

# Request for Proposals



# Zoning Ordinance Rewrite City of Watertown, NY

Submission Due: February 21, 2020

**TABLE OF CONTENTS**

Introduction..... 3

Background..... 3

Staff..... 3

City of Watertown Comprehensive, Strategic and Small Area Plans..... 4

Current Zoning Ordinance..... 4

Scope of Work..... 4

Evaluation Criteria and Procedures..... 5

Submission Requirements..... 6

Submission Deadline..... 6

Presentation by Respondents..... 7

Notification of Award..... 7

Proposal Compliance Documents..... 8

## **INTRODUCTION**

The City of Watertown is requesting proposals from qualified firms with expertise in zoning to lead the process of preparing a new zoning ordinance for the City.

Proposals received will be reviewed by an evaluation committee comprised of City Staff and selected representatives with interests in zoning matters in the City of Watertown.

## **BACKGROUND**

The City of Watertown, with a population of 26,437 (2017 American Community Survey), is the principal city of the Watertown-Fort Drum, NY Metropolitan Statistical Area, and the urban core of Jefferson County (population 116,567; 2017 ACS). Comprising 9.4 square miles, the City is located on the banks of the Black River in New York State's North Country region, near the Canadian border. Watertown is located along Interstate-81, a major 855-mile highway that serves as an inland alternative to I-95 and provides a direct connection to Canadian highways that access Ottawa, Toronto and Montreal.

Within a ten-mile drive of the City, Fort Drum is home to the 10th Mountain Division, one of the most deployed divisions in the U.S. Army, and is the largest single-site employer in New York State. Healthcare, Retail Trade and Light Manufacturing are all specialized industries locally. Other major employers include Samaritan Medical Center, New York Air Brake and Knowlton Technologies (paper manufacturing).

Public employees also make up a significant share of Watertown's labor force, as the City, Jefferson County and State of New York all maintain large workforces within the City, as do the Watertown City School District and SUNY Jefferson Community College.

As an aging, small City in the northeast, over half of the housing stock is pre-World War II, and due to the transient nature of a military community, more than fifty-percent is renter-occupied. Many of these structures also enjoy grandfathered status, resulting from nonconformities related to setbacks, lot area coverage, lot size per household, density, etc.

Watertown is governed by a City Council, which consists of a Mayor and four Council Members that are elected on an at-large basis to staggered four-year terms. The Council employs a City Manager that administers the day-to-day operations of the City.

## **STAFF**

The City of Watertown's Planning and Community Development Department consists of a Planning Director, a Senior Planner and two Planners, one of which is a Certified Arborist. The City recently transferred administrative responsibility for the Zoning Ordinance from the Engineering Department to the Planning and Community Development Department. Planning Staff works closely with the Engineering Department on development activities within the City. The City also has a GIS Department

that works closely with the Planning and Engineering Departments that will be available to supply shapefiles and maps for research purposes.

## **CITY OF WATERTOWN COMPREHENSIVE, STRATEGIC and SMALL AREA PLANS**

The City adopted its first Comprehensive Plan as well as a new Strategic Plan in December 2019. Earlier in 2019, the City also adopted a Downtown-Riverfront Connection Feasibility Study that examined the waterfront areas to the north and west of downtown, stretching from the Veterans Memorial Riverwalk to Whitewater Park, in an effort to better connect downtown to the waterfront. In summer 2020, the City expects to adopt a redevelopment plan for the waterfront area northeast of downtown that includes Sewall's Island and Factory Square. The new Zoning Ordinance will be a primary tool for implementing all of the above plans.

The City recently received funding to update its Local Waterfront Revitalization Program Plan, which was created nearly a decade ago but never adopted by City Council.

## **CURRENT ZONING ORDINANCE**

The City's current Zoning Ordinance dates to 1959 and has undergone numerous patchwork amendments in the decades since, usually precipitated by a particular section of the code presenting an obstacle to development. It is Euclidian in nature and does not contain any design standards, despite a prevalence of historic architecture within the City, particularly downtown. While recent amendments have helped to promote mixed-uses, the Ordinance as a whole generally perpetuates suburban-style development in the rest of the City through onerous parking and setback requirements.

