

***Brownfield Opportunity Area – Generic Work Plan for County-wide Pre-Planning: Brownfield Identification and Preliminary Analysis***

**ATTACHMENT C - WORK PLAN**

Brownfield Opportunity Area (BOA) program County-wide Pre-Planning is the identification, inventory and analysis of brownfield-affected areas within a county, or other large municipal area, to identify concentrations of vacant, abandoned, underutilized, and/or brownfield properties for more localized future planning efforts.

Outcomes of this pre-planning activity will include mapping of underutilized, vacant, and abandoned parcels to create a county-wide inventory, and the identification of smaller areas or clusters within the study area that are recommended for future BOA planning and designation by the State. This will enable counties to better understand development conditions surrounding potential brownfield clusters and integrate existing and ongoing planning efforts into the BOA program.

BOA County-wide Pre-Planning: Brownfield Identification and Preliminary Analysis projects shall include, at a minimum, the following tasks:

**Task 1.1 Pre-Planning Scoping Meeting**

The contractor and Department of State (DOS) shall conduct an initial meeting with key project participants to discuss and finalize the study area scope, objectives, approach, and information collection. The meeting agenda should include discussion of the following:

- Scope of inventory (county-wide or a subarea of the county) and the type of sites to be included (vacant, abandoned, underutilized and/or known brownfield sites)
- Potential services required
- Potential stakeholders for inventory data collection
- Appropriate engagement strategy for local municipalities

***Product:***

- Meeting summary and notes.

**Task 1.2 Solicitation of Consulting Services**

Should the contractor require the services of a consultant, a Request for Proposals (RFP) process shall be used to select a consultant based on the submission of a full project proposal. The process is as follows:

- The contractor shall draft an RFP, including a complete project description, a detailed project scope, expected outcomes, and criteria for selecting a preferred proposal.
- The RFP shall be submitted to the DOS for review and approval prior to release for solicitation of proposals.
- After the DOS has reviewed and approved the request for proposals, the contractor may directly notify, through e-mail or regular mail, potentially qualified consultants of the request for proposals.
- The contractor shall also advertise the RFP in the NY State Contract Reporter, a regional newspaper, or an appropriate trade publication.
- The contractor shall conduct and document outreach to NYS-certified MWBE consultants to ensure State goals can be met.

*Products:*

- An approved RFP sent to qualified subcontractors.
- Copy of advertisement.
- Documentation of outreach to qualified NYS-certified MWBE firms.

Task 1.3 Consultant Selection and Compliance with Local Procurement Requirements

In consultation with DOS, the contractor shall review all proposals received as a result of the RFP and shall review and evaluate all proposals received as a result of the RFP. At a minimum, the following criteria are suggested for use in evaluating consultant responses:

- Quality and completeness of the response
- Current operational capacity to complete scope of work to a high standard
- Understanding of the proposed scope of work
- Applicability of proposed alternatives or enhancements to information requested
- Cost-effectiveness of the proposal
- Qualifications and relevant experience with respect to the tasks to be performed
- Reputation among previous clients
- Ability to complete all project tasks within the allotted time and budget
- Ability to meet MWBE requirements

Incomplete proposals that do not address all the requested components should not be accepted for review and consideration.

The consultant selected is subject to approval by DOS.

The municipal attorney, chief legal officer, or financial administrator for the municipality (contractor) shall certify to the Department of State that the procedures of the municipality, established pursuant to General Municipal Law, Section 104-b, were fully complied with for all contracts for professional services.

*Products:*

- List of top-ranked candidates and letter from the contractor to DOS indicating the selected consultant.
- Signed DOS Procurement Certification for professional services.

Task 1.4 Consultant Subcontract Preparation and Execution

The contractor shall prepare a draft subcontract to guide the work of the selected consultant. The contract shall contain:

- A detailed workplan with adequate opportunities to review project milestones
- A payment schedule (payments must be tied to receipt of acceptable products in the work plan)
- Project cost detailed by component tasks.
- The professionals from the firm that will be directly involved in the project.
- The composition of the entire team, including firm name and area of responsibility/expertise.
- The persons, including firm affiliation assigned to undertake and complete specific workplan tasks.

