



Request for Proposal

Town of Dedham Parks and Recreation and Open Space Master Plan and Open Space and Recreation Plan Update

James Kern
Town Manager
26 Bryant Street
Dedham, MA 02026



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Dedham, Massachusetts 02026**

REQUEST FOR PROPOSAL (RFP)

Town of Dedham

Request for Proposals

Town of Dedham Parks and Recreation and Open Space Plan Master Plan and Open Space and Recreation Plan Update

DEADLINE EXTENDED:

Proposals Due: July 22, 2016 at 10:00am

Late Proposals Will Be Rejected

Deliver Complete Proposals To:

Town Manager's Office
26 Bryant Street
Dedham, MA 02026

For information regarding the RFP submissions please contact:
Doreen LaBrecque, Administrative Assistant
At 781-751-9100

For Subject Matter Information please contact:
Robert Stanley, Director Parks and Recreation,
Phone: 781-751-9250 rstanley@dedham-ma.gov
or Richard J. McCarthy, Planning Director
Phone: 781-751-9241 rmccarthy@dedham-ma.gov

REQUEST FOR PROPOSALS

TOWN OF DEDHAM PARKS AND RECREATION AND OPEN SPACE MASTER PLAN & OPEN SPACE AND RECREATION PLAN UPDATE

INTRODUCTION

The Parks and Recreation Commission and the Open Space and Recreation Committee are combining efforts to develop a Parks and Recreation and Open Space Master Plan and Open Space and Recreation Plan Update. The update is for the 2010 Open Space and Recreation Plan. The selected consultant will produce two documents Parks and Recreation and Open Space Master Plan and Open Space and Recreation Plan Update. The two planning processes timeline merged; as a result, both Committees decided to combine efforts which should help for a better public process, reduce conflicts, and redundancies. . The Parks and Recreation and Open Space Master Plan is more weighed towards digging deeper into recreation issues unlike a typical open space and recreation plan. The update to the 2010 Open Space and Recreation Plan will need to meet all requirements of the Division of Conservation Services (Open Space and Recreation Plan Requirements DCS Form Rev. 3/08) relative to an update. The Division of Conservation Services is a division of the Executive Office of Energy and Environmental Affairs. This request for proposals (RFP) sets forth the procedures and requirements to be utilized by the Town of Dedham in the selection of a consultant to provide professional services to develop a Parks and Recreation and Open Space Master Plan and an update to the 2010 Open Space and Recreation Plan.

Activities will commence upon selection of a consultant and issuance of a notice to proceed. Consultants must provide fee amounts for the project.

A Committee made up of members of the staff and community has been selected to evaluate all timely proposals, and a contract will be awarded by the Town Manager.

PROJECT OBJECTIVES/OVERVIEW

The purpose of the project is to develop a comprehensive Parks and Recreation and Open Space Master Plan for the Town of Dedham parks and recreational programming. The goal of the project is to develop a mutually supported plan that provides guidance for future development and redevelopment and maintenance of the town's parks, recreation programming, which also includes open space, trails, facilities, natural features and landscape. The Master Plan will guide policy development, delivery of services, prioritize demands and opportunities, and generate a strategic action plan to be updated every five (5) years. It will support expansion opportunities for ground-breaking amenities by creating a facility and space needs assessment using population growth, and be rooted in innovative strategies including all-inclusive public engagement and cross-boundary/collaborative approaches. In addition, the project will seek to incorporate accessibility and environmental & conservation opportunities.

SCOPE OF SERVICES

The consultant will work under the direction of the Town of Dedham Parks and Recreation Master Plan Committee (Committee) and the Parks and Recreation Director (Director). The director will coordinate and be the single point of contact with the Consultant, Committee and staff, and representatives from interest groups. The consultant will be responsible for developing, conducting, analyzing, and providing the results of the Master Plan according to the following Scope of Services. The director will assist the Consultant by providing direction, data, logistical and other support, as needed to facilitate performance of the Scope of Services. For the purpose of this RFP, the term Parks will be defined as Parks, Athletic Fields and Open Spaces.

Reference documents:

The 2010 Open Space and Recreation Plan: www.dedham-ma.gov/index.cfm?pid=19192 ;
The 2009 Master Plan: www.dedham-ma.gov/index.cfm?pid=23155
GIS datafiles available through the Town of Dedham GIS Department.