In addition, signage and setback regulations that reflect outdated planning concepts bring about frequent applications to the Zoning Board of Appeals, in which the board often finds itself weighing the various hardship tests against common sense.

The existing code is accessible in its entirety online at: <https://www.ecode360.com/10498494>.

## **SCOPE OF WORK**

With the assistance and input from City Staff and a small steering committee, the selected consultant will conduct a public process to develop a new Zoning Ordinance for the City of Watertown. The City anticipates that the consultant will work with the community to develop a "hybrid" Zoning Ordinance that incorporates form-based standards in the historic downtown and traditional gateway corridors, but conventional zoning standards in newer, largely built out areas. The new Zoning Ordinance should

include standards that support walkable, mixed-use neighborhoods in areas of the City most prime for adaptive reuse and infill development, such as downtown transition areas.

The consultant will develop a work program in conjunction with City Staff. The agreed upon scope of work will, minimally, include the following:

- **Review of Comprehensive Plan:** The consultant will review and identify plan goals, objectives and recommendations, as well as incorporate guidance from the plan's Future Land Use Character Areas to ensure that the new Zoning Ordinance implements the plan's vision.
- **Application of Strategic Plan:** The consultant will consider goals and objectives from relevant chapters (Pride in City Appearance, Economic Development, etc.) and identify ways the Zoning Ordinance can advance these goals and objectives where possible.
- **Review of Small Area Plans:** The consultant will review the aforementioned Downtown-Riverfront Connection Feasibility Study and Sewall's Island/Factory Square Redevelopment Plan and identify opportunities for the Zoning Ordinance to advance implementation of both plans.
- **Evaluation of Existing Neighborhoods, Corridors and Districts:** In addition to the waterfront areas highlighted in the two plans above, Watertown contains many other unique areas that will warrant differing and specific regulations. The consultant will work with Staff to identify these areas, such as the special neighborhood concept areas contained in the Comprehensive Plan, and draft appropriate code.
- **Public Outreach:** The consultant will develop a public outreach strategy designed to inform community stakeholders and the public about the project, on the benefits of a hybrid code as well as conducting regular meetings and online interaction throughout the process.
- **Utilization of Planning and Community Development Department Recommendations:** The consultant will incorporate input from Planning Staff on particular topics of importance, including but not limited to housing density, landscaping and walkability.
- **Drafting the Document:** The consultant will prepare drafts of the Zoning Ordinance, including all applicable graphics, for Staff review, prior to producing a final version of the document for Planning Board and City Council action.
- **GIS Shapefile of new Zoning Map:** The consultant will work with City Staff to draw a new zoning map for formal adoption, and upon completion, shall provide the City with a final copy in shapefile (.shp) format for Planning Board and City Council action.

## EVALUATION CRITERIA AND PROCEDURES

- **Quality and completeness of the response:** The City will evaluate proposals based on their clarity and demonstrated understanding of the project objectives. The consultant must provide the City with an anticipated schedule for the above work, with a goal of completion by fall 2021.
- **Completion Schedule:** The City will also evaluate proposals based on their ability to complete the project within the 18-month timeframe specified by the City, and on how the firm lays out its timeline in its submission.

- **Relevant Experience of Firm:** The proposer must demonstrate a thorough understanding of zoning processes and previous experience working with zoning code. Proposals must include three references from projects of similar scope and nature. Each reference should include a contact person and phone number. The City encourages submission of sample zoning code from previous projects accompanied by written context for the submitted samples.
- **Relevant Experience of Project Team:** The proposal must include a list of all person(s) who will be assigned work pursuant to this RFP (including subcontractors), as well as their resumes showing qualifications, educational background, training and experience.

