

REQUEST FOR PROPOSALS  
WETLANDS CONSULTANT  
TOWN OF WASHINGTON, NEW YORK

1.0 INTRODUCTION

The Town of Washington is requesting proposals from qualified candidates capable of providing wetlands consulting services to the Town Board and the Town Wetlands Committee as it continues drafting a proposed local law regulating wetlands.

2.0 BACKGROUND

The Town of Washington's Wetlands Committee has been working diligently for some time to develop a local law for the Town of Washington to regulate wetlands that are not otherwise regulated by the Army Corp. of Engineers or the NY State Department of Environmental Conservation.

The Committee's first draft was the subject of public comments sessions during January and March of 2008. After those comment sessions, the Committee made revisions to the document in response to the comments received.

Since early 2009, the most recent draft has been the subject of an ongoing public hearing. At this point, the Town has received an extensive amount of additional comment from the public. During the public hearings, the public has presented two (2) separate individuals with expertise in wetlands, each with differing recommendations on how the law should be revised to best serve the community. At this point, the Town Board and the Wetlands Committee feel it is best to retain the advice of an independent wetlands consultant.

3.0 SCHEDULE

Work shall continue immediately upon approval of contract by the Town of Washington Town Board. Anticipated contract acceptance date is June 29, 2009.

Work shall cease upon the adoption of the proposed local law.

4.0 SCOPE OF SERVICES

The wetlands consultant will be requested to respond to specific questions from each Board and provide an opinion on the Town's current draft of the local law, with particular emphasis on the processing of applications and enforcement of violations. The consultant will be asked to attend meetings of the Wetlands Committee and Town Board to respond to questions and assist in further editing of the local law.

The wetlands consultant will be working with the Town Board and the Wetlands Committee. All communication with the aforementioned Boards occurring outside of

each Board's regularly scheduled meetings shall be through the Supervisor of the Town or the Chair of the Wetlands Committee.

## 5.0 QUALIFICATIONS

Candidate should have 6 – 8 years experience in the review and delineation of wetlands and regulatory permitting and compliance requirements of local, state and federal agencies. It is preferred that Candidates have experience in assisting municipalities in the issuing local wetlands permits and in enforcing violations of local wetlands law.

## 6.0 PROPOSAL SPECIFICS

Each interested individual shall submit 10 copies of their proposals. All submissions shall be received in the office of the Town of Washington Town Clerk by 2:00 p.m. on **Friday, June 26, 2009**. Proposals submitted after the prescribed time will not be accepted.

Proposals must be in sealed envelopes addressed to the Town Clerk Town of Washington, 10 Reservoir Road, Millbrook, NY 12545 clearly labeled “Request for Proposal – Wetlands Consultant”.

No reimbursement will be made by the Town of Washington for any costs incurred for the preparation of this proposal.

The New York State Freedom of Information Law, as set forth in the Public Officers Law, Article 6, mandates public access to government records. However, proposals submitted in response to this Request for Proposals may contain background or other data, public disclosure of which could cause substantial injury to the applicant's competitive position or be considered an unwarranted invasion of privacy. Applicants who have a good faith belief that the information submitted in their proposals is protected from disclosure under the New York Freedom of Information Law shall clearly identify the pages of proposals containing such information by typing in bold face on the top of each page “**THE APPLICANT BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE STATE FREEDOM OF INFORMATION LAW.**” The Town assumes no liability for disclosure of information so identified, provided that the Town has made a good faith legal determination that the information is not protected from disclosure under applicable law or where disclosure is required to comply with an order or judgment of a court of competent jurisdiction.

The contents of the proposal, except portions “Protected from Disclosure”, which is accepted by the Town may become part of any agreements resulting from this Request for Proposals.

All inquiries concerning the proposal arising during the process of proposal preparation are to be made in writing addressed to the Town of Washington Town Clerk and to be considered must be received at least seventy-two (72) hours prior to the date fixed for the submission of proposals. The response to all such inquiries will be made by mail and fax not later than twenty-four (24) hours prior to the date fixed for the submission of proposals. No interpretation or inquiry response will be made to any potential applicant orally.

## 7.0 SELECTION PROCESS

It is the intent of the Town to select a wetlands consultant based upon the qualifications of the applicant and his or her ability to satisfy the qualifications of the Town as described in the proposal.

The Town reserves the right, at its discretion, to reject any and all proposals and waive any irregularities. The Town further reserves the right to select any proposal as the basis for negotiating a contract, to exercise discretion and judgment with respect to any aspect of the RFP, the evaluation of proposals and the negotiation and award of any contract and to weigh its evaluation criteria in any way it deems appropriate.

**Proposal Available:** Friday, June 12, 2009

**Proposal Due:** Friday, June 26, 2009

**Selection:** Anticipated to be completed on June 29, 2009. Subject to change without notice.

The Town reserves the right to accelerate this schedule and may elect to hold a special meeting to make the final selection.

The Town hereby notifies all applicants that all applicants have equal opportunity to submit proposals in response to this request and that no one will be discriminated against on the ground of race, color or national origin in consideration of this proposal.

NON-COLLUSIVE  
BIDDING CERTIFICATE FORM

By submission of this bid or proposal, each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief:

1. The prices in this bid have been arrived at independently without collusion, consultation, or agreement, for the purposes of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
2. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any Bidder or to any competitor;
3. No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not submit a bid form for the purpose of restricting competition.

Certification:

\_\_\_\_\_  
Legal Name of Bidder

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

Date \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

Seal

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Fax

\_\_\_\_\_  
Email

Where a Bid contains this certification, it shall be deemed to have been authorized by the Board of Directors of the Bidder, and such authorization shall be deemed to include the signing and submission of the Bid and the inclusion therein of the certificates as to the non-collusion as the act and deed of the corporation.