The following areas will be addressed and included in the 2017-2022 Master Plan:

- Sports and Recreation Programming
- Trails managed by Parks
- Park Facilities and infrastructure
- Preventative Maintenance Plan for Parks
- Capital Replacement Plan for park sites, facilities, vehicles & equipment
- 5 Year Projected Budgets
- Accessibility and Universal Design guidelines for parks and facilities
- Develop a needs analysis for parks and facilities
- Assist the Committee and Director with setting priorities and (five) year action plan

The consultant will gather public input and encourage public participation. At a minimum the Town requests the consultant to:

1. Develop and conduct a written survey to determine public opinion. The Director will be responsible to distribute and collect written surveys. Consultant shall tally, evaluate and combine survey results in written report.
2. Conduct a minimum of two (2) public meetings to receive public input and include in above written report. Seek out and facilitate involvement, including but not limited to those affected by the planning effort.
3. Provide participants with the information needed to participate in a meaningful way.
4. Conduct a minimum of two (2) planning meetings with recreation staff.
5. Two Committee meetings: one to summarize the results of the survey and public meetings, and the second to discuss draft document.
6. Provide a detailed plan and process to address the above listed areas such as number of meetings, public input strategies, etc.

The public should engage and guide decisions about actions that affect their lives. Public participation includes the promise that the public's contribution will be considered in the decision-making process.

The Committee envisions the following processes/elements to the final completion of the project:

1. Outline Guiding Principles which include:
 - Overall parks and recreational commitments must remain within the financial capacity of the town.
 - Existing and proposed facilities, whenever possible should support multiple uses and joint ownership including enhancing recreational opportunities.
 - Revenue and funding opportunities to include but not limited to potential rental fees, grant funds and private / public collaboration.
 - Basis for a long term maintenance and upkeep plan.
 - A financial and program analysis of all existing recreational offerings and develop a guide to future program offerings for the Parks and Recreation Department.
2. Update Park Inventory and Standards
 - A. Analyze Existing Conditions
 - Update inventory of existing public and private parks, school properties, recreation areas, recreational facilities, athletic fields and open spaces:
 1. Public parks, trails, conservation areas (identify any historic assets that should be protected)
 2. Private and non-profit parks, and recreational facilities open and accessible to the community
 3. Public school playgrounds, athletic fields and facilities open and accessible to the community
 - Develop a map and database to capture information about the geographic location and physical characteristics of the parks and open space system. (Includes park classifications and list of amenities.)
 - B. Define Service Areas and Population Served

- Define appropriate services areas and population served for each park classification.
 - Youth, adult and neighborhood organizations.
3. Park, Athletic Field and Open Space Needs Assessment
- A. Develop Profile of Prospective Park and Facility Users
- Town of Dedham demographic information can be found here: <http://www.dedham-ma.gov/index.cfm?cdid=25132&pid=12748>
 - Survey citizens and user groups to determine how they would ideally use and access the parks, athletics and recreation system. Gather information about demographic factors including: age group, household income, household size, and ethnicity. Survey questions should include:
 1. What type of parks would be used most? (neighborhood, regional, specialty)
 2. What amenities would those parks include to serve their needs?
 3. What is the preferred and/or acceptable method of travel to get to the Park (walk how far, ride a bike, go by car)?
 - Develop profiles of prospective park users based on demographic factors.
- B. Evaluate Athletic Field Use, Operation and Maintenance
- Interview Athletic Field user groups to determine needed service levels, scheduling desires, and jurisdictional information and permit requirements associated with field use assignment.
 - Determine service and maintenance needs for all Athletic Fields and formulate recommended staffing levels to provide determined Level of Service.
 - Identify field improvements necessary to meet current and anticipated user needs
- C. Assess Needs for Existing and Future Parks
- Use Census data and MAPC data to project population and demographic distribution based on anticipated development patterns.
 - Compile the projected population and demographic factors for each park's established service area and/or until the threshold for the population served is reached. Assess the profile of prospective park users within this service area.
 - Determine how each park contributes to the needs of the population served based on the profile of prospective park users.
 - Consider the Manor Fields Report and Town Landfill report. (Available upon request.)
4. Access to Parks, Athletic Fields and Facilities - This analysis will focus mainly on walkability and cycling access to and within the parks. It will include an assessment of ADA accessibility within parks.
- A. Existing Conditions

- Identify presence and condition of sidewalks or other pathways (such as trails) that connect adjacent residential areas to neighborhood parks within their defined service areas. Are there parking, handicap parking and lights for these areas?