The contractor shall submit the draft subcontract to the DOS for review and approval. A copy of the final executed subcontract, incorporating DOS's comments on the draft, shall be provided to DOS.

*Product:*

- Draft and final, executed consultant subcontracts.

**Task 1.5 Project Scoping Session with the Selected Consultant**

The contractor, DOS, and the consultant shall hold a scoping session to review project and contract requirements and to share information with the consultant that will assist in completing the project.

Topics shall include but are not limited to the following:

- Inventory scope and budget allocation
- Potential data sources; existing relevant data and information (maps, reports, etc.)
- Access to site information (past site uses, owners, contamination extent, existing redevelopment efforts, etc.)
- Project goals and objectives
- Responsibilities of the participants (contractor, consultant, and DOS)
- Timeframes and deadlines
- Reporting requirements
- SEQRA requirements
- Expected products, including site identification and data collection methods, inventory (list and map), identification of brownfield concentrations (map), analysis of sites within potential BOA boundary map and summary report of proposed BOA boundary and next steps.
- MWBE goals

*Product:*

- Meeting summary prepared by the contractor, with note of agreements/understandings reached, and distributed to scoping session participants.

**Component 2: Identification and Inventory of Brownfield-Affected Areas**

**Task 2.1 Develop Approach to Inventorying Known Brownfield, Vacant, and/or Underutilized Sites**

The consultant shall work with the contractor to develop an approach to the identification and inventory of brownfield, vacant, and underutilized sites that may contain known or suspected contaminants, may pose a risk to public health, cause economic distress, or have other negative impacts on the community.

The inventory may encompass the entire county or be divided into logical geographic sectors or subareas as needed to clearly organize and present the inventory and analysis.

Sites may be identified from a variety of sources including, but not limited to:

- Comprehensive Environmental Response, Compensation, and Liability Information (CERCLIS)
- New York State Department of Environmental Conservation Electronic Reports
- Sanborn maps
- Municipalities
- Historical Aerial Photographs
- Local Property and Tax Records
- Business Associations
- Stakeholder Groups
- Site Visits

*Product:*

- Summary document detailing inventory approach.

**Task 2.2 Inventory Vacant, Underutilized and/or Brownfield Sites**

After determining the inventory design and content, the consultant and contractor shall undertake the process of data collection in accordance with the inventory approach developed in Task 2.1. The inventory shall include a list and a map of all vacant, underutilized, and brownfield sites identified within the county.

As part of this task, the Contractor and/or its selected consultant(s) will incorporate strategic outreach to local municipalities to:

- engage each municipality within the county to assist with inventory site identification.
- gather information about the site, including historic land use patterns, known contamination, ownership, demographic and economic information, recent public initiatives and private investments, and environmental conditions.

*Products:*

- Comprehensive inventory including address, site size and condition, past and present site use category.
- Map(s) of inventory. Utilizing an interactive, online mapping platform is recommended.
- Appendices of the inventory, including a data source list, site visit logs, reports and documentation on sites included in the inventory, etc.

**Component 3: Analyses of Vacant, Underutilized, and Brownfield Concentrations**

**Task 3.1 Analyses of Vacant, Underutilized, and Brownfield Concentrations**

Analyze and map concentrations or high-impact sites and determine preliminary boundaries for further BOA analysis and planning. The analysis shall include, but is not limited to, a narrative and relevant mapping identifying the following within each potential BOA boundary(s):

- Existing development and land use patterns
  - location of study area as it relates to the community
  - total land area in acres of each identified brownfield-affected areas and underutilized sites
  - existing and adjacent land uses by NYS Property Class
  - potential impacts and proximity to water resources
  - brownfield sites and all underused, abandoned, or vacant properties that are publicly and privately owned
  - known data about the environmental conditions of the properties in the area
  - existing zoning districts and other relevant local laws or development controls guiding land use including but not limited to historic districts
  - local, county, state or federal economic development designations or zones
  - inclusion in existing municipal or regional planning efforts
- Demographic and economic patterns
- Recent public initiatives and private investments
- Proximity to existing infrastructure assets including but not limited to:
  - Roads
  - Bridges
  - Tunnels

