

**Request for Proposals for Standby Generator System  
Municipal Building Complex  
Town of Waddington, New York**

**Date: November 16, 2020**

**1. REQUEST FOR PROPOSALS**

The Town of Waddington (“Town”) seeks proposals for the design and installation of a backup “stand by” generator system at the Town’s Municipal Building Complex (“Complex”), on a non-exclusive basis, as set forth in this Request for Proposals (“RFP”).

The anticipated project start date is prior to December 31, 2020. The Project Completion Term once the bid is awarded will be for a period of 90 days.

**Questions regarding RFP requirements must be received by the Town Clerk, Carol Burns, in writing at by 3:00 PM at “twadding@twcny.rr.com” on Friday December 4, 2020.** Oral and late questions will not receive responses.

Bidders may, and are encouraged to, attend an on-site meeting to be held with town representatives on Friday November 27, 2020, at 11am at the Waddington Municipal Building, 48 Maple Street, Waddington NY 13694 to discuss this project.

Responses to any questions/posting of addenda will be posted online on the Town’s website within 3 working days of receipt.

Proposals containing the information required by this RFP, in the format described below, must be received no later than 3:00 p.m. (EST) on Friday, December 11, 2020. Proposals shall be submitted in a sealed envelope and plainly marked “Proposal for Standby Generator System for Municipal Building Complex” on the outside of the sealed envelope. Proposals must be submitted to:

Carol Burns, Town Clerk  
Town of Waddington  
48 Maple Street  
Waddington, NY 13694

It is the sole responsibility of each Respondent to ensure its Proposal is received by the Town by the date and time stated in this RFP. Late Proposals will not be accepted.

**2. PROJECT SUMMARY**

The Contractor shall perform all Services described in this section. More specifically, the Contractor will:

- Install a new standby generator system at the Town’s Municipal Building Complex to automatically provide backup power to the existing buildings including the Municipal Offices, Highway Garage, and Rescue Squad in the event of an interruption in the utility power supply.
- The successful Contractor will be responsible for the following major elements utilizing a Design-Build project delivery strategy:
  1. Engineering and design of the standby generator system, including sizing and specification of generator(s) and associated components equal to existing utility service capacity.
  2. Procurement of all equipment and materials.
  3. Installation of the standby generator system, including integration into the existing site power distribution system.
  4. Pre-commissioning, commissioning, and performance testing.
  5. Warranty the complete installation for a period of at least 12 months following successful commissioning.

The Contractor will provide all labor, tools, equipment, and materials to perform the services. The Contractor will coordinate with other contractors or subcontractors as necessary.

The Contractor must dispose of all debris generated in an appropriate manner. The Contractor shall be responsible for all safety training, procedures and requirements.

While on Town property, Contractor and any employees and subcontractors will comply with all public health orders related to the COVID-19 public health emergency and all Town directives relating to distancing, face coverings, employee screening, and sanitation. Contractor will not permit any employee who has tested positive for COVID-19 or who is exhibiting symptoms of COVID-19, or who has exhibited symptoms within the prior 14 days, to be present at any Town facility.

### **3. OVERVIEW OF SCOPE OF SERVICES**

The selected Contractor will:

1. Specify generator to accommodate existing electrical utility service capacity loads in the Town Municipal Building Complex
2. Develop the detailed design for the standby generator system, as specified in this Scope of Work, including:
  - a. Site Civil and Structural Design
  - b. Mechanical Design
  - c. Electrical Design
  - d. Control, Monitoring and Alarming System Design
  - e. Equipment specification

3. Facilitate design review meetings with Town personnel and/or representatives, including project kickoff and final design review meetings.
4. Develop and maintain a Project schedule, including weekly updates provided to the Town.
5. Apply for and obtain all required permits.
6. Furnish and install all new equipment and systems, including civil/site modifications, foundations, supports, mechanical installation, electrical installation, and other required components for a complete and operable system, as specified in this Scope of Work.
7. Demo and dispose of all existing equipment, foundations, structures, systems and components no longer in service as a result of the Project.
8. Perform on-site startup and commissioning of the new and upgraded systems.
9. Provide operator and maintenance training for the new and upgraded systems.
10. Submit project record drawings, Factory Acceptance Testing (FAT) and Site Acceptance Testing (SAT) documentation and records where applicable and operating and maintenance documentation for the new systems to the Town.
11. Warranty all services and equipment provided as part of the project, for a minimum of one year following System Acceptance by the Town.