B. Analysis

- Identify specific barriers to achieving access and ADA accessibility (i.e. lack of sidewalks, broken and disconnected sidewalks, safe street crossings, bridges, buildings, fences, natural barriers, inadequate transit service, etc.).
- Determine where parks and facilities need to be improved.

5. Identify Priority Projects, Programs, and Areas

- Based on findings from Park Needs Assessment and user surveys, identify specific projects, programs or areas where new or enhanced park and recreation services and programs are needed.
- Develop a rating system to prioritize needs.

6. Determine Funding, Operations and Maintenance Feasibility

A. Determine fiscal capacity for public parks

- Identify how parks and recreation maintenance, operations and capital improvements are identified, prioritized and funded. Include budgets for funding the construction of new parks, maintaining existing parks, and operating park facilities and programs.
- Identify deficiencies in resourcing for existing parks and recreations programs and functions, relative to best practices and demand.
- Identify resources needed to support future parks and recreation programs based on the existing and historical trends for funding, operating and maintaining public parks.

B. Analyze costs to support community's desired level of service

- Using the Park needs assessment; determine what funding and resources would be required to meet all parks and recreation needs.
- Based on population projections and anticipated development patterns, and project costs over the next 5 years and determine when existing funding and resources would cease to meet needs in different areas of the Town.

C. Develop scenarios for different levels of service

- Status quo verses optimal.

D. Identify alternative funding options

- Identify best practices for how parks and recreation systems are funded and maintained in other towns. Include breakdown for capital vs. operations costs.
- Determine what methods may be feasible in Town of Dedham, such as:
 1. Sources of Revenue (fees, admissions, etc.);
 2. Legislation;

3. Endowments
 4. Private Foundations
- Identify options to help mitigate the funding gap and recommend resource alternatives for the different level of service scenarios.

PROJECT OBJECTIVES/OVERVIEW

The purpose of this project is to Update the 2010 Open Space and Recreation Plan. The update to the Open Space and Recreation Plan will take the findings from the Parks and Recreation and Open Space Master Plan and incorporate them into the Open Space and Recreation Plan Update. The update should focus on passive recreation and open space related topics. The update should include costs related to passive recreation and open space needs. The update should also include examples from other communities that relates to the Town's 7 year action plan.

SCOPE OF SERVICES

The consultant will work under the direction of the Open Space and Recreation Committee. The Planning Director and the Environmental Coordinator will coordinate and be the points of contact with the Consultant, Committee and staff, and representatives from interest groups. The consultant will be responsible for developing, conducting, analyzing, and providing the results of the Open Space and Recreation Plan Update according to the Scope of Services. The Planning Director and Environmental Coordinator will assist the Consultant by providing direction, data, logistical and other support, as needed to facilitate performance of the Scope of Services.

PUBLIC OUTREACH

1. Any written survey for the Parks and Recreation and Open Space Master Plan shall include passive and open space related topics to determine public opinion. The Planning Director and Environmental Coordinator will assist the Consultant distribute and collect written surveys. Consultant shall tally, evaluate and combine survey results in written report.
2. Public meetings in the Parks and Recreation and Open Space Master Plan Scope of Service should include passive and open space related topics. If greater input is needed for passive and open space related topics, the Consultant can propose alternative methods for public participation.
3. Provide participants with the information needed to participate in a meaningful way.
4. Conduct a minimum of two (2) planning meetings with Town Staff.
5. Three Committee meetings: one to summarize the results of the survey and public meetings, the second to discuss draft document and the third to present the final draft that will be sent to DCR for approval.
6. Provide a detailed plan and process to address the above listed areas such as number of meetings, public input strategies, etc.

Deliverables: COMPLETION OF MASTER PLAN

The final deliverable will be a comprehensive guiding document for the future. In addition, detail how the strategic action plan will provide a template that may be updated every five years.

