

ANNOUNCEMENT

REQUEST FOR PROPOSAL (RFP)

CLARION-LITTLE TOBY TRAIL EXTENSION FEASIBILITY STUDY

The Borough Manager of the Ridgway Borough, Pennsylvania is accepting proposals for a one-time contract to perform certain professional services work for the Ridgway Borough for the Clarion-Little Toby Trail Extension Feasibility Study in Elk County.

Attached is information relating to submitting a proposal including specific requirements, the organization of the proposal, proposal evaluation criteria, and the proposed contractual agreement.

Consultants desiring to be considered for the project should submit seven (7) copies of their proposal in a sealed envelope to:

Ridgway Borough Office
108 Main Street
Ridgway, PA 15853
Attn: Michael C. Handley

Proposals must be received no later than 4:00 p.m. on May 25, 2022.

Ridgway Borough reserves the right, as its interests may require, to reject any and all proposals or to waive any formalities or technicalities.

Below is the budget for this project.

DCNR Grant Award:	\$19,600
<u>Committed in-kind cash match:</u>	<u>\$23,400</u>
Total Project Cost	\$43,000

We are receiving interest in this project, and expect competitive proposals. Cost will be a factor in awarding the contract.

The anticipated notice to proceed date is June 20, 2022, and the study duration is expected to be six months.

Should you have questions regarding this Request for Proposals, please contact Michael C. Handley at (814) 776-1125 or michael.handley@ridgwayborough.com.

Michael C. Handley
Ridgway Borough Manager

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NOTE: The term "proposer" or "firm" in this RFP means the person or firm making a proposal based on the RFP.

SECTION 1. BACKGROUND

Ridgway Borough in cooperation with the Tricounty Rails to Trails Association (TCRT) and supported by Ridgway Township, Johnsonburg Borough, and other stakeholders, is leading the effort to assess the feasibility of extending the Clarion-Little Toby Trail 8.1 miles from its northern terminus in Ridgway to Johnsonburg along the Clarion River. This project would serve local and regional goals, make the already much used trail more attractive, and help close a gap in the development of the PA Wilds Loop, which would connect local communities in Elk County and surrounding region to the proposed multi-state Industrial Heartland Trail Coalition.

The purpose of this project is to conduct a feasibility study to extend the Clarion-Little Toby Trail 8.1 miles from Ridgway to Johnsonburg. The feasibility study will extensively consider the benefits and potential negative impacts of a trail system, environmental concerns, land ownership, and will include recommendations and construction cost projections for implementation. The outcome of the feasibility study will outline the corridor's potential as a non-motorized trail. Completing this study in a timely manner is critical to ensure that the cooperating municipalities and stakeholders have the information necessary to capably negotiate with the landowners.

Most of the trail would be on property owned by The Conservation Fund, who has indicated a willingness to provide an easement for the trail; however, there are other ownerships that would be involved. The preferred route would extend the trail north from the existing trailhead in Ridgway and follow the eastern bank of the Clarion River through a property owned by Ridgway Area Industrial Development (Ridgway AID). Ridgway AID intends to redevelop their property for recreation and commercial uses (including a future fishing and canoe access to the Clarion River), and incorporating this property as a trailhead would help in its redevelopment. The trail then would cross the Clarion River near an existing railroad bridge and follow the western bank of the Clarion to Johnsonburg, mostly along an existing old road grade. However, the study committee recognizes that erecting a bridge across the Clarion River could be challenging. An alternative route could use the State Route 948/Main St bridge to cross the Clarion River and the trail would then follow Penn Avenue to the western bank of the Clarion River. Both of these routes would require crossing an active railroad. A third option to avoid the crossing the active railroad would be to continue on State Route 948/Montmorenci Avenue across the railroad to Ridge Street and then to the western bank of the Clarion River. This alternative may add crossing additional parcels.

This project is partially funded by a grant from the Community Conservation Partnerships Program administered by the Pennsylvania Department of Conservation and Natural Resources (DCNR), Bureau of Recreation and Conservation (Bureau). The Bureau has certain requirements and standards that must be met by the Ridgway Borough and its contracted consultant. This Request for Proposal (RFP) has been prepared in accordance with Bureau requirements and standards. The Bureau will monitor the project and certain documents will be subject to Bureau review and approval.

The DCNR Grant Agreement number is BRC-TAG-27-225.

SECTION 2. GENERAL TERMS

- The Ridgway Borough reserves the right to reject any or all proposals and to select the proposal that it determines to be in the best interest of the Ridgway Borough.
- The contract is subject to the approval of Borough Manager and is effective only upon their approval. Contract signing should occur within thirty (30) days of bid award

- Proposers are bound by the deadline and location requirements for submittals in response to this RFP as stated above.
- Proposals will remain effective for Ridgway Borough review and approval for 60 days from the deadline for submitting proposals.
- If only one proposal is received by the Ridgway Borough, it may negotiate with the proposer or seek additional proposals on an informal or formal basis during the 60-day period that proposals are effective.
- The proposer is encouraged to add to, modify, or clarify any scope of work items it deems appropriate to develop a high-quality plan at the lowest possible cost. All changes should be identified with explanation. However, the scope of work proposed must accomplish the goals and work stated below.

SECTION 3. SCOPE OF WORK

The intent of the Study is to hire a consultant to conduct a trail feasibility study to extend the Clarion-Little Toby Trail 8.1 miles from its northern terminus in Ridgway to Johnsonburg along the Clarion River. The outcome of the feasibility study will outline the corridor's potential as a non-motorized trail for activities such as hiking, biking, and cross-country skiing.

A. Executive Summary

The purpose of this element is to provide a short and succinct summary of the trail study findings to illustrate the vision, goals and findings of the trail study. The executive summary can be graphic in nature and used as a marketing/public outreach document for the trail effort.

B. Introduction and Context

The purpose of this element is to describe the community or region and how this trail meets the needs of the public.

