

RFP#: CK-EDSP-2015-002
Broadway Traffic Signalization Study and Engineering
FOR THE KINGSTON CONNECTIVITY PROJECT

REQUEST FOR PROPOSALS



CITY OF KINGSTON, NEW YORK

RFP Release Date: Monday, March 23, 2015
Proposals Due: Wednesday, April 15, 2015 at 11:00am 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. One copy of the proposal in digital format (pdf preferred) is also requested, if possible. 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	Mayor
John Tuey	Comptroller
Brian J. Woltman	Purchasing Agent
Gregg Swanzey	Director, Economic Development & Strategic Partnerships

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The Term

The award term shall be for **seven months** commencing on or about **May 1, 2015** and expiring on **December 1, 2015**. Extension of this contract period can 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

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 **Wednesday, April 15, 2015 at 11:00am 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:

City of Kingston
Office of Economic Development & Strategic Partnerships
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

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SECTION I: ADMINISTRATIVE INFORMATION

1.0 Background

The Kingston Connectivity Project will create a more livable, vibrant community through a combination of complete streets strategies and the establishment of a bicycle and pedestrian trail on an historic rail bed. The Project will focus on Broadway and adjacent streets, connecting to the Rondout Creek and Hudson River Waterfronts via the Kingston Point Rail Trail. Multi-modal infrastructure shall be designed and constructed to provide a safe, accessible environment for biking and walking, while the flow of motorized vehicles also will be improved along Broadway. The collective elements of the Project will reduce fossil fuel consumption and greenhouse gas emissions, promote pedestrian-friendly development in close proximity to public transit, enhance personal mobility, encourage physical activity, allow children to walk or bike to school, and reduce traffic congestion, serving to stimulate economic growth and contribute to the invigoration of the municipal center.

Under this request for proposals, the City of Kingston (the “City”), as Contractor to the New York State Energy Research Development Authority (NYSERDA), (the “Grantor”), is seeking an interdisciplinary Consultant or team of Consultants (the “Consultant”) to provide contractual services for a traffic signal coordination study, and design and engineering for traffic signalization for the Broadway Corridor between St. James Street and East Chester Street. The project will also include the acquisition and installation of the traffic control equipment in a subsequent phase.

All work will be designed to AASHTO specifications, NYSDOT Standard Specifications (Construction and Materials) and MUTCD.

1.1 Project Description

Project Kick-off Meeting

The City, the Grantors, Consultant, project partners and any other appropriate entities shall hold an initial meeting to review the project scope, project requirements, roles and responsibilities of project partners, the selection process for procuring consultants, State Environmental Quality Review Act (SEQRA) compliance 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 kick-off meeting. The Consultant shall prepare and distribute to all project partners a brief meeting summary clearly indicating the agreements/understandings reached at the meeting. Work on subsequent tasks shall not proceed prior to Grantors approval of the proposed approach as outlined in the meeting summary.

Products: Project kick-off meeting held with appropriate parties. Written meeting summary outlining agreements/understandings reached.

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Site Reconnaissance and Schematic Designs

The Consultant shall conduct site-specific reconnaissance, in preparation for design. Work shall include, at a minimum, identification and mapping of the following:

- Site survey showing extent of project boundary
- Ownership/grant/lease status of all lands to be incorporated into the design
- Manmade structures, buildings, or facilities on or adjacent to the site
- Above and below ground infrastructure, including stormwater treatment structures
- Transportation/circulation systems (truck, car, bus, ferry, train, pedestrian, bicycle, etc.) that serve or are located near the site
- Adjacent land and water uses
- Analysis of site constraints, needs and opportunities

Traffic Signal Coordination Study Report

A traffic signal coordination study shall be undertaken which shall summarize alternatives, including traffic micro-simulation for considered alternatives, and determine a preferred alternative. The Consultant shall prepare and submit a Traffic Signal Coordination Study Report, including: a summary of considered alternatives; results of traffic micro-simulation for all considered alternatives; and a summary of findings describing the criteria for selection, the selection process, and the preferred alternative.

Deliverables:

- Traffic Signal Coordination Study Report

Preliminary Traffic Signal Design and Final Traffic Signal Design

The Consultant shall prepare and submit a Preliminary Traffic Signal Design and Final Traffic Signal Design for implementation of the coordinated traffic signal system. These designs shall specify all necessary equipment to be installed, including the master controller and local intersection controllers. The coordinated traffic signal system is intended to maintain design speeds of no more than 25 mph along the Broadway Corridor.