## **SUBMISSION REQUIREMENTS**

Interested firms shall submit their qualifications, which should include the following:

- A full description of how the Scope of Work will be completed along with a schedule detailing when milestones will be reached. This shall include an estimated timeframe for delivering a final document, which shall be no more than 18 months from the project start date.
- Narrative explaining the firm's qualifications for the Zoning Ordinance Rewrite, including a summary of the firm's recent experience with writing new zoning code and samples of recent work.
- A description of each staff member or sub-consultant who will be involved with this project and a description of his or her role in the project.
- Ability to integrate this project into the firm's present workload.
- References: names and contact information of previous clients with a detailed description of the type of project completed.
- A budget, including a cost for each task and a total cost for the entire project. This should be completed for both the lead consultant and any sub-consultants, if they are utilized for the project. The City does not expect that the maximum contract for this project will exceed \$140, 000-\$150,000.
- The successful firm will be required to provide proof of General Liability Insurance in the amount of not less than \$1,000,000.00 for each occurrence and in an amount not less than \$2,000,000.00 general aggregate.

## **SUBMISSION DEADLINE**

Proposals are due by **4:00PM, Friday, February 21, 2020**. Responses shall include five (5) paper copies and by email in PDF format. All files must be less than 10 megabytes. Dividing the response into multiple emails to exceed the 10 megabyte per email limit total is not acceptable.

Responses must be sent to:

Dale Morrow  
Purchasing Manager  
245 Washington Street, Suite 302  
Watertown, NY 13601  
[planning@watertown-ny.gov](mailto:planning@watertown-ny.gov)

For Questions, please contact:

- Michael Lumbis, City of Watertown Planning and Community Development Director:  
mlumbis@watertown-ny.gov, (315) 785-7734
- Jennifer Voss, City of Watertown Senior Planner:  
jvoss@watertown-ny.gov, (315) 785-7724

### **PRESENTATION BY RESPONDENTS**

The City will require finalists to give presentations. The City will notify finalists of the time, date and location. Presentations will provide an opportunity for the City to obtain a greater understanding of:

- The extent of the firm's depth of knowledge of the subject matter;
- Whether the methods and resources that will be used by the firm in performing services to achieve the project goals and objectives are appropriate, and cost effective;
- The firm's ability to draw together specialists and professionals with the necessary skills and experience to contribute to the overall project;
- The primary features and benefits of their proposal;
- The public presentation skills of the proposers; and
- The ability of the consultant to enhance and not replace the extensive work already completed.

Presentation format will be at the discretion of the proposers. Presentations will be limited to a one-hour period per respondent, which includes questions. All key managerial personnel, as well as key personnel working on the project, must attend the proposal presentation.

### **NOTIFICATION OF AWARD**

The City will notify the successful respondent by phone, followed by written confirmation. Each respondent whose proposal is not accepted will receive notification by mail.

After notifying the successful respondent, the consultant will be responsible for preparing a contract for consideration by the City Council. In the event that a contract cannot be finalized within thirty (30) days of the award, the City reserves the right to enter into negotiations with another respondent. After the contract is finalized, it will be presented to the City Council for approval.

## **PROPOSAL COMPLIANCE DOCUMENTS**

**The following docs must be signed and included with your proposal:**

### **Compliance to Law Requirements – Non Collusion Certificate**

In accordance with the provisions of Section 103-A of the General Municipal Law, it is understood and agreed that upon refusal of a person called upon before a Grand Jury to testify concerning any transactions or contracts had with the State, or an political subdivision thereof, a public authority or any public department, agency or officer of the State or of any political subdivision thereof or of a public authority, to sign a waiver of immunity against any subsequent criminal, prosecution or to answer any relative question concerning such transaction or contract:

- (a) Such person, and any firm, partnership or corporation of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids or receiving awards from or entering into any contract with any municipal corporation or fire district, or any public department, agency or official thereof, for goods, work or services for a period of five (5) years after such refusal, and to provide that:
- (b) Any and all contracts made with any municipal corporation or any public department, agency or official thereof on or after the first day of July, 1959 or with any fire district or any agency or official thereof, on or after the first day of September, 1960, by such person, any by any firm, partnership, or corporation of which he is a member, partner, director or officer may be cancelled or terminated by the municipal corporation or fire district without incurring any penalty or damage on account of such cancellation or termination but any monies owing by the municipal corporation or fire district for goods, delivered or work done prior to the cancellation or termination shall be paid.