1. Provide a vision statement for the trail.
2. State the study purpose and goals.
3. Describe the trail corridor; including size, land use, character and geographic location. Summarize any significant natural or man-made features, such as critical habitat, water bodies, geologic features, historic bridges, highways, etc.
4. Describe the surrounding communities; including demographics, other trails and recreational resources.
5. Provide general mapping of the study area.
6. Identify any boundaries or limitations of the study.
7. A general description of how the trail fits into the context of existing State, regional, county or local planning efforts (e.g., Comprehensive Recreation, Parks and Open Space Plan, Community-wide Comprehensive and Land Use Plan, Watershed or Rivers Conservation Plan, County Greenway Plan, Downtown Revitalization Plan, Long Range Transportation Plan, community surveys, etc.)

C. Public Participation ([Public Participation Guide](#))

This is a critical element in the planning process. Generally, the most successful trails possess strong grassroots support. The study must include a public input process that will engage the community through the development of the study, which can help gain public support for the trail and reduce potential conflicts. Special attention should be given to involve impacted property owners and impacted local municipalities. In some cases, the agency undertaking the study will handle some of the public input and meetings. These roles should be clearly defined between the agency and their consultant. The study should include a summary of the public input efforts and results.

1. At a minimum the process must include:
 - a. A project study committee must be formed to meet with and guide the planning consultant throughout the creation of the study. Based on the size and complexity of the project there should be between 4 and 8 study committee meetings.
 - b. At least two general public meetings must be held. One meeting should include local elected officials.
 - c. Study committee meetings and public meetings must be held with representatives from impacted municipalities, local business leaders, neighborhood and community groups and impacted property owners.
2. Depending on the scope of the trail study or issues surrounding the potential trail, other techniques may be required such as:
 - a. Key person interviews. Based on the size and complexity of the project consider a range between 5 and 15.
 - b. Potential trail user interviews.
 - c. Additional public meetings which may include onsite meetings, additional public input sessions, etc.
 - d. Random Sample Citizen Survey. Describe the survey method to be used (e.g., written, telephone, internet, follow-up contacts, etc.) and the anticipated number of survey questionnaires to be conducted. Include a copy of the survey as appendix to the trail study.
 - e. Focus Group Meetings. Meetings with the following groups can be held:
 - i. Neighborhood meetings
 - ii. Land owner meetings
 - iii. Stakeholder meetings
 - iv. Additional meeting with Elected Officials
3. Summarize public input process and findings.

D. Physical Inventory and Assessment

Site information must be mapped and analyzed to determine the managed uses for the proposed trail and facilities.

1. Prepare detailed mapping of proposed trail corridor or trail alignment(s) at an appropriate scale. Identify mapping which may be available from local planning agencies, USGS, railroad company, etc.
2. Physiographic Features
 - a. The length, dimensions and right of way (ROW) boundaries
 - b. Topography
 - c. Soils or trail base composition
 - d. Surrounding land use

- e. Erosion and drainage
 - f. Political boundaries
3. Natural Features
 - a. Significant natural features (rivers, lakes, ponds, rock outcroppings, wetlands, floodplains, etc.)
 - b. Existing vegetation (rare and endangered plants, invasive species).
 - c. Existing wildlife (rare and endangered species, sensitive habitat areas).
 4. Cultural Features
 - a. Historic structures.
 - b. Archaeological sites.
 5. Structures within the Corridor
 - a. Existing bridges, canals, culverts, and/or tunnels.
 - b. Existing buildings.
 - c. Potential trail encroachments.
 6. Utilities
 - a. Location of utilities (water, sanitary sewers, electrical and gas lines, telephone, etc.)
 - b. Capacity of utilities to serve trail development.
 - c. Potential conflicts.
 7. Intersections and Access Points
 - a. Existing road crossings, active rail lines, driveways, easements, etc.
 - b. Existing and potential pedestrian and vehicular access points.
 - c. Existing community assets and other trails.
 8. Environmental Hazards
 - a. Preliminary environmental assessment studies.
 - b. Potential Phase I Environmental Assessment.

E. Wants and Needs

This task will utilize the information gathered through the public participation process and combine it with the physical characteristics of the trail corridor(s) to define the trail vision and uses.

1. Discuss how the project relates to and implements existing local, county, regional, and statewide planning efforts. For example, Comprehensive Plans; Greenway, Open Space, and Recreation Plans; Long Range Transportation Plans; Statewide Comprehensive Outdoor Recreation Plan, etc.
2. Describe the character of the project area (rural, urban centers, suburbs, industrial zones, etc.).
3. Describe the planned trail uses. (bicycling/mountain biking, cross country skiing, hiking/jogging/fitness/nature trail activities, horseback riding, snowmobiling, aquatic or water activity, motorcycling, four-wheel driving, all terrain off-road vehicles).
4. Describe the managed trail uses (transportation, nature, cultural, historical, recreation, etc.).

5. Describe the population information and demographic patterns of the project area (current and projected).
6. Develop a socioeconomic profile of potential trail user groups (age, income, physical abilities, minority, disadvantaged populations, etc.).
 - a. Analyze demand.
 - b. Estimate initial usage levels.
 - c. Project future usage levels.
 - d. Estimate seasonal demand versus year-round demand.
 - e. Trail assessment for use of other power-driven mobility devices.
7. Determine local access to outdoor recreation using the following resources:
 - a. The National Recreation and Park Association (NRPA) [Park Metrics](#) is a comprehensive source of data benchmarks and insights for the effective management and planning of operating resources and capital facilities.
 - b. The Trust for Public Land (TPL) [ParkServe](#) interactive platform tracks park access in urban areas. The web-based tool identifies local parks and open space, determines the percentage of residents who live within a 10-minute walk, and identifies the neighborhoods most in need of new parks.
 - c. DCNR Partnered with the Trust for Public Land (TPL) and WeConservePA to use Geographic Information Systems (GIS) to understand access to outdoor recreation in Pennsylvania. TPL's Research and Innovation Team used the data analysis methods to assist DCNR in identifying [areas with the greatest need and opportunity](#). This [interactive map of outdoor recreation access in Pennsylvania](#) shows the results of the analysis. Data is available for a 10-Minute Walk by Municipality & County and a 10-Minute Drive for Trails and Water.
8. Determine the impact of potential trail uses and user groups on the development of the trail (surface, width, conflicting uses, facilities, etc.).
9. Identify and address potential impact of the trail on adjacent land uses (agricultural lands, industrial properties, school facilities, businesses, residences, etc.).

