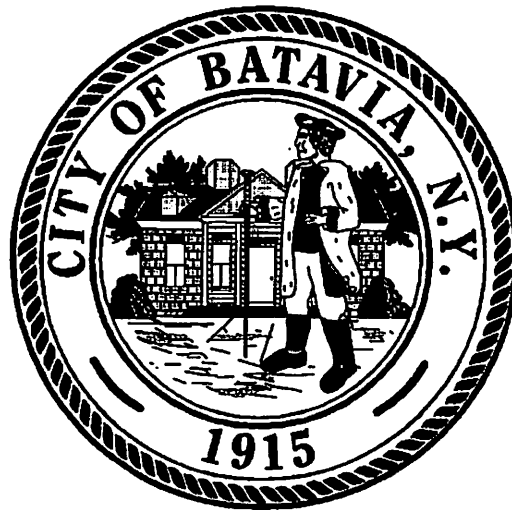


Request for Proposals

For

Update of the City of Batavia Comprehensive Plan



City Manager's Office

One Batavia City Centre

Batavia, New York 14020

(585) 345-6330

www.batavianewyork.com

Background and Overview

The City of Batavia is a City of approximately 15,465 persons that serves as the County Seat for Genesee County and is located between Buffalo and Rochester. Four State Routes (5, 98, 33 and 63) traverse the City and exit/entrance 48 of the New York State Thruway provides access to the Western New York and Finger Lakes regions. The City serves as the regional economic center for Genesee County and many surrounding rural areas in adjacent counties.

The economy of the City and much of Genesee County is based on six key industries: Health Care, Manufacturing, Tourism, Agriculture/Food Processing, Retail and Government. United Memorial Medical Center is the largest private employer in the City, providing jobs to more than 700 people. Genesee County is the largest overall employer in the County and City with approximately 900 employees. Darien Lake Theme Park, 15 miles west of the City, is a significant tourism generator in the area providing jobs and generating the need for accommodations and restaurants in Batavia.

Government is also a large employer in Batavia. Large government employers in the area besides Genesee County include the U.S. Veteran's Administration and New York State. The U.S. Veteran's Administration Hospital and the New York State School for the Blind provide more than 600 jobs in the City of Batavia. Genesee Community College, just outside the City, has an enrollment of 7,365 students.

Genesee County is one of the most productive agricultural areas in all of New York State. The Genesee County Economic Development Center was successful in building out the Genesee Valley Agri-Business Park with more than \$300M of investment and over 200 new jobs at the City's edge. The City's small businesses have already experienced the benefits of the added workforce and spending due to the Agri-Business Park developments.

In addition, over the past four years the City has secured nearly \$2.5M in economic and community development grants. The funding has leveraged over \$4M of reinvestment by the private sector, raising the bar for living and working standards City-wide.

The City of Batavia has experienced significant changes since its last Comprehensive Plan update in 1997. Since then, many projects have been undertaken in the City including redevelopment throughout the downtown area, formation of a Business Improvement District, changes to zoning codes, reconstruction of State Route 5, State Route 33/Walnut St. and Cedar St., and completion of economic development projects. Future planned projects for the City include Brownfield Opportunity Area Strategic Site redevelopment, construction of the Ellicott Pedestrian/Bike Trail, Vibrant Batavia efforts, neighborhood improvements, and the Science, Technology and Advanced Manufacturing project in Genesee County, among many others. The City recognizes that its future hinges upon updating the 1997 Comprehensive Plan to identify the actions needed for

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continued success. Thus, the City of Batavia is seeking the assistance of qualified consultants to help update its 1997 Comprehensive Plan.

Comprehensive Plan Update Goals and Objectives

The goal of the 2015 Comprehensive Plan update is to actively engage the Batavia community to identify the priority issues facing the City in the next 5 years and develop a realistic, implementable action plan that identifies the resources and partnerships essential to realizing success. The 2015 Comprehensive Plan update shall consider Leadership in Energy and Environmental Design for Neighborhood Development (LEED ND), Congress for New Urbanism (CNU), and smart growth principles. The selected consultant shall be responsible for assisting the City in completing Task 1.3 – Task 9.2 in accordance with the deliverables identified in the New York State Energy Research and Development (NYSERDA) Cleaner, Greener Communities Program, Statement of Work (See Exhibit A). A successful 2015 Comprehensive Plan update will achieve the following 6 objectives:

1. Focused on the real, relevant community issues.
2. Organized around key issues instead of functional chapters.
3. Includes practical implementable recommendations supported by sound data, analysis and implementation steps.
4. Creates a guide for land use decisions that are consistent with best practices for land development/redevelopment.
5. Recruits partners and recommends a structure necessary for the successful implementation of the plan.
6. Creates ownership in the local community through extensive outreach and involvement.

Scope of Work

The following conceptual scope of work illustrates the City's approach to updating its Comprehensive Plan. Consultants should develop a full scope of work and schedule of deliverables for this project that expands upon, refines, and improves this conceptual approach while achieving the stated goals and objectives for the project as outlined in the attached Cleaner, Greener Communities (CGC) Program Statement of Work. The following scope of work has been outlined with the relevant Task's from the CGC Statement of Work.

1. Community Engagement/ Public Outreach Strategy (Task 2.0 – Task 3.2)

The consultant should propose a public engagement/public outreach strategy at the start of the project that outlines how City stakeholders will be involved throughout the project. Consultants should suggest innovative engagement strategies that generate high levels of participation and ownership for the plan. This is to include a project web page connected to the City's website to maintain communication with the stakeholders and the public.

