

REQUEST FOR PROPOSALS FOR PLANNING CONSULTANT

VILLAGE OF COLD SPRING

ZONING CODE UPDATE /NYSERDA GRANT IMPLEMENTATION

Invitation / Scope of Services

NYSERDA, through the Cleaner, Greener Community Program has awarded the Village of Cold Spring a \$75,000 grant in order to assist in creating an environment that encourages Smart Growth and follows the Technical Guidance Manual for Sustainable Development¹ (the “Grant”). To achieve its goals, the Village seeks to amend its Village Code, comprehensive plan, subdivision regulations, and historic standards to encourage and enable future development and redevelopment that will save energy, increase use of renewable energy, reduce greenhouse gas emissions, avoid future emissions, and reduce future energy use. The Village also intends to use this code update to support its Local Waterfront Revitalization Plan (LWRP). Copies of the Comprehensive Plan; LWRP and the Village Code are available online on the Village of Cold Spring website at www.coldspringny.gov. The terms of the Grant are set forth in a Draft Agreement with NYSERDA which includes, among other things, a Draft Statement of Work that details a series of “Tasks” and “Deliverables”. The Draft Agreement can also be found on the Village’s website.

A Planning Consultant/Planning Firm is necessary to assist the Village in performing the various project Tasks and preparing the various Deliverables and to provide general municipal planning services ancillary thereto. Relevant portions of the Draft Statement of Work are set forth at the end of this Request for Proposal

RFP Instructions

All responses to this RFP must comply with the following:

1. Seven copies of your response must be sent to Ms. Mary Saari, Village Clerk, Village of Cold Spring, 85 Main Street, Cold Spring, NY 10516 by regular mail or overnight delivery (*e.g.*, Federal Express), and must be received by Ms. Saari on or before 3:00 p.m. August 12, 2014.

¹ USGBC and Land Use Law Center at Pace Law School Technical Guidance Manual for Sustainable Neighborhood Development

2. Proposals may not be faxed or emailed.
3. The envelope containing the seven hard copies of your response shall bear a notation reading: "Response to Cold Spring RFP for Planning Consultants."
4. By responding to this RFP, you agree that
 - i. your proposal shall be irrevocable until September 30, 2014,
 - ii. you are solely responsible for any and all costs you incur in connection with responding to this RFP,
 - iii. you will not look to the Village for reimbursement of any costs you incur in connection with responding to this RFP,
 - iv. if requested, you will travel to the Village, at your sole expense, for an interview at a time and place of the Village Board's choosing,
 - v. your response, and any documents that accompany your response, once submitted, shall become the property of the Village,
 - vi. if you are selected pursuant to this process, you will provide the services requested until the termination or expiration of the project.
 - vii. this RFP is issued to elicit responses about the firms that receive it and is not an offer,
 - viii. no contract or other binding obligation with the Village will exist or be deemed to exist, unless and until a written agreement has been executed on terms and conditions acceptable to the Village Board; and
 - ix. the issuance of this RFP and the submission of the recipient firm's proposal do not create a contract or any obligation upon the Village to enter into a legal relationship with any one or more of the recipient firms.
5. All proposals must include a statement acknowledging that any contract shall include a provision allowing the Village to terminate the contract without cause.
6. Any questions you might have regarding this process should be submitted in writing and e-mailed to Ms. Saari at vcsclerk@bestweb.net. We will do our best to respond to all such questions received within 7 days of receipt.

Form of Proposal

Proposals should address the issues outlined in the "Scope of Services" section of this RFP. They should be concise, yet thorough. Please insure that your proposal for the Village of Cold Spring also addresses, to the fullest extent practicable, the following requested information:

- Identify all municipal entities you currently represent.
- Identify all municipal entities you have represented within the past five (5) years.
- Identify your firm's offices and the number of professionals by location.
- Provide a summary of your firm's experience in providing consulting services to municipal entities. Identify the percentage of your firm's revenues derived from representing municipal entities.
- Provide examples where your firm has utilized creative and strategic approaches, to the benefit of a municipal entity.
- Specify the Consultants you would propose to advise the Village and provide their respective educational and professional backgrounds.
- Provide three non-Village references who can speak to the experience and expertise of your firm and, in particular, the Consultants you propose to advise the Village.
- Provide a fee proposal. You may indicate a flat fee proposal for the entire project or an hourly rate or combination thereof that your firm will charge to the Village of Cold Spring.
- Indicate whether you would propose offering any other billing methodology.
- Describe how you would assure that all Village matters should receive prompt and thorough attention.
- If your firm has a written values statement or a mission statement, please include it with your response.
- Describe any significant accomplishments in the area of pro-bono work or community service.
- Identify and provide a short description of any malpractice action filed against, or sanction imposed on, your firm.
- Identify whether your firm (or any of your partners or associates) has been a defendant or respondent in any litigation or agency action relating to the provision of consulting services within the past five years.
- Provide any significant awards, accomplishments, or leadership positions that demonstrate expertise or recognition relevant to the Village's consulting needs.
- Describe what you believe would be an ideal working relationship between (a) Consultant and (b) the Village
- Provide any additional information or considerations that you believe are relevant.

