



TOWN OF BROOKHAVEN, NEW YORK

REQUEST FOR PROPOSALS RFP #08 - 16

PROFESSIONAL SERVICES FOR MEDFORD VISION UPDATE AND COMMUNITY CORRIDOR REVITALIZATION PLAN

TOWN OF BROOKHAVEN
Office of the Supervisor
One Independence Hill
Farmingville, NY 11738
(631) 451-9100

RFP SCHEDULE

Issued: December 22, 2008

Written Questions No later than: January 15th, 2009

Submittal: February 9, 2009

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I. INTRODUCTION

A. PURPOSE

The purpose of this Request for Proposals (RFP) is to solicit offers from qualified architectural/engineering consulting firms to provide services pertaining to the Medford Vision Update and Community Corridor Revitalization Plan. The Town anticipates the services for the project to be completed within eighteen (18) months.

This RFP will assist the Town in selecting the company best suited to meet the Town's needs. A more detailed description of the scope of work is presented in Exhibit A of this RFP.

B. BACKGROUND

Medford first came into being as a named location in 1844 as the result of the completion of the main line of the Long Island Railroad to Greenport. The railroad installed a station to serve as the midpoint between Patchogue and Port Jefferson. Until the turn of the century, the only house in Medford was the one built by the railroad to accommodate stationmaster. Medford remained relatively undeveloped until the late 1950s and early 1960s, when the construction of a 1400-unit residential development and shopping center (Eagle Estates) drew thousands of residents to the area. By 1965, 8,000 residents called Medford home, with rapid expansion occurring over the next 20-years fueled by completion of the LIE to Exit 64 in 1967. By 2000, the hamlet's population reached 21,985.

In September 2007, the Medford Taxpayers and Civic Association and the Town of Brookhaven were awarded a \$50,000 Suffolk County Downtown Revitalization grant for the beautification of the Medford Veterans Memorial Park. To date, New York State, Suffolk Count, and the Town of Brookhaven have committed additional funds for various improvements associated with the revitalization. As of October 2008, park revitalization continues to develop.

C. STUDY AREA

Medford is a hamlet of more than 24,000 residents encompassing approximately 10.5 square miles in the unincorporated central portion of Brookhaven Town, New York. In 1994, the *Medford Hamlet Comprehensive Plan* was developed through a collaborative effort between the Medford community, the Town of Brookhaven, and a Town consultant. In 1996, an *Update to the Comprehensive Plan* was prepared. Among the stated goals of the Plan was the creation of an improved sense of place through a designated Historic Town Center and Business District in the vicinity of the recently renovated Medford Long Island Railroad Station. Adjacent to the railroad station is the Medford Veterans memorial Park, and the newly built (2000) main Medford Firehouse.

Recently, the *Medford Taxpayers and Civic Association* was awarded a series of grants by Suffolk County to make improvements to Medford Memorial Park under the Downtown Revitalization program.

The *geographical boundaries* of the Study Area are as follows with a focus on New York State Route 112 near the Medford Train Station:

North – Granny Road

South – Woodside Avenue (County Road 99)

East – Station Road to County Road 101 south to Woodside Avenue (County Road 99)

West – County Road 83 (North Ocean Avenue)

Present zoning is predominantly residential with commercial and industrial zoning along major thoroughfares which transverse the community. They include: NYS Route 112, Long Island Avenue, Horseblock Road (CR 16), Sills Road (CR 101), North Ocean Avenue (CR 83), Woodside Avenue (CR 99), Peconic Avenue and the Long Island Expressway (Interstate 495).

II. SCHEDULE AND SUBMITTAL

A. RFP SCHEDULE

Issued: December 22nd, 2008

Written Questions No later than: January 15th, 2009

Submittal: February 9th, 2009 no later than 4:30 PM

Interested firms are invited to attend a voluntary pre-submittal informational meeting to be held in the Planning Division, Brookhaven Town Hall, on Thursday, January 8th, 2009 at 3:00 PM.

B. QUESTIONS

Administrative questions (e.g. procedural questions on how to respond to this RFP) may be submitted by telephone or in writing to the Purchasing Division as listed in Section III.

Technical questions (questions which are specific to the service requested in this RFP) must be submitted in writing (fax is acceptable) on or before the date set forth above (Section II, item A) to either Meg Shutka or Diane Mazarakis, FAX# 631-451-6419 as indicated in Section III.

The Town of Brookhaven shall not be obligated to answer any questions received after the specified deadline.