#### **4. FACILITY DESCRIPTION**

Refer to site photos provided in Attachments for additional information.

##### **4.1 Facility Location**

The Town of Waddington Municipal Building Complex is located at 48 Maple Street, Waddington, NY 13694. The complex includes one building housing three separate operations:

Operation A – Municipal Offices

Operation B – Town Highway Department Garage / Office

Operation C – Waddington Volunteer Rescue Squad Office / Garage

##### **4.2 Electrical Distribution System**

The Municipal Building Complex is fed utility power at 400 amp 208/120 VAC from a 3-phase pole mounted transformer located near the respective service entrance. Note that these site photos are provided for reference only. Respondents are responsible for validating these photos and satisfying themselves as to their accuracy prior to submitting a Proposal.

## **5. STANDBY GENERATOR SYSTEM DESIGN REQUIREMENTS**

### **5.1 Codes and Standards**

All design and installation shall be in accordance with the following regulatory codes and standards if applicable:

<b>Code</b>	<b>Title</b>
<b>AISC</b>	MANUAL OF STEEL CONSTRUCTION, most current EDITION
<b>IBC</b>	INTERNATIONAL BUILDING CODE, most current EDITION
<b>NFPA 37</b>	STANDARD FOR THE INSTALLATION AND USE OF STATIONARY COMBUSTION ENGINES AND GAS TURBINES
<b>NFPA 70</b>	NATIONAL ELECTRICAL CODE, 2020 EDITION
<b>NFPA 72</b>	NATIONAL FIRE ALARM CODE, most current EDITION
<b>NFPA 110</b>	STANDARD FOR EMERGENCY AND STANDBY POWER SYSTEMS
	STATE OF NEW YORK AND LOCAL BUILDING CODES

### **5.2 General Design Requirements**

1. The standby generator system shall be designed to automatically provide backup power to the Municipal Building Complex utilizing one permanently installed generator in the event of an interruption in the utility power supply.
2. Startup of generator, transfer/switching from utility power to generator power and transfer/switching back to the utility supply upon restoration of power (after a programmed time delay) shall be completely automatic, with no manual operations required.
3. Generator(s) shall be capable of running continuously.
4. The fuel source for the new generator(s) shall be natural gas. Generator fuel supply and sizing requirements to be submitted with bid. Contractor will be responsible for coordinating gas supply hook up with gas utility provider.
5. The Municipal Building Complex currently has wiring and a manual switching connection to another remote standby generator located at the neighboring Waddington Fire Station. The Contractor shall do whatever work is necessary to safely disable and remove this generator connection and switching to the Municipal Building Complex. (Town will provide coordination with Fire Station for this work scope)
6. Contractor shall evaluate options for phased implementation of the standby generator system, i.e. installation and/or final tie-in for the building. Any required facility outages shall be coordinated with the Town. A timeline for any outages will be submitted to the town at least 3 days in advance.
7. For generator installation location constraints, see site plan provided in Appendix 11.2.
8. Contractor shall develop a detailed design package for the new standby generator system. All drawings shall be sealed by a professional engineer licensed in the state of New York. Drawings and documentation developed as a part of the detailed design package shall include:
  - a. Single-Line drawings

- b. Load Calculations for generator sizing
- c. Panel Schedules
- d. Plan and Section Views of new equipment locations
- e. Conduit routing plans
- f. Grounding plans
- g. Civil and Structural drawings
- h. Electrical and Controls drawings, including wiring schematics for all new systems and connections to existing systems
- i. Complete package of vendor drawings from the approval stage through final design
- j. Provide (3) sets of complete hardcopies and electronic AutoCAD files of project final drawings to the Town.
- k. All related engineering calculations, QA/QC, and manufactured equipment documentation
- l. Any and all other items required by referenced codes, standards and ordinances
- m. Final As Built Drawings