2. Community Assessment (Task 4.0 – Task 6.2)

Unlike traditional comprehensive plans, the 2015 Comprehensive Plan update will be organized around priority issues and not functional chapters. Thus, a community assessment is a critical first step to identifying problems to be solved, needs to be addressed, and opportunities to be pursued. The consultant should engage city officials, residents, businesses, and other stakeholders to complete an assessment of the community that considers the following elements:

- Status of the 1997 Comprehensive Plan, 2012 Community Improvement Plan and 2014 Batavia Opportunity Area Plan – In addition the consultant should review all documents outlined in Task 4.1 to identify relevant recommendations to the city that have been completed, are ongoing, or no longer valid.
- SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis for the City as a whole.
- Community functions and systems such as land use, housing, transportation, public facilities, recreation, the environment, etc.
- Community sectors such as neighborhoods, downtown, industrial districts, commercial districts, etc.
- Community assets such as economic drivers, tourism amenities, educational institutions, cultural/recreational facilities, and other resources that are integral to the quality of life and attracting new investment to the community.

3. Community Status Report and Issue Prioritization (Task 7.0 – Task 7.3)

The consultant will summarize the input gathered as part of the community assessment to develop an initial list of potential community issues that could be addressed through the Comprehensive Plan. The potential community issues will be presented to City stakeholders for review and prioritization. The top 5-7 issues will form the core of the Comprehensive Plan update.

4. Draft Comprehensive Plan & Implementation Plan (Task 8.0 – Task 8.5)

For each priority issue, the consultant should perform the following at a minimum:

- Collect the appropriate background data that validates and substantiates the issue's importance in the community.
- Develop a work group structure that includes community stakeholders who will assist in evaluating the problem/need/opportunity and identify potential solutions.
- Create an action plan for each issue that specifies the detailed steps that should be taken to address the identified community issue.

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The consultant will consolidate the action plans for each priority community issue into one implementation plan. The implementation plan should include the following:

- Clear, concise listing of the required actions.
- Recommended prioritization/timing of actions.
- Cost estimate and funding sources of each action plan.
- Responsible parties for implementing each action step.
- Schedule for implementation of each action step.
- “Early implementation” targets that could result in easy, short-term successes or are needed to address immediate issues facing the City.

The implementation plan should be supported by a recommended implementation structure that includes a local champion who will oversee implementation efforts and marshal resources needed to implement the plan.

5. State Environmental Quality Review Act (SEQRA) (Task 9.0 – Task 9.1)

The consultant shall prepare all necessary documentation to meet SEQRA requirements including preparation of the Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) and SEQRA documentation

6. Final Report and Adoption (Task 9.2)

The consultant will prepare a final report that is:

- Succinct – efficiently uses words and is short in length
- Simple – easy to understand by the layperson and avoids jargon
- Visual – key concepts are illustrated using maps, graphics, and charts
- Transferable – plan can be easily downloaded and/or distributed through the community

The final report will follow the adoption process in accordance with New York State Law, by providing the Final Comprehensive Plan to the Planning and Development Committee for review and recommendation, and to the City Council for review and adoption.

Project Budget and Schedule

The City of Batavia has allocated a maximum of \$100,000 for the 2015 Comprehensive Plan update. Innovative, cost-effective approaches that focus on achieving results are highly encouraged. The plan should be completed within 18 months. Consultants are encouraged to propose an expedited schedule that provides for an expedited planning process without sacrificing community input or local ownership.

RFP Submission Requirements and Selection Process

The City will accept RFPs from prime consultants. Prime consultants may propose subcontractor arrangements with other consulting firms, however, prime consultants may not serve as a subcontractor to another consulting team responding to this RFP.

Proposal Content and Organization

Please limit your submission to no more than fifteen (15) single sided pages in length. Submit seven (7) copies. The submittal should be clearly marked: “2015 Comprehensive Plan Update”. The RFP shall include the requested materials below and comply with the requested page limits.

RFP Element	Pages
<p>Cover Letter that includes:</p> <ul style="list-style-type: none"> • Prime consultant’s legal name and federal ID number • Identification of key personnel who will manage the project and who can negotiate and execute the project contract. 	1
<p>Consulting Team Profile that includes:</p> <ul style="list-style-type: none"> • Background and description of the consulting team including prime consultant and subcontractors. • Organizational chart showing the staff involved in the project and their respective assignments. • Resumes of proposed project manager and key team members. • Listing and description of similar projects, in tabular format, that have been completed in the past 5 years by the prime consultant and/or proposed subcontractors. The consultant should include links to where the City may review electronic copies of the deliverables from the listed projects. Do not attach electronic versions or send hard copies of previously completed projects. • Reference list that may be contacted by the City for recently completed similar projects. 	6
<p>Project Scope of Work that includes</p> <ul style="list-style-type: none"> • Description of the approved and work steps required to complete the plan update in accordance with the goals, objectives, and conceptual approach listed in the RFP. • Listing of the proposed deliverables for each work step. 	6
<p>Schedule and Budget that includes:</p> <ul style="list-style-type: none"> • Project schedule that lists each task and the anticipated duration. • Project budget that includes projected hours and costs for each proposed staff member by task. 	2

Selection Process

The City Planning and Development Committee has been appointed by the City Council to act as the Steering Committee for the Comprehensive Plan update and with the assistance of city staff, to include the evaluation of the consultant submissions. The committee will evaluate the submissions based upon the following criteria within the RFP Element:

1. **Project Experience** - Describe the firm's relevant experience on projects of a similar nature, to include projects funded under the Cleaner Greener Communities program. Provide brief descriptions of between four (4) to six (6) projects that have been completed by the interested firm. Please include references with names and phone numbers for each project. Highlighted projects should be recent (completed within the past five years). The project descriptions should demonstrate knowledge of relevant issues and an ability to successfully perform such work within the region. (30% of Scoring Criteria)
2. **Staff Qualifications** - Please include a brief description of the specific staff that the interested firm intends to use on the project. Describe any unique qualifications and training that your staff may have for this type of work. (15% of Scoring Criteria)
3. **Understanding of the Project** – Please outline and describe your teams approach and understanding of the project, description of work steps and proposed deliverables required to complete the plan update in accordance with the goals, objectives, and conceptual approach listed in the RFP. (40% of Scoring Criteria)
4. **Availability of Staff Resources** – Please outline the locations/offices at which the work on this project will be performed. Relevant project staff must be accessible and available to attend meetings in the City on relatively short notice. (10% of Scoring Criteria)
5. **Locally Administered Projects** - Please include your firms understanding and familiarity with the region and the City of Batavia and a description of any projects your firm has completed locally. (5% of Scoring Criteria)

The committee may shortlist 2-4 firms that will be invited to participate in an oral presentation, if deemed appropriate. The committee will identify a preferred consultant and negotiate a final scope of work, price, and associated contract. The preferred consultant, scope of work, price, and contract will be submitted to the City Council for review and approval by September 2015

Submission Procedure

Submissions are due by 4:00 PM on August 3, 2015. Consultants are encouraged to make their submissions prior to the 4:00 PM deadline to avoid last minute technical difficulties that could result in a late submission that is rejected. No emailed or faxed copies will be accepted. Please submit paper copies and jump drive or CD of the proposal.

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Schedule of Important Dates:

- Release of RFP: June 24, 2015
- RFP questions due by July 17, 2015
- Proposal Submission Deadline: July 27, 2015
- Proposal Evaluations and interviews if required: August 3-19, 2015
- City Council consideration of RFP award by City: August 24, 2015
- City Council award: September 8, 2015

Submissions shall be mailed directly to:

Jason Molino, City Manager
Re: 2015 Comprehensive Plan Update
One Batavia City Centre
Batavia, New York 14020

All questions prior to the closing date should be directed to the Office of the City Manager by email to lcasey@batavianewyork.com or by phone to 585-345-6330 by July 17, 2015. Responses to questions will be emailed to all firms that have indicated an interest in the project. Inquiries should make reference to specific sections of this RFP.

Additional Work

This RFP may serve as the procurement for consultant services for assistance with implementing recommendations from the updated plan, such as but not limited to zoning and land use updates. The City will determine if additional consultant work is needed following adoption of the final update. At such time, the City will negotiate with the consultant a scope of work, price, and associated contract. The consultant, scope of work, price, and contract will be submitted to the City Council for review and approval.

RFP Disclosures

The City is making this solicitation with the intention to award a contract to update the City of Batavia Comprehensive Plan. Consultants responding to this RFP are doing so with full disclosure, understanding and acceptance of the following:

- Submissions not conforming to the standards outlined in this RFP may be rejected.
- The City reserves the right to reject any RFP in whole or part for any reason.
- The City may change the scope of work or selection process at its discretion at any time.
- The City may cancel or postpone any aspect of this project within the bounds of the Consultant contract.
- The City is not responsible for any costs incurred by Consultants in the preparation, submission, or subsequent discussion of this RFP.

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- Recommendations made by the steering committee or approvals made by City Council with respect this project are final.
- Unsuccessful consultants will not be provided with a debriefing session to discuss the deficiencies of their submission.
- Following award of the contract by City Council, all RFP submissions are considered public records that are subject to the State of New York Freedom of Information Law (FOIL). Materials considered confidential by the Consultant must be clearly identified and include a statement of why said records should not be considered public records.

**Exhibit A – Statement of Work
Cleaner, Greener Communities (CGC) Program, Phase II: Category 2
Sustainable Batavia
CGC42749/Contract 57251**

Project Background

The City of Batavia (the “City”) has experienced significant changes since its last Comprehensive Plan update in 1997. Since then, many projects have been undertaken in the City including redevelopment of the downtown area, formation of a Business Improvement District, changes to zoning codes, reconstruction of State Route 5, State Route 33/Walnut St. and Cedar St., and completion of economic development projects. Future planned projects for the City include Brownfield Opportunity Area Strategic Site redevelopment, construction of the Ellicott Pedestrian/Bike Trail, Vibrant Batavia efforts, neighborhood improvements, and the Science, Technology and Advanced Manufacturing project in Genesee County, among many others. To assess the City’s current assets and liabilities and strategically plan for the future, the City will update its 1997 Comprehensive Plan (“Comprehensive Plan” or “Project”). Overall, the Project will incorporate Leadership in Energy and Environmental Design for Neighborhood Development (LEED ND), Congress for New Urbanism (CNU), and smart growth principles while also integrating recommendations for alternative energy use and production, energy saving mechanisms, and development of green infrastructure.

Definitions

Contractor Team: At the beginning of the Project Period, the Contractor Team for this Agreement shall consist of the Contractor, and any Subcontractors to be identified and selected in accordance with Article V of this Agreement. Any Subcontractors selected for work performed under the Agreement shall be promptly communicated to the NYSERDA Project Manager. The Contractor shall have the sole responsibility for satisfactory completion of all Tasks and Deliverables outlined in this Agreement.

NYSERDA Project Manager: NYSERDA shall assign a staff member as the NYSERDA Project Manager, designated to oversee and serve as the main point of contact for the Contractor. The NYSERDA Project Manager shall review deliverables and provide direction to the Contractor in a streamlined fashion. The NYSERDA Project Manager shall be responsible for approving deliverables and ensuring compliance with this Statement of Work.

