

REQUEST FOR PROPOSAL (RFP) TEMPLATE Planning Projects

ANNOUNCEMENT

REQUEST FOR PROPOSAL (RFP)

BOROUGH OF LEMOYNE COMPREHENSIVE RECREATION, PARKS AND OPEN SPACE PLAN

The Borough of Lemoyne, Cumberland County, Pennsylvania is accepting proposals for a one-time contract at a cost not to exceed \$76,800 to perform certain professional services to create a Comprehensive Recreation, Parks and Open Space Plan for the Borough. Information is attached outlining requirements for proposal submission, evaluation criteria, and the proposed contract.

Proposals are due on or before Thursday, May 6, 2021 and must be submitted as a PDF file to the Borough Manager at cfoster@lemoynepa.com.

For questions or additional information, please contact the Borough Manager at 717-737-6843 x 14 or via email at cfoster@lemoynepa.com.

Cindy L. Foster

Cindy L. Foster, 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

The Borough of Lemoyne was incorporated on May 23, 1905. The 1.61 square mile community, urban in nature, with a population of 4,553 as of the 2010 census, is recognized as a vital link to Harrisburg and points east, the West Shore and the Cumberland Valley. The Borough offers its residents the option of visiting eight parks, each of which serves a specific need to include historic sites, neighborhood parks, a swimming pool, stunning vistas, and passive recreation in a wooded setting. In addition to its established parks, the Borough owns two parcels of undeveloped land, one at First and Market Streets fronting the Susquehanna River and the other located at 352 York Street. There has also been regional discussion toward creation of a pedestrian/bicycle pathway on Borough right-of-way over an abandoned Norfolk Southern (NFS) rail bed that would provide a connection from Lemoyne to Wormleysburg Borough to the north, to New Cumberland Borough to the south, and over an abandoned Capital Area Transit bridge to the Harrisburg Greenbelt to the east. It is also important to note that Third and Market Streets in Lemoyne are on the PA Bike Route J Spur. Creation of this planning document will provide the Borough with a blueprint to pursue a cost-effective, proactive approach to maintaining and improving its park system and green spaces for residents and visitors based on identified methods, resources, organizational capacity, and capital investment to meet short- and long-term goals identified through the process. (Visit the Parks page of the Borough's website (www.lemoynepa.com) for more information.

In addition to partial funding through the Cumberland County Land Partnerships Grant Program, this project is funded in part 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 Borough of Lemoyne 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 BCR-TAG-26-122.

SECTION 2. GENERAL TERMS

- The Borough of Lemoyne 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 Borough.
- The contract is subject to the approval of the Borough Council of the Borough of Lemoyne and is effective only upon its approval.
- Proposers are bound by the deadline and location requirements for submittals in response to this RFP as stated above.
- Proposals will remain effective for Borough of Lemoyne review and approval for 120 days from the deadline for submitting proposals.
- If only one proposal is received by the Borough, it may negotiate with the proposer or seek additional proposals on an informal or formal basis during the 120-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 within the available budget. 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

A. Plan Purpose, Goals and Objectives

The Borough of Lemoyne's goal of development of a master plan for its park system will be achieved following a comprehensive study of the Borough's eight community parks, related green spaces, and riverfront access located within Borough limits. The plan will include the following components:

1. Facility, programming, open space and trail (including pedestrian and bicycle connectivity) inventory & analysis
2. ADA accessibility analysis
3. Park and trail needs analysis
4. Ecological/green infrastructure stormwater Best Management Practices/project opportunities
5. Park and trail financial cost analysis
6. GIS mapping
7. Recommendations, cost estimates and prioritized implementation action plan

This planning document will provide a blueprint that will allow the Borough to pursue a cost-effective, pro-active approach to maintaining and improving its park system and recreational opportunities for residents and visitors based on identified methods, resources, organizational capacity, and capital investment to meet short- and long-term goals identified through development of the plan.

B. Public Participation

Community involvement and engagement must prioritize diversity, equity, and inclusion to ensure feedback and recommendations that are comprehensive, appropriate, and accountable. The narrative must include a detailed summary of the public participation methods, results, and conclusions (i.e. areas of consensus and/or contention); raw data should be included in the appendix.