### **5.3 Civil/Structural Design**

1. Contractor shall be responsible for design of all equipment and device supports and foundations required for a complete installation of the new standby generator system.
2. All drawings shall be sealed by a professional engineer licensed in the state of New York.
3. Contractor shall be responsible for all required surveys and geotechnical analysis associated with any new foundations installation.
4. Contractor shall complete all foundation designs and systems necessary for the new equipment, structures, and other items.
5. Contractor shall develop site plan showing placement of new equipment and impoundment structures, if required.
6. Contractor shall develop miscellaneous equipment supports and foundation details, as required.
7. Contractor shall be responsible for layout and design of any additional, permanent, exterior walkways. Coordinate equipment access path design with the Town.

### **5.4 Mechanical System Design**

1. Contractor shall be responsible for design of all mechanical systems required for a complete installation of the new standby generator system.
2. All drawings shall be sealed by a professional engineer licensed in the state of New York.
3. Contractor shall develop plan and section views of new equipment to be installed.
4. Contractor shall develop fabrication drawings for any new piping.
5. Contractor shall develop bill of materials for all new piping and equipment associated with the new standby generator system installation
6. Any required pipe supports shall be designed to accommodate the loads induced by the piping, while allowing free movement, where necessary, and minimizing vibration.

7. Insulation shall be installed for personnel protection and/or thermal efficiency, as required. Insulation shall be of mineral wool or similar materials with an external jacket appropriate for the application.
8. New mechanical systems shall be designed and installed to allow for ease of access to and egress from adjacent work areas.
9. All piping service vents and drains shall be plugged/capped/blinded and shall protrude from insulated piping sections for access.

## **5.5 Electrical System Design**

1. Contractor shall be responsible for design of all electrical systems required for a complete installation of the new standby generator system.
2. All drawings shall be sealed by a professional engineer licensed in the state of New York.
3. Contractor shall perform an electrical load study to determine generator capacity requirements.
4. The standby generator system shall be integrated into the existing site power distribution system. Contractor shall be responsible for the specification and design of all required automatic transfer switches, disconnect switches, distribution panels, raceway and cabling systems, etc.
5. Contractor shall be responsible for the specification and design of all required control, monitoring and alarming systems.
6. A remote monitoring panel shall be provided in the main building to indicate the status of the associated standby generator and automatic transfer switch.
7. Contractor shall be responsible for design of all required grounding and cathodic protection systems.
8. The following items shall be provided at the generator and fed from existing power sources in order to operate regardless of generator status:
  - a. 120V receptacles
  - b. Generator block heaters
  - c. Generator battery chargers
9. New wiring shall be installed in rigid galvanized conduit and materials matching the existing installation for interior locations. All design and installation shall meet NEC 2020 requirements.
10. Contractor shall be responsible for the integration of any required fire detection and/or alarm systems into existing systems, including software modifications, configuration of the existing system, updates to existing battery backup systems, updates to existing HMI displays, etc. Update existing system plan drawings and system network and wiring drawings if applicable.
11. Contractor shall update existing schematics to include new, additional controls if applicable.
12. Contractor shall be responsible for all component specifications.
13. Contractor shall develop a detailed bill of materials.