C. PROPOSAL SUBMITTAL

1. General

Proposals must be received by **Monday, February 9th, 2009 by 430 PM.**

Delivery of proposals by the specified deadline is the sole responsibility of the Proposer. Any proposal received after this date and time shall not be considered. The Town of Brookhaven shall not be responsible for, nor accept as a valid excuse for late proposal receipt, any delay in mail service or other method of delivery used by the Proposer, except where it can be established that the Town of Brookhaven was the sole cause of the late receipt.

2. Method of Submittal - Physical Delivery

The proposal must be submitted in paper form in a sealed envelope marked "Proposal—RFP#08-16" and delivered to:

Anthony DeMaio, Director

Division of Purchasing

Town of Brookhaven

One Independence Hill

Farmingville, New York 11738

Attn: SEALED PROPOSAL – DO NOT OPEN

The Proposer shall include one original and four (4) copies, plus an electronic file in Microsoft Word or pdf format on CD-ROM. Faxed copies will not be accepted.

III. GENERAL INSTRUCTIONS

A. TOWN CONTACT PERSONS

Administrative Questions:

Anthony DeMaio, Director
Division of Purchasing
Town of Brookhaven
One Independence Hill
Farmingville, New York 11738
(631) 451-6252

Technical Questions

Meg Shutka
Diane Mazarakis
Town of Brookhaven
One Independence Hill
Farmingville, NY 11738
(631) 451-6400

e-mail: mshutka@brookhaven.org
dmazarakis@brookhaven.org

B. ORAL COMMUNICATIONS

Any oral communications by the Town's Contact Person(s) or designee concerning this RFP is not binding and shall in no way modify the RFP or the obligations of the Town, Proposer or Consultant. Any technical questions regarding this RFP must be in writing and directed to the Contact Person. A response will be issued in writing and will be given to all Proposers in the form of an addendum.

C. CHANGES TO RFP

If it is necessary to make material changes to the RFP, the Town will mail, fax or e-mail written RFP addendum to all recipients of record of the original RFP. Recipients of record are those parties that obtained a copy of the RFP directly from the Town. It shall be the responsibility of the Proposer to inquire as to any addendum issued. The Proposer may call the Director of Purchasing at (631) 451-6252 prior to the proposal-submittal deadline. All addenda issued shall become part of the RFP. In addition, responses to written questions received by the specified deadline will be incorporated in an RFP addendum.

D. JOINT OFFERS / SUB-CONSULTANTS

Where two or more Proposers desire to submit a single proposal in response to this RFP, the submission should be on a consultant/sub-consultant basis rather than as a joint venture. For this engagement, the Town of Brookhaven intends to contract with an individual firm and not with multiple firms doing business as a joint venture. If a sub-consultant is to be used, that fact must be disclosed in the proposal, together with the name of each sub-consultant and its duties in relation to the scope of work. The sub-consultant shall be subject to the same contract requirements as the Proposer.

E. EXCEPTIONS / DEVIATIONS

Any exceptions to or deviations from the requirements set forth in this RFP must be declared in the proposal submitted by the Proposer. Such exceptions or deviations must be segregated as a separate element of the proposal under the heading "Exceptions and Deviations," as instructed below in section IV. The Town may waive any immaterial deviation or defect in a proposal. The

Town's waiver shall in no manner modify the RFP documents or excuse the Proposer from full compliance with the RFP requirements if awarded the contract.

F. PRE-CONTRACTUAL EXPENSES

All Proposals prepared in response to this RFP are at the sole expense of the Proposer, and with the express understanding that there will be no claim, whatsoever for reimbursement from the Town for the expenses of preparation. The Town shall not be liable any expenses incurred by the Proposer prior to the date of award and commencement of contract services.

G. TOWN'S RIGHTS AND OPTIONS

This RFP constitutes only an invitation to make a proposal to the Town. Issuance of this RFP and receipt of proposals does not commit the Town to award a contract. The Town reserves, holds and may in its sole discretion exercise, the following rights and options with respect to this RFP:

- A. To select and enter into a contract with the Proposer whose proposal best meets the needs of the Town and is most responsive to the RFP;
- B. To amend or cancel all or part of this RFP.
- C. To reject any or all of the proposals, or any part thereof, submitted in response to this RFP, and to waive formalities, if such action is deemed to be in the best interest of the Town;
- D. To request additional information from any Proposer;
- E. To award negotiated contracts to one or more Proposers;
- F. To issue additional subsequent solicitations for Proposals;
- G. To conduct investigations with respect to the qualifications of each Proposer;
- H. To negotiate with Proposers for amendments or other modifications to their Proposals; and
- I. To interview selected Proposers and request presentations.