1. At minimum, public participation must include:
 - a. Study Committee – A diverse study committee has been formed and tasked with meeting the planning consultant on a regular basis to provide guidance and review of the work.
 - b. Public Meetings – A minimum of two public meetings must be held, at least one of which must be with Borough of Lemoyne Councilmembers.
 - c. Key Person Interviews – A key person interview is a one-on-one discussion about a specific topic with an individual recognized or designated as a community leader. The Study Committee will help determine between ten and 20 appropriate potential interviewees.
 - d. Citizen Survey – The Community Development/Parks & Recreation Committee undertook a community survey in 2019. Results from this exercise should be used as a resource in developing a comprehensive plan for the Borough's park system.
 - e. Focus Group – Up to two focus groups comprised of neighborhood residents, elected officials, organized sports organizations, etc. should be utilized to provide community input from individuals with common interests.
 - f. Planning Document Review – Review previous planning document (Imagine West Shore) and consider the results of recent public participation efforts regarding parks, recreation, and open space.

C. Background Information

The background information provides an overview of the community and the recreation, park, and open space system. Analyzing this data helps develop a future system that reflects the needs of present and future residents as well as conserves the natural, cultural, and historic elements that contribute to the uniqueness and cohesiveness of the community. Provide the following information:

1. Community Background
 - a. Geographic location, size, regional context, character, history, etc.
 - b. Type of government.
 - c. History of the Borough's recreation and park functions.

2. Socioeconomics (use of U.S. Census data is required)
 - a. Demographic trends including population, age, gender, race & ethnicity, households, income, education, and visitors.
 - b. Population projections for at least the next 10-20 years.
 - c. Economic trends including economic conditions, major employers, and fiscal health.
3. Physical Characteristics
 - a. Updated version of the existing municipal land use map.
 - b. Inventory and discussion of natural features and ecosystems such as forests, wetlands, waterways, critical habitats, etc.
 - c. Inventory and discussion of cultural and man-made features such as historic sites, transportation corridors, housing, utilities, etc.
 - d. Inventory and analysis of environmental issues such as stormwater and brownfields.
4. Provisions of existing planning documents (i.e. Imagine West Shore, etc.).

D. Agency Mission Statement, Goals and Objectives

The agency mission statement provides a clear definition of the Borough's purpose and responsibilities. Goals address what the Borough hopes to achieve in the next ten years. The Borough's existing mission statement and goals should be analyzed to determine if they clearly focus the Borough's direction and purpose, are reasonable and achievable, and reflect the needs of Borough of Lemoyne residents. As the Borough is initiating a parks, recreation, and open space program, completion of this task may be best accomplished at the end of the project.

1. Review existing mission statement, goals, and objectives to ensure long-term applicability beyond the planning process.
2. Develop an updated draft mission statement and goals and objectives. Drafts of these documents will be evaluated by Borough of Lemoyne Council and refined at the end of the planning process.

E. Agency Administration

Analyze how effectively Borough of Lemoyne administers recreation, park, and open space services. Borough practices should be compared to accepted administrative practices. Borough practices include the ability to involve the public with long-range planning efforts; the ability to work cooperatively with other public agencies, community groups, and businesses; and the effectiveness of existing office procedures and policies.

1. Describe and analyze the following:
 - a. Enabling legal document from which the Borough receives authority and responsibility.
 - b. Relationships between the Borough and community organizations and agency involvement with regional initiatives.
 - c. Public relations and marketing efforts to promote Borough functions, services, and programs.
 - d. Cooperative efforts and established agreements between the Borough and other municipalities, schools, recreation providers, conservation groups, support groups, area businesses, etc.
 - e. Policies and procedures that govern the general operation of the Borough's recreation, park, and open space functions (use of facilities, non-resident participation, policy manuals, risk management program, record keeping, etc.).
 - f. Opportunities for public involvement in planning efforts including use of program evaluation forms, distribution of surveys, public meetings, etc.
 - g. Record-keeping procedures.
 - h. Administrative challenges.

F. Agency Personnel

Describes who is responsible for providing the Borough's recreation, park, and open space programs and services and analyze the effectiveness of each involved entity. Borough personnel may include Borough Council, the borough manager; maintenance department superintendent and crew; paid recreation and park staff, program staff, and/or volunteers such as recreation and park board members.