## **5.6 Preliminary Generator Specifications**

1. Natural gas fueled; 208/120V, 3-phase; selectable voltages preferred
3. kW rating(s) to be determined by Contractor
4. Exhaust Silencer (if deemed necessary)
5. Battery Charger
6. Block Heater
7. Weatherproof enclosure (steel) for outdoor installation (minimum temp 0 °F)

## **5.7 Preliminary Automatic Transfer Switch Specifications**

Service rated where required, Integral Service Disconnect/Overcurrent Protection Circuit Breaker for Normal Utility Supply

NEMA 3R Enclosure where installed outdoors

Controls – Vendor standard

Programmable Exercise Timer

## **6. DESIGN-BUILD CONTRACTOR DETAILED DESCRIPTION OF SERVICES**

### **6.1 General**

Contractor shall be responsible for: design, procurement, surveying, planning, scheduling, estimating, expediting, inspection, quality assurance, quality control, management, administration, supervision, labor, construction, calibration, pressure testing, NDT, checking, flushing, pre-commissioning, start-up, and training services, as required for successful project execution and completion.

### **6.2 Project Management**

Contractor shall be responsible for all project management, including but not limited to; labor, planning, logistics, scheduling and execution required to design, procure, construct and commission the new standby generator system.

Contractor shall provide any and all assistance and representation required by the Town in reviewing the development and progress of the work with the Town, its insurance underwriters, consultants, and governing authorities.

### **6.3 Engineering Design**

Contractor shall develop a complete detailed design package for the new standby generator system. All drawings shall be sealed by a professional engineer licensed in the state of New York. See Section 4.0 above for design requirements and drawings/documentation to be developed as a part of the Project.

### **6.4 Permitting**

Contractor shall be responsible for requesting and obtaining all necessary project permitting, including but not limited to:

1. Building and Electrical permits, as required by local authorities
2. Air/Environmental permits, if required
3. Participation in site meetings with Town officials, if required

## **6.5 Procurement**

1. Contractor shall be responsible for the procurement of all equipment, materials, supplies, and consumable items required for completion of this project, including but not limited to: generators, automatic transfer switches, distribution panels, disconnects and control/alarm system components.
2. Engineered equipment and assemblies shall be subject to review and approval by the Town.
3. Long lead materials shall be ordered immediately upon Town approval.
4. Contractor shall provide all electrical, grounding, cathodic protection, instrumentation, control, alarm, monitoring, and recording systems associated with new equipment.
5. Contractor shall provide all pipe and cable/conduit supports, racks/foundations, and duct banks for all piping and cable/conduit installations associated with the new standby generator system.
6. Contractor shall provide all required, fixed personnel protection and safety systems including, but not limited to, handrails, platforms, kick plates, safety fences, rotating equipment guards, hazard barriers, thermal and electrical insulation meeting OSHA standards, where required, for all new equipment.
7. Contractor shall provide all new control and monitoring hardware, software, programming, enclosures, cables, I/O, and related components, as required to complete standby generator system installation.
8. Supply, deliver to the site, store, and protect all spare parts (if any). Contractor to supply all OEM recommended spare parts lists.
9. Contractor shall provide any and all freight, handling, loading, unloading, and storage requirements in accordance with manufacturer recommendations and as required by the Town, its insurance underwriters, consultants, and governing authorities.
10. Contractor shall clean and provide protection for all applicable scope items and equipment to be installed. Protection shall include, but not be limited to, rust inhibitors, physical barriers, packaging, temporary enclosures, and temporary bracing.

## **6.6 Construction**

Contractor shall be responsible for the following:

1. Design, siting, fabrication, installation, inspection and testing of Contractor work shall be in accordance with Town requirements, and all applicable codes and standards.
2. Provide to the Town a detailed construction schedule for review prior to the start of work. The schedule should include milestones where any facility outages would be required for tie-ins, electrical work, etc.
3. Site safety, first aid, and security measures, as required by the Town, its insurance



underwriters, consultants, and governing authorities during site preparation, construction, until project completion. Develop and provide a complete health and safety plan (HASP) prior to commencement of construction activities.