Cost share: In kind or financial contributions by the Contractor excluding grants or incentives from NYSERDA and other New York State agencies.

Performance Metrics: The standards of comparison, determined and documented as outlined in Exhibit F, NYSERDA shall use to: assess activities in the project, capture the extent of benefits delivered, and gauge performance of the project and of the CGC Program.

Deliverable Review Process

The Contractor shall submit all Deliverables outlined in this Agreement to the NYSERDA Project Manager once a Task is completed. The Contractor shall submit all Deliverables in Microsoft Word and PDF format (or other format as identified in the Tasks below). Within fifteen (15) business days of receipt of each Deliverable, the NYSERDA Project Manager shall provide comments to the Contractor or, if the Deliverable

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is acceptable, the NYSERDA Project Manager shall provide final approval. The Contractor shall prepare revisions to the Deliverable reflecting the NYSERDA Project Manager's comments, and resubmit the revised Deliverable in Microsoft Word and PDF format (or other format as identified below), within fifteen (15) business days after receipt of these comments.

The NYSERDA Project Manager may provide additional comments and requests for information following receipt of the Contractor's revisions. In the event that NYSERDA requires additional time for considering approval, NYSERDA shall specify the additional amount of review time necessary up to fifteen (15) business days. All Deliverables shall not be considered final unless approved by NYSERDA in writing to the Contractor.

Tasks

The total NYSERDA award amount for all tasks shall not exceed \$75,000.00. The Contractor shall be required to provide a cost share of \$25,000.00. The total project cost is \$100,000.00. Any modifications to this amount shall be by mutual agreement. All cost overruns shall be the sole responsibility of the Contractor.

Regardless of any subcontracting arrangements, the Contractor is solely responsible for all tasks in this Statement of Work. The Contractor shall conduct all work as outlined in the following tasks:

Task 1: Contract Management

The Contractor shall be responsible for overall Contract management and coordination of all Tasks in this Agreement. Contract management activities shall include, but not be limited to, the following tasks:

Task 1.1: Draft Project Benefits Metrics Report

The Contractor shall prepare and submit a draft Project Benefits Metrics Report (PBMR) with proposed performance metrics and projected benefit values, including methods for data collection and calculations as described in Exhibit F.

Deliverable:

1.1 Draft PBMR

Task 1.2: Contract Management and Quarterly Progress Reports

The Contractor shall participate in conference calls and meetings as outlined below; prepare and submit quarterly reports as outlined below; coordinate and manage all Subcontractors; provide documentation and information as requested by NYSERDA for creation of press releases or case studies to showcase the success of the Tasks completed in this Agreement; and review all Deliverables prior to submission to the NYSERDA Project Manager. The Contractor shall submit quarterly progress reports within 30 days after the end of each quarter, in a template provided by NYSERDA. During each calendar year, quarter start and end dates are as follows: Quarter 1: January 1-March 31, Quarter 2: April 1-June 30, Q3: July 1-September 30, Quarter 4: October 1-December 31.

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

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Each Contract Management and Quarterly Progress Report shall include:

- A summary of progress and accomplishments over the previous quarter, including a discussion of major tasks and deliverables completed in the prior quarter;
- Explanation of contract management activities completed in the previous quarter with backup documentation including timesheets showing hours worked, hourly rate, staff person, and title;
- Explanation of current quarter's activities and plans, including tasks and deliverables to be completed; and
- Discussion of any major issues or problems encountered during the prior quarter, deviations from schedule and budget and other issues related to the successful outcome of this Agreement.

If the Project timeline is extended past the end of the Project Period as specified in the Payment Schedule, the Contractor shall continue to submit quarterly reports but no additional payments shall be allocated for those deliverables.

Deliverables:

- 1.2A Contract Management and Quarterly Progress Report #1
- 1.2B Contract Management and Quarterly Progress Report #2
- 1.2C Contract Management and Quarterly Progress Report #3
- 1.2D Contract Management and Quarterly Progress Report #4
- 1.2E Contract Management and Quarterly Progress Report #5

Task 1.3: Final Report and Technology Transfer

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

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

Minimum Final Report Content:

- Table of Contents;
- Brief overview of CGC Program;
- Project overview and description;
- Summary of tasks completed;
- Narrative describing activities that took place;
- Summary of lessons learned;
- Table outlining tasks that received NYSERDA funding, total cost of tasks as implemented, and NYSERDA funding amounts;
- Appendices including:
 - Documentation outlined in Tasks 2 through 9 of this Statement of Work;
 - Names, contact information, and roles for project participants; and
 - Performance Metrics – include Final PBMR as described in Exhibit F.

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NYSERDA reserves the right to request additional analysis, clarification on certain tasks, or other content for inclusion in the Draft or Final Reports.

Deliverable:

1.3 Final Report including the Final PBMR

Task 2.0: Develop Public Outreach Strategy*

The Contractor shall develop and submit a Public Outreach Strategy for the City of Batavia. The Public Outreach Strategy shall include, but not be limited to, the components listed below.