1. Analyze the organizational chart for accuracy with current conditions and procedures.

2. Describe and analyze the following:
 - a. Number, type, roles, and responsibilities of Borough personnel currently responsible for providing recreation, park, and open space programs and services.
 - b. Number, type, roles, and responsibilities of volunteers, such as the recreation and park board or arts council, that are responsible for maintaining recreation, park, and open space and assisting with programs, services, etc.
 - c. How new staff/volunteers are hired/appointed and trained for new positions.
 - d. Existing personnel policies including manuals, appraisal systems, continuing education, etc.
 - e. Staffing level (paid or volunteer) needed to effectively administer and maintain Borough facilities, programs, and services. Compare with existing conditions.

G. Facilities and Open Space Inventory and Analysis

Analyze existing recreation, park, and open space resources, regardless of ownership, and compare to standards based on population and service areas. The general locations and types of new recreation, park, and open space facilities and development priorities are identified with strong public participation and input.

1. On a map broken down by census tract or neighborhood, identify the location of indoor and outdoor facilities and open space owned/operated by:
 - a. Public agencies
 - b. Schools (public and private, all levels)
 - c. Major non-profits and quasi-public organizations (athletic associations, scouts, conservancies, service clubs, YMCA/YWCA's, etc.)
 - d. Major private businesses (health clubs, bowling alleys, etc.)
2. Provide the following information in chart form for the indoor and outdoor facilities and open space identified on the map:
 - a. Facility or open space name
 - b. Ownership
 - c. Number and type of facilities
 - d. Acreage
 - e. General condition and use
3. Provide the following information for the indoor and outdoor facilities and open space owned or managed by the Borough:
 - a. Condition and required upgrades and/or major repairs.
 - b. Obsolete, underutilized, and/or inappropriate.
 - c. Compliance with current safety guidelines such as those developed by the Consumer Product Safety Commission (Playgrounds).
 - d. Compliance with accessibility standards (Americans with Disabilities Act).
 - e. Compliance with inclusive design standards.
 - f. Connectivity to transportation network (walk, bike, vehicle, public transit, etc.).
4. Compare existing number and type of facilities with developed standards from the National Recreation and Park Association (NRPA) or a county agency. 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.
5. Compare public input with existing facilities and conditions.

6. Analyze the condition of existing greenways and riparian forest buffers and the development of additional resources in coordination with statewide initiatives and goals.
7. Analyze open space preservation techniques such as mandatory dedication, overlay zoning, conservation easements, etc.
8. Additional items for Greenways:
 - a. Prepare a base map of the proposed greenways.
 - b. Determine land ownership along corridor and contact non-Borough owners to gauge potential support.
 - c. Identify corridor boundary, topography, geology, significant natural features and historic/cultural resources.
 - d. Conduct a wildlife analysis and document negative impacts of corridor development.
 - e. Determine demand and profile of potential user groups (walkers, bikers, etc.)
 - f. Determine potential connections to neighborhoods, businesses, transportation networks, etc.

H. Facilities and Equipment Maintenance

Analyze the effectiveness of the Borough's existing maintenance program.

1. Describe the current maintenance program and analyze its effectiveness. This includes record keeping, preventive maintenance, use of a maintenance management plan, etc.
2. List major maintenance equipment including age and purpose.
3. Describe existing risk management efforts including inspection of park facilities, specifically playground equipment.
4. Analyze the adequacy of maintenance in relation to the condition of the recreation and park facilities and open space areas.

I. Recreation Programs and Services

The West Shore Recreation Commission (WSRC) administers recreational programs on behalf of the Borough, including provision of management services at the Lemoyne Municipal Swimming Pool. Compare existing offerings to those provided by other entities, the needs/wants of constituents, and professional standards to determine if the Borough provides a sufficiently broad range of cost-effective programs and services that constituents need/want.

1. Provide a list of programs and services sponsored by public, non-profit, and private entities that include:
 - a. Sponsoring group
 - b. Program name
 - c. Participant target age and gender
 - d. Program fee (if any)
2. For Borough/WSRC or publicly sponsored programs and services, provide information about participation trends for the previous five years.
3. Determine availability of programs and services for:
 - a. Active and passive
 - b. Competitive and noncompetitive
 - c. Individuals and groups
 - d. All gender identities
 - e. All ages and abilities
 - f. All races and ethnicities
 - g. All income levels
 - h. All education levels
4. Analyze accessibility and inclusiveness of Borough programs and services.
5. Identify program and service deficiencies and develop a strategy for the agency to address them.

J. Financing

Identify and analyze current and previous Borough funding levels and sources, including tax and non-tax support, and compare to other municipal departments and similar agencies.

1. Compare tax support for recreation