- Water and Sewer Infrastructure
- School facilities
- Electric/Telecommunication systems
- Capacity and compatibility of utilizing existing or future infrastructure in anticipated reuse efforts
- Potential for siting of renewable energy facilities
- Climate vulnerability (i.e., flood risk and resiliency, extreme weather events, urban heat island effect, etc.)
- Potential strategic sites and possible revitalization efforts.
- Area suitability for future BOA planning and designation

#### Recommended Action Steps for Suitable Brownfield Opportunity Areas

- Coordinate with relevant municipalities to understand the interest and capacity to partner on future BOA planning and designation opportunities
- Identify site partners and potential BOA stakeholders
- Identify information gaps that will need to be closed through the BOA planning process
- Identify existing public support for revitalization

#### *Products:*

- An analysis of each potential BOA area that includes the information listed above, including relevant maps.
- A list and justification of suitable areas for future BOA study.

### **Component 4: Brownfield Inventory & Analysis Report**

#### Task 4.1 Draft Brownfield Inventory & Analysis Report

The contractor shall prepare a draft Brownfield Inventory and Analysis Report, including an Executive Summary, incorporating the elements described in Components 2 and 3, as well as summaries of any technical analyses that may have been undertaken as part of the project and presented in a format that may be prescribed by DOS.

The draft document shall be submitted to DOS for review and comment, and all comments shall be reflected in subsequent drafts.

#### *Product:*

- Draft Brownfield Inventory and Analysis Report

#### Task 4.2 Final Brownfield Inventory and Analysis Report

Based on comments received during the review period, the contractor shall prepare a final Brownfield Inventory and Analysis Report. The final plan shall be submitted to DOS for review and approval. All comments must be addressed to the satisfaction of DOS until approved by the Department.

#### *Products:*

- Final Brownfield Inventory and Analysis Report
- Supporting documentation

## Component 5: NYS Environmental Quality Review

### Task 5.1 NYS Environmental Quality Review

The Contractor's preparation of a Brownfield Inventory and Analysis Report funded through the Brownfield Opportunity Area program should comply with the State Environmental Quality Review Act (SEQRA). The Contractor is the Lead Agency for purposes of SEQRA. The Lead Agency shall undertake a SEQRA review according to 6 NYCRR Part 617 State Environmental Quality Review.

*Product:*

- Completed SEQRA Documentation and Determination of Significance

## Component 6: Project Reporting

### Task 6.1 Final Project Summary Report

The Contractor shall work with the Department of State project manager to complete the Final Project Summary Report.

*Product:*

- Completed Final Project Summary Report.

### Task 6.2: MWBE Reporting

The Contractor shall comply with MWBE Reporting Requirements by completing the following actions:

- Submit Form D - MWBE Utilization Plan to indicate any state-certified MWBE firms selected to work on this contract. Form D must be updated and submitted to the Department whenever changes to the selected MWBE firms occur (addition or removal).
- Record payments to MWBE subcontractors using Department of State funds through the New York State Contract System (NYSCS).

Technical assistance for use of the NYSCS system can be obtained through the NYSCS website at <https://ny.newnycontracts.com> by clicking on the "Contact Us & Support" link.

*Product:*

- Ongoing reporting through NYSCS during the life of the contract.
- Form D submitted as necessary to reflect updated MWBE subcontractors.

### Task 6.3: Project Status Reports

The Contractor shall submit project status reports semi-annually (every June 30 and December 31) on the form provided, including a description of the work accomplished, the status of all tasks in this work plan, schedule of completion of remaining tasks, and an explanation of any problems encountered.

*Product:*

- Completed project status reports during the life of the contract.