

**Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004**

REQUEST FOR PROPOSALS



CITY KINGSTON NEW YORK

RFP Release Date: Thursday, June 26, 2014
Proposals Due: Thursday, July 17, 2014 at 4:00pm local time.

It is recommended that proposals be submitted in advance, at least one day prior to the specified date and time to allow for a timely receipt. LATE PROPOSALS will NOT be considered.

Send a clearly marked original and five (5) copies of each proposal. Please use the above RFP number on all correspondence.

REQUEST FOR PROPOSAL DEFINITION:

An RFP defines the situation or object for which the goods and or services are required, how they are expected to be used and/or problems that they are expected to be addressed. Vendors are invited to propose solutions that will result in the satisfaction of the City's objectives in a cost-effective manner. The proposed solutions are evaluated against a predetermined set of criteria of which price may not be the primary consideration.

Shayne R. Gallo
John Tuey
Brian J. Woltman
Gregg Swanzey

Mayor
Comptroller
Purchasing Agent
Director, Economic Development & Strategic Partnerships

**Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004**

The Term

The award term shall be for **four months** commencing on Monday, **August 4, 2014** and expiring on **December 4, 2014**. A longer award term may be considered.

RFP Contact Person

The Contact person for this project is Gregg Swanzey. All substantive RFP questions and/or inquiries should use the attached question form and be directed to him. He may be reached at:

Telephone: (845) 334-3962

Email: gswanzey@kingston-ny.gov

Fax: (845) 334-3965

Website: www.kingston-ny.gov/EcoDev

Proposals Due Date

All proposals must be delivered to the office of the City of Kingston Economic Development Office by **Thursday, July 17, 2014 at 4:00pm local time** after which they will be publicly opened. No proposals shall be accepted or considered after that time. It is the responsibility of each Proposer to ensure that their proposal arrives on time.

RFP submissions shall be in a sealed envelope addressed to:

Gregg Swanzey, Director

Office of Economic Development & Strategic Partnerships

City of Kingston

420 Broadway

Kingston, NY 12401

On face of said envelope the following information shall be included:

- 1) NAME AND ADDRESS OF PROPOSER
- 2) NAME OF RFP

Registration of Intent to Propose

In order to receive any addenda that may be generated during the RFP period, prospective proposers are asked to register their intent to apply by emailing or contacting the City of Kingston Office of Economic Development and Strategic Partnerships by phone via the following contact:

Lisa Bruck

Email: lbruck@kingston-ny.gov

Phone: (845) 334-3960

Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004

Table of Contents

Description	4
Background	4
Key Deliverable.....	7
Value-Added Considerations	7
Bed Preparation	7
Bridge Tie Replacement.....	8
Proposal Submission	10
Qualifications	10
Terms and Considerations	11
Compliance with Laws	11
Social Security Taxes	11
Firm Pricing.....	11
Payment Terms.....	11
Insurance	11
Proposal Evaluation Criteria and Selection.....	12
Evaluation Procedures	12
Other General RFP Requirements and Conditions	12
Award of Contract.....	13
Scoring Matrix for Proposer Ratings by City.....	14
Please Return the Following Sheets with your Proposal.....	15
Information Sheet	16
Reference Sheet.....	17
Affidavit of Non-Collusion	18
Questions Regarding RFP	19

Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004

Description

Notice is hereby given that the City of Kingston is seeking to retain a firm to provide rail and tie removal services, including proper permitting and disposal of the ties, site preparation and grading on the city-owned 1.5-mile corridor, previously the Ulster & Delaware Rail Corridor, from East Chester Street to East Strand. The site is located in the City of Kingston, Ulster County, New York.

The scope of work on this project will include removal of some overgrown vegetation and other railroad hardware and materials leaving the corridor free of any debris developing from the railroad ties, and a reasonably graded surface sufficient. The hard surface should be approximately 10' wide and sufficient to allow the public to ride bikes, walk and run. The street crossings are not included in the scope of the work and any improvements will be considered in a future phase of the overall project.

It is anticipated that the project will be completed at no cost to the City in exchange for the value of the rails which will be removed by the firm at its own expense.

The anticipated start date of the work is as early as Monday, August 4, 2014 with completion by November 30, 2014.