4. Provide hazard monitoring and hazard mitigation systems in compliance with applicable codes.
5. Provide and maintain all temporary construction facilities, workspaces, and utilities. These may include but not be limited to offices, lunchrooms, locker rooms, restrooms, drinking water, sanitary waste disposal, fabrication areas, testing utilities and facilities, storage, construction roads, barricades, signs, document reproduction facilities, electric power and other such similar items. These shall be provided as needed, unless specifically identified as being provided by the Town. These shall be provided in manner such as not to interfere with daily operations, as directed by the Town and consistent with its requirements.
6. Maintain security of the construction site and coordinate high traffic and main road interference.
7. Provide all necessary weather protection, construction heating, construction lighting, construction de-watering and drainage for the work and work areas during the construction and commissioning process.
8. All site preparation, demolition, disposal, rigging, and lifting required for installation of new equipment and foundations, including but not limited to: excavation, forming, backfill, grading, walkways, construction trailers and other items required for complete installation.
9. Request and obtain hot work permits and any other permits required during construction.
10. Storage and disposal of all excavated materials shall be included in Contractor's Proposal. See Section 6.7 for handling of potentially contaminated materials.
11. Provide temporary and permanent lighting systems required for new equipment areas, including but not limited to outside area operations, maintenance, and security lighting.
12. Utilization of existing wireways and duct banks for electrical installations, where possible. Contractor shall install conduit and cables to match existing installations when it is feasible to do so.
13. Provide connections to Town-supplied temporary electrical power for construction operations, as needed.
14. Coat, paint, and identify all new equipment as required to meet current Town standards if applicable.
15. Provide all waste disposal and cleanup, including daily housekeeping, for work on the Site.
16. Labor, materials, specialized tools, consumables, supplies, construction equipment, start-up spares, and materials of both a permanent and temporary nature.
17. Coordination with the Town at such times when an outage is required for a phase of the construction process.
18. Restoration of all temporary use areas to original condition.
19. Complete all work required to fully install the new standby generator system and integrate into the existing power distribution system.

## 6.7 Environmental

1. The Contractor shall submit a Hazardous Materials Management Plan to the Town for approval prior to the start of work.
  - a. The Contractor shall be responsible for testing, abatement and disposal of all components identified to contain lead paint. The Contractor shall include costs for testing, abatement and disposal with bid.
  - b. The Contractor shall be responsible for testing, abatement and disposal of all components and materials containing asbestos. The Contractor shall provide a fee schedule/rate sheet to be applied for any required abatement and/or disposal of materials containing asbestos.
  - c. The Contractor's personnel shall be licensed and in good standing with the State of New York. The Contractor shall apply and obtain all applicable permits.
2. The Contractor shall submit a Soil and Excavated Materials Management Plan to the Town for approval prior to the start of excavation, in accordance with all applicable local, state and federal regulations.
  - a. The condition of the existing concrete and subgrade soils is unknown. If the Contractor encounters potentially contaminated soil, the Contractor shall stop work, notify the Town and secure the area. The Contractor shall be responsible for any required testing, storage and disposal of excavated contaminated materials in accordance with all applicable local, state and federal regulations, and shall provide unit pricing for these as part of bid. No material shall be tested or shipped off-site without the express written permission of the Town.
  - b. All offsite material submitted for use on the project site shall conform with all applicable local, state and federal regulations. Documentation clearly characterizing the chemical characteristics of the soils proposed for use shall be provided to the Town for review at least two weeks prior to proposed use. Samples of proposed import soil shall be chemically tested, at the Contractor's cost, to determine their conformance with all applicable local, state and federal regulations.
  - c. The following information shall be submitted to the Town for review prior to use of an off-site borrow source. No soil shall be brought to the site without approval by the Town. If the materials are suspected to be contaminated based on review of the site characterization data or for other reasons, the material will be rejected, or additional chemical testing will be required as directed by the Town. The chemical testing shall be completed by the Contractor at no additional cost to the Town. It is anticipated that chemical testing would not normally be required for material from customarily utilized commercial (natural) borrow sources.
    - i. Location and address of the borrow source site.

- ii. All report(s) associated with an assessment of the source site as it relates to the presence of oil or hazardous materials.
- d. A minimum of three weeks prior to removal of excavated soil material from the site, the Contractor shall submit to the Town in writing the address, operator and contact information for all the proposed disposal/reuse locations, including the Fill Management Plan(s) including the, local, state and federal permits (as applicable).