H. WITHDRAWAL; PROPOSAL IRREVOCABLE

A Proposer may withdraw its proposal at any time prior to the submittal deadline by sending the Town a request in writing from the authorized person who signed the submitted proposal. As of the deadline for submittal, any proposal received by the Town and not withdrawn becomes an irrevocable offer available for acceptance by the Town immediately and for ninety (90) days thereafter. The Town reserves the right to extend its time for acceptance of the proposal for an additional thirty (30) days. The Proposer is responsible for the accuracy of the proposal submitted, and no allowance will be made for errors or price increases that the Proposer later alleges are retroactively applicable.

I. DISPOSITION OF PROPOSALS

All materials submitted in response to this RFP become the property of the Town and become public records after the award of contract, except for information not subject to disclosure pursuant to New York State Public Officers Law, Article 6.

J. STANDARD AGREEMENT

The Proposer selected for contract award through this RFP shall be required to enter into a written agreement with the Town, upon such terms and conditions as required by the Town Attorney's Office. The Proposer shall provide all necessary insurance certificates to the Town prior to the commencement of the Agreement and the Town shall be named as an additional insured, as set forth in Exhibit B. The Proposer shall comply with all applicable laws, rules and regulations. The Agreement entered into is non-assignable without the prior written consent of the Town.

K. TERM OF CONTRACT

The contract term shall commence upon the execution of the contract by both parties and shall continue for the completion of the Project, unless terminated earlier by the Town. The Town anticipates awarding the contract in 2009, with work to commence immediately thereafter.

L. NEWS RELEASES

News releases pertaining to any award resulting from this RFP may not be issued without the prior written approval of the Town.

IV. PROPOSAL FORMAT AND CONTENT

A. GENERAL

Proposals are to be submitted in 8 1/2" x 11" size, typed and, if submitted in paper form, bound with a simple method of fastening. Submissions should be brief and concise and not include extraneous or unnecessarily elaborate promotional material. The proposal should not exceed 30 pages in length, excluding appendices, if any. Proposers should use the following outline in organizing the proposal.

B. COVER LETTER

The letter of transmittal shall, at a minimum, contain the following:

1. Identification of the Proposer, including business name, address and telephone number;
2. Name, title, address, telephone number, fax number, and e-mail address of a contact person during the period of proposal evaluation;
3. Acknowledgement of RFP addenda received, if any;
4. A statement that the proposal shall remain valid for a period as stated in the RFP; and
5. Signature of a person authorized to bind the offering firm to the terms of the proposal.

C. TABLE OF CONTENTS

Immediately following the introduction and cover letter, insert a complete table of contents for material included in the proposal, including page numbers.

D. QUALIFICATIONS, RELATED EXPERIENCE AND REFERENCES

1. Overview: This section should establish the ability of the Proposer (and its sub-consultants, if any) to satisfactorily perform the required work by reasons of: demonstrated competence in the services to be provided as set forth in Exhibit A; the nature and relevance of similar work currently being performed or recently completed; record of meeting schedules and deadlines of other clients; competitive advantages over other firms in the same industry; strength and stability as a business concern; and supportive client references. Information should be furnished for both the Proposer and any sub-consultants included in the proposal.

2. Furnish background information about the Proposer, including date of founding, legal form (i.e., sole proprietorship, partnership, LLC, corporation/state of incorporation), number and location of offices, principal lines of business, number of employees, days/hours of operation and other pertinent data.

3. Describe the Proposer's most noteworthy qualifications for providing the required services to the Town. Specifically highlight those qualifications that distinguish the Proposer from other firms.

4. List all New York Municipalities and other public agencies for which the Proposer has provided professional services as it relates to this project.

5. Identify at least three (3) Municipal clients the Town of Brookhaven may contact as references. Describe the work performed, and appropriate value of contract, and include the name, job title, address and telephone number of a contact person for each reference.

6. List any and all contracts the Proposer was found to be in default or involved in litigation. List, any and all actions within the last ten years, which resulted in the revocation or suspension of the Proposer, any officer or director thereof, any affiliate or related company's permit or license to do business.

E. STAFFING AND PROJECT ORGANIZATION

1. Overview: This section should discuss the staff of the proposing firm who would be assigned to work on this engagement and their reporting relationships.