All work will be designed to AASHTO specifications, NYSDOT Standard Specifications (Construction and Materials) and MUTCD.

Preliminary Traffic Signal Design

The Consultant shall submit a preliminary design for the coordinated traffic signal system, which shall include:

- a. Draft Engineering design drawings, schematics, and details; and
- b. Manufacturers' data for all packaged equipment (e.g. traffic lights, switch boxes, etc.)

Final Traffic Signal Design

The Consultant shall submit a final design for the coordinated traffic signal system, which shall include:

- a. Final Engineering design drawings, schematics, and details; and
- b. Manufacturers' data for all packaged equipment (e.g. traffic lights, switch boxes, etc.)

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Deliverables:

- Preliminary Traffic Signal Design
- Final Traffic Signal Design

Traffic Signal Equipment Installation

Traffic control equipment shall be purchased and installed in accordance with the approved final design. The Consultant shall develop bid documents and other materials necessary to assist the City in development of RFP and bid documents consistent with state and local procurement policies for equipment purchases and installation. Consultant shall keep detailed records of all expenses and costs related to the purchase of the installed traffic control equipment and provide copies of manufacturer specification sheets, and invoices to support the labor installation costs. The Consultant shall coordinate with the City to schedule a date for an inspection upon the completion of installation of the traffic control equipment. The Consultant shall conduct the inspection, identifying each of the major components, provide documentation including identification of any deficiencies or deviations from the approved Final Traffic Signal Design, and provide photographs and invoices of installed materials. The Consultant shall be required to correct any deficiencies identified and justify how any deviations from the approved Traffic Signal Design still meet the original design intent. The Consultant shall include the documentation collected under this task in a Final Report.

Traffic Signal Equipment Installation Documentation

Documentation of all reimbursable costs and payments to Subcontractors including copies of equipment specification sheets, invoices, timesheets and other invoicing related to labor to support installation labor costs; Inspection documentation that includes identification of the major components of the traffic signal improvements, deficiencies (including noted corrections to those deficiencies) or deviations from the Traffic Signal Design (including justification for how any deviations from the approved Traffic Signal Design still meet the original design intent), and photographs of installed materials. This documentation shall also be included in a Final Report.

MWBE Quarterly Reports

The Consultant shall submit MWBE Quarterly Reports (every March 31, June 30, September 30, and December 31) on the form provided, including a breakdown of payments issued to state-certified MWBE firms during the quarter.

Products: MWBE reports submitted to Grantors during the life of the contract.

Project Status Reports

The City shall 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, with support from the Consultant.

Products: Completed project status reports submitted to DOS during the life of the contract.

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Final Project Summary Report and Measurable Results forms

The City and the Consultant shall work with the Grantors to complete the Final Project Summary Reports and other required forms. Final payment shall not be authorized until these forms have been completed and filed with project deliverables.

Products: Completed Final Project Summary Report and other required forms submitted to Grantors.

In responding to this RFP for the projects listed above, the selected Consultant will be responsible for meeting the City's obligations in its grant agreement with the New York State Department of State. This includes all the Tasks that are not specifically the direct responsibility of the City, as follows:

1.2 Project Management and Responsibilities

The Consultant will support the City in meeting its responsibilities under the terms of the grants as follows. The City:

- will be responsible for conducting all project work in conformance with the Work Plan included in the executed contract with the Grantor.
- will be responsible for all project activities including drafting request for proposals and managing subcontracts with consultants and subconsultants.
- will certify to the Grantors that the procurement record for project consultants and subcontractors complies with the applicable provisions of General Municipal Law.
- will receive approval from the Grantors for any and all consultant subcontracts before beginning project work.
- will be responsible for coordinating participation and soliciting comments from local government personnel, project volunteers, and the public.
- will keep the Grantors informed of all important meetings for the duration of this contract.
- will receive approval from the Grantors 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 reflect the Grantor logos, feature the agency heads and the Governor, and acknowledge the contributions of the Grantors to the project.
- will ensure the project objectives are being achieved.
- will ensure that comments received from the Grantors 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 Grantors will not be reimbursed unless and until the Grantors find the work or products to be acceptable.
- will participate, if requested by the Grantors, in a training session or sessions focused on developing and implementing revitalization strategies. The purpose of the training session(s) is to build knowledge and provide support to community leaders to advance revitalization efforts and complete priority projects.
- will be responsible for submission of all products and payment requests.

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The Grantors:

- will participate in initial project kick-off meeting and subsequent 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 before construction may begin.

1.3 Project Inquiries

All inquiries must be written and submitted by e-mail and cite the RFP section in question (see form attached).

All answers to substantive questions will be provided to all inquirers. Inquiries should be directed to:

Gregg Swanzey, Director

Office of Economic Development & Strategic Partnerships

City of Kingston

420 Broadway

Kingston, New York 12401

gswanzey@kingston-ny.gov

1.4 Schedule of Project Dates

ADVERTISEMENT AND RELEASE OF RFP: Monday, March 23, 2015

SUBMISSION OF PROPOSALS: Wednesday, April 15, 2015 by 11am

PROPOSER INTERVIEWS: Week of April 20, 2015

AWARD OF CONTRACT: May 1, 2015

COMPLETION OF WORK: December 1, 2015

1.5 Presentation by Proposers

Qualified Proposers may be asked to make a presentation to the Committee. The Committee will require that all key managerial personnel, as well as key personnel working on the project be in attendance at the proposal presentation. The presentations will be made to provide the Committee with an opportunity to obtain an understanding of:

1. The extent of the firm's depth of knowledge of the subject matter of the RFP and the firm's perception of what the Committee requires;
2. Whether the methods and resources that will be used by the firm in performing services to achieve the project goals and objectives are appropriate, and cost effective; and

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3. The firm's ability to draw together specialists and professionals with the necessary skills and experience to contribute to the overall project.

SECTION II - PROGRAM BACKGROUND AND SPECIFICATIONS

2.0 Selection Criteria

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.

The selection of a Consultant for this effort will be based on the following criteria:

- Demonstrated ability to perform the proposed services
- Technical merit and applicability of the methodologies, analyses and procedures proposed for accomplishing the project
- Ability to complete the project within the time frame described in the RFP
- The cost of the work plan as compared with the proposed budget. Proposers must break down each task in the Scope and assign a detail of cost for the action including personnel costs and reimbursable expenses
- Quality and clarity of the Proposal and a demonstrated understanding of the project scope of work and objectives.
- Applicability of proposed alternatives or enhancements to information requested.
- Qualifications and relevant experience with respect to the tasks to be performed.
- Reputation among previous clients.

Incomplete proposals that do not address all of the requested components will not be accepted for review and consideration. The Consultant will be selected by the City subject to approval by Grantors.

In addition, the Proposing Firm or Team should:

1. Demonstrate ability to perform the proposed services and other related work;
2. Provide a minimum of three references for similar projects including name, address, phone, description of the project, the names of the employees or subConsultants who worked on the project and methodology used;

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3. A staffing plan for the project, including resumes and a description of the experience of the person or sub-Consultant has had through work on similar projects;
4. Description of completed projects, which have similar scopes and methodologies. Sample reports from previous projects would be helpful;
5. Technical merit and applicability of the methodologies, analyses and procedures proposed for accomplishing the project.
6. Ability to complete the project within the time frame described in this RFP.
7. Quality and clarity of the proposal and a demonstrated understanding of the project objectives.

In consultation with Grantors, the City will review all proposals received as a result of the RFP. Based on the reviews of the Consultant proposals, the City will prepare a list of the top-ranked candidates. The City will organize and conduct interviews of the top-ranked candidate Consultants. Grantors may participate in the interview process.

The City of Kingston will only consider proposals that meet satisfactory levels of the above criteria. 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.

2.1 Required Qualifications

Proposer(s) must demonstrate skills, similar experience, and availability of specialists and professionals on the Consultant team to contribute to the overall project. The award of this project will be based on the firm's experience, references and similar projects, as well as financial proposal.

For preparation/certification of final designs and construction documents, and for supervision of construction, a licensed professional engineer, architect or landscape architect licensed to practice in New York State is required.

2.2 Maximum Bid

The cost for the Design and Engineering and Project Support and Inspection Consulting Services for the Broadway Traffic Signalization Study and Engineering is estimated at \$134,500 including all reimbursable expenses.

The expected construction funds available for the project to be available for bid for equipment and installation are expected to be in the \$520,400 range.

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2.3 Proposed Schedule

Contract Start Date.....May 1, 2015
Contract End Date.....December 1, 2015

2.4 Platforms for Deliverables

Word processing product should also be made available to the Committee utilizing Word for Windows. Spreadsheets should be delivered in Excel and any maps should be made available on Mylar originals, on AutoCAD and ArcGIS. The Municipalities and DOS will finalize the format to be provided in the successful proposer's contract after discussion.

The selected Consultant (s) must ensure that all materials printed, constructed, and/or produced acknowledge the contributions of the Grantors to the project.

The materials must include the following acknowledgments:

"This (document, report, map, etc.) was prepared for the New York State Energy Research and Development Authority (NYSERDA) with funds provided through a Cleaner Greener Communities grant."

SECTION III - PROPOSAL CONTENT AND CONDITIONS

3.0 General Information

In preparing a proposal for consideration, responding parties should follow the guidelines within this RFP.

Qualifications

In order to be qualified for this award, all prospective Proposer's shall be required to certify within their proposal submissions that they meet the following minimum requirements:

The Consultant must demonstrate skills, similar experience, and availability of specialists and professionals on the Consultant team to contribute to the overall project. The award of this project will be based on the firm's experience, references and similar projects, as well as financial proposal.

Compliance with Laws

The Consultant 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

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applicable to any contract awarded hereunder with the same force and effect as if set forth at length herein.

Social Security Taxes

The Consultant 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 Consultant further promises and agrees to indemnify and hold the City harmless on account of any tax measured by the wages aforesaid of employees of the Consultant assessed against the City under authority of said law.

3.1 Submission of Proposals

All Proposer's shall be required to submit a clearly marked original along with five (5) copies of their proposals to the Office of Economic Development & Strategic Partnerships. One copy of the proposal in digital format (pdf preferred) is also requested, if possible. Proposers shall be required to complete, and include within their RFP Submission, the Non-Collusive Bidding Certification that is on the last page of this solicitation.

The proposal submission should be typed on both sides of 8 ½ " x 11" paper. Pages should be paginated.

Proposals may NOT be submitted in plastic sleeves or spiral binders. Illustrations may be included. All plans are subject to City of Kingston approval. Oversized drawings may be submitted, but must be accompanied by 8 ½ " x 11" sectionals or reductions to 8 ½ " x 11", no telegraphic or facsimile proposals will be accepted. The proposal will be evaluated on the basis of its content, not length.

Value-Added Considerations: Proposers are encouraged to include in their RFP Submissions any relevant services or products that will be provided to the City which may not be referenced to in this specification, but will enhance the value of the service to the City.

Proposals received after the scheduled time and date will not be accepted. Facsimile and E-mail proposals will not be accepted. Each proposer must submit a complete proposal, which addresses each component of the RFP.

1. The proposal must include a full description of how the Assignment will be completed along with a schedule detailing when the items will be completed.
2. There must be a description of each staff member or sub Consultant who will be involved with this project and a description of their role in the project. The successful propose may be permitted to substitute staff with the approval of the Department.
3. Proposers should submit a client list including contact name and phone number, and a brief description of similar projects.
4. Budget and expense information must be provided, broken out by task and subtask where possible, which details all costs including personnel expenses, which state the name and title of each individual, assigned to the project, their hourly rate and the number of estimated hours the individual will be working on the project. The same information should be submitted in detail for subcontracts. Administrative costs for printing, postage and next day mail, photocopying, telephone,

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printing and other related expenses must be detailed. Travel expenses must be estimated and must conform to guidelines adopted by the Municipalities.

5. Please find addition sheets to be completed and attached at end of RFP document.

3.2 Conditions Governing Proposals

1. Only those proposals, which contain complete information and are responsive to the RFP, will be considered.
2. Proprietary or patented information, which may be included in the proposal, must be clearly identified and brought to the Committees attention.
3. The Project Committee reserves the following rights:
 - A. to accept or reject any of all proposals;
 - B. to waive or modify minor irregularities in proposals received;
 - C. to negotiate with proposes, within the proposal requirements, to best serve the interests of the Municipalities;
 - D. to amend specifications after their release, with due notice given to all proposers to modify their proposals to reflect changed specifications;
 - E. to consider every offer as firm and not revocable for a period of sixty (60) days unless withdrawn in writing or unless otherwise specified in the solicitation; and
 - F. to award a contract for any or all parts of a proposal and negotiate with the successful company.
4. By submitting a proposal, the proposer agrees that it will not make any claim for or have any right to damages because of any lack of information or misinterpretation of the information provided in this RFP.
5. The Project Committee will not utilize any of the materials submitted in the RFP process included in unsuccessful proposals without permission.

3.3 Equal Employment Opportunities and Minority and Women-Owned Business Enterprises Participation

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.

The City of Kingston actively supports and encourages equal employment opportunities for minority and women owned business enterprises and encourages Consultants and sub-Consultants to utilize MBE/WBE firms when possible.

The City of Kingston is required to make a good faith effort to meet the goals set forth in the State contract, which is 10% MBE and 10% WBE. These MWBE goals apply when the contractor is procuring goods and/or services and there are MWBE firms available to provide those goods and/or services.

To remain in compliance with the MWBE requirements the City and its consultants must:

- Make a good faith effort to meet the MWBE goal.
- Document the good faith effort.

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- Submit MWBE Forms C and F on a quarterly basis.

To demonstrate good faith effort, keep records of the following:

- Copies of solicitations of MWBE firms.
- Copies of responses to solicitations.
- Documentation of the specific reasons that the MWBE was not selected.
- Copies of advertisements issued.
- Description of potential additional subcontracting opportunities available in the primary subcontract.

For more information on the MWBE program and to access the directory of New York State Certified MWBE's, please visit: <http://www.esd.ny.gov/mwbe.html>

3.4 Freedom of Information Law

All RFP submission materials become the property of the City of Kingston.

The Project Committee is subject to the Freedom of Information Law, which, under the Public Officer's Law Sections 87 and 89, allows for a process for public disclosure of certain records in possession of the City and Town.

Portions of the proposals which contain proprietary information, trade secrets or information which could cause substantial injury to the competitive position of the proposer can be excluded from public access. If there is such information included, and the proposer wishes it to be excluded from access, the proposer must notify the Project Committee in writing along with the specific reasons for the exception.

3.5 Notification of Award

The City of Kingston shall retain the right to consider the Proposer's proposals for a period of up to 120 days after the submission deadline; the prices quoted 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.

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.

The Project Committee will notify the successful proposer by phone, followed by written confirmation. The Municipalities will notify each proposer whose proposal is rejected in writing.

A contract defining terms and conditions of the parties will be drafted by the Committee with approval from the New York State Department of State. The contract may incorporate any or all of the RFP and as much of the successful proposers final proposal as may be appropriate. The successful proposer must show evidence of adequate insurance coverage.

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

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Kingston has the option of selecting the Consultant without conducting discussions or negotiations. Therefore, Proposers should submit their best proposals initially, since discussions or negotiations may not take place.

3.6 Liability

The Project Committee is not liable for any costs incurred by any individual or firm for work performed to prepare its proposal or for any travel and or other expenses incurred in the preparation and/or submission of its proposal. Further, the Project Committee is not liable for any costs incurred prior to approval of the contract.

SECTION IV – CONTRACTUAL INFORMATION

4.0 Contract Term

The contract term is expected to be from May 1, 2015 through December 1, 2015. Once a contract is executed and approved, the Project Committee has the right to cancel it, for cause or convenience, on 30 days written notice, and agrees to pay the company for charges incurred in the performance of the agreement up to the time of cancellation. Both parties must approve changes in schedule in writing.

4.1 Insurance Requirements

CITY OF KINGSTON STANDARD CONTRACT INSURANCE REQUIREMENTS

CONSULTANT shall not commence work under this Agreement until it has obtained all insurance required under the following paragraphs and until such insurance has been approved by the CITY.

WORKERS' COMPENSATION AND DISABILITY INSURANCE

The VENDOR shall take out and maintain during the life of this Agreement, Workers' Compensation (WC) Insurance and Disability Benefits (DB) Insurance, for all of its employees employed at the site of the project, and shall provide to the CITY'S Insurance Department Certificates of Insurance evidencing this coverage. If the VENDOR is not required to carry such insurance, the VENDOR must submit form CE-200 attesting to the fact that it is not required to do so.

WORKERS' COMPENSATION REQUIREMENTS: To assist the State of New York and municipal entities in enforcing WCL Section 57, a business entity (the VENDOR) seeking to enter into contracts with municipalities (the CITY) MUST provide ONE of the following forms to the municipal entity (the CITY) it is entering into a contract with:

IF THE VENDOR IS REQUIRED TO CARRY COVERAGE AND HAS AN OUTSIDE CARRIER, submit Form C-105.2, "Certificate of Workers' Compensation Insurance." The VENDOR'S insurance carrier will send this form to the CITY at the VENDOR'S request. PLEASE NOTE: The State Insurance Fund provides its own version of this Form (the U-26.3).

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IF THE VENDOR IS REQUIRED TO CARRY COVERAGE AND IS SELF INSURED, submit Form SI-12, "Certificate of Workers' Compensation Self- Insurance." The VENDOR'S Group Self-Insurance Administrator will send this form to the CITY at the VENDOR'S request.

IF THE VENDOR IS NOT REQUIRED TO CARRY COVERAGE, submit Form CE-200, "Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Insurance Coverage." This form and the instructions for completing it are available from the link below.

DISABILITY BENEFITS REQUIREMENTS: To assist the State of New York and municipal entities (the CITY) in enforcing WCL Section 220(8), business entities (the VENDOR) seeking to enter into contract with municipalities (the CITY) MUST provide ONE of the following forms to the municipal entity (the CITY) it is entering into a contract with:

IF THE VENDOR IS REQUIRED TO CARRY COVERAGE AND HAS AN OUTSIDE CARRIER, submit Form DB-120.1, "Certificate of Disability Benefits Insurance." The VENDOR'S insurance carrier will send this form to the CITY at the VENDOR'S request.

IF THE VENDOR IS REQUIRED TO CARRY COVERAGE AND IS SELF INSURED, submit Form DB-155, "Certificate of Disability Self-insurance." The VENDOR must call the Workers Comp. Board's Self-Insurance Office at (518)402-0247.

IF THE VENDOR IS NOT REQUIRED TO CARRY COVERAGE, submit Form CE-200, "Certificate of Attestation of Exemption from New York State Workers Compensation and/or Disability Benefits Insurance Coverage." This form and the instructions for completing it are available from the link below.

Form CE-200 and the instructions for completing the application and obtaining the form are available on the New York State Workers' Compensation Board's website, www.wcb.state.ny.us, under the heading "Common Forms." Business entities without access to a computer may obtain a paper application for the CE-200 by writing or visiting the Customer Service Center at any District Office of the Workers' Compensation Board. However, business entities using the manual process may wait up to four (4) weeks before receiving a CE-200. Employees of the Workers' Compensation Board cannot assist business entities in answering questions about this form. Please contact an attorney if you have any questions regarding Form CE-200. However, if you have questions regarding workers' compensation coverage requirements, please call the Bureau of Compliance at (866) 546-9322.

*NOTE: ACORD forms are NOT acceptable proof of New York State Workers' Compensation or Disability Benefits Insurance Coverage. The manner of proof related to Workers' Compensation and Disability Insurance is controlled by New York State Laws, Rules and Regulations.

COMMERCIAL GENERAL LIABILITY INSURANCE:

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The VENDOR shall take out and maintain during the life of this Agreement, such bodily injury liability and property damage liability insurance as shall protect it and the CITY from claims for damages for bodily injury including accidental death, as well as from claims for property damage that may arise from operations under this Agreement, whether such operations be by the VENDOR, by any subcontractor, or by anyone directly or indirectly employed by either of them. It shall be the responsibility of the VENDOR to maintain such insurance in amounts sufficient to fully protect itself and the CITY, but in no instance shall amounts be less than those set forth below. The amounts set forth below establish the minimum acceptable levels of coverage.

Bodily Injury Liability Insurance in an amount not less than TWO MILLION AND 00/100 (\$2,000,000.00) DOLLARS for each occurrence and in an amount not less than TWO MILLION AND 00/100 (\$2,000,000.00) DOLLARS general aggregate

Property Damage Liability Insurance in an amount not less than TWO MILLION AND 00/100 (\$2,000,000.00) DOLLARS for each occurrence and in an amount of not less than TWO MILLION AND 00/100 (\$2,000,000.00) DOLLARS general aggregate.

OTHER CONDITIONS OF COMMERCIAL GENERAL LIABILITY INSURANCE

- Coverage shall be written on Commercial General Liability form.
- Coverage shall include:
 - Contractual Liability
 - Independent Contractors
 - Products and Completed Operations
- The City of Kingston, located at 420 Broadway, Kingston, New York, 12401, shall be added to the Commercial General Liability policy as an "Additional Insured" and this insurance shall be primary and non-contributory with any other valid and collectable insurance.

AUTOMOBILE LIABILITY INSURANCE

Automobile Bodily Injury Liability and Property Damage Liability Insurance shall be provided by the VENDOR with a minimum Combined Single Limit (CSL) of TWO MILLION AND 00/100 (\$2,000,000.00) DOLLARS.

Coverage shall include:

- a) All owned vehicles
- b) Hired car and non-ownership liability coverage
- c) Statutory No-Fault coverage

PROFESSIONAL LIABILITY INSURANCE (e.g. MALPRACTICE INSURANCE)

Professional Liability Insurance shall be provided by the VENDOR as follows:

Professional Liability Insurance in an amount not less than TWO MILLION AND 00/100 (\$2,000,000.00) DOLLARS

CERTIFICATE OF INSURANCE

The VENDOR shall file with the CITY CLERK'S OFFICE, prior to commencing work under this Agreement, a Certificate of Insurance.

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1. The Certificate of Insurance shall include:
 - a) Name and address of Insured
 - b) Issue date of certificate
 - c) Insurance company name
 - d) Type of coverage in effect
 - e) Policy number
 - f) Inception and expiration dates of policies included on the certificate
 - g) Limits of liability for all policies included on the certificate
 - h) "Certificate Holder" shall be the City of Kingston, 420 Broadway, Kingston, New York 12401.
2. If the VENDOR'S insurance policies should be non-renewed or canceled, or should expire during the life of this Agreement, the CITY shall be provided with a new certificate indicating the replacement policy information as requested above. The CITY requires thirty (30) days prior written notice of cancellation [fifteen (15) days for non-payment of premium] from the Insurer, its agents or representatives.
3. The VENDOR shall submit copies of any or all required insurance policies as and when requested by the CITY.

4.2 Subcontracting

The Consultant may propose subcontracting portions of the responsibilities addressed in its proposal. The proposal must identify any such subcontracts(s) and the reason for subcontracting the portion of the contract. The Project Committee reserves the right to review and approve all subcontracts. After the contract is awarded, any subcontracts or purchases in excess of \$5,000 must adhere to the following:

1. Subcontracts or purchases that are sole source must include a detailed justification for this type of procurement; and
2. Subcontracts or purchases that are competitively bid must include proposals from at least three qualified firms, and the lowest responsible proposer shall be accepted.

4.3 Reports and Other Deliverable Materials

The successful Consultant must submit the following reports:

- a. Bi-monthly activity reports with a synopsis of progress to date, conformance with schedule, and reasons for variance with the schedule;
- b. Financial reports needed to obtain reimbursement from the New York State Energy Research and Development Authority (NYSERDA);
- c. Drafts and Final documents;
- d. Final Reports

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Periodic review of Consultant methods and progress will occur through scheduled meetings, phone conversations and correspondence. The Project Committee reserves the right to review and comment on the Consultant work schedules, data collection efforts and instruments and the conduct of the public input process.

4.4 Payment Process

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.

Payment for services performed to the satisfaction of the Project Committee shall be made on a monthly basis in the ordinary course of business upon receipt of duly authenticated invoices and vouchers and upon receipt of monthly activity reports. Receipts for all non-personal expenses must be attached as evidence of, among other things, whether a party of a firm other than the Consultant performed the work. Ten (10) percent of the contract amount will be retained for up to 60 days after the final product has been delivered in order to insure full compliance with contract guidelines.