- Present one printed copy and one electronic PDF copy of Draft document to Committee and the Director.
- Provide framework for draft review and incorporate revisions.
- Present the final deliverable to Department staff, Parks and Recreation Board. Provide two printed copies and one electronic PDF copy of the final document to the Director in a format for easy distribution.

OPEN SPACE AND RECREATION PLAN UPDATE

- The final deliverable will be an Open Space and Recreation Plan Update that meet all DCR requirements and are approved by DCR. The plan will be based upon a 7-year action plan.
- Present nine printed copy and one electronic PDF copy of Draft document to Committee and the Director.
- Provide framework for draft review and incorporate revisions.
- Present the final deliverable to Open Space and Recreation Committee after approval by DCR. The number of printed copies to be determined, one editable version and a final PDF copy of the final document to the Planning Director, Environmental Coordinator.

Deliverables Additional to those Outlined In Preceding Task Outlines

- A. Report Priority Projects and Programs to Funding Sources
 - As a result of interviews, site evaluations and data garnered from community interaction, develop a prioritized list of improvement recommendations associated with the Town Parks, Athletic Fields and Open Spaces and programs.
 - Identify timeframes for completing priority projects, programs, or other implementation measures.
 - Identify responsible parties to affect identified projects, programs, or other implementation measures.
 - Develop an organizational chart which identifies each Park, Athletic Field and Open Space asset along with a detailed itemization of Level of Service expected for each location and sub-function.
- B. Report on Guidelines for Maintenance of Parks and facilities
 - Develop Parks, Athletic Field and Open Space operation and maintenance

recommendations including:

1. Itemized operation and maintenance needs at each location with cost to perform recommended operation and maintenance tasks whether it be performed using Town staff or contract services.
 2. Staffing Level recommendation to provide desired level of service
- Develop maintenance and interaction guidelines for partners and other outside groups.
- C. Report on Partnership Opportunities
- Identify potential partnerships (neighborhood groups, public schools, community organizations, etc.) to provide desired levels of service for parks, athletics and recreation functions.
 - Define roles for each group in providing input, services, maintenance, funding, programs, etc.
 - Identify how to engage partners in assigned roles in most effective and cost efficient manner.
- D. Recommendations to Increase Public Awareness & Involvement
- Recommend means for engaging with the community and targeted partners about:
 1. partnership opportunities; and,
 2. responsibilities;and,
 3. involvement; and,
 4. maintenance; and,
 - Recommend methods for establishing an acknowledgement and recognition campaign for community and targeted partners.

TIMELINE:

Responses due July 22, 2016

Notice to Proceed and Contract award by August 26, 2016

Final report and project completion March 1, 2017

PLAN OF SERVICES

The proposals must include:

1. The identity of the individual, partnership or corporation applying for the contract award. If the applicant is a partnership or joint venture, the proposal should specify who will act as the lead consultant for purposes of assuming contractual responsibility.
2. A description of the consultant's approach to this project: methodology, demonstrated understanding of the community's needs, and the consultant's expectations of assistance and services from the Town.
3. An applicant qualifications statement, including academic and professional work experience attesting to capacity to perform the required work program.

4. A client reference list, with contact information, especially for clients for whom the consultant has performed similar services in the past.
5. Any other information deemed relevant to the project, and which the consultant believes will further the competitiveness of the proposal, including work samples from similar completed projects.
6. Completed Fee Proposal Form, and sealed in a separate envelope marked as Price Proposal, Town of Dedham RFP Parks and Recreation and Open Space Plan and Open Space and Recreation Plan Update, Company Name, and Date.

Any proposal which fails to include all of the above information will be rejected as unresponsive, and will not be afforded a complete review by the evaluation team.

EVALUATION OF NON-PRICED PROPOSAL

The selection process will include an evaluation procedure based on the criteria identified below

Minimum Requirements and Comparative Criteria

Each proposal will be rated as either “highly advantageous”, “advantageous”, “not advantageous” or “acceptable”. Any proposal that receives an “unacceptable” rating for any of the criteria may be rejected.