F. Legal Feasibility

The ownership status of the trail corridor or trail alignments will be a major factor in determining the legal feasibility of the trail. Many issues affect the feasibility of a trail, such as land use regulations, environmental regulations, title issues, etc. The trail corridor is NOT owned or controlled by the agency wishing to develop the trail. The study must include the follow items:

1. Determine the ownership status of the trail corridor or potential trail alignment(s).
 - a. Identify current property owners.
 - b. Develop a strategy for approaching property owners.
 - c. Determine the required level of title search activity for each parcel.
2. If multiple trail alignments are being proposed, it is best to closely examine the preferred alternative with a more cursory review of other alternatives.
3. Identify adjacent property owners and develop a strategy for gaining support.
4. Determine preferred method for establishing the trail, such as fee simple acquisition, long-term easement or lease, cooperative agreement, etc.

G. Prepare a Trail Concept Plan

All trail studies should include a conceptual plan that illustrates the vision for the trail and builds upon the physical inventory and assessment mapping. Concept plan should include:

1. Base map:
 - a. Trail Name, Phase, Location (political subdivisions), and Owner/Grantee.
 - b. Scale, North Point, Legend, and Date.
 - c. Distance of the trail and, if applicable, acreage.
 - d. Show exterior boundaries of site with metes and bounds or best available information. Indicate name of owner or lease.
 - e. Political boundaries.
 - f. Show rights of way and easements that intersect the trail.
 - g. Surrounding properties and uses.
 - h. Topography: One to ten foot contours. If not available, show spot elevations indicating land character and significant grade changes. [Free statewide topographic](#) information is available and can be obtained for your site through the following link:
 - i. Water Bodies: Streams, rivers, ponds, lakes, etc.
 - j. Floodplain: Delineate floodway and limits of 100-year (1%) floodplain.
 - k. Wetlands: Identify locations on and/or immediately adjacent to site.
 - l. Soils.
 - m. Access points other than trailheads.
 - n. Utilities: Railroads, water, electric, sewage, gas, phone, etc.
 - o. Existing structures and manmade features: bridges, tunnels, culverts, fences, encroachments, utility structures, etc.

2. Identify and describe proposed features:
 - a. Trail location and any alternative routes. Alternatives should be given priority order.
 - i. Develop preliminary alternative *sketch* drawing(s) and present the drawing(s) at a study committee meeting for review and discussion.
 - ii. Prepare a written evaluation of each alternative highlighting both the positive and negative points, and through community discussions and [public participation](#) determine which solution, or combination of ideas from the alternatives, offers the best compromise.
 - b. Location of trailheads and related facilities (restroom, water, emergency telephone, lighting, parking, maintenance, etc.)
 - c. Areas for trail access control structures and emergency access points.
 - d. Areas needing natural buffers and/or screening.
 - e. Linkages to parks, schools, neighborhoods, other trails, etc.
 - f. Areas where structures are needed (bridges, tunnels, etc.)
 - g. Significant natural and cultural resources and opportunities for their interpretation.
 - h. Areas requiring significant effort or large dollar figure to complete the trail.
 - i. Areas of potential user conflict.
 - j. Opportunities for interpretation of natural and cultural resources.
 - k. Constraints and opportunities related to ADA access.
 - l. Consideration of the use of Other Power-Driven Mobility Devices as required in subtitle A of title II of the [Americans with Disabilities Act of 1990](#), § 35.137 Mobility devices.

H. Trail Management, Operation, Maintenance, and Fiscal Feasibility

The purpose of this work element is to estimate the costs of building, operating and maintaining the trail and associated facilities based on the conceptual/preliminary designs.

1. Provide detailed cost estimates for land acquisition and development of the trail. The cost estimate should include: engineering and other professional services cost; construction

and materials cost; project administration cost; and, a contingency of at least 10% of the construction cost estimate.

2. Develop a phased and prioritized multi-year capital development program. Explain the implementation strategy, identify the trail infrastructure to be developed, and provide the costs associated with each phase.
 - a. Identify sources of funding, including in-kind, volunteer, and donated services.
 - b. Phases of development should coordinate with other planned capital improvements such as transportation projects, sewer expansions, flood mitigation projects, etc.
3. Determine ownership/maintenance/management options for the trail.
 - a. Identify potential roles of public and private organizations through the use of cooperative agreements or memorandum of understandings.
 - b. Identify the organizational structure.
 - c. Develop a business plan.

I. Implementation Matrix

This portion of the study should summarize the study's recommendations and implementation strategy into specific action steps. Each step should identify responsible party(ies), time frame for beginning implementation, associated costs, potential funding sources, and any additional notes.

J. Optional Components

When responding to an RFP, consultants may propose revisions or additions to the SOW based on their experience and professional judgment. There may be new concepts and approaches to trail planning that are not outlined in this scope of work. DCNR encourages innovation. Be creative and resourceful.

1. Graphics and renderings – It may be helpful for promotional and public outreach efforts to have a few renderings of graphics illustrating how the trail may look once developed.
2. Signage plan – When developing a new or upgrading a trail system, it might be beneficial to a logo and/or sign type to identify your trail. A consistent sign design can help users to easily identify your trail. In addition, a signage plan can layout the necessary regulatory, safety, and interpretive signage in a logical and consistent manner.
3. Property title search – Establishing clear ownership to a property may require title research beyond obtaining the current tax records.
4. Property boundary surveys – Generally, a detailed boundary survey of the entire trail is too costly. Depending on the findings of the study, it may be necessary to survey specific portions of a trail corridor to answer questions of feasibility. A survey should have been performed when the property was purchased or the easement/lease was signed.
5. Design and maintenance guide – This may be necessary for longer trails with multiple agencies responsible for construction and maintenance to establish a consistent and cohesive trail.

K. Final Products

1. Draft Plan. Consultant will prepare a draft report that describes the study methodology, study finding, and recommendations and mapping. The draft plan will be provided to the Borough in PDF format via ftp, CD-ROM, or another mutually agreed upon medium, and in a manner that can be easily printed.