The City of Kingston will select the most competent firm based on the following criteria:

- prior experience on projects of this type and scope
- prior experience and expertise of the personnel to be assigned to this project
- past record of performance on contracts, expedience of design and approvals, ability to maintain schedule, quality of work, and responsiveness
- ability to meet the project schedule

Background

In 1868, the Rondout & Oswego Railroad was built running from Kingston Point on the Hudson River up into the Catskill Mountains into the Shandaken Valley and on to Bloomsville in Delaware County. The railroad included a branch north from Phoenicia through Stony Clove to Hunter, Tannersville, and Haines Falls. By the early 1900's, operating as the Ulster and Delaware (U&D) Railroad, the line carried bluestone quarried from sites along the line for the sidewalks of New York and cities around the world. Dairy products were delivered to Kingston by rail. Summer tourism brought city dwellers to the region's boarding houses and grand hotels. In 1913, more than 676,000 passengers rode the U&D to the Catskills. During the railroad's heyday, through coaches and Pullman sleepers, some from as far away as Washington, coupled onto U&D trains. Coaches would stand ready at Kingston Point for the steamships of the Hudson River Day Line, add additional passengers at Kingston Union Station connecting out of Weehawken, and then travel the steep grades up to the Catskill Mountain resorts.

Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004

In subsequent years, the New York Central railroad operated on the U&D tracks, and was succeeded by the Penn Central Railroad. Suffering losses of freight and passenger business in the early 1930's, the railroad was taken into receivership February 1932 and sold to the New York Central. The post-World War II growth in automobile use and the construction of the New York State Thruway (I-87) led to a further reduction in railroad travel. The New York Central's successor, Conrail, abandoned the U&D railroad track in 1976.

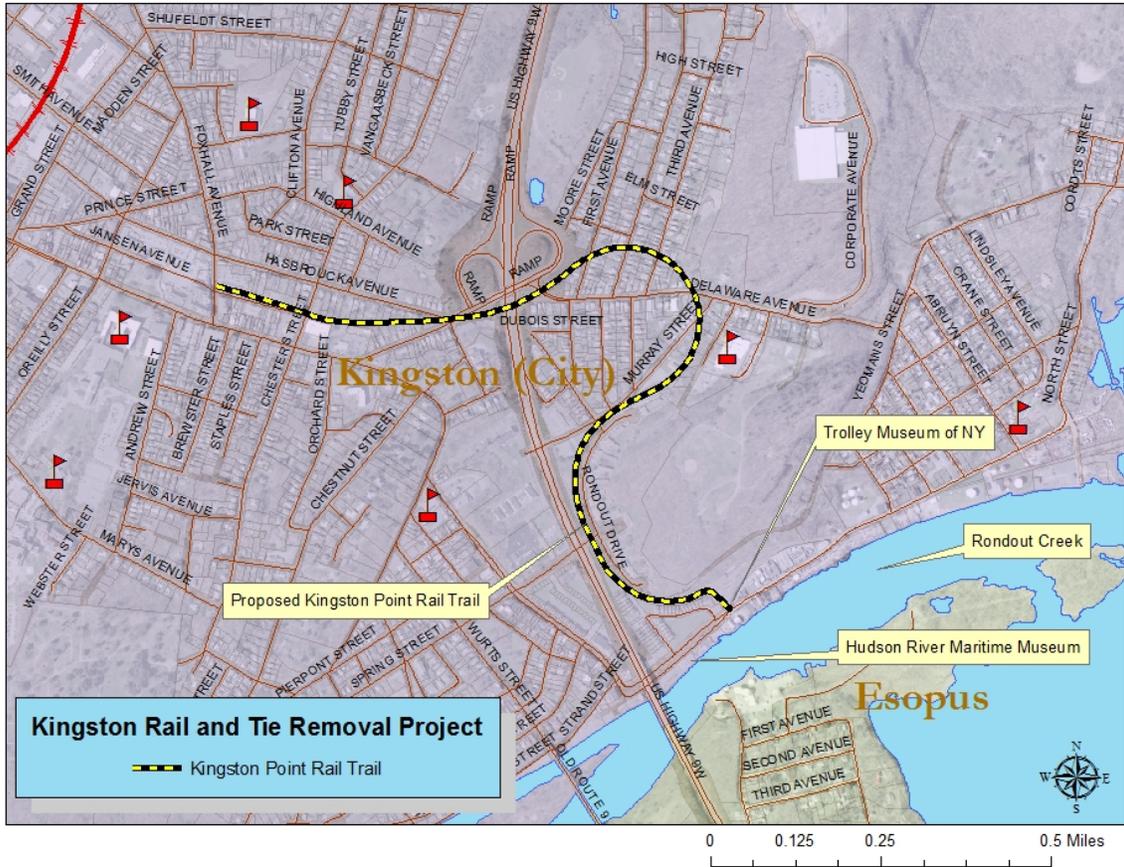
The section of the Ulster and Delaware Railroad bed from Kingston Point to the vicinity of Jansen Avenue at Kingston Hospital in Midtown along with the section along the Strand from the Trolley Museum to the foot of Broadway is now owned by the City of Kingston. The original rail route that once connected through to the U&D tracks at Cornell Street just north of the active West Shore railroad line goes through the current hospital site and just behind City Hall. In this area the railroad tracks were removed and the right-of-way was eliminated including a below grade cut that was filled in, at grade crossing of the West Shore line that was removed, and a trolley tunnel under the west shore line that was filled in, making it is highly unlikely that this alignment can be reconnected for active rail use. However, tracks and ties are still in place over much of the length from behind Rondout Savings near East Chester Street 1 1/2 miles down to the Trolley Museum where it connects with the track currently in use by the Trolley Museum of New York along Kingston's waterfront.