## **6.8 Quality Assurance**

1. Contractor shall maintain and provide all test records, data, calculations, drawings, diagrams, manuals, specifications, and other information and documentation to industry standards, and as reasonably requested by the Town.
2. All QA/QC documentation shall be compiled in a project data book issued to the Town at the end of the project. The project data book shall be issued in both electronic and hardcopy formats.
3. QA/QC documentation shall include but not be limited to: manufactured equipment specifications and O&M manuals, factory acceptance test reports, commissioning reports, and performance test data.

## **6.9 Commissioning and Startup**

1. Contractor shall be responsible for all initial testing, start-up, and commissioning of the new standby generator system and all associated components, with support from Town personnel, including but not limited to: conductor insulation resistance testing, visual inspection, battery checks, block heater functional checks, protective interlock functional checks and automatic transfer switch functional checks.
2. Contractor shall perform load testing of generator(s) using a load bank in accordance with manufacturer recommendations.
3. Contractor shall perform functional testing of the complete installed and connected standby generator system in compliance with all OEM specifications, including simulated loss and restoration of utility power utilizing actual connected loads.
4. Contractor shall provide personnel and services required for testing, pre-commissioning, commissioning, start-up and site personnel training.

## **6.10 Acceptance Testing**

1. Contractor shall be responsible for operational performance testing of the new equipment to satisfactorily demonstrate the new system to the Town, including any tests required for initial evidence of permit compliance, as required.

## **6.11 Warranty**

1. Contractor shall warranty the complete standby generator system and all associated work/components for a period of 12 months following successful commissioning and acceptance testing.

## 7.0 Services/items to be performed by TOWN

The Town shall furnish or have furnished at its expense only those items listed below:

1. Utilities required by Contractor during construction, commissioning, and completion of the project, including electricity and water.
2. Facility shutdown assistance and outage scheduling/direction.
3. When required, the Town shall provide codes inspection, supervision, administration, and other services associated with the performance of Contractor's work.
4. Property access and exclusive site access.

## 8. PROPOSAL REQUIREMENTS

Interested Respondents shall submit Proposals that clearly demonstrate their ability to provide the Services. The Proposal should be a complete and detailed approach to providing all Services and any Additional Services that the Respondent proposes. Only one Proposal should be submitted. Proposal must be typewritten or computer-generated.

The Proposals shall include the following information in the order listed below to facilitate fair and equal evaluation of Proposals.

- A. COVER LETTER.** Briefly introduce the Respondent, explain the Respondent's interest in providing the Services, and articulate why the Respondent is qualified to provide the Services. Include the name, address, email address and phone number of the person who will serve as the Respondent's principle contact with Town staff. Identify individual(s) who will be working on the project.
- B. METHOD.** Describe the Respondent's approach to the Services, including: how Respondent will work collaboratively with the Town to complete deliverables; Respondent's approach to completing deliverables; and priority and scheduling. Provide information on the Respondent's current workload and ability to deliver the desired Services. If the Respondent proposes to use any Town-owned equipment, this must be identified.
- C. QUALIFICATIONS OF CONTRACTOR & KEY PERSONNEL.** Information on recent, relevant or similar services and copies of membership in any professional organizations. Respondent should demonstrate relevant experience in providing services similar to the Services Provide information about the individuals that will be assigned to the Services, including their proposed role, expertise and capabilities. Any proposed subcontractors must be identified. Full resumes can be included in an appendix.
- D. PAST PERFORMANCE.** Provide four (4) client references within the past two (2) years, including contact name, firm or agency, phone number, email and brief summary of services provided. The Town is especially interested in references that can attest to the Respondent's ability and performance in similar work with similar scope of services.

**E. EXCLUSIONS & ADDITIONAL SERVICES.** The Respondent must include any proposed exclusions to the Services, providing specific details and the reasoning behind the exclusion, and any proposed Additional Services.