Selection Criteria

In selecting the Planning Consultant or firm to provide consulting services for the Village, the following factors will be considered:

- Experience in providing planning advice to municipalities in the Hudson Valley, particularly villages and municipalities with commuter rail stations; river/waterfront access; and significant historic features
- Experience with the USGBC and Land Use Law Center at Pace Law School Technical Guidance Manual for Sustainable Neighborhood Development
- Experience with LEED design
- Qualifications of the individuals who will be assigned to handle the Village's business.
- The fee to be charged for consulting services and the billable rates.
- Proposals will be reviewed by the Cold Spring Village Board. A select number of respondents will be invited to an interview with the Village Board after the review is completed. Planning Consultants should be prepared to answer detailed questions regarding their proposals during this interview.
- Consultants who demonstrate the ability to provide excellent consulting services as measured by quality of work, cost-effectiveness, a commitment to pro-active advice, responsiveness, integrity, diversity, community-mindedness, and a dedication to the residents of the Village of Cold Spring.

RFP Process

The RFP is the first part of a larger process the Village Board is undertaking to evaluate and select the best and most appropriate Planning Consultant for the Village. Following receipt of proposals, the Village shall determine which applicants are qualified. In person interviews will be conducted and, thereafter, a Planning Consultant shall be hired.

Conflicts Issues

Before you begin this RFP process, it is important to determine if your firm would have any conflicts (potential or actual) if selected to represent the Village. If you have any questions regarding any such conflicts, or if you are aware of any such conflicts, you must submit such questions or identify the conflict in writing, by e-mail, to Mayor Ralph Falloon at the e-mail address of mayer@coldspringny.gov. It is recommended that you not start your response to this RFP until any conflicts issues have been discussed and fully explored with Mayor Ralph Falloon. Unless you state otherwise, the Village Board

will deem your response a representation that you are not aware of any conflicts, potential or actual, between any client of your firm and the Village.

TIMELINE

Publication and distribution of RFP:	July 23, 2014
Responses to RFPs due:	August 12, 2014 on or before 3:00 pm
Interviews:	beginning after August 13, 2014

EXCERPTS FROM DRAFT STATEMENT OF WORK

Task 1: Contract Management: The Contractor (VILLAGE) shall handle all invoices related to this Contract, track all expenses, and make all necessary payments to program partners and subcontractors.

Conference Calls and Meetings: The Contractor shall participate in monthly calls with NYSERDA and face-to-face meetings as needed to gauge project status. NYSERDA, working in conjunction with the Regional Outreach Coordinator (ROC) shall schedule and conduct, on an as needed basis in-person visits, conference calls or face-to-face meetings to verify project requirements and the completion of project milestones.

Project Execution Plan

To ensure the successful development of approved deliverables, the Contractor, in conjunction with the rest of the Project Team, shall submit a Project Execution Plan (PEP), limited to no more than 5 pages and in a format specified by NYSERDA

1.2 Quarterly Progress Reports

The Contractor will submit quarterly progress reports, in a format specified by NYSERDA. Each report will provide:

- A summary of progress and accomplishments over the previous quarter, including a discussion of major tasks and deliverables completed in the prior quarter;
- Explanation of current quarter's activities and plans, including tasks and deliverables to be completed;
- Discussion of any major issues or problems encountered during the prior quarter, deviations from schedule and budget and other issues related to the successful outcome of this contract.

If the project timeline extends past the Contract completion date, the Contractor shall continue to submit quarterly reports, but no additional payments shall be allocated for them.

1.3 Final Report and Technology Transfer

The Contractor, in conjunction with the rest of the Project Team, shall prepare a comprehensive final report, in a format specified by NYSERDA and limited to no more than 15 pages plus attached final products, which describes the work performed and the results associated with the tasks outlined in this Agreement.