The Kingston Point Rail Trail (KPRT) is proposed on the City of Kingston-owned and underutilized 1.5 mile Ulster & Delaware Rail Corridor between the Kingston Hospital to the west, and the Trolley Museum to the east. The western terminus is to be located at the intersection of Jansen Avenue and East Chester Street. The eastern terminus will be located at on the East Strand, at the public parking area.

The existing right-of way (ROW) is approximately 35 to 45 feet wide with a gradual 3% grade declining to the east. The project area is completely within the ROW. There are still rails and creosote ties over much of the length that will be removed and properly disposed of.

This project will provide new access to a 1.5 mile linear right-of-way owned by the City of Kingston that is currently unkempt but that will now be converted into a linear park as part of the so-called "Kingston Greenline" continuous multi-modal system of linked greenspaces, trails, and complete streets. A site map is attached that indicates the project area.

Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004



Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004

Key Deliverable

The ultimate goal of this project is to provide a serviceable trail to accommodate bicycles and pedestrians with a reasonably firm and graded surface of 10' or more in width and free of barriers and debris over the 1.5-mile City-owned corridor from East Chester Street to the East Strand.

Value-Added Considerations

Proposers are not required but are encouraged to include in their RFP submissions any relevant services or products that will be provided to the City and will enhance the value of the service to the City. Additional services could include, but are not limited, to the following:

Bed Preparation

- Placement of three aggregate layers after organic material including top soil, leaves, wood, and other debris is removed. Unwanted material removed during this process shall be transported to a suitable location in the existing right-of-way. If the existing ballast is serviceable only the top course may be necessary (see Figure 1 and descriptions following).

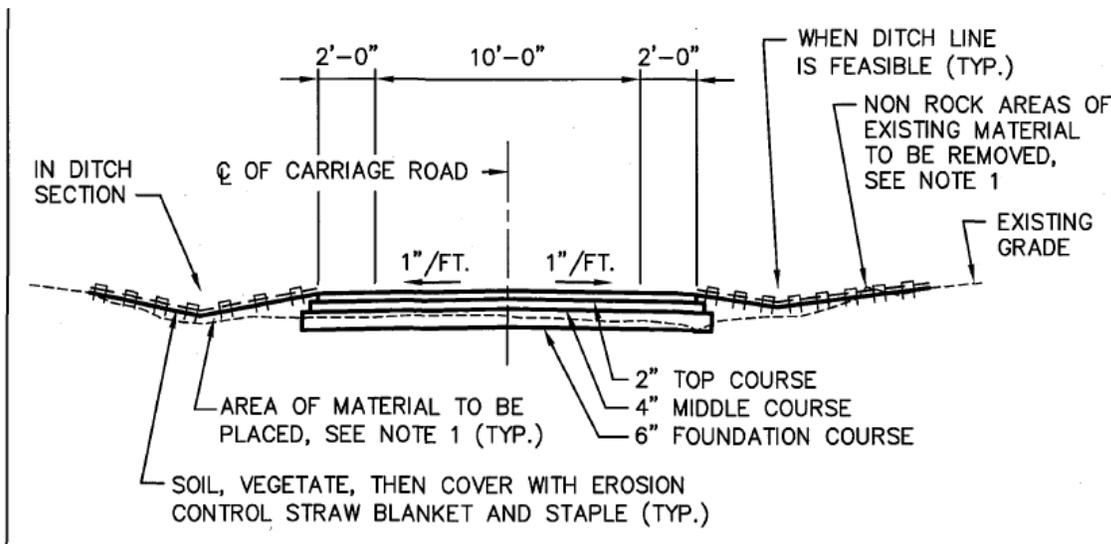


Figure 1: Trail surface detail

Top Course

To create a durable surface material that binds well and minimized migration of surface material requires a mix consisting of the following gradations, in which the maximum aggregate size is 1/2" and up to 16% of the materials are clay sized binding fines has proven to be durable and easily maintained. Crushed Stone with the following gradation:

Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004

Sieve Designation	Percent Passing
1/2"	100%
3/8"	90-100%
No. 4	60-81%
No. 8	44-60%
No. 40	20-33%
No. 200	10-16%

The surface course should be a maximum of 2 ½" compacted depth with a minimum allowable thickness of 1 ½".

Middle Course

Mixes consisting of the following gradations shall be applied for the middle course. Crushed Stone with the following gradation:

Sieve Designation	Percent Passing
1"	100%
1/2"	30 - 100%
1/4"	0-30%
No. 10	0-15%
No. 20	0-5%

A more readily identifiable method to find the stone with the above gradation would be to identify a NYSDOT item number.

Foundation Course

Mixes consisting of the following gradations shall be applied for the foundation course. Crushed Stone with the following gradation

Sieve Designation	Percent Passing
4"	100%
No. 40	0-70%
No. 200	0-15%

The existing foundation course should be shaped to reflect the crown section prior to application of the new surface material.

Bridge Tie Replacement

- Bridge cross tie replacement – approximately (170) 8" x 10" x 10' ties support the rails across the two bridges in the Rondout Gardens vicinity that are largely in poor condition and will need to be replaced to be sufficient to support the eventual planking of the trail over the bridges.

**Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004**



Figure 2: Two bridges in the lower part of the ROW near Rondout Gardens will need cross tie replacements to provide the structural support for the decking and railings to be installed in a future phase of the project.



Figure 3: Bridge ties are deteriorated.



Figure 4: Bridge structure from below.

**Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004**



Figure 5: Bridge structure from below.

Proposal Submission

Interested firms should submit their bid along with five (5) copies of their Qualifications, to the address below no later than 4:00 p.m. on Thursday, July 17, 2014.

Qualifications

- Contract Organization;
- Identification and bios of Key Personnel;
- Statement of Understanding of the work to be done;
- Statement of Experience with similar kinds of work;
- Statement of Familiarity with applicable federal and state regulations;
- Statement of Availability of Key Personnel for the timely completion of the work;
- Statement of Organizational and Financial responsibility;
- Statement of Logistical and Familiarity with the Project Area;
- Fully executed Forms as included in Exhibits attached to this RFP.

Proposals shall be limited to a maximum of six (6) single-sided pages exclusive of attachments. Any pages submitted beyond the maximum will be discarded and not count toward the proposal evaluation.

Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004

Terms and Considerations

Compliance with Laws

The successful firm (Contractor) shall comply with all the provisions of the Laws in the City of Kingston, the County of Ulster, the State of New York, and of the United States of America which affect municipalities and municipal contracts, and provide at his expense, any and all permits, licenses and registrations required for the fulfillment of this agreement, and more particularly the Labor Law, the Immigration and Naturalization Laws and Regulations, the General Municipal Law, the Workers' Compensation Law, the Lien Law, Personal Property Law, State Unemployment Insurance Law, Federal Social Security Law, State, Local and Municipal Health Laws, Rules and Regulation, and any and all regulations promulgated by the State of New York and of amendments and additions thereto, insofar as the same shall be applicable to any contract awarded hereunder with the same force and effect as if set forth at length herein. Prevailing Wage requirements apply.

Social Security Taxes

The Contractor for the agreed consideration promises and agrees to pay the taxes measured by the wages of their employees required by the Federal Social Security Act and all amendments thereto, and to accept the exclusive liability for said taxes. The contractor further promises and agrees to indemnify and hold the owner harmless on account of any tax measured by the wages aforesaid of employees of the contractor assessed against the owner under authority of said law.

Firm Pricing

The City of Kingston shall retain the right to consider the Proposer's proposal for a period of up to 120 days after the submission deadline; the offer presented in the Proposer's proposal shall be firm during the consideration period. Currency and Taxes Prices are to be in U.S. Dollars. The City of Kingston is exempt from all sales and use taxes.