2. Executive Summary. Once Ridgway Borough and stakeholders have concurred on the findings of the study, an executive summary will be developed that can be widely disseminated. The executive summary will be designed so that it can serve as a stand-alone document and be the basis of on-going public education and citizen involvement efforts. Consultant will be responsible for preparing the Executive Summary and providing the Executive Summary to the Ridgway Borough in PDF format via ftp, CD-ROM, or another mutually agreed upon medium, and six bound printed copies.
3. Final Plan. Consultant will prepare final planning document. The final plan will record findings as text, illustration, and maps in a format convenient for public dissemination. Consultant will also provide the plan to the Ridgway Borough in a PDF format via ftp, CD-ROM, or another mutually agreed upon medium, and six bound printed copies.
4. At the conclusion of the project all data and documents shall be provided to the Ridgway Borough in digital format via ftp, CD-ROM, or another mutually agreed upon medium. Final maps and plans shall be supplied to Ridgway Borough in digital format compatible with AUTOCAD and ArcGIS Shapefile dataset with a defined projection (State Plane Pennsylvania North or South, NAD83, US Feet).

L. Resources

[Pennsylvania Trail Design & Development Principles](#), DCNR

[The Pennsylvania Trail Design Manual for Off-Highway Recreational Vehicles](#), DCNR

[Trail User Survey Workbook](#), Rails-to-Trails Conservancy

[Model Trail Easement Agreement and Commentary](#), PA Land Trust Association

<http://www.railstotrails.org>, Rails-to-Trails Conservancy

<http://americantrails.org/>, American Trails

http://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/ - Federal Highway Administration, Bicycle & Pedestrian Publications

<http://www.dirtandgravel.psu.edu/> - Penn State Center for Dirt and Gravel Road Studies

SECTION 4. CONSULTANT QUALIFICATIONS

DCNR requires that the consulting team have certain qualifications described in Appendix B.

Proposers must confirm that they are able meet these qualifications.

SECTION 5. REQUIRED SUBMITTALS

A. Letter of Transmittal

This letter must include the following:

- A statement demonstrating your understanding of the work to be performed.
- A statement confirming that the firm meets the Consultant Qualifications (see Section 4 above).
- The firm's contact person and telephone number.

B. Profile of Firm

This consists of the following:

- A statement of the firm's experience in conducting work of the nature sought by this RFP; advertising brochures may be included in support of this statement.
- The location of the firm's office that will perform the work.
- Resumes of individuals (consultants, employees) proposed to conduct the work and the specific duties of each in relation to the work. DCNR requires that the project consulting team have the minimum qualifications outlined in Section 4 Consultant Qualifications.
- A reference list of other municipal clients of the firm with contact information.
- Any other information relating to the capabilities and expertise of the firm in doing comparable work.

C. Methods and Procedures

The proposal must include a detailed description of the methods and procedures the firm will use to perform the work. Inclusion of examples of similar work is encouraged.

D. Work Schedule

The schedule must include time frames for each major work element, target dates for public meetings, and dates for completion of draft and final documents.

E. Cost

For each major work element, the costs must be itemized showing:

- For each person assigned to the work, the title/rank (organizational level) of the person in the organization, the hourly rate, and the number of hours to be worked
- The reimbursable expenses to be claimed

The itemized costs must be totaled to produce a contract price. If awarded a contract, a proposer is bound by this price in performing the work. The contract price may not be exceeded unless the contract is amended to allow for additional costs.

If awarded a contract, the firm may not change the staffing assigned to the project without approval by the Ridgway Borough. However, approval will not be denied if the staff replacement is determined by the Ridgway Borough to be of equal ability or experience to the predecessor.

The method of billing must be stated. The preferred practice of the Ridgway Borough is to pay upon completion of the work and receipt of the required report. However, the Ridgway Borough will consider paying on a periodic basis as substantial portions of the work are completed. Regardless of the billing method used, a minimum of 10% of the DCNR Grant Award will be withheld until the final product is approved by DCNR and all project costs are paid in full.

F. Contract

The contract form and DCNR "Nondiscrimination/Sexual Harassment Clause" is provided in Section 7. DCNR requires that the "Nondiscrimination/Sexual Harassment Clause" be incorporated and/or attached to the contract in its entirety.

SECTION 6. EVALUATION CRITERIA

A. Technical Expertise and Experience

The following factors will be considered:

- The firm's experience in performing similar work
- The expertise and professional level of the individuals assigned to conduct the work
- The clarity and completeness of the proposal and the firm's demonstrated understanding of the work to be performed

B. Procedures and Methods

The following factors will be considered:

- The techniques for collecting and analyzing data
- The sequence and relationships of major steps
- The methods for managing the work to ensure timely and orderly completion

C. Cost

The following factors will be considered:

- The number of hours of work to be performed
- The level of expertise of the individuals proposed to do the work.

D. Oral presentation

Any or all firms submitting proposals may be invited to give an oral presentation of their proposal.

SECTION 7. CONTRACT FOR PROFESSIONAL SERVICES

A proposed contract is included for review. If it is satisfactory to the firm, it should be completed, executed, and submitted with the proposal. If the firm prefers an alternative contract, the firm may submit it as a part of the proposal submission. However, the Ridgway Borough reserves the right to enter into the enclosed contract with the successful firm or to negotiate the terms of a professional services contract.

CONTRACT FOR PROFESSIONAL SERVICES

This Contract is made and entered into this _____ day of _____, 2022 by and between the Ridgway Borough, Elk County, Pennsylvania ("Ridgway Borough"), and _____ ("Consulting Firm").

WHEREAS, Ridgway Borough desires to have certain one-time professional consulting work performed involving Clarion-Little Toby Trail Extension Feasibility Study;

WHEREAS, the Ridgway Borough desires to enter into a contract for this work pursuant to a Request for Proposals ("RFP") issued by Ridgway Borough;

WHEREAS, the Consulting Firm desires to perform the work in accordance with the proposal it submitted in response to the RFP;

WHEREAS, the Consulting Firm is equipped and staffed to perform the work;

NOW, THEREFORE, the parties, intending to be legally bound, agree as follows:

THE CONSULTING FIRM WILL:

1. Provide professional consulting services in accordance with the RFP, its proposal in response to the RFP, and the Nondiscrimination/Sexual Harassment Clause, which is attached hereto and incorporated herein as Appendix A.
2. Obtain approval from the Ridgway Borough of any changes to the staffing stated in its proposal. However, approval will not be denied if the staff replacement is determined by the Ridgway Borough to be of equal ability or experience to the predecessor.

THE Ridgway Borough WILL:

1. Compensate the Consulting Firm based on the actual hours worked and actual reimbursable expenses for a total amount not to exceed \$_____.
2. Provide the Consulting Firm with reasonable access to Ridgway Borough personnel, facilities, and information necessary to properly perform the work required under this Contract.
3. Except as provided in item 4 below, make payment to the Consulting Firm within 30 days after receipt of a properly prepared invoice for work satisfactorily performed.
4. Make final payment of 10% of the funds available to the Consulting Firm under this Contract within 30 days after final product approval by the Department of Conservation and Natural Resources.

IT IS FURTHER AGREED THAT:

1. All copyright interests in work created under this Contract are solely and exclusively the property of the Ridgway Borough. The work shall be considered work made for hire

under copyright law; alternatively, if the work cannot be considered work made for hire, the Consulting Firm agrees to assign and, upon the creation of the work, expressly and automatically assigns, all copyright interests in the work to the Ridgway Borough.

2. In the performance of services under this Contract, there shall be no violation of the right of privacy or infringement upon the copyright or any other proprietary right of any person or entity.
3. Ridgway Borough may terminate the Agreement for any reason including for the convenience of Ridgway Borough upon giving fifteen (15) days written notice to the Contractor. Ridgway Borough will only compensate the Contractor for services performed up to and including the date of the termination.
4. **RIGHT TO TERMINATE CONTRACT AND/OR OFFSET:** If this contract is a contract which is paid for by reimbursement from a foundation or governmental entity (Reimbursing Agency), and should any reimbursement be denied because Contractor has fallen in default with said Reimbursing Agency, and said Reimbursing Agency has or will deny reimbursement for work done by the contractor, then Ridgway Borough shall have the following rights which shall be cumulative, such that the use one shall not prevent the use of others:
 1. Terminate the contract without notice
 2. Deny future payments until the Reimbursing Agency has removed the prohibition of reimbursement.
 3. Offset any amounts owed to the Contractor for any services done which have not been compensated by the Reimbursing Agency.
 4. Seek reimbursement from Contractor for all unreimbursed amounts.

In witness thereof, the parties hereto have executed this Contract on the day and date set forth above.

WITNESS:

FOR THE Ridgway Borough:

TITLE: _____

WITNESS:

FOR THE CONSULTING FIRM:

TITLE: _____

APPENDIX A NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE

The Grantee agrees:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the grant agreement or any subgrant agreement, contract, or subcontract, the Grantee, a subgrantee, a contractor, a subcontractor, or any person acting on behalf of the Grantee shall not discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the *Pennsylvania Human Relations Act* (PHRA) and applicable federal laws, against any citizen of this commonwealth who is qualified and available to perform the work to which the employment relates.
2. The Grantee, any subgrantee, contractor or any subcontractor or any person on their behalf shall not in any manner discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the PHRA and applicable federal laws, against or intimidate any of its employees.
3. Neither the Grantee nor any subgrantee nor any contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the PHRA and applicable federal laws, in the provision of services under the grant agreement, subgrant agreement, contract or subcontract.
4. Neither the Grantee nor any subgrantee nor any contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against employees by reason of participation in or decision to refrain from participating in labor activities protected under the *Public Employee Relations Act*, *Pennsylvania Labor Relations Act* or *National Labor Relations Act*, as applicable and to the extent determined by entities charged with such Acts' enforcement, and shall comply with any provision of law establishing organizations as employees' exclusive representatives.
5. The Grantee, any subgrantee, contractor or any subcontractor shall establish and maintain a written nondiscrimination and sexual harassment policy and shall inform their employees in writing of the policy. The policy must contain a provision that sexual harassment will not be tolerated and employees who practice it will be disciplined. Posting this Nondiscrimination/Sexual Harassment Clause conspicuously in easily-accessible and well-lighted places customarily frequented by employees and at or near where the grant services are performed shall satisfy this requirement for employees with an established work site.
6. The Grantee, any subgrantee, contractor or any subcontractor shall not discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the PHRA and applicable federal laws, against any subgrantee, contractor, subcontractor or supplier who is qualified to perform the work to which the grant relates.
7. The Grantee and each subgrantee, contractor and subcontractor represents that it is presently in compliance with and will maintain compliance with all applicable federal, state, and local

laws and regulations relating to nondiscrimination and sexual harassment. The Grantee and each subgrantee, contractor and subcontractor further represents that it has filed a Standard Form 100 Employer Information Report (“EEO-1”) with the U.S. Equal Employment Opportunity Commission (“EEOC”) and shall file an annual EEO-1 report with the EEOC as required for employers’ subject to *Title VII of the Civil Rights Act of 1964*, as amended, that have 100 or more employees and employers that have federal government contracts or first-tier subcontracts and have 50 or more employees. The Grantee, any subgrantee, any contractor or any subcontractor shall, upon request and within the time periods requested by the Commonwealth, furnish all necessary employment documents and records, including EEO-1 reports, and permit access to their books, records, and accounts by the granting agency and the Bureau of Diversity, Inclusion and Small Business Opportunities for the purpose of ascertaining compliance with the provisions of this Nondiscrimination/Sexual Harassment Clause.

8. The Grantee, any subgrantee, contractor or any subcontractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subgrant agreement, contract or subcontract so that those provisions applicable to subgrantees, contractors or subcontractors will be binding upon each subgrantee, contractor or subcontractor.
9. The Granter’s and each subgrantee’s, contractor’s and subcontractor’s obligations pursuant to these provisions are ongoing from and after the effective date of the grant agreement through the termination date thereof. Accordingly, the Grantee and each subgrantee, contractor and subcontractor shall have an obligation to inform the commonwealth if, at any time during the term of the grant agreement, it becomes aware of any actions or occurrences that would result in violation of these provisions.
10. The commonwealth may cancel or terminate the grant agreement and all money due or to become due under the grant agreement may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the granting agency may proceed with debarment or suspension and may place the Grantee, subgrantee, contractor, or subcontractor in the Contractor Responsibility File.

Based on Management Directive 215.16 Amended (8/2/18)

**APPENDIX B
CONSULTANT QUALIFICATIONS**

DCNR-2022-Plan
Plan-GPM – 6 Rev. 10-19

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
BUREAU OF RECREATION AND CONSERVATION
COMMUNITY CONSERVATION PARTNERSHIPS PROGRAM



CONSULTANT QUALIFICATIONS Planning Projects

The following information is provided to help the grantee select a qualified consultant or consultant team to complete any planning project funded by a grant from the DCNR Community Conservation Partnerships Program. Selection of a qualified consultant will substantially increase the likelihood that the completed project will be comprehensive, accurate, and of the highest quality.

General Consultant Qualifications

Regardless of the planning project type, the lead consultant or consultant team must have documented experience in the following:

- A. Leadership and successful completion of planning studies of the project type funded by the grant.
- B. Development and implementation of public participation processes such as public meetings with elected officials and stakeholders, study committee meetings, focus group meetings, key person interviews, public surveys, etc.
- C. Development of planning documents and design for public park and recreation facilities/areas.
- D. Development of policies and procedures for the management, operation, and maintenance of public park and recreation facilities/areas.
- E. Effective communication of recommendations and implementation strategies to elected officials, non-profit organizations, and stakeholders.

Park and Recreation Practitioner Requirement

For certain planning project types outlined below, the Bureau requires a Park and Recreation Practitioner, preferably holding a Certified Park & Recreation Professional (CPRP) certification with a minimum of three (3) years of experience, to be a member of the consultant team. Generally, the role of the practitioner is to advise the grantee of current park and recreation management, operation, and maintenance practices and formulate appropriate recommendations.

The practitioner's minimum role should include:

- Attendance at study committee meetings.
- Involvement in the public participation process such as public meetings with elected officials and stakeholders, study committee meetings, focus group meetings, key person interviews, public surveys, etc.
- Evaluation of all existing park and recreation sites and those considered for potential acquisition.
- Preparation and review of the draft plan and final plan. The Bureau requires written review comments from the practitioner.

Project Specific Consultant Qualifications

Comprehensive Park, Recreation, and Open Space Plan (CPROS)

Comprehensive Park, Recreation, and Open Space Plans are typically developed by a team of professionals that include community planners, landscape architects, and park and recreation professionals. At least one member of the consultant team must be a park and recreation practitioner, preferably holding a Certified Park & Recreation Professional (CPRP) certification with a minimum of three (3) years of experience in the administration, planning, development, and maintenance of a comprehensive park and recreation system.

Feasibility Study

- **Swimming Pool Complex:** The lead consultant or consulting team must have documented expertise to study swimming pools and related amenities (bathhouse, concessions, parking, etc.) A professional with applied pool management experience must be part of the consultant team. Generally, a qualified professional will need to assess the existing mechanical operations and the integrity of the pool shell. The Bureau requires that the Pool Feasibility Study be under seal of a licensed professional who is authorized by Pennsylvania law to seal such documents. Depending on the project, the professional could be a landscape architect, architect, or engineer.
- **Indoor Recreation Facility:** The lead consultant or consulting team must have documented expertise to study the type of facility under consideration. At least one member of the consultant team must be a park and recreation practitioner, preferably holding a Certified Park & Recreation Professional (CPRP) certification with a minimum of three (3) years of experience in the administration, planning, development, and maintenance of the type of facility being studied. The Bureau requires that the Pool Feasibility Study be under seal of a licensed professional who is authorized by Pennsylvania law to seal such documents. Depending on the project, the professional could be a landscape architect, architect, or engineer. If any jurisdictional agency/agencies reviewing the PNDI Receipt require a field survey to be completed, the Bureau requires a biologist to survey the project site.

Master Site Development Plan (MSDP)

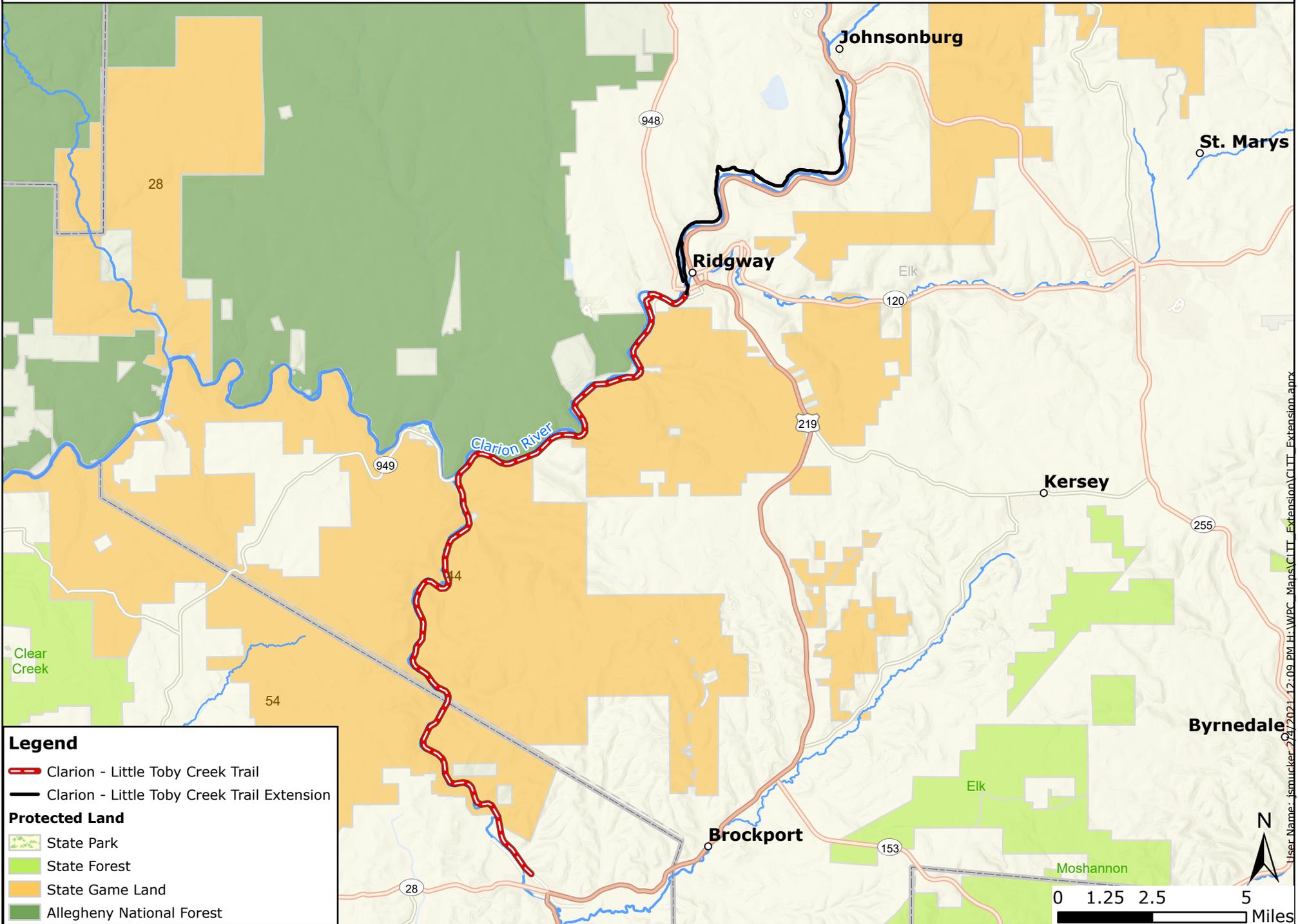
The lead consultant or consulting team must have documented expertise to study the type of facility under consideration. Although not required, it is recommended to include a park and recreation practitioner, preferably holding a Certified Park & Recreation Professional (CPRP) certification, on the consultant team. The Bureau requires that the Master Site Development Plan be under the seal of a licensed professional who is authorized by Pennsylvania law to seal such documents. Depending on the project, the professional could be a landscape architect, architect, or engineer. If any jurisdictional agency/agencies reviewing the PNDI Receipt require a field survey to be completed, the Bureau requires a biologist to survey the project site. If a boundary survey is to be completed as part of the scope of work, it must be under the seal of a registered land surveyor who is authorized by Pennsylvania law to seal such documents.

Trail and Greenway Plan

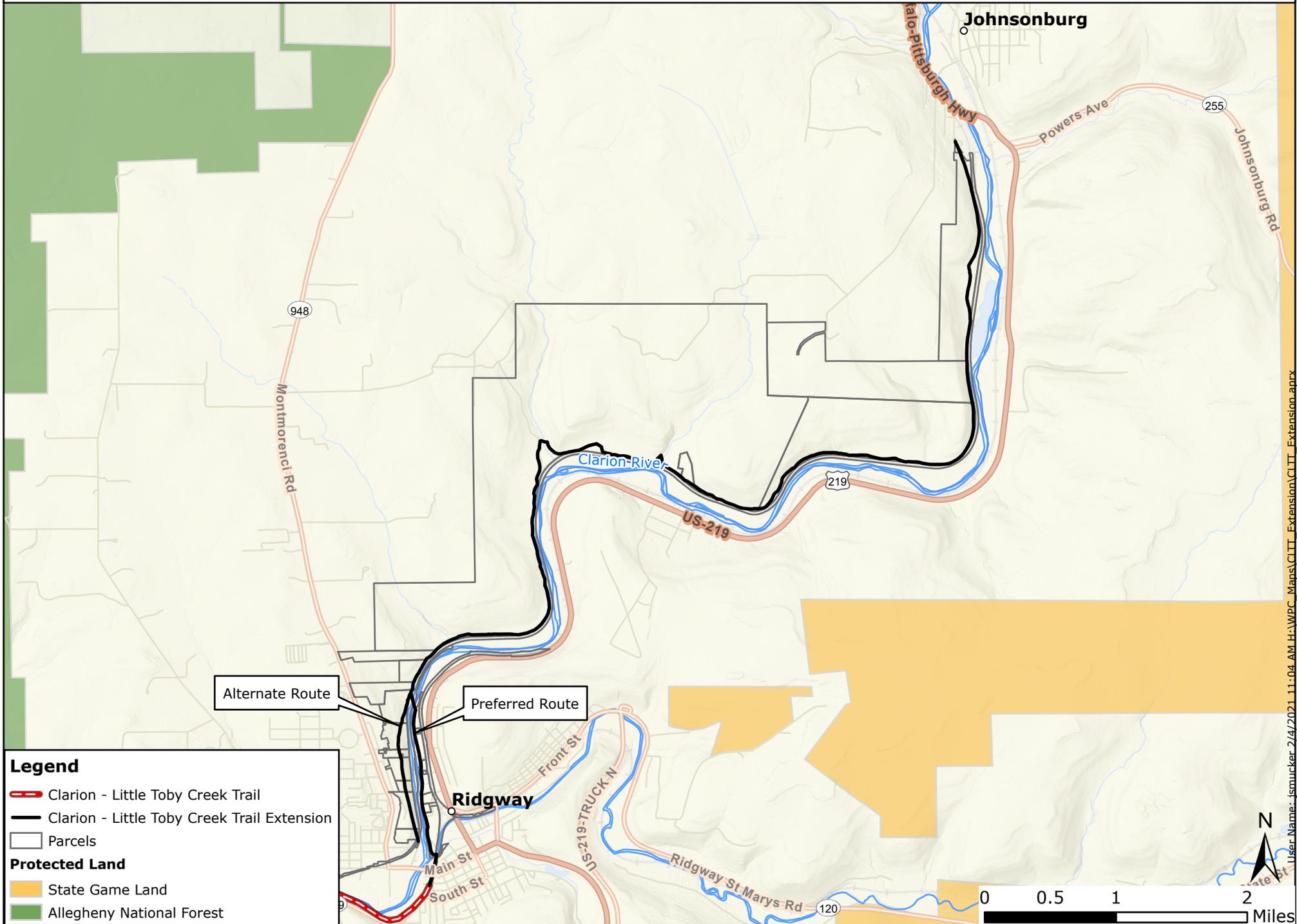
The lead consultant or consulting team must have documented expertise in trail and greenway planning. Professionals typically include community planners, landscape architects, and park and recreation professionals with greenway and/or recreational trail development and management experience. If the project includes any conceptual design work, the Bureau requires that the plan be under the seal of a licensed professional who is authorized by Pennsylvania law to seal such documents. Depending on the project, the professional could be a landscape architect, architect, or engineer. If any jurisdictional agency/agencies reviewing the PNDI Receipt require a field survey to be completed, the Bureau requires a biologist to survey the project site. If a boundary survey is to be completed as part of the scope of work, it must be under the seal of a registered land surveyor who is authorized by Pennsylvania law to seal such documents.

**APPENDIX C
PROJECT MAPS**

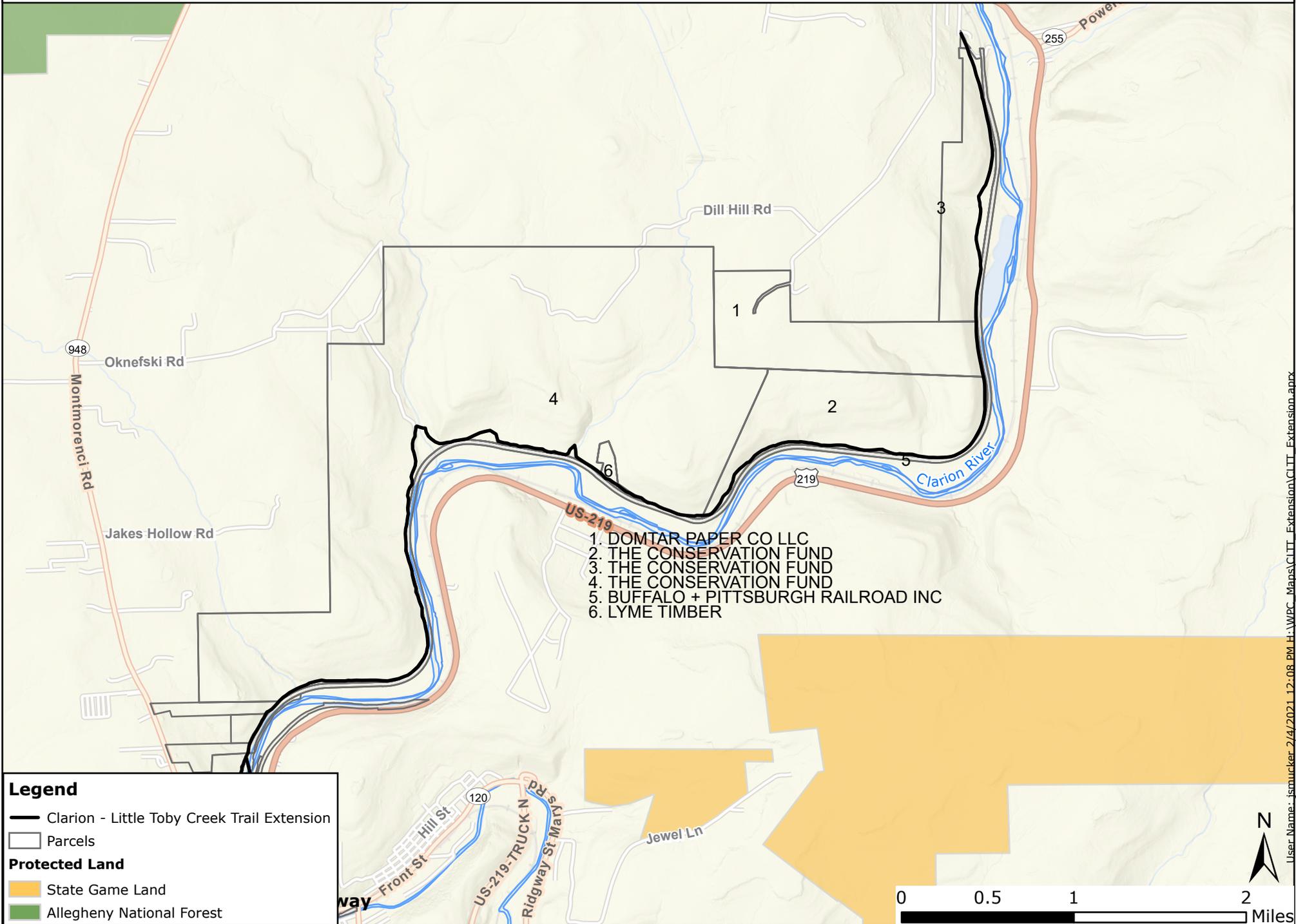
Clarion - Little Toby Creek Trail Extension



Clarion - Little Toby Creek Trail Extension



Clarion - Little Toby Creek Trail Extension



Clarion - Little Toby Creek Trail Extension

1. TETTIS MICHAEL R + EMILY M
2. NATIONAL FUEL GAS SUPPLY CORP
3. THE CONSERVATION FUND
4. THE CONSERVATION FUND
5. KWI HOLDINGS LLC ETAL
6. THE CONSERVATION FUND
7. BUFFALO + PITTSBURGH RAILROAD INC
8. PONTZER THOMAS L + CECELIA E
9. J + S GRINDING CO INC
10. NORTH CENTRAL ENTERPRISE INC
11. DELLAQUILA DAVID M + JAMIE R
12. BUFFALO + PITTSBURGH RAILROAD INC
13. SMITH KYLE
14. ST MARYS PRESSED METALS INC
15. FANNIN JAMES D + SUZANNE L
16. MANNO JAMES J
17. KANE LIQUID FUELS INC
18. MANNO JAMES J
19. ALLEGHENY + EASTERN RAILROAD INC
20. RIDGEWAY INDUSTRIAL DEVELOPMENT CORPORATION
21. WOLFE MALIA
22. AIELLO GENNARO C + CYNTHIA K
23. OKNEFSKI BLAKE A
24. COUNTY OF ELK

Alternate Route

Ridgway

Preferred Route

Legend

-  Clarion - Little Toby Creek Trail
-  Clarion - Little Toby Creek Trail Extension
-  Parcels

0 750 1,500 3,000
Feet