Section 103-d Statement of non-collusion in bids and proposals to political subdivision of the state:

- (a) By submission of this bid, 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 knowledge and belief:
  - (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose 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 other bidder or to any competitor; and

- (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 to submit a bid for the purpose of restricting competition.

The person signing this bid or proposal certifies that he had fully informed himself regarding the accuracy of the statement contained in the certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing in its behalf;

That attached hereto (if a corporate bidder) is a certified copy of the resolution authorizing the execution of this certificate by the signator of this bid or proposal in behalf of the corporate bidder.

**Non-Collusion Certificate**

EACH PROPOSAL MUST HAVE ATTACHED TO IT A NON-COLLUSION CERTIFICATE PURSUANT TO 103-D OF THE GENERAL MUNICIPAL LAW FULLY COMPLETED AND SIGNED. THE CERTIFICATE BELOW MUST BE COMPLETED AND RETURNED WITH THIS BID.

Resolved that \_\_\_\_\_ be authorized to sign and submit the proposal of this corporation for the following project:

\_\_\_\_\_  
\_\_\_\_\_

And to include in such proposal the certificate as to non-collusion required by section one hundred three D of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporation shall be liable under the penalties of perjury.



\_\_\_\_\_

The foregoing is true and correct copy of the resolution adopted by:

\_\_\_\_\_  
Corporation

At the meeting of its Board of Directors held on \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_

(Seal of Corporation)

\_\_\_\_\_

As a result of the Iran Divestment Act of 2012 (the "Act"), Chapter 1 of the 2012 Laws of New York, a new provision has been added to State Finance Law (SFL) § 165-a and New York General Municipal Law § 103-g, both effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law) (the "Prohibited Entities List"). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date at which time it will be posted on the OGS website.

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, each Bidder/Contractor, any person signing on behalf of any Bidder/Contractor and any assignee or subcontractor and, in the case of a joint bid, each party thereto, certifies, under penalty of perjury, that once the Prohibited Entities List is posted on the OGS website, to the best of its knowledge and belief, each Bidder/Contractor and any subcontractor or assignee is not identified on the Prohibited Entities List created pursuant to SFL § 165-a(3)(b).

Additionally, Bidder/Contractor is advised that once the Prohibited Entities List is posted on the OGS Website, any Bidder/Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this solicitation must certify at the time the Contract is renewed, extended or assigned that it is not included on the Prohibited Entities List.

During the term of the Contract, should the City receive information that a Bidder/Contractor is in violation of the above- referenced certification, the City will offer the person or entity an opportunity to respond. If the person or entity fails to demonstrate that he/she/it has ceased engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the City shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor in default.

The City reserves the right to reject any bid or request for assignment for a Bidder/Contractor that appears on the Prohibited Entities List prior to the award of a contract and to pursue a responsibility review with respect to any Bidder/Contractor that is awarded a contract and subsequently appears on the Prohibited Entities List.

I, \_\_\_\_\_, being duly sworn, deposes and says that he/she is the \_\_\_\_\_ of  
The \_\_\_\_\_ Corporation and that neither the  
Bidder/Contractor nor any proposed subcontractor is identified on the Prohibited Entities List.

SIGNED

SWORN to before me this \_\_\_ day of \_\_\_\_\_ 20

\_\_\_\_\_

Notary Public: \_\_\_\_\_

**Certification of Sexual Harassment Prevention In the Workplace Policy and Annual Sexual Harassment Prevention Training of All Employees**

Pursuant to NYS Finance Law 3139-1

By submission of this bid, 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 the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of Section Two Hundred One-g of the Labor Law (NY Labor Law §201-g).

A bid shall not be considered for award nor shall any award be made to a bidder who has not complied with the certification requirement of NYS Finance Law §139-1(1); provided, however, that if the bidder cannot make the foregoing certification, such bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore.

Any bid hereafter made by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where such bid contains the statement required by NYS Finance Law §139-1(1), shall be deemed to have been authorized by the board of directors of such bidder, and such authorization shall be deemed to include the signing and submission of such bid and the inclusion therein of such statement as the act and deed of the corporation.

Certified under penalty of perjury:

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_