2. Identify the key personnel of the Proposer that would be assigned to this project. Include a brief description of qualifications, professional certifications, job functions and office location(s). Designate an Engagement Manager who would be ultimately responsible for the relationship and a Project Manager who would provide day-to-day direction of the required work. Furnish brief resumes for all key personnel; include the resumes as an appendix.

3. If more than two individuals will be assigned to the Town of Brookhaven project, include a simple organization chart that clearly delineates communication and reporting relationships among the project staff.

F. WORK PLAN / TECHNICAL SERVICES

1. Overview: This section should establish that the Proposer understands the Town's objectives and requirements, demonstrate the Proposer's ability to meet those requirements and outline clearly and concisely the plan for accomplishing the specified work as outlined in Exhibit A, Scope of Work and in accordance with the time schedule as set forth in Paragraph below.

2. Describe succinctly how the Proposer would accomplish the work and satisfy the Town's objectives described in this RFP. If appropriate, divide the work into segments or tasks to represent milestones for measuring progress.

3. Describe the work products and other deliverables that would be provided the Town at the conclusion of the engagement.

4. Describe what information, documents, staff assistance, facilities that may be required from the Town of Brookhaven to complete your work.

G. COST PROPOSAL

A maximum of \$50,000 is available to complete this project.

H. APPENDICES

1. Furnish as appendices those supporting documents (e.g., staff resumes) requested in the preceding instructions.
2. Include any additional information deemed essential to a proper evaluation of the proposal and which is not solicited in any of the preceding sections. Proposers are cautioned, however, that this does not constitute an invitation to submit large amounts of extraneous material; appendices should be relevant and brief.

I. ADDITIONAL REQUIREMENTS

The Proposer shall be required to provide an insurance certificate as set forth in Exhibit B. In addition, all documents in Exhibit C (listed below) must be completed and notarized as indicated on the respective documents:

1. Business Proposal Form A – Proposer Qualifications
2. Business Proposal Form B – Statement of Non-Collusion
3. Business Proposal Form C – Disclosure Statement
4. Business Proposal Form D – Reference Facility Description
5. Supplemental Disclosure
6. Town of Brookhaven Board of Ethics Transactional Disclosure Form
7. Form of Affidavit (Proposer is an Individual)
8. Form of Affidavit (Proposer is a Corporation)
9. Town of Brookhaven Employer, Contractor/Subcontractor, Affidavit of Compliance with Respect to the Hiring of Employees in Accordance with Federal Law (Town Code Chapter 7A)

V. PROPOSAL EVALUATION AND CONTRACT AWARD

A. GENERAL

All proposals received in accordance with these RFP instructions will be evaluated to determine if the proposal is complete and meets the requirements specified in this RFP. An award will be made to the Proposer whose offer is determined to be the most advantageous to the Town. The Town expressly reserves the right to reject all proposals and make no award under this RFP.

B. EVALUATION PROCEDURES

1. Process

All proposals will be reviewed, analyzed and evaluated in accordance with the criteria described below in Paragraph C. If needed, additional information may be requested from one or more Proposers. Interviews and contract negotiations may be conducted with one or more Proposers. The evaluators will then select a Proposer for award. Any selection and contract award is subject to the Town Board review and resolution.

2. Request for Additional Information

The Town may require supplemental information in order to evaluate a Proposer's offer. The Proposer will be notified if supplemental information is required, and be permitted a reasonable period of time to submit the information.

C. EVALUATION CRITERIA

Proposals shall be reviewed by the Town based on the following criteria.

1. Qualifications, experience, references
2. Staffing, Project Organization
3. Work Plan/Technical Services
4. Cost Proposal
5. Miscellaneous, including exceptions/deviations

EXHIBIT A

SCOPE OF WORK

The proposal shall include, at a minimum, the following scope of services. The scope items are intended to clarify, but not limit, the services proposed in response to this Request for Proposal:

PROJECT SCOPE

The following is a summary description of required components. In preparing a proposal, the consultant may modify, revise or otherwise amend the list of tasks to best satisfy the requirements of the Plan. The emphasis of the Plan is upon implementation. A maximum of \$50,000 is available to complete the Plan.