Payment Terms

As applicable, the City's standard payment term is thirty (30) to sixty (60) days upon receipt of invoice and originally signed voucher after services are performed or goods delivered.

Insurance

The successful firm will agree to indemnify and hold the City of Kingston, its Legislators, Officers, and Employees harmless against all loss, cost, or damage, on account of injury to person or damage to property as a result of any action or inaction of the successful proposer or its representatives or agents or subcontractors in performance of this contract and against all fines, penalties any other losses which the City shall be obliged to pay or incur in connection with the performance of the work under the contract.

In addition, the successful firm shall procure and maintain at his own expense and without expense to the City, insurance for liability for damages imposed by law, of the kinds and amounts hereinafter provided, in insurance companies authorized to do business in the State of New York covering all operations under the contract whether performed by the successful firm or its subcontractors. Before

Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004

the inception of this contract the successful firm shall furnish to the City a Certificate of Insurance form(s) satisfactory to the City exhibiting compliance with this paragraph and providing that the policies shall not be changed or canceled until thirty (30) days written notice has been given to the City. The types and limits of insurance shall be as follows:

- a) Workers Compensation as required by Law (submit Form C-105.2)
- b) Disability Benefits as required by Law (submit Form DB-120.1)
- c) Bodily Injury Liability - \$2,000,000.00 each occurrence
\$2,000,000.00 aggregate
- d) Property Damage Liability - \$2,000,000.00 each occurrence
\$2,000,000.00 aggregate
- e) Automobile Liability - \$2,000,000.00 single limit
- f) Professional Liability - \$2,000,000.00 (identified as a claim made or an occurrence policy)

Proposal Evaluation Criteria and Selection

Proposals will be evaluated in accordance with applicable City of Kingston procurement policies and procedures. Evaluation will be performed to determine the Proposer's understanding of work to be performed, technical approach, and potential for completing the work as specified in the RFP Components, cost reasonableness, the probable cost to the City, and ranking with competing Proposer's.

Matters relating to qualification to meet the City of Kingston's needs shall receive the highest priority in evaluation. Matters relating to the means of meeting those needs described in the proposal shall be considered secondary.

Evaluation Procedures

The City of Kingston will only consider proposals that meet satisfactory levels of the above criteria. If applicable, the City is not required to accept the proposal that includes the lowest fee offer.

The City cannot consider any proposal that does not comply with the RFP Submission Package section of this RFP. Proposals that do not meet these requirements will be deemed as non-responsive and will not be evaluated.

Other General RFP Requirements and Conditions

The City of Kingston reserves the right to postpone or cancel this RFP, or reject all proposals, if in its judgment it deems it to be in the best interest of the City to do so. Proposers are advised that the City of Kingston has the option of selecting the Contractor without conducting discussions or negotiations. Therefore, Proposers should submit their best proposals initially, since discussions or negotiations may not take place.

Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004

The award of this contract is subject to applicable provisions of Federal, State, and local laws and executive orders requiring affirmative action and equal employment opportunity.

All RFP submission materials become the property of the City of Kingston. Proposal submission material will generally be made available for inspection and copying by interested parties upon written request, except when exempted from disclosure under the New York State Freedom of information Law. The City of Kingston is subject to the New York State Freedom of information Law, which governs the process for the public disclosure of certain records maintained by the City of Kingston. Individuals or firms that submit proposals to the City of Kingston may request that the City except all or part of such a proposal from public disclosure, on the grounds that the proposal contains trade secrets, proprietary information, or that the information, if disclosed, would cause substantial injury to the competitive position of the individual or firm submitting the information. Such exception may extend to information contained in the request itself, if public disclosure would defeat the purpose for which the exception is sought. The request for exception must be in writing and state, in detail, the specific reasons for the requested exception. It also must specify the proposal or portions thereof for which the exception is requested. If the City of Kingston grants the request for exception from disclosure, the City will keep such proposal or portions thereof in secure facilities.

The City of Kingston shall not be liable for any costs incurred by Proposers in the preparation of proposals or for any work performed in connection therein.

Award of Contract

Award of contract occurs when a formal contract has been finalized or other evidence of acceptance by the City is provided to the Proposer. A Recommendation of Award does not constitute award of contract. If a contract is awarded, it shall be awarded to the responsive and responsible Proposer whose offer conforming to the Request for Proposal will be most advantageous to the City as set forth in the Evaluation Criteria.

**Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004**

Scoring Matrix for Proposer Ratings by City

The Selection Committee, including the City Engineer, Planning Director and Director of Economic Development shall make the selection of consultant based upon an evaluation of proposals. Proposals will be evaluated on the following criteria:

Score (1 thru 5) where one (1) is the lowest and five (5) the highest.

Criteria	Score (1 thru 5)	Relative Weight	Sub-Total
Proposer's prior experience on projects of this type and scope		.20	
Comments			
Proposer's prior experience and expertise of the personnel to be assigned to this Project		.20	
Comments			
Proposer's past record of performance on contracts, including such factors as cost control, expedience of design and approvals, ability to maintain schedule, quality of work, and responsiveness		.20	
Comments			
Proposer's ability to meet the Project schedule or proposed improvements to the schedule		.20	
Comments			
Proposer's cost factors		.20	
Comments			
Total			
Comments			

**Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004**

Please Return the Following Sheets with your Proposal

**Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004**

Information Sheet

NAME OF PROPOSER: _____

ADDRESS: _____

TYPE OF ENTITY: Corp. _____ Partnership _____ Individual _____
LLC _____

If a non publicly owned Corporation: NAME OF CORPORATION: _____

List Principal Stockholders (holding over 5% of outstanding shares) _____

LIST OFFICERS: _____

LIST DIRECTORS: _____

DATE OF ORGANIZATION: _____

If a partnership:
PARTNERS: _____

NAME OF PARTNERSHIP: _____

DATE OF ORGANIZATION: _____

* If the business is conducted under an assumed name, a copy of the certificate required to be filed under the New York General Business Law must be attached.

Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004

Reference Sheet

All Proposers shall be required to complete this form providing three (3) references of past performance. References should involve projects and/or service situations of similar size and scope to this RFP. References must have had dealings with the proposer within the last thirty-six (36) months. The City reserves the right to contact any or all of the references supplied for an evaluation of past performance in order to establish the responsibility of the proposer before the actual award of the RFP and/or contract. Completion of the reference form is required.

PROPOSER'S NAME: _____

DATE FILED: _____

Proposer's Address: _____

Reference's Name: _____

Address: _____

Telephone: _____ Contact Person: _____

Reference's Name: _____

Address: _____

Telephone: _____ Contact Person: _____

Reference's Name: _____

Address: _____

Telephone: _____ Contact Person: _____

Kingston Point Rail Trail Rail and Tie Removal Project
Request for Proposals
City of Kingston
RFP #CK-EDSP-2014-004

Affidavit of Non-Collusion

NAME OF PROPOSER: _____

BUSINESS ADDRESS: _____

I hereby attest that I am the person responsible within my firm for the final decision as to the prices(s) and amount of this proposal or, if not, that I have written authorization, enclosed herewith, from that person to make the statements set out below on his or her behalf and on behalf of my firm.

I further attest that:

1. The price(s) and amount of this proposal have been arrived at independently, without consultation, communication or agreement for the purpose of restricting competition with any other contractor, responder or potential responder.
2. Neither the price(s), nor the amount of this proposal, have been disclosed to any other firm or person who is a responder or potential responder on this project, and will not be so disclosed prior to proposal opening.
3. No attempt has been made or will be made to solicit, cause or induce any firm or person to refrain from responding to this RFP, or to submit a proposal higher than the proposal of this firm, or any intentionally high or non-competitive proposal or other form of complementary proposal.
4. The proposal of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from any firm or person to submit a complementary proposal.
5. My firm has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any other firm or person, or offered, promised or paid cash or anything of value to any firm or person, whether in connection with this or any other project, in consideration for an agreement or promise by an firm or person to refrain from responding to this RFP or to submit a complementary proposal on this project.
6. My firm has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any firm or person, and has not been promised or paid cash or anything of value by any firm or person, whether in connection with this or any project, in consideration for my firm's submitting a complementary proposal, or agreeing to do so, on this project.
7. I have made a diligent inquiry of all members, officers, employees, and agents of my firm with responsibilities relating to the preparation, approval or submission of my firm's proposal on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in this affidavit.
8. By submission of this proposal, I certify that I have read, am familiar with, and will comply with any and all segments of these specifications.

The person signing this proposal, under the penalties of perjury, affirms the truth thereof.

Signature & Company Position

Print Name & Company Position

Company Name

Date Signed

Federal I.D. Number

