

ATTACHMENT C - WORK PLAN

Predevelopment activities should advance the goals and priorities for revitalization and redevelopment of the area as expressed in the BOA Plan completed for the State-designated BOA.

BOA Pre-Development projects shall include, at a minimum, the following tasks:

Task 1: Project Initiation Meeting

The Contractor, the Department, and any partners responsible for managing the project, shall hold an initial meeting to review and agree upon the project scope and schedule, project requirements, roles and responsibilities, the selection process for procuring consultants, State Environmental Quality Review Act (SEQRA) compliance requirements, MWBE requirements, ADA requirements, the number of public meetings and techniques for public involvement proposed for the project, and any other information which would assist in project completion. In addition, the composition of a project advisory committee shall be discussed during the project initiation meeting. The Contractor, or a designated project partner, shall prepare and distribute to all project partners a brief meeting summary clearly indicating the agreements reached at the meeting. Work on subsequent tasks shall not proceed prior to Department approval of the proposed approach as outlined in the meeting summary.

Task 1 Products:

- Project initiation meeting held with appropriate parties.
- Written meeting summary outlining agreements reached.

Task 2: Project Advisory Committee

The Contractor shall establish a project advisory committee to oversee all aspects of the project in cooperation with municipal officials and the project consultant(s), if applicable. The committee shall be representative of project stakeholders, including representatives of state, county, and municipal agencies with jurisdiction over project activities or the project area, and non-governmental and community-based organizations. A draft list of proposed members shall be provided to the Department for review and approval prior to establishment of the committee.

Task 2 Products: Draft and final list of proposed members of project advisory committee. Project advisory committee established.

Task 3: Procurement of Consultant (if applicable)

The Contractor shall prepare a Request for Proposals (RFP) or similar instrument (if applicable), including a complete project description with community conditions, expected final products, a schedule for completion, MWBE requirements, and criteria for selecting a preferred proposal. Consultant services requested shall include all applicable tasks, activities and responsibilities outlined in Tasks 5-10 of this work program.

The Contractor must actively solicit bids for contracts and subcontracts from qualified State certified MWBEs which can be identified using the NYS Directory of Certified Firms

(<https://ny.newnycontracts.com/>). The Contractor must retain records of the procurement process including direct solicitation to MWBEs; results; and any actions that its subcontractors have taken toward meeting MWBE contract participation goals. To demonstrate good faith efforts to achieve MWBE contract goals the following should be retained:

- Evidence of outreach to MWBEs: mail, email, phone calls and follow-up. Scroll down at this link to find MWBE solicitation log and good faith effort instructions: <https://dos.ny.gov/opdci-contract-resources>.
- Written responses by MWBEs to the Contractor/vendor's outreach.
- Copies of search(es) of the directory and advertisements for participation by MWBEs in appropriate general circulation, trade, and minority or women-oriented publications.
- Attendance at any pre-bid, pre-award, or other meetings, if any, scheduled by the Contractor with MWBEs including dates and location.
- Description of how the RFP maximizes opportunities for MWBE participation.
- Description of how non-MWBE subcontractors' have engaged MWBEs to undertake part of the project's work or to procure equipment/ materials/supplies.

Submit the RFP or similar instrument to the Department for review and approval prior to release for solicitation of proposals.

Task 3 Product(s):

- Approved RFP or similar instrument released through advertisement in local papers, the New York State Contract Reporter, or other appropriate means.
- Documentation of procurement including direct solicitation to MWBEs and actions taken toward meeting MWBE contract participation goals.

Task 4: Subcontract and Compliance with Local Procurement Requirements

The Contractor shall prepare the draft subcontract(s) to conduct project work with the selected consultant(s). The subcontract(s) shall contain a detailed work plan with adequate opportunity for review at appropriate stages of product completion, a payment schedule with payments tied to receipt of products, and project costs.

Incorporate the Department's comments on the subcontract work plan, or scope of services, prior to execution of the final subcontract(s).

The municipal attorney, chief legal officer or financial administrator of the municipality shall certify in writing to the Department that the Contractor fully complied with applicable provisions of General Municipal Law and with local procurement procedures. A procurement certification form will be supplied by the Department.

The Contractor's procurement record and consultant selection are subject to approval by the Department.

The Contractor remains responsible for the legal sufficiency of the subcontract in accordance with the requirements in the Master Grant Contract and all attachments.

Task 4 Product(s):

- Consultant(s) selected by Contractor and approved by the Department
- Executed subcontracts and written certification of compliance with procurement procedures.

Task 5: Draft Pre-Development Documents

The Contractor or its consultant(s) shall develop draft pre-development documents and supporting materials for the Brownfield Opportunity Area. The draft pre-development documents shall be provided to the Department and the public for review. Comments from the Department and the public must be addressed to the satisfaction of the Department in subsequent revisions of the products and the final design.

Task 5 Products:

- Draft pre-development documents and supporting materials

Task 6: Environmental Quality Review

The Contractor shall prepare, or cause to be prepared, all documents necessary to comply with the State Environmental Quality Review Act (SEQRA) through determination of significance. If a positive declaration is made, a Draft Environmental Impact Statement shall be prepared.

Task 6 Products:

- SEQRA documents
- Draft Environmental Impact Statement (if necessary)

Task 7: Final Pre-Development Documents

Based upon the approved draft pre-development documents, the Contractor or its consultant(s) shall develop final pre-development documents and other supporting materials. The final pre-development documents shall be provided to the Department for review, and the Department shall be given at least two weeks to review. Department comments must be addressed to the satisfaction of the Department.

Task 7 Products:

- Final pre-development documents and supporting materials

Task 8: 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.

Task 8 Products:

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

Task 9: 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.

Task 9 Product:

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

Task 10: Final Project Summary Report

The Contractor shall work with the DOS project manager to complete the Final Project Summary Report upon the completion of the project.

Task 10 Product(s):

- Completed Final Project Summary Report