MINIMUM REQUIREMENTS

Proposer has the ability and experience to perform the Scope of Services described herein.
Proposer has a working knowledge of regulations relating to recreation facilities.
Proposer can provide full services for the project including licensed engineers, registered

COMPARATIVE CRITERIA

1. Experience:

Highly Advantageous:	Proposer has been regularly engaged in the business of providing the services described herein for ten (10) or more years.
Advantageous:	Proposer has been regularly engaged in the business of providing the services described herein for between five (5) and ten (10) years.
Not Advantageous:	Proposer has been regularly engaged in the business of providing the services described herein for less than five (5) years.

2. Qualifications:

Highly Advantageous:	All proposed team members are highly qualified.
Advantageous:	Most proposed team members are highly qualified.
Not Advantageous:	Proposed team members are not highly qualified.

3. Methodology/Approach:

Highly Advantageous:	The project approach demonstrates a clear and complete <u>understanding of the project and desired results.</u>
Advantageous:	The project approach demonstrates a satisfactory understanding of the project and desired results.
Not Advantageous:	The project does not demonstrate and understanding of the project and desired results.

4. Quality of Work/References:

Highly Advantageous:	All references are favorable.
Advantageous:	One reference is not favorable.
Not	More than one reference is not favorable.

5. Presentation/Interview:

Highly Advantageous:	The presentation was clear, complete and indicates an ability to successfully perform the scope of services.
Advantageous:	The presentation indicated and ability to satisfactorily perform the scope of services.
Not Advantageous:	The presentation indicated an inability to perform the scope of services.

PROJECT FEE (for completion of project as described)

The Town of Dedham has established a fixed fee not to exceed fifty thousand dollars (\$50,000) for the Scope of Services described herein for the Park and Recreation and Open Space Plan and twenty five thousand (25,000) for the Open Space and Recreation Plan Update. Fees shown shall include all costs and expenses (copying, mileage, photographs, graphic design and layout of manual, etc.) to complete the scope of work defined in this RFP. The selection committee will select the most overall advantageous proposal. Contract award recommendation is subject to review and approval by Town Manager.

SUBMISSIONS

“Non-Priced Bid” seven (7) copies of the proposal one (1) unbound and six (6) bound copies must be submitted in an envelope marked: “Non-Priced Request for Proposal” Town of Dedham Parks and Recreation and Open Space Plan and Open Space and Recreation Plan Update.

“Priced Bid” seven (7) copies of the proposal one (1) unbound and six (6) bound copies must be submitted in an envelope marked: “Priced Request for Proposal” Town of Dedham Park and Recreation and Open Space Plan and Open Space and Recreation Plan Update.

Proposals should be addressed to:

James Kern
Town Manager
26 Bryant Street
Dedham, MA 02026

The final date for submission of proposals is 10:00am on July 22, 2016.

NOTE: Any questions pertaining to the subject matter of the plan may be directed to Robert Stanley, Park and Recreation Director at 781-751-9250 or rstanley@dedham-ma.gov or Richard J. McCarthy, Jr., Planning Director at 781-751-9241 or rmccarthy@dedham-ma.gov

RFP General Conditions and Requirements

Proposal Rules

This proposal is solicited to the General Public and a Consultant Agreement will be awarded pursuant to the rules set forth in Chapter 30B of the Massachusetts General Laws.

Reviewing Period

All proposals meeting proposal requirements and conditions may be held by the Town of Dedham for a period not to exceed thirty (30) days from the date of the opening of proposals for the purpose of reviewing the proposals and investigating the qualifications of proposers, prior to the awarding of the contract, if at all.

Basis of Proposal Award

The Agreement shall be awarded to the responsible and responsive proposer submitting the proposal considered most advantageous, taking into consideration the proposal's merits regarding the terms of the contract and the proposed service. Additional agreement conditions and requirements applicable to the procurement are incorporated in **Exhibit A**, attached hereto.

Evaluation of Proposal

The Review Committee has been appointed by the Purchasing Agent to evaluate merits of the submitted proposals. Using the rating system prescribed in Chapter 30B of the Massachusetts General Laws (the Uniform Procurement Act), the committee shall assign a rating system to each criterion. The committee shall also assign a composite rating to each proposal. The documented results shall then be submitted to the Town's Chief Procurement Officer who will make the award based on the evaluation.