1. Obtain, review and analyze existing plans, maps, zoning ordinances, pending projects, development regulations, and other documents relative to the project area, including but not limited to: LIRR plans for service improvements and electrification, Suffolk County Study on Railroad Usage by Residents of Multi-unit Housing Complexes Near Railroad Stations, Town Highway plans, and Town Planning hamlet studies and plans (referenced on page 1);
2. Convene and provide a public forum for community residents, local institutions, businesses, elected officials, and other stakeholders to update the community's 1994 vision and 1996 revision. Define and/or revise study areas and implementation strategies that will advance the updated vision. As applicable, eliminate study areas, concerns, and strategies, which are no longer pertinent to the community;
3. In conjunction with the Town Planning Division, provide staff support to a Working Group of stakeholders throughout the planning process. Organize and staff a minimum of two (2) public meeting and five (5) Working Group meetings at times and locations convenient to stakeholders;
4. Identify discreet parcels, and groups of parcels as applicable, which may be candidates for open space, historic preservation, active recreation, residential or commercial development, re-development, and/or improvement. Relate to existing governmentally owned parcels in the hamlet (Fire District, MTA, School District, Town, and County). Develop recommendations for these parcels as appropriate, including parking at the train station
5. Analyze existing single and multi-family residential, commercial, recreational, office and second-story uses in the study area, including demographic and economic projections to ascertain the highest and best use of developed and vacant parcels in the future. Analyze sanitary requirements to implement community recommendations under Article VI of the Suffolk County Sanitary Code. Identify contaminated and

potentially contaminated sites. Prepare recommendations for redevelopment of gray fields as appropriate, and evaluate the applicability of niche community concepts for the Medford community along the NYS Route 112 Corridor and its environs including but not limited to: historic district designation, transit-oriented and multi-family residential niche, automobile dealership niche, commercial/retail niche, professional office niche, etc. Provide recommendations for any needed Code amendments to facilitate desired changes and/or address non-compliance with current Code requirements;

6. Examine the benefits and incentives of a possible *Transit Oriented Development Overlay District* versus existing J-6 Main Street Business District or Multi Family zoning to achieve the desired community vision, i.e.: improved sense of place, ability to park and walk to several shops, and ameliorate the appearance of sprawl, etc. Provide multiple illustrative examples of similar suburban communities, which have achieved these results;
7. Analyze local roadways and multi-modal transportation components and develop recommendations to improve local mobility and safety including pedestrian enhancements. Pinpoint needed roadway improvements that increase both vehicle mobility and pedestrian safety. Provide recommendations and locations for aesthetic improvements including but not limited to: landscaping, crosswalks, decorative pavers, street furniture, decorative lighting, public art, parking facilities, and commercial façade renovation. Provide age appropriate site recommendations for safe walking, jogging, horseback riding, bicycle, roller blade, paths, etc. with a respect to the whole Medford Hamlet environs, especially, the individual communities within Medford and coordinated to the Town as a whole. Provide recommendations for any needed Code amendments to facilitate desired changes, and to identify funding sources to facilitate implementation;
8. Provide graphic and electronic representations of architectural and streetscape improvements, including design guidelines for future commercial construction, street furniture, landscape requirements and buffers, pedestrian walkways, decorative street lighting, etc. Seek to establish community consensus around a desired architectural element or style(s) for the hamlet to help foster architectural cohesion, reduce visual blight, and promote increased sense of place and community identity;
9. Identify environmentally sensitive lands, features and habitats in the community, and provide recommendations to preserve and enhance them into the future. Make recommendations to provide for well-placed and centrally located public and recreation spaces for the community;
10. Present and develop as necessary a range of *planning tools* to facilitate implementation of the community's vision and recommendations resulting from this planning study including but not limited to: code changes, code enforcement, zone changes, floating zones, transfer of development rights, historic district review, design criteria, etc.

11. Provide a schedule of meetings and a detailed Work Plan with major milestones and projections for completing the Plan on budget. Provide resumes of staff to be assigned to the project including earned degrees, professional certifications, and direct prior work experience similar to that described in the Project Scope.

PROJECT TIMELINE

The project shall adhere to the following work structure (details to be included in the Work Plan – see # 11 above):

1. Identify and organize a *Working Group* to initiate the community planning process. The Working Group is to be composed of: residents, citizen and business leaders, civic association representative, elected officials, Town Department of Planning, Environmental and Land Management, Town Highway Department, and other governmental representatives (i.e. NYS DOT), and other stakeholders. A minimum of five (5) Working Group sessions will be held to ensure significant and meaningful participation of the community;
2. Together with the Working Group, plan and conduct a Public Participation Outreach/Education and Vision Update Workshop;
3. Prepare the Draft Medford Vision Update and Community Corridor Revitalization Plan and share with the Working Group and the Town. Receive comments and suggestions for change and meet with the Working Group to develop consensus on needed changes and improvements;
4. The Final Community Revitalization Visioning Plan is presented to the community in the second Public meeting;
5. Final Report presentation to the Town Board.

END PRODUCT

The final plan shall be submitted in three formats:

1. 10-bound color copies;
2. An unbound reproducible color copy;
3. CD-Rom of the text and all computer graphics, compatible with those programs utilized by the Town.

The Town of Brookhaven shall retain ownership of all data, reports and graphics resulting from this effort.

EXHIBIT B

INSURANCE

The Consultant shall procure and maintain at its own cost and expense professional errors and omissions insurance and such public liability and other insurance as will protect the Town, its officers, employees and the people of the Town of Brookhaven from any claim or claims for damages to property and for bodily injury and personal injury, including death, which may arise from or relate to the terms and conditions of this agreement. Said policies or certificates of insurance shall be delivered to the Town with full premiums paid, and shall be subject to the approval of the Town Attorney for adequacy and form of protection. Said policies and certificates (other than the professional errors and omissions insurance) shall name the Town of Brookhaven, the Town Board, its officers and as additional insureds. The insurance provided shall include the following:

1. Comprehensive general liability:

- a) Per occurrence, \$1,000,000.00; General aggregate - \$2,000,000.00
- b) Products completed, operations aggregate - \$2,000,000
- c) Personal and advertising injury - \$2,000,000.00
- d) Each occurrence - \$1,000,000.00
- e) Fire damage - \$50,000.00
- f) Medical expense (any one person) \$5,000.00

The foregoing aggregate limits shall apply on a per project basis.

2. Automobile liability:

- a) Any auto coverage - \$1,000,000.00
- b) Hired autos - \$1,000,000.00
- c) Non-owned auto coverage - \$1,000,000.00

3. Workers' Compensation Insurance and Employer Liability

- a) Each accident - \$100,000.00
- b) Disease - policy limit \$500,000.00
- c) Disease - each employee \$100,000.00

4. Disability Benefits - Liability (Statutory requirements)

5. Professional Errors and Omissions Insurance coverage of not less than \$1,000,000.00 per claim and \$2,000,000.00 annual aggregate.

The Town Insurance Manager may modify the insurance requirements, prior to the commencement of services, if the Engineer/Consultant can demonstrate that the scope of services to be performed does not warrant such coverage. The Town Attorney of the Town of Brookhaven shall be the stipulated recipient of said Certificate of Insurance. Insurance certificates shall be subject to the review and approval of the Town's Insurance Manager. It shall be further stipulated thereon that the Town Attorney of the Town of Brookhaven shall be given at least thirty (30) days notice of cancellation of said coverage, which shall be remitted to the Town Attorney, One Independence Hill, Farmingville, New York 11738. In the event that Engineer/Consultant's insurance covers the actions of its special consultants, those special consultants will not be required to meet the insurance requirements of this Agreement.

EXHIBIT C

BUSINESS PROPOSAL FORM A

Proposer Qualifications

Describe the principal and any secondary nature of your current business:

State the length of time the firm has been in that business under your present name and identify all other names under which you have done business:

List the names, addresses, and telephone numbers of Municipalities, counties, special districts or cities or nonprofit organizations which have utilized the firm's services (complete form D for each):

BUSINESS PROPOSAL FORM B

Representations and Certifications of Proposer

STATEMENT OF NONCOLLUSION

All proposals and contracts awarded or accepted by a municipality must contain a statement of noncollusion. By submission of this Proposal, the Proposer certifies that:

- (a) This Proposal has been independently arrived at without collusion with any other Proposer or with any competitor or potential competitor.
- (b) This Proposal has not been knowingly disclosed and will not be knowingly disclosed prior to the opening of Proposals for this project to any other Proposer, competitor or potential competitor.
- (c) No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a Proposal.
- (d) The person signing this Proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification under the penalties of perjury, affirms the truth thereof of such penalties being applicable to the Proposer as well as to the person signing on its behalf;
- (e) The attached hereto (if a corporation Proposer) is a certified copy of resolution authorizing the execution of this certificate by the signature of this Proposal in behalf of the Proposer.

Resolved that _____ (name of individual) be authorized to sign and submit the Proposal of _____ and to certify as to noncollusion as the act and deed of such corporation/partnership and for any inaccuracies or misstatements in such certificates this corporate proposer shall be liable under the penalties of perjury.