- A description of stakeholders or Steering Committee to guide development of the Comprehensive Plan, including a description of the Steering Committee's purpose, the selection process for Steering Committee members, list of members (including names, titles, and contact information), purpose of each planned meeting and tentative schedule of meetings. The Steering Committee shall include residents and local business representatives, and may include, but are not limited to, members of the City Planning and Development Committee, City Council, and other public organizations.
- Outline for public meetings, public hearings, and public workshops that are open to the general public and focus on discussion of the Project, including meeting format, purpose and objectives, anticipated locations, advertising strategy, presentation materials including slide presentations and handouts to be prepared by the Contractor prior to each meeting, and tentative dates for the proposed public meetings.
- Interviews, surveys or other outreach methods used to reach directly impacted property owners or other stakeholders.
- Interviews, surveys or other outreach methods used to reach directly impacted property owners or other stakeholders.
- Identification of government or other approvals that will be included in the Comprehensive Plan development process which will also present opportunities for public comment.
- Identification of methods for documenting meeting outcomes and materials for public communications, including posting of materials to the website developed under Task 3.
- Any other means used to solicit or gather public input and comment to be identified by the Contractor and approved by the NYSERDA Project Manager.

Deliverable:

2.0 Public Outreach Strategy for the City of Batavia as outlined in Task 2.0 above

***GO/NO GO DECISION – THE CONTRACTOR SHALL NOT BE ALLOWED TO WORK ON ANY FURTHER TASKS UNDER THIS AGREEMENT WITHOUT WRITTEN PERMISSION FROM THE NYSERDA PROJECT MANAGER, WHICH SHALL BE ISSUED AT NYSERDA'S SOLE DISCRETION.**

Task 3: Design and Launch of Project Web Page

The Contractor shall perform the activities described below.

Task 3.1: Design Project Web Page*

The Contractor shall design a Project web page on the City's website to maintain communication with stakeholders according to the approved Public Outreach Strategy (Task 2.0). Prior to development of the web page, the Contractor shall submit a Website Design Document outlining the different elements to be

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included. These items shall include, but not be limited to: schedule of public meetings, online survey for residents to complete, draft and Final versions of the Comprehensive Plan, links to current Zoning Laws, and maps that mark locations of concerns and opportunities reported by stakeholders.

Deliverable:

3.1 Website Design Document for the Project web page as outlined in Task 3.1 above. No payment is associated with this Deliverable, but costs incurred for development of the Website Design Document under this Task shall be included under Deliverable 3.2 below.

***GO/NO GO DECISION – THE CONTRACTOR SHALL NOT BE ALLOWED TO WORK ON TASK 4.3 IN THIS AGREEMENT WITHOUT WRITTEN PERMISSION FROM THE NYSERDA PROJECT MANAGER, WHICH SHALL BE ISSUED AT NYSERDA’S SOLE DISCRETION.**

Task 3.2: Launch Project Web Page

After approval of the Website Design Document in Task 3.1 and NYSERDA’s written permission to proceed with Task 3.2, the Contractor shall develop and publish the Project web page within the City’s’ existing website (www.batavianewyork.com), to be owned and operated by the Contractor. The Contractor shall incorporate feedback from the NYSERDA Project Manager including requests for NYSERDA logos, formatting changes, or other comments to ensure correct NYSERDA representation in all marketing material posted to the Project web page. The Contractor shall maintain the Project web page for the remainder of the Project period. The Contractor shall submit an acceptance test plan for turnover and go-live purposes prior to the website going live for public use. The acceptance test plan shall include an Americans with Disabilities Act (ADA) scan prior to the website going live to ensure compliance with New York State Enterprise IT Policy NYS-P08-005 as outlined in Exhibit G and an information security website vulnerability scan. Following NYSERDA’s approval of the acceptance test plan, the Contractor shall implement the acceptance test plan. The Contractor shall notify NYSERDA’s Information Security Officer prior to running the vulnerability scan. The Contractor shall notify NYSERDA of the test results. The website must pass the ADA scan and vulnerability scan in order to go-live.

Deliverable:

3.2 Digital copy of completed Project Web Page and acceptance test plan for website prior to website going live for public use as outlined in Task 3.2 above

Task 4: Review Existing Planning Documents and Conduct Steering Committee Meeting

The Contractor shall perform the activities described below.

Task 4.1: Develop Existing Plans Summary Report

The Contractor shall review existing planning documents and describe how they inform future land use planning and best practices in the City in the form of an Existing Plans Summary Report. The Contractor shall document in the Existing Plans Summary Report regional goals, best practices, and sustainable policies, like Complete Streets and Climate Smart Communities that are relevant to the City’s comprehensive planning process. Existing planning documents to be reviewed, include, but are not limited to, the following:

- Finger Lakes Regional Sustainability Plan (2012);
- Finger Lakes Strategic Plan (2011);
- Genesee County Comprehensive Plan (1997) and associated Monitoring Reports:
 - Economic Development Focus Group Monitoring Report (2014)
 - Health and Human Services Monitoring Report (2014)

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- Government Administration Monitoring Report (2014)
- Housing Focus Group Monitoring Report (2014)
- Land Use Focus Group Monitoring Report (2014)
- Criminal Justice and Emergency Management Focus Group Monitoring Report (2014)
- Parks, Recreation, and Culture Monitoring Report (2014)
- Transportation Focus Group Monitoring Report (2014)
- Utilities Focus Group Monitoring Report (2014)
- Technology Focus Group Monitoring Report (2014);
- Genesee County Smart Growth Plan (2013 update);
- Green Genesee/Smart Genesee Project (Town of Batavia - under development);
- City of Batavia Comprehensive Plan (1997);
- Batavia Strategic Plan (2012 and 2015 update)
- Batavia Business Plan (2013);
- Batavia Opportunity Area Plan (2014);
- Community Improvement Plan (2011);
- Town of Batavia Comprehensive Plan Update (2007);
- Genesee County Multi-Hazard Mitigation Plan (2008)
- City of Batavia Community Rating Service (CRS) program (2014)
- Infrastructure Renewal and Rate Plan (2015)
- Pavement Condition Index (2014)
- Sports Surface and Parking Lot Management Plan (2015)

Deliverable:

4.1 Existing Plans Summary Report as outlined in Task 4.1 above

Task 4.2: Conduct Steering Committee Meeting

The Contractor shall organize and conduct a minimum of one (1) Steering Committee Meeting in accordance with the approved Public Outreach Strategy (Task 2.0) to introduce the Project to the Steering Committee and present and solicit input on the Existing Plans Summary Report (Task 4.1). The Contractor shall also seek input from the Steering Committee on the preparation of the Existing Conditions Report (Task 5.1). The Contractor shall submit meeting minutes, presentation materials, and an attendance list to document results of Steering Committee Meeting(s).