Compliance with Applicable Laws

The contract shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.

The proposal must comply with all Federal, State, and municipal laws, ordinances, rules and/or regulations.

Questions and Interpretations

Any substantive questions regarding the proposal documents shall be referred to the Recreation Director in writing at least five working days prior to the date and time for receipt of proposals. All answers and interpretations and any changes to the documents will be issued in the form of addenda to all proposers of record.

Ability and Experience

The Awarding Authority will not award a contract to any proposer who cannot furnish satisfactory evidence of his ability and experience pertaining to the scope of work outlined in Attachment A.

The Awarding Authority may make such investigations as it deems necessary to determine the above and a proposer shall furnish information requested in this regard and shall furnish it under oath if required.

Assignment of Contract

The Proposer shall not subcontract consultants, sublet, assign or in any way transfer any interest in this agreement without the prior written consent of the Town, provided, however, that claims for money due or to become due to the Proposer from the municipality hereunder may be assigned to a bank, trust company, or

other financial institution without such consent so long as notice of any such assignment is furnished promptly to the Town, any such assignment shall be expressly made subject to all defenses, set-offs, or counter-claims which would have been available to the Town against the Proposer in absence of such agreement. The written consent shall not in any way relieve the Proposer from his responsibility for the professional accuracy and the coordination of all work or materials furnished. Should two or more Proposers receive a composite score of Highly Advantageous, the Proposer illustrating the most familiarity with Dedham's historic resources and preservation needs shall be selected. Such determination may be made through the review of the proposals submitted or through Proposer interviews.

Ownership of Information

- A. All information acquired by the Proposer from the municipality or from others at the expense of the municipality in the performance of the agreement, shall be and remain the property of the municipality. All records, data files, computer records, work sheets, photograph negatives, deliverable products complete and incomplete, and all other types of information prepared or acquired by the Proposer for delivery to the municipality shall be and remain the property of the municipality.
- B. The Proposer agrees that he will use this information only as required in the performance of this agreement and will not, before or after the completion of this agreement, otherwise use said information, or copy, or reproduce the same in any form, except pursuant to the sole written instructions of the Town. The Proposer further agrees to return said information in whatever form it is maintained by the Proposer.

Certification of Non-Collusion and Tax Attestation Form

All proposers must sign the attached form which incorporates both an attestation clause regarding Massachusetts State tax returns and a certificate of non-collusion. This signed form must be submitted with the proposal package. Failure to sign and submit the form is cause for that proposal to be rejected.

Corrections

Erasures or other changes in the proposal must be explained or noted over the signature of the proposer.

Conflict of Interest

The applicant agrees that to the extent that such law is applicable to the duties it is to perform hereunder, it will comply with the provisions of Chapter 286A of the General Laws concerning conflict of interest. The proposer covenants that it presently has no interest and shall not require any interest, direct or indirect, which would conflict in any manner or degree with the performance under the agreement.

No employee of the Town of Dedham and no public official who exercises any function or responsibilities in the review or approval of the undertaking or carrying out of this agreement shall participate in any decision relating to this agreement which affects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested or have any financial interest, direct or indirect in this agreement or the proceeds thereof.

Signature

All proposals shall be complete, factual, and signed by an authorized officer of the proposer's company on the appropriate page(s) and the front of the cover sheet.

Number of copies

One original and six (6) copies of the proposal must be submitted to the Town Manager in an envelope with the Proposal Name and Number, Company Name, and Date and Time of the Proposal Opening.

Waiver

The Town of Dedham reserves the right to reject any and all proposals, or to waive any informalities in the proposal process, if deemed in the Town's best interest.

Place and Time

Sealed proposals will be received at the Office of the Town Manager, 26 Bryant Street, Dedham, MA 02026 until 2:00 PM on December 1, 2015 at which time and place they will be opened and registered.

Disclosure

The selected proposer must file a disclosure of beneficial interests required by M.G.L. c.7, 40J. This must be filed with the Deputy Commissioner of the Division of Capital Asset Management and Maintenance.

Modifications

A proposer may correct, modify, or withdraw a proposal by sealed, written notice clearly marked as a correction, modification, or withdrawal and received in the Office of the Town Manager prior to the time and date set for the proposal deadline.