To further NYSERDA's goal of transferring technology or knowledge amongst all NYS communities, the contractor will make all final project deliverables available for public use and agree to work with NYSERDA and to promote the project throughout its implementation through NYSERDA's outreach outlets. The Contractor shall also honor any reasonable request made by NYSERDA to provide any additional information necessary to create a press release or case study showcasing this project.

Minimum Report Content:

- Table of Contents;
- Brief overview of CGC Program;
- Project overview and description;
- Summary of tasks completed;
- Narrative describing activities that took place;
- Table outlining tasks that received NYSERDA funding, total cost of tasks as implemented, and NYSERDA funding amounts;
- Appendices including:
 - Documentation outlined in Tasks 2 through 6 of this Draft Statement of Work;
 - Names, contact information and roles for project participants; and
 - Performance Metrics – Include final PBMR as described in Exhibit F.

Task 2: Prepare Draft Village Zoning Code Amendments

The Contractor, in conjunction with the rest of the Project Team, shall perform the following activities under this task:

- Appoint a Zoning Committee to oversee the Village Zoning Code update process, including assisting in drafting of the zoning amendments and review of the amendments before submission to the Village Board of Trustees for review. The

committee will meet monthly for the duration of the zoning contract process resulting in an expected 18 committee meetings. The contractor shall coordinate and attend these committee meetings.

- Prepare the following 25 draft Village Zoning Code Amendments or some variation thereof:
 - Area and Bulk Regulation Standards
 - Restrict Shop Front Buildings to Commercial Uses
 - Standards for Three Story Buildings
 - Outdoor Lighting Standards
 - Sign Standards
 - Parking Standards
 - Landscaping Within and Around Parking Lot Standards
 - Detached Garage Standards
 - Maximum Lot Coverage Standards
 - Home Occupation Standards
 - Livable Floor Area Standards
 - Accessory Apartment Standards
 - Standards for Street Trees
 - Standards for the Preservation and Restoration of Cultural Features
 - Permit Conservation Easements/Façade Easements
 - Prohibit Outright Demolition of Existing Structures
 - Permit Conservation Subdivisions
 - Adopt a Ridgeline Protection Overlay District
 - Green Building Standards
 - Fence Standards
 - Amend the Village Code for Clarity and Consistency
 - Amend Permitted Use Standards
 - Revise the Zoning Map
 - Amend Subdivision Regulations
 - Adopt Waterfront Consistency Review Law

Amend the Zoning Map to include new zoning districts and revised boundaries for existing zoning districts based on the recommendations of the Village's existing Comprehensive Plan and the Local Waterfront Revitalization Program.

Deliverables:

2.1 Proposed schedule of meetings, meeting minutes, and attendance lists from 18 Zoning Committee meetings

2.2 Write up of draft Village Zoning Code amendments, as finalized by the Zoning Committee, including amended Zoning Map and back-up documentation to support and clarify how these amendments were developed including sources of information used (*e.g.* LEED for Neighborhood Development Technical Guidance Manual).

Task 3: Prepare Draft Historic District Amendments

The Contractor, in conjunction with the rest of the Project Team, shall work with the Historic District Review Board to consider draft Historic District Amendments or variations thereof for adoption that shall include but not be limited to the following:

- Form-based Standards
- Traditional Neighborhood Development District Standards
- Adaptive Reuse Standards
- Historic District Law Design Standards

Deliverables:

3.1 Write up of draft Historic District Amendments, (including supporting graphics), as recommended by the Historic District Review Board

Task 4: Public Input Sessions

The Contractor, in conjunction with the rest of the Project Team, shall organize a minimum of three (3) public input sessions to obtain public feedback on the draft Village Zoning Code amendments and draft Historic District Amendments. These input sessions will be developed and described by the Contractor in the Project Execution Plan.

Deliverables:

4.1 Meeting minutes and attendance list for first public input session;

4.2 Meeting minutes and attendance list for second public input session; and

4.3 Meeting minutes and attendance list for third public input session

Task 5: Prepare Final Village Zoning Code Amendments, Implementation and Final Report

The Contractor, in conjunction with the rest of the Project Team, shall perform the following activities:

- Revise the Village Zoning Code amendments based on public input sessions and prepare the draft final versions.
- Revise the Historic District draft amendments based on public input sessions and Zoning Committee recommendations. Prepare the draft final versions.