Deliverable:

4.2 Documentation for Steering Committee Meeting(s) as described in Task 4.2 above

Task 5: Analyze Existing Conditions and Conduct Steering Committee Meeting

The Contractor shall perform the activities described below.

Task 5.1: Analyze Existing Conditions

The Contractor shall analyze and assess existing conditions in the City of Batavia. The Contractor shall create an Existing Conditions Report with updated maps, tables, graphs and other graphics that documents current demographics, economic conditions, infrastructure, community facilities, land use, and zoning within the City. The Contractor shall acquire all relevant GIS data and produce a series of working maps to represent existing conditions, where possible. The Existing Conditions Report shall inform the development of draft Goals and Objectives (Task 7.1), and the summaries, maps, tables,

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graphs, and other graphics shall be incorporated into the draft Comprehensive Plan (Task 8.1). The items listed below, at a minimum, shall be analyzed and included in the Existing Conditions Report.

- **Demographics and Economic Conditions:** The Contractor shall analyze demographic and economic conditions that lay the framework for future land use policy by thoroughly considering past trends and projections about future changes that will have the greatest impact on long-term growth and development potential. Using acceptable and reliable data sources such as U.S. Census data, the American Community Survey, the Genesee/Finger Lakes Regional Planning Council data, and City of Batavia data, the Contractor shall analyze the components listed below.
 - **Demographic and Social Indicators:** Total population size and characteristics, including historic population change, projected population change, and distribution of the population by age, race, family size, and educational attainment.
 - **Employment and Income:** Unemployment, income distribution, industry trends, employment by industry, wages, workforce characteristics and commuting patterns.
 - **Market Trends:** Retail mix and market gaps, commercial/industrial supply and vacancy rates, rents and recent building permit activity.

The Contractor shall create tables, graphs and other illustrations to summarize the Demographic and Economic Conditions to be included in the Existing Conditions Report.

- **Public Infrastructure and Community Facilities:** The Contractor shall evaluate existing City roadways, sewer and water infrastructure, and telecommunications, and develop maps to describe current infrastructure. The Contractor shall also establish the history and frequency of flooding events and inventory any “green” infrastructure or “green” practices in the City.
- **Transportation and Circulation:** The Contractor shall review roadway and pedestrian networks such as sidewalks and bike lanes within the City and gather information on street connectivity, system deficiencies, planned capital projects and public transportation. The Contractor shall use this information to develop a Transportation Map that identifies the principle roadways and other key vehicular or pedestrian attributes within the City.
- **Housing and Neighborhoods:** The Contractor shall analyze housing characteristics to develop policies to maintain and improve housing availability and variety. The Contractor shall use the most recent U.S. Census data to identify the number and type of housing units, rates of occupancy, tenure, age of housing, values, and costs associated with homeownership.
- **Natural Resources:** The Contractor shall create a Natural Resources Map showing the location of natural features including cover types, watersheds, topography, steep slopes, soil characteristics, and scenic values. This map shall help define appropriate land use and infrastructure and conservation policies, in to include but not limited to well head protection areas.
- **Historic Resources:** The Contractor shall identify local historic resources with federal, state, and local significance based on conversations with knowledgeable individuals and site visits and recommend preservation of sites.
- **Land Use:** The Contractor shall prepare a Current Land Use Map based on designations by the New York State Office of Real Property Service Property Type Classification Codes. Where necessary, the Contractor shall verify land uses in the field.
- **Zoning:** The Contractor shall prepare a Current Zoning Map including existing zoning classifications, types of development permitted in different areas, overlays, and special regulations. The Current Zoning Map will help identify any properties or areas where zoning designations are inconsistent with the draft Goals and Objectives to be developed under Task 7.1 and the Comprehensive Plan to be developed under Task 8.

Deliverable:

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5.1 Existing Conditions Report containing elements as outlined in Task 5.1 above

Task 5.2: Conduct Steering Committee Meeting

The Contractor shall organize and conduct a minimum of one (1) Steering Committee Meeting in accordance with the approved Public Outreach Strategy (Task 2.0) to present and solicit feedback on the Existing Conditions Report (Task 5.1). The Contractor shall also seek input on the preparation of the Survey to be distributed under Task 6.1. The Contractor shall submit meeting minutes, presentation materials, and an attendance list to document results of Steering Committee Meeting(s).

Deliverable:

5.2 Documentation from Steering Committee Meeting(s) as outlined in Task 5.2 above

Task 6: Develop, Distribute, and Analyze Survey

The Contractor shall perform the activities described below.

Task 6.1: Develop Survey*

The Contractor shall develop a survey to solicit public input about the City's current assets and liabilities and preferences about future development and conservation. In the survey, the Contractor shall briefly define the concepts of smart growth, green infrastructure, and LEED ND and collect citizen feedback about incorporating them into the Goals and Objectives (Task 7) for the City's Comprehensive Plan. The Contractor shall also include questions related to alternative energy, neighborhood revitalization, bike and pedestrian connectivity, and any other key themes that were identified in Steering Committee Meeting(s) (Task 5.2).