Liability

The Proposer agrees to indemnify, save harmless, and defend the Town, its agents, and its employees from and against any and all liabilities, claims, penalties, forfeitures, suits, and the costs and expenses incident thereto (including costs of defense, settlement, and reasonable attorney's fees), which it may hereafter incur, become responsible for, or pay out as a result of death or bodily injuries to any person, destruction or damage to any property, contamination of or adverse effects on the environment, or any violation of governmental laws, regulation, or orders caused, in whole or in part, by the Proposer's employees, or its agents or servants, in the performance of this contract.

INSURANCE COVERAGE:

General - The Successful Proposer shall before commencing performance of the Contract be responsible for providing and maintaining insurance coverage in force for the life of the Contract of the kind and in adequate amounts to secure all of the obligations under the Contract and with insurance companies licensed to write insurance in the Commonwealth of Massachusetts. All such insurance carried shall not be less than the kinds and amounts designated herein, and the Successful Proposer agrees that the stipulation herein of the kinds and limits of coverage shall in no way limit the liability of the Successful Proposer to any such kinds and amounts of insurance coverage. All policies issued shall indemnify and save harmless the Town of Dedham, its agents and employees from any and all claims for damages to persons or property as may rise out of the performance of this Contract.

Successful Proposer's Comprehensive General Public Liability and Property Damage Liability Insurance - The Successful Proposer shall carry Comprehensive General Liability Insurance providing for a limit of not less than Five Hundred Thousand Dollars (\$500,000.00) for all damages arising out of bodily injury to or death of one person, and subject to that limit for each person, a total limit of not less than One Million Dollars (\$1,000,000.00) for all damages arising out of bodily injuries or death of two or more persons in any one accident; and Successful Proposer's Comprehensive Property Damage Liability Insurance providing for a limit of not less than Five Hundred Thousand Dollars (\$500,000.00) for all damages arising out of injury to or destruction of property in any one accident, and subject to that limit per accident, a total (or aggregate) limit of not less than One Million Dollars (\$1,000,000.00) for all damages arising out of injury to or destruction of property during the policy period.

Comprehensive Automotive and Property Damage Insurance - The Successful Proposer shall carry Automobile Insurance covering all owned vehicles, hired vehicles or non-owned vehicles under the control of the Successful Proposer while performing work under the Contract in the amount of not less than Five Hundred Thousand Dollars (\$500,000.00) for all damages arising out of bodily injuries to or death of one person and subject to that limit for each person, a total of not less than One Million Dollars (\$1,000,000.00) for all damages arising out of bodily injuries to or death of two or more persons in any one accident; and Property Damage coverage in the amount of not less than Five Hundred Thousand Dollars (\$500,000.00) for all damages to or destruction of property.

The Successful Proposer must carry Workman's Compensation Insurance in the amounts prescribed under Massachusetts State Law and meet all other Town and State Laws and Regulations.

No cancellation(s) of such insurance, whether by the insurer or by the insured party shall be valid unless written notice thereof is given by the parties proposing cancellation to the other party and to the Town of Dedham at least fifteen (15) days prior to the intended effective date thereof, which date shall be expressed in said notice, which shall be sent by registered mail, return receipt requested. These provisions shall apply to the legal representative(s), trustee in bankruptcy, receiver, assignee, trustee, and successor(s) in interest of the Successful Proposer.

All insurance coverage shall be at the sole expense of the Successful Proposer and shall be placed with such company as may be acceptable to the Town of Dedham and shall constitute a material part of the contract documents.

Failure to provide written proof to Town and continue in force such insurance as aforesaid shall be deemed a material breach of the contract, and may constitute sufficient grounds for immediate termination of the same.

Final Approval and Payment

- A. Final products outlined in the Work Program of this Request for Proposals and the written Agreement must be approved by the Town of Dedham. If, for any reason, the final products do not conform to the terms and conditions of the Agreement, the Town of Dedham reserves the right to withhold payment until all conditions are met. Neither the Town review, approval, acceptance of, nor payment for, any of the services furnished shall be construed to operate as a waiver of any rights under the contract or any cause of action arising out of the performance of the contract.
- B. Total compensation for services under this contract shall not exceed \$50,000. Payment shall be made upon proper invoicing. Invoicing may be submitted at the completion of each phase based on a not to exceed amount to be established by the Dedham Parks & Recreation Director. Such invoicing shall include a description of services provided and proper reference to the Scope of Services. Invoices shall be submitted to the Town of Dedham Parks and Recreation Director, 269 Common Street, Dedham, MA 02026.