Deliverables:

5.1 Final Village Zoning Code Amendments Prior to Public Hearing; and

5.2 Final Historic District Amendments Prior to Public Hearing

Task 6: Adoption of Final Zoning Code Amendments, Zoning Map and Historic District Amendments

As part of the adoption process for the proposed Zoning Code Amendments, Zoning Map, and Historic District Amendments, the Contractor, in conjunction with the rest of the Project Team, shall perform the following activities:

- File the proposed zoning in the office of the Village Clerk.
- Introduce the proposed Zoning Code Amendments, Zoning Map and Historic District Amendments at a regular Village Board of Trustees meeting.
- Conduct State Environmental Quality Review Act (SEQR) Review:
 - Submit a resolution to determine lead agency for (SEQR) review; and
 - Conduct SEQR determination of significance and depending on the outcome; prepare a positive declaration and Environmental Impact Statement or a negative declaration.
- Submit a resolution to hold municipal board hearing.
- Issue a notice to Putnam County Planning Department for review under General Municipal Law.
- Provide a notice to adjacent municipalities regarding the proposed Village Zoning Code Amendments, Zoning Map, and Historic District Amendments;
- File an Affidavit of publication.
- Conduct a public hearing of the Village Board of Trustees.
- Collect and consider responses received from the Putnam County Planning Board;
- Submit the final form of the proposed Village Zoning Code Amendments, Zoning Map, and Historic District Amendments to the Village Board of Trustees members; and

- Submit a resolution to adopt the proposed Village Zoning Code Amendments, Zoning Map, and Historic District Amendments.

Deliverables:

- 6.1 Public hearing minutes and attendance list;
- 6.2 Draft Final Village Zoning Code and Historic District Amendments after Public Hearings are completed;
- 6.3 Copy of resolution confirming Final Village Zoning Code Amendments, Zoning Map, and Historic District Amendments were submitted to the Village Board for vote and if adopted, a copy of the formally adopted Village Zoning Code Amendments, Zoning Map and Historic District Amendments; and
- 6.4 SEQR documentation, including a completed Generic Environmental Impact Statement (GEIS).

Exhibit F – Performance Metrics
CGC Program, Phase II: Category 2
 Village of Cold Spring Zoning Update
 CFA # 30400/Contract # 39523

The goals of the CGC Category 2 planning grants are to foster mid- to long-term policy change that will create more sustainable communities and reduce greenhouse gases (GHG) in the region. This CGC Performance Metrics Exhibit defines obligations of the Contractor to create and report metrics to NYSERDA for estimating the potential benefits of planning activities. NYSERDA reserves the right to request additional data or metrics and update reporting requirements as needed.

1. Definitions

CGC Required Performance Metrics (RPMs): RPMs are required of all CGC grantees and are designed to help NYSERDA estimate potential benefits across all CGC investment. For planning grants these shall be reported by the Contractor as projected community-wide, indirect benefits over near-term (5 years), mid-term (10 years) and long-term (15 years) periods. The RPMs will quantify the estimated benefits that will be achieved through the adoption of sustainability plans and policies by local governments. RPMs include:

- Number of permanent jobs created (full-time equivalent [FTE])
- Energy cost savings/year (\$)
- NYSERDA CGC investment (\$)
- Other investment (\$)
- Total energy savings by fuel type/year (million British thermal units[MMBTU]); and
- GHG savings/year (metric tons carbon dioxide equivalents [MTCDE]).

Sector-common metrics (SCM): Specific metrics common to only a subset of the CGC projects or planned measures. Specific metrics such as estimated grid-supplied electricity reductions, potential increased renewable energy capacity, or vehicle miles traveled (VMT) reduction shall be assigned to the project to provide more detailed estimates for the RPMs, where applicable.

Common Planning Metrics (CPM): An additional set of commonly used planning metrics may be requested by NYSERDA to estimate future benefits of the CGC planning project. CPMs will use performance metrics and standards used within LEED® for Neighborhood Development (LEED-ND) or other systems and standards commonly used to quantify the benefits of sustainable planning practices.

Regional Sustainability Plan (RSP) Metrics: These are metrics that align with the indicators included in the RSPs developed during CGC Phase I to support RSP goals. The Contractor should identify any RPMs, SCMs or CPMs that align with RSP indicators. Links to the RSPs are available at <http://www.nyserra.ny.gov/cgc>.

Benefits: The resulting quantified values of the actual or projected metrics that demonstrate the success and impact of the plan. For Category 2 projects, it is assumed that all benefits will be indirect because project-specific implementation shall not take place with this type of CGC investment.

2. Preparing the Project Benefits Metrics Report (PBMR)

The Contractor shall submit a draft preliminary PBMR with the first quarterly report that proposes the metrics and methodology for data development to be used for near-, mid-, and long-term community benefit projections. The draft PBMR shall include the following:

- All six of the CGC RPMs.
- SCMs that are applicable for estimating RPMs because they are specific to the goals of the planning efforts (i.e., VMT/year, if planning effort includes a goal of increasing public transportation; or estimated household electricity use savings, if the planning effort includes an energy-efficiency standard for new housing).
- CPMs shall be identified by NYSERDA and/or proposed by the Contractor to demonstrate benefits that directly correlate with the specific type of planning grant project. NYSERDA may request the Contractor to participate in a NYSERDA-led discussion group with other CGC participants to identify a set

of CPMs that will most accurately reflect community benefits of Category 2 planning grant projects. NYSERDA and the Regional Outreach Coordinators shall be available to assist the Contractor in the identification of CPMs that are appropriate for their project and the methodology or approach to use in the data collection and analysis. A minimum of three CPMs should be included for all planning projects.

- RSP metrics that align with the RSP should also be indicated. For example, if an RSP goal is to increase transit ridership by 15%, and the project will include efforts to improve public transportation, then a metric quantifying the expected increase in transit ridership (as a percentage or number of riders) should indicate that it aligns with the RSP on the PBMR. Other RSP metrics that are not already included as an RPM, SCM, or CPM are also encouraged to the extent the data are readily available over time and applicable to the project.

NYSERDA shall work with CGC Category 2 Contractors during project start-up to finalize the format and content of the PBMR. A sample is shown below.

EXAMPLE: Benefit Estimate Sheet: Village of XX Comprehensive Plan Benefits					
Type	In RSP?	Metric	5 Year	10 Year	15 Year
RPM		Permanent Jobs (FTE)			
RPM		Energy Cost Savings / year (\$)			
RPM		NYSERDA CGC investment (\$)			
RPM		Cost Share (\$)			
RPM	Yes	Total Energy Savings / year (MMBTU)			
RPM	Yes	GHG Savings / year (MTCDE)			
SCM		Electricity Use Reductions (kWh/year, MMBTU/year)			
SCM		Fossil Fuel Use Reductions (MMBTU/year)			
SCM		New Renewable Energy Capacity (kW)			
SCM	Yes	Vehicle Miles Traveled (VMT) Reductions/year (#)			
SCM	Yes	Solid waste diverted from Landfill/ year (Tons)			
CPM	Yes	Acres of Agricultural Land in Non-agricultural Use			
CPM	Yes	Housing + Transportation Index			
CPM	Yes	% of People Commuting via Walking, Biking, Public Transit			

3. Documenting Methods and Assumptions

The Contractor shall propose performance metrics and the methods for data collection and calculation of the 5-, 10- and 15-year estimated benefits for plans and policies developed and adopted and include these with the draft PBMR. Contractors should rely upon data specific to their own communities, if possible. However, it is acceptable to cite existing standards, research studies, literature, and other peer-reviewed rules of thumb sources and tools to estimate near-, mid-,

and long-term benefits of policies for a portion of the metrics. The Contractor should identify all tools and assumptions needed to validate the estimates. The draft PBMR, including methodologies for data collection, shall be completed and included in the first quarterly report. The Contractor and NYSERDA shall finalize a metric reporting schedule, calculation methods, assumptions, and data collection requirements for these metrics by the mid-term review.

4. Final Reporting and Submittal

At the conclusion of the project, and based on the actual policies that have been developed as a result of the Contractor's work, the Contractor shall quantify project benefits based on the methods agreed to and complete and submit the PBMR. The Contractor should be prepared to submit supporting documentation for review and signoff by NYSERDA as part of the final project report.

For plans/policies supported under the project but not formally adopted at time of project close, all benefits will be set to zero as the baseline condition. Contractors shall have up to one year after the close of the project to document efforts to achieve policy or plan adoption in order for benefits metrics to be counted in program reporting.

5. CGC Sustainability Policy Inventory

NYSERDA anticipates tracking the number and type of policies that are implemented as a result of the CGC Category 2 Planning Grant investments. Contractors shall be required to also report all policies adopted and any outcomes or lessons learned as a result of this project.