Prior to executing the Survey for the City, the Contractor shall submit the survey and a distribution memo that describes how the survey will be distributed to the NYSERDA Project Manager for review and approval.

Deliverable:

6.1 Survey and distribution memo as outlined in Task 6.1 above

***GO/NO GO DECISION – THE CONTRACTOR SHALL NOT BE ALLOWED TO WORK ON ANY FURTHER TASKS FOR TASK 6 WITHOUT WRITTEN PERMISSION FROM THE NYSERDA PROJECT MANAGER, WHICH SHALL BE ISSUED AT NYSERDA'S SOLE DISCRETION.**

Task 6.2: Distribute Survey

The Contractor shall distribute a survey for the City in accordance with the approved Public Outreach Strategy (Task 2.0). The Contractor shall distribute the survey to all City residents, property owners, and other stakeholders through mail, email, and web postings. The Contractor shall collect and consolidate survey results and prepare a Survey Summary Report summarizing results of the Survey. The Contractor shall include documentation of survey distribution methods and response rate for each method in the Survey Summary Report.

Deliverable:

6.2 Survey Summary Report as outlined in Task 6.2 above

Task 7: Conduct Steering Committee Meeting and Develop Draft Goals and Objectives, Conduct Public Meeting #1, and Finalize Goals and Objectives

The Contractor shall perform the activities described below.

Task 7.1: Conduct Steering Committee Meeting and Develop Draft Goals and Objectives

The Contractor shall organize and conduct a minimum of one (1) Steering Committee Meeting in accordance with the approved Public Outreach Strategy (Task 2.0) to present the Survey Summary Report (Task 6.3) and develop draft Goals and Objectives for the Project. The Contractor shall ensure that Goals and Objectives are developed for each condition analyzed under Task 5.1 for development of the Existing Conditions Report and that LEED ND principles are clearly integrated. The Contractor shall also seek input from Steering Committee members in preparation for Public Meeting(s) (Task 7.2). The Contractor shall submit meeting minutes, presentation materials, and an attendance list to document results of Steering Committee Meeting(s).

Deliverable:

7.1 Documentation from Steering Committee Meeting(s) and Draft Goals and Objectives as outlined in Task 7.1 above

Task 7.2: Conduct Public Meeting

The Contractor shall organize and conduct a minimum of one (1) Public Meeting in accordance with the Public Outreach Strategy (Task 2.0) to:

- Introduce the Project;
- Explain the Project planning process;
- Present findings from the Existing Plans Summary Report (Task 4.1) and Existing Conditions Report (Task 5.1);
- Display Project maps, tables, graphs and other graphics developed under Task 5.1; and
- Present and solicit public feedback and comments on the draft Goals and Objectives (Task 7.1).

The Contractor shall submit meeting minutes, presentation materials, and an attendance list to document results of Public Meeting(s).

Deliverable:

7.2 Documentation from Public Meeting(s) as outlined in Task 7.2 above

Task 7.3 Finalize Goals and Objectives

The Contractor shall revise the draft Goals and Objectives and prepare the Project Final Goals and Objectives, integrating feedback from Public Meeting(s) (Task 7.2). The Contractor shall also revisit the Existing Plans Summary Report (Task 4.1), the Existing Conditions Report (Task 5.1), and the Survey Summary Report (Task 6.3), as necessary, when preparing the Final Goals and Objectives.

Deliverable:

7.3 Final Goals and Objectives as outlined in Task 7.3 above

Task 8: Develop Comprehensive Plan

The Contractor shall perform the activities described below.

Task 8.1: Prepare the Draft Comprehensive Plan

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The Contractor shall prepare the draft Comprehensive Plan in accordance with the Project Final Goals and Objectives (Task 7.3). The Contractor shall incorporate feedback from Steering Committee Meetings (Task 4.2, Task 5.2, and Task 7.1), feedback from the Public Meeting (Task 7.2), results from the Survey (Task 6.2), and the analyses of existing plans (Task 4.1) and conditions (Task 5.1). The Contractor shall review GIS data acquired during Task 5.1 and translate Project recommendations into informative graphics and maps when possible; examples include Future Land Use Maps and Bike and Pedestrian Path Maps. The draft Comprehensive Plan shall include, but not be limited to, the following elements, adapted to the special requirements of the City:

- An executive summary;
- General statements of goals, objectives, principles, policies, and standards upon which proposals for the immediate and long-range enhancement, growth and development of the City are based;
- Consideration of regional needs and the official plans of other government units and agencies within the region;
- The existing and proposed location and intensity of land uses;
- Consideration of agricultural uses, historic and cultural resources, coastal and natural resources and sensitive environmental areas;
- Consideration of population, demographic and socio-economic trends and future projections;
- The location and types of transportation facilities;
- Existing and proposed general location of public and private utilities and infrastructure;
- Existing housing resources and future housing needs, including affordable housing;
- The present and future general location of educational facilities, cultural facilities, historic sites, health facilities, and facilities for emergency services;
- Existing and proposed recreation facilities and parkland;
- The present and potential future general location of commercial and industrial facilities;
- Specific policies and strategies for improving the local economy in coordination with other Comprehensive Plan topics;
- Proposed measures, programs, devices, and instruments to implement the Goals and Objectives of the various topics within the Comprehensive Plan; and
- Any and all other items which are consistent with the orderly growth and development of the City to be identified by the Contractor and approved by the NYSERDA Project Manager.