Vouchers or invoices shall detail expenses as follows:

1. Details concerning the staff members assigned to the project, including their titles, hours worked and rate per hour; total amount billed for each staff member; and
2. Allowable administrative and reimbursable (travel, etc.) expenses

4.5 Project Attribution

The City and the Consultant must ensure that all materials printed, constructed, and/or produced acknowledge the contributions of the grantors. The materials must include the following acknowledgment:

“This (document, report, map, etc.) was prepared for the New York State Energy Research and Development Authority (NYSERDA) with funds provided through a Cleaner Greener Communities grant.”

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PLEASE RETURN THE FOLLOWING SHEETS WITH YOUR PROPOSAL

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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.

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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: _____

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Affidavit of Non-Collusion

NAME OF RESPONDER: _____

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

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**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND
OTHER RESPONSIBILITY MATTERS**

PRIMARY COVERED TRANSACTIONS

- (1) The responder certifies to the best of its knowledge that it and its principals-
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from transacting business with any Federal department or agency;
 - (b) Have not, within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for the commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, local) transaction or contract under a public transaction; and have not been convicted of any violations of Federal or State antitrust statutes or the commission of embezzlement, theft, forgery, bribery, falsification, the destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted, or otherwise criminally or civilly charged, by a government entity (Federal, State, or local) with the commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not, within a three-year period preceding this proposal, had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) If the responder is unable to certify to any of the statements in this certification, please attach an explanation to this proposal.

The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the responder for contracts to be let by the City of Kingston.

Signed at _____, this _____ day of _____ 20__.

(Name of Firm)

By _____
(Title)

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LIST OF AGENCIES/COMPANIES SUBMITTING PROPOSALS

Disadvantaged Business Enterprise (DBE) & MWBE Requirements

For every firm, we require the following information:

Agency/Company Name: _____

Contact Name/Title: _____

Firm Mailing Address _____

Phone Number: _____

DBE _____ Non-DBE _____ MBE _____ WBE _____ Non-MWBE _____

Agency/Company Name: _____

Contact Name/Title: _____

Firm Mailing Address _____

Phone Number: _____

DBE _____ Non-DBE _____ MBE _____ WBE _____ Non-MWBE _____

Agency/Company Name: _____

Contact Name/Title: _____

Firm Mailing Address _____

Phone Number: _____

DBE _____ Non-DBE _____ MBE _____ WBE _____ Non-MWBE _____

Agency/Company Name: _____

Contact Name/Title: _____

Firm Mailing Address _____

Phone Number: _____

DBE _____ Non-DBE _____ MBE _____ WBE _____ Non-MWBE _____

SUBMITTED BY (Signature) _____

AGENCY/COMPANY NAME _____

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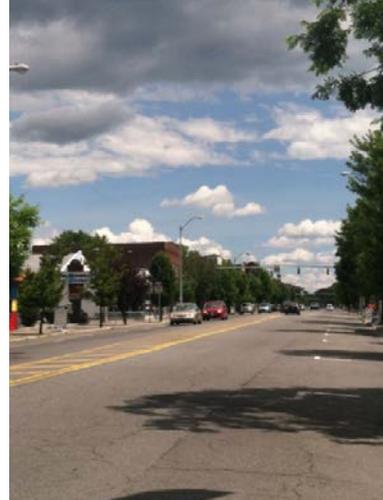
Scoring Matrix for Consultant Ratings by City

Name of Firm			
Criteria	Points	Percentage of Importance	Total
Demonstrated ability to perform the proposed services		35	
Technical merit and applicability of the methodologies , analyses and procedures proposed for accomplishing the project		35	
Ability to complete the project within the time frame described in the RFP		5	
The cost of the work plan as compared with the proposed budget. Proposers must break down each task in the Scope and assign a detail of cost for the action including personnel costs and reimbursable expenses		5	
Quality and clarity of the Proposal and a demonstrated understanding of the project objectives.		5	
Qualifications and relevant experience with respect to the tasks to be performed.		10	
Reputation among previous clients.		5	
Name of Reviewer:			TOTAL

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APPENDICES

Attachment 1: Photos of Study Area



This is a photo series starting at the Head of Broadway at St. James Street (upper left) and proceeding south along the Corridor to East Chester St near the Kingston Point Rail Trail (lower right). The Corridor is 60' wide and six lanes to four lanes near City Hall.

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Attachment 2: Map of Project Area