Revision of Agreement

There shall not be any change in project work, budget or timetable without the prior written approval of the Director of Parks & Recreation. Changes in the Work Program to be performed by the Proposer under the Agreement, including any increases or decreases in the compensation to the Proposer or the time limitation for completion, which are mutually agreed upon by and between the Town and the Proposer, shall be incorporated into the Agreement in the form of written amendments. Any and all amendments, alterations

and changes in the Agreement will only be binding on the parties if executed in writing as set forth herein. No part of the contract shall be altered in any way without prior written consent of the Town of Dedham Purchasing Agent.

Time Schedule

Professional services shall commence at the Notice to Proceed. The Proposer agrees to promptly notify the Park and Recreation Director should problems, delays or adverse conditions become known which will materially affect the ability to attain project objectives, prevent the meeting of time schedules or preclude the completion of approved work.

Fair Practices

The Proposer shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, handicap, veteran status or national origin. The Proposer shall take affirmative action to ensure that applicants are employed, and employees are treated during employment, without regard to race, color, religion, sex, age, handicap, veteran status, familial status, sexual orientation or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other form of compensation; and selection for training, including apprenticeship. The Proposer agrees to post in conspicuous places, available to employees and applicants for employment, notice setting for the provisions of this non-discrimination clause. The Proposer will, in all solicitations or advertisements for employees placed by or on behalf of the Proposer, state that all qualified applications will receive consideration for employment without regard to race, color, religion, sex, age, handicap, veteran status or national origin. The Proposer agrees to comply with the "Governor's Code of Fair Practices" of January 12, 1966, Chapter 151B of the Massachusetts General Laws, as amended and Executive Orders which prohibit discrimination because of race, color, religion, national origin, age, sex, veteran status or handicap.

Copyright

Except as otherwise provided in the Agreement, the Town of Dedham may copyright any book, publication or the material developed in the course of this project.

Failure to comply with the above conditions and requirements or any attached specifications or any other minimum qualifications will be justification to reject any proposal as incomplete.

ATTACHMENT A
FEE PROPOSAL FORM

The undersigned hereby submits a price proposal to perform the services outlined in the Request for Proposals for the Town of Dedham Parks and Recreation and Open Space Plan and Open Space and Recreation Plan Update.

Consultant:

Address:

The CONSULTANT hereby pledges to deliver the complete scope of services required, for the rates and charges shown below:

PROFESSIONAL SERVICES, Hourly Rate: _____

Cost to complete the project:

TOTAL COST: _____

CONSULTANT

DATE

ATTACHMENT B
CERTIFICATE OF NON-COLLUSION AND TAXATION ATTESTATION CLAUSE

As required under Chapter 233 and 701 of the Mass. Acts and Resolves of 1983, all bidders must certify to the following, by signing this page in the space indicated below.

1. The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union committee, club, or other organization, unity or group or individuals.

2. "Pursuant to M.G.L. Ch 62C, sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law".

Authorized Officer (Print)

*(Authorized Signature)

(Name of business)

(Social Security No. or Federal Identification No.)

*Approval of a contract or other agreement will not be granted unless the applicant signs this certification clause. This does not constitute the legal signature required for the bid or proposal on page one.

A T T A C H M E N T C
CERTIFICATE OF CORPORATE AUTHORITY *(if applicable):*

_____ certify that I am the _____ of the corporation named as Bidder in the Bid included herein, that _____ who signed said Bid on behalf of the Bidder was then _____ of said corporation, that I know his signature, that his signature thereon is genuine and that said Bid was duly signed, sealed and executed for and in behalf of said corporation by authority of its governing body.

(Corporate Seal)

(Secretary-Clerk)

(Signature of authorized individual _____
submitting proposal)

(Printed Name)

Name of Proposer)

(Date)