Deliverable:

8.1 Draft Comprehensive Plan as outlined in Task 8.1 above

Task 8.2: Draft Implementation Plan

The Contractor shall define specific strategies required to achieve the objectives of the draft Comprehensive Plan and develop a draft Implementation Plan. The draft Implementation Plan shall include actions, strategies, programs, policies and/or projects to be implemented to achieve Goals and Objectives of the Comprehensive Plan (Task 8.1). The Implementation Plan shall include a table identifying potential funding opportunities for each identified implementation action, strategy, program, policy, and/or project.

Deliverable:

8.2 Draft Implementation Plan as outlined in Task 8.2 above

Task 8.3: Conduct Steering Committee

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The Contractor shall organize and conduct a minimum of (1) Steering Committee Meeting in accordance with the approved Public Outreach Strategy (Task 2.0) to present and solicit feedback on the draft Comprehensive Plan (Task 8.1) and the draft Implementation Plan (Task 8.2). The Contractor shall provide Steering Committee members with these documents in advance of the meeting to ensure adequate time for review in preparation for Steering Committee discussion. The Contractor shall submit meeting minutes, presentation materials, and an attendance list to document results of Steering Committee Meeting(s).

Deliverable:

8.3 Documentation from Steering Committee Meeting(s) as outlined in Task 8.3 above

Task 8.4: Conduct Public Meeting

The Contractor shall organize and conduct a minimum of one (1) Public Meeting in accordance with the approved Public Outreach Strategy (Task 2.0) to present and solicit feedback on the draft Comprehensive Plan (Task 8.1) and the draft Implementation Plan (Task 8.2). The Contractor shall submit meeting minutes, presentation materials, and an attendance list to document results of Public Meeting #2.

Deliverable:

8.4 Documentation from Public Meeting(s) as outlined in Task 8.4 above

Task 8.5: Prepare Final Comprehensive Plan and Implementation Plan

The Contractor shall incorporate feedback from Steering Committee Meeting(s) (Task 8.3) and Public Meeting(s) (Task 8.4) to prepare the Final Comprehensive Plan and the Final Implementation Plan. The Final Implementation Plan shall be incorporated into the Final Comprehensive Plan.

Deliverable:

8.5 Final Comprehensive Plan as outlined in Task 8.5 above

Task 9: Comply with Requirements of the State Environmental Quality Review Act (SEQRA) and Facilitate Public Hearing

The Contractor shall perform the activities described below.

Task 9.1: Comply with Requirements of State Environmental Quality Review Act (SEQRA)

The Contractor shall prepare all necessary documentation to meet State Environmental Quality Review Act (SEQRA) requirements such as preparation of the Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS). The Contractor shall be responsible for determining the lead agency and coordinating with stakeholder agencies and other interested parties, including public outreach, as applicable. The Contractor shall comply with all applicable provisions of Section 239-m of the General Municipal Law.

Deliverable:

9.1 SEQRA compliance documentation as outlined in Task 9.1 above

Task 9.2 Facilitate Adoption of the Final Comprehensive Plan

The Contractor shall facilitate the formal adoption of the Final Comprehensive Plan in accordance with New York State Law, by providing the Final Comprehensive Plan to the Planning and Development Committee for review and recommendation, and to the City Council for review and adoption in accordance with the approved Public Outreach Strategy (Task 2.0). The Contractor shall attend all public

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hearings where the Final Comprehensive Plan is presented for formal vote for recommendation or adoption. The Contractor shall submit a copy of the resolution, meeting minutes and attendance list to confirm the Final Comprehensive Plan was submitted to the City Council for adoption at the public meeting or hearing and, if adopted, provide a copy of the Final Comprehensive Plan.

Deliverable:

9.2 City Council hearing documentation and, if adopted, the adopted Final Comprehensive Plan as outlined in Task 9.2 above

Payment Schedule

The Project milestones and schedule of payments is shown below. The budget table below represents the budgets as estimated at the start of the Project Period as defined in Item 4 on page 1 of this Agreement. The Contractor, as part of a quarterly reporting package, may request a change to the NYSERDA share of the budget per task. If a budget task reallocation request is made, the Contractor must ensure that the NYSERDA share as a percent of total project cost remains the same or decreases. The NYSERDA Project Manager is authorized to transfer up to 10% of the total NYSERDA share between tasks without requiring a contract modification. The NYSERDA Project Manager must provide a written approval or rejection of the request. Changes to the total NYSERDA share of cumulative budget changes that exceed 10% of the total NYSERDA share, and any changes of the total NYSERDA share of the budget, shall require a contract modification.

The Contractor shall submit invoices for payment of a completed milestone once the associated Deliverable(s) are approved by the NYSERDA Project Manager as outlined in the Deliverable Review Process above. Invoices shall be submitted in a template provided by NYSERDA and as outlined in Article IV of the Agreement. NYSERDA funding, when combined with the Contractor's cost-share, shall not exceed 100% of the cost of any milestone. NYSERDA is not responsible for any costs that are greater than the NYSERDA contribution not-to-exceed amount for each milestone.

The Contractor shall outline all cost-share amounts in invoices submitted to NYSERDA and shall provide the following documentation to support the NYSERDA contribution and cost share amount for each invoice:

- Capital Costs - invoice supporting total capital costs (including permitting and other fees) incurred;
- Labor Costs (in-kind or subcontracted) - breakout of the staff that worked on the milestone and the number of hours, multiplied times the hourly rate to get the total amount; and
- Document Cash Contributions from non-New York State Source - with a signed letter of commitment from the contributing entity (*i.e.* Federal grant award). On the milestone payment requests, the Contractor shall note the amount of money provided by the private source that is being contributed to that task.