(Signature and Title)

Sworn to before me this

_____ day of _____ 2009.

BUSINESS PROPOSAL FORM C

Disclosure Statement

PROPOSER MUST SIGN THIS FORM BEFORE A NOTARY PUBLIC

STATE OF NEW YORK)

)ss:

COUNTY OF)

I, _____, _____
(NAME) (TITLE) Officer of Corp. or
Partner or Principal

being duly sworn, deposes and swear under the penalties of perjury:

1. That is in connection with the above Proposal for the _____ that no other person will have any direct or indirect interest in this Proposal except:

(in case of corporations, all officers of the corporation and stockholders owning more than 5% of the corporation stock must be listed. Use attached sheet if necessary.)

2. That _____ related to any
(I am not) (none of the officers or stockholders are)

officer or employee of the Town except _____

3. There is not any state or local officer or employee or a member of a board of commissioners of a local public authority or any other public corporation within the Town, exclusive of a volunteer fireman or civil defense volunteer, interested in such application.

(SIGNATURE AND TITLE)

Sworn to before me this

day of _____, 2009

BUSINESS PROPOSAL FORM D

Reference Facility Description

(Photocopy this Form for additional References as necessary)

1. Name: _____
2. Address: _____

3. Reference:
 - a. Name _____
 - b. Address _____
 - c. Telephone No. _____
 - d. Principal Contact _____
 - (i) Name _____
 - (ii) Telephone No. _____
4. Scope of Firm's Services (describe): _____
5. Number of years services provided: _____
Brief description of services provided: _____

6. Annual Operating Cost _____

TOWN OF BROOKHAVEN - SUPPLEMENTAL DISCLOSURE

Name and Address of Proposer _____

FEDERAL IDENTIFICATION # OR SOCIAL SECURITY #: _____

Proposers will furnish the following information: List only similar type of work performed:

QUESTIONNAIRE

FOR WHOM PERFORMED

CONTRACT AMOUNT

DATE COMPLETED

1. Have you ever failed to complete any work awarded to you? _____

If yes, state where and why _____

2. Has any officer or partner of your organization ever been an officer or partner of some other organization that failed to complete a contract? _____

If yes, state name of individual, other organization and reason therefore:

3. Has any officer or partner of your organization ever failed to complete a contract in his own name? _____

If yes, state name of individual and reason therefore: _____

4. **Within the last ten years**, has any legal action, criminal or civil, ever been commenced by the Town or by any other governmental entity/agency against the corporation or against any other legal entity or subsidiary associated with the proposer, or has any legal action, criminal or civil, been commenced against any officer, principal, member, partner or employee 1) of the proposer, or 2) of the other legal entity/subsidiary associated, presently or within the last ten years, in any manner, with the proposer?

YES _____ NO _____

If yes – state the nature of the legal action

5. In what other lines of business are you financially interested?

6. The work, if awarded to you, will have the personal supervision of whom?

(Signature and Title)

Sworn to before me this

_____ day of _____ 2009.

TOWN OF BROOKHAVEN BOARD OF ETHICS
TRANSACTIONAL DISCLOSURE FORM

APPLICANT NAME: _____
LAST NAME, FIRST NAME, M.I

APPLICANT ADDRESS: _____
STREET, APT.

CITY STATE ZIP CODE

NATURE OF APPLICATION: (CHECK ALL THAT APPLY)

| | |
|---|---|
| <input type="checkbox"/> TAX GRIEVANCE | <input type="checkbox"/> EXEMPTION FROM PLAT OR OFFICIAL MAP |
| <input type="checkbox"/> APPROVAL OF PLAT | <input type="checkbox"/> LICENSE OR PERMIT |
| <input type="checkbox"/> VARIANCE | <input checked="" type="checkbox"/> OTHER: MUNICIPAL CONTRACT |
| <input type="checkbox"/> AMENDMENT | <input type="checkbox"/> CHANGE OF ZONE |

DOES ANY OFFICER OF THE STATE OF NEW YORK, OFFICER OR EMPLOYEE OF THE TOWN OF BROOKHAVEN, OFFICER OR EMPLOYEE OF SUFFOLK COUNTY, OFFICER OF A POLITICAL PARTY IN SUFFOLK COUNTY OR HIS OR HER SPOUSE, BROTHER, SISTER, PARENT, CHILD, GRANDCHILD, OR THE SPOUSE OF ANY OF THEM HAVE AN INTEREST IN THIS APPLICATION BY VIRTUE OF BEING THE ACTUAL APPLICANT, OR BY VIRTUE OF HAVING AN INTEREST IN THE CORPORATION, PARTNERSHIP, OR ASSOCIATION MAKING SUCH APPLICATION?

☐ YES ☐ NO

IF YOU ANSWERED "YES", COMPLETE THE REST OF THE FORM AND DATE AND SIGN WHERE INDICATED.

IF YOU ANSWERED "NO", SIMPLY SIGN AND DATE THE FORM WHERE INDICATED.

INTERESTED PARTY AND NATURE OF INTEREST

NAME:

ADDRESS:

TITLE:

RELATIONSHIP TO PUBLIC OFFICER/EMPLOYEE AND HIS OR HER TITLE IF OTHER THAN SELF:

INTERESTED PARTY: ☐ YES ☐ NO

A.) IS THE OWNER OF GREATER THAN FIVE PERCENT (5%) OF THE CORPORATE STOCK OF THE APPLICANT WHEN THE APPLICANT IS A CORPORATION WHOSE STOCK IS LISTED ON THE NEW YORK OR AMERICAN STOCK EXCHANGES;

B.) THE ACTUAL APPLICANT;

C.) AN OFFICER, DIRECTOR, PARTNER, OR EMPLOYEE OF THE APPLICANT; OR

D.) LEGALLY OR BENEFICIALLY OWNS OR CONTROLS ANY STOCK OF A NON-PUBLICLY TRADED CORPORATE APPLICANT OR IS A MEMBER OF A PARTNERSHIP OR ASSOCIATION OF THE APPLICANT.

DATE

SIGNATURE OF APPLICANT

TOWN OF BROOKHAVEN
FORM OF AFFIDAVIT WHERE PROPOSER IS AN *INDIVIDUAL*

STATE OF NEW YORK)

) ss:

COUNTY OF)

_____, being duly sworn, deposes and says: I am the person described in and who executed the foregoing proposal and the several matters therein stated are in all respects true.

(Signature of person who signed bid)

Subscribed and sworn to before me:

this _____ day of _____ 20_____.

(Notary Public)

TOWN OF BROOKHAVEN
FORM OF AFFIDAVIT WHERE PROPOSER IS A CORPORATION

STATE OF NEW YORK)

) SS:

COUNTY OF)

_____being duly sworn, deposes and says:

I am the _____ of _____, the

above named corporation, whose name is subscribed to and which the

executed the foregoing proposal. I reside at _____in the

_____ of _____, state of _____.

I have knowledge of the several matters therein stated and they are in

all respects true.

(Signature of person who signed bid)

Subscribed and sworn to before me

this _____ day of _____ 2009.

(Notary Public)

TOWN OF BROOKHAVEN
EMPLOYER, CONTRACTOR/SUBCONTRACTOR,
AFFIDAVIT OF COMPLIANCE WITH RESPECT TO THE HIRING OF
EMPLOYEES IN ACCORDANCE WITH FEDERAL LAW
(TOWN CODE CHAPTER 7A)

STATE OF _____) SS

COUNTY OF _____)

Employer Firm: _____

Project name: _____

Submission Date: _____

I, _____ being duly sworn, depose and state:

That I am an _____ Officer, _____ Partner, _____ Owner, or _____ Member of the Firm

By submission of this Affidavit, and each person signing on behalf of any bidder, contractor, subcontractor, owner, employer, hereby certifies, under penalties of perjury, that I affirm of my own knowledge that the above named person on behalf of the Employer has complied with the requirements of Title 8 of the United State Code (U.S.C.) Section 1324a and any amendments thereto, and that all employees, including non-citizens, aliens, which includes full-time, part-time, temporary or seasonal employees, are authorized to work in the United States and that said employees, including non-citizens, aliens, have provided the required documents for my review, which appear to be genuine and demonstrate, and that to the best of my knowledge, the employees, including non-citizens, aliens, are authorized to work in the United States; and 2) that during the term of the contract, subcontract, agreement or period of work performed by the Employer, all employees hired, retained, shall be authorized to work in the United States in compliance with Federal Law and 3) that the Employer will only employ Subcontractors who hire, retain, employees authorized to work in the United States, and 4) all such Subcontractors shall be required to submit an Affidavit demonstrating compliance with Federal Law regarding the eligibility of employees to work in the United States, and that the Subcontractor's employees have submitted the required documents demonstrating compliance with Federal Law, which said Affidavit shall be submitted to the Town with the Contractor's request for Subcontractor approval at the time of bid submission and at all times required by the Town Code.

By _____

Print (Name and Title)

Sworn to before me this
____ day of _____, 2009

NOTARY PUBLIC