**F. ADDITIONAL INFORMATION.** The Respondent may list any additional information or data not requested as part of this RFP that Respondent believes should be considered in the evaluation of the Proposal provided the entire Proposal is no more than the identified page limit.

**G. FEE PROPOSAL.** A fee proposal **IN A SEPARATE SEALED ENVELOPE** consisting of:

- a. A firm, fixed total price for completion of the Services. This price shall include any and all costs to perform the Services to the Town's satisfaction, including but not limited to all costs for materials, labor, travel, other typical reimbursable expenses, indirect costs (i.e. overhead and general and administrative costs), profit/fee, and meetings with Town staff as deemed necessary by the Town throughout the duration of the Services.
- b. A detailed breakdown of the total price for the Services for the entire Term. Fee proposals must include sufficient detail to allow insight into the fairness and reasonableness of the price.
- c. Identify any value-added services your firm is willing to provide the Town at no additional cost if awarded this Project. If an additional page is attached, title the page "Value Added Services."
- d. Respondents must include overview of the proposed design including quantity, size and location of generator as well as a high-level breakdown of pricing for engineering, equipment, and construction.

Although the Town does not anticipate compensating Respondent for any additional items or expenses, any such additional amounts to be charged to the Town should be identified in the fee proposal.

## **9. SELECTION**

The Town will use a qualitative-based selection process using the following criteria:

- Respondent qualifications
- Past experience, representative work, and references
- Proposed method and approach to fulfill the Town's needs
- Price

The Town may contact references provided with the Proposal. The Town reserves the right to request clarification or additional information from Respondents and to consider independently obtained information.

The Town will select the Respondent determined to be the best value by the Town in its sole discretion. In addition to the criteria stated above, the Town's determination may consider, without

limitation, the Respondent's financial resources, ability to comply with all legal and regulatory requirements, ability to perform the Services and complete the Project on time, history of performance, reputation, ability to obtain necessary equipment, data, and facilities, and any other factor deemed important by the Town.

The Town reserves the right to negotiate further with one or more Respondent, or to reject all bids. Selection of any Contractor and execution of a contract is dependent on approval in accordance with applicable Town laws and policies and the Town's receipt of any required Certificates of Insurance and applicable endorsements. The Town's decision is final and without recourse to any Respondent.

## **10. MISCELLANEOUS**

The issuance of this RFP and the receipt and evaluation of Proposals do not obligate the Town to select a Respondent, to enter into any agreement, or to pay any costs incurred in responding to this RFP or negotiating an agreement. Selection of any Contractor and execution of a contract is dependent on approval in accordance with applicable Town laws and policies and the Town's receipt of any required Certificates of Insurance and applicable endorsements. No Proposal shall constitute business terms of any eventual agreement except as expressly agreed by the Town. The Town reserves the right to modify this RFP or the selection process, to cancel this RFP, to reject or accept any Proposal, and to waive any informalities or irregularities in any Proposal, without liability, at any time.

All Proposals shall become the property of the Town, will not be returned, and will become a public record. Respondents may request parts of their Proposals to remain confidential by indicating such in the Proposals and on the appropriate proprietary or financial pages, which must be clearly marked. The Town will take reasonable steps to keep confidential only documents actually prevented from disclosure under state law. Under no circumstances may an entire Proposal be marked or identified as proprietary or confidential. **By submitting a Proposal, each Respondent agrees to hold the Town harmless from any claims arising from the release of confidential or proprietary information not clearly designated as such by the Respondent or where the Town has notified the Respondent of a request, and from any claims arising from the release of documents not protected from disclosure.**

Respondents are cautioned not to undertake any activities or actions to promote or advertise their submittals, other than discussions with Town staff as described in this RFP. After the release of this RFP, Respondents are not permitted to make any direct or indirect contact with members of the Town Board or media on the subject of this RFP, except in the course of Town-sponsored presentations. Violation of these rules is grounds for disqualification of the Respondent.

## 11. Appendices

### 11.1 Site Photos





Complex close up:

