe any local committees created to oversee preparation of the LWRP, and the role of other municipal agencies.

Submit Draft Section VII to the Department for review, comment, and approval. Comments from the Department must be addressed in all drafts of Section VII.

Products: Draft Section VII - Local Commitment and Consultation. Comments from the Department must be addressed in all drafts of Section VII.

Task 16: Determination of Significance and Compliance with SEQRA

A municipality's preparation and adoption of an LWRP involve compliance with SEQRA. The Lead Agency shall prepare, distribute, and file a Full Environmental Assessment Form for purposes of evaluating the significance of the environmental impacts associated with preparing and adopting a LWRP. Upon completing the Full Environmental Assessment Form, the Lead Agency shall make a Determination of Significance in accordance with the SEQRA regulations. If the Determination of Significance results in a Positive Declaration, the Lead Agency shall prepare a Draft Generic Environmental Impact Statement for the Draft LWRP in accordance with State Environmental Quality Review Act (SEQRA) regulations and guidelines. If the findings of the Determination of Significance are such that the LWRP will not have a significant environmental impact, a Negative Declaration may be prepared and filed to complete the

SEQRA process. The Contractor shall determine whether a public hearing will be held on the Draft LWRP. Completed SEQRA documents shall be submitted to the Department for review and approval.

Products: Completed Full Environmental Assessment Form and associated SEQRA determination statements (Positive Declaration or Negative Declaration, Draft Generic Environmental Impact Statement if needed, public hearing notes.

Task 17: Complete Draft LWRP

Submit an electronic copy (Word format with each map as an individual pdf, and a GIS shapefile of the LWRP boundary in a format compatible with the Department's Geographic Information Gateway) and up to two (2) paper copies (upon request) of the complete Draft LWRP document, incorporating comments from the department including:

- integrated harbor management plan
- complete Draft Generic Environmental Impact Statement (if applicable)
- new or amended existing laws and regulations.

If revisions to the complete Draft LWRP are needed, based on Department review, the Contractor shall make the required changes and resubmit the document to the Department for review. The revised document shall be submitted in both Word format and PDF format (with section bookmarks), with the PDF a maximum of 20 MB to allow for website posting.

All comments and requested revisions must be addressed to the satisfaction of the Department prior to advancing the document to 60-Day Review.

Following acceptance of the complete Draft LWRP document by the Department, the Contractor shall formally accept the Draft LWRP as complete and ready for public review and authorize its submission to the Department for review by potentially affected State, federal, and local agencies - by resolution of the local municipal legislative body. Once accepted as complete provide one (1) hard copy and one electronic copy (formatted in Microsoft Word) of the complete Draft LWRP document to the Department.

Upon receipt of the required number of copies of the Draft LWRP (and Draft Generic Environmental Impact Statement, if applicable), the Department shall initiate a 60-Day Review by State, federal, local, and other agencies.

Products: (1) Draft LWRP acceptable to the Department; (2) GIS shapefile of the LWRP boundary in a format compatible with the Department's Geographic Information Gateway and (3) a resolution of the local municipal legislative body adopted to accept the Draft LWRP as complete and ready to be submitted to DOS for review and initiation of the 60-Day review process.

Task 18: Third Public Information Meeting

Following completion of the Draft LWRP and in conjunction with 60-Day Review and compliance with SEQRA conduct a public information meeting or meetings on the Draft LWRP.

Products: Public meeting(s) held. Minutes of the public information meeting(s) and identification of changes to be made to the Draft LWRP as a result of the public meeting.

Task 19: Final LWRP

Following the 60-Day Review period of the Draft LWRP (and Draft Generic Environmental Impact Statement, if applicable), the Department shall meet with the Contractor to discuss all 60-Day comments received, determine appropriate responses, and revise the LWRP document to reflect each response. All supporting local laws proposed for adoption in conjunction with the adoption of the LWRP, and the Final Environmental Impact Statement (if applicable), shall also be revised as necessary to reflect 60-Day comments and responses, to the satisfaction of the Department.

Additionally, the Contractor shall submit to the Department a schedule of adoption of the LWRP and any local laws necessary for implementation of the LWRP.

Products: An electronic copy (and up to two (2) paper copies upon request) of the Final LWRP and supporting local laws (and Final Environmental Impact Statement, if applicable), along with electronic data for all Geographic Information System-based mapping products submitted in either ArcGIS format, or similar product acceptable to the Department, and schedule of LWRP adoption.

Task 20: 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 21: 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 to DOS during the life of the contract.

Task 22: 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 Department.

5. Project Responsibilities

The Contractor shall administer the grant, execute a contract with the Department, and ensure the completion of work in accordance with this Work Plan.

The Contractor:

- will be responsible for conducting all project work in conformance with the Work Plan included in the executed contract with the Department.
- will be responsible for all project activities including drafting request for proposals and managing subcontracts with consultants and subconsultants.
- will be responsible for legal review through municipal attorney as necessary
- will certify to the Department that the procurement record for project consultants and subcontractors complies with the applicable provisions of General Municipal Law.
- will receive approval from the Department for any and all consultant subcontracts before beginning project work.
- will be responsible for submission of all products, M/WBE forms, and payment requests including backup documentation.
- will be responsible for coordinating participation and soliciting comments from local government personnel, project volunteers, and the public.
- will keep the Department informed of all important meetings for the duration of this contract.
- will receive approval from the Department before purchase of any equipment.
- will secure all necessary permits and perform all required environmental reviews.
- will ensure that all materials printed, constructed, and/or produced acknowledge the contributions of the Department to the project.
- will ensure that all products prepared as a part of this contract shall include the NYS Comptroller's contract # as indicated on the Face Page of this contract.
- will ensure the project objectives are being achieved.
- will ensure that comments received from the Department and the project advisory committee, or other advisory group, are satisfactorily responded to and reflected in subsequent work.
- will recognize that payments made to consultants or subcontractors covering work carried out or products produced prior to receiving approval from the Department will not be reimbursed unless and until the Department finds the work or products to be acceptable.

The Department:

- will review and approve or disapprove of subcontracts between the Contractor and consultant(s) and any other subcontractor(s).
- will participate in project initiation meeting and attend meetings that are important to the project.
- will review all draft and final products and provide comments as necessary to meet the objectives.
- must approve or disapprove any and all design, site plan, and preconstruction documents. Department approval must be obtained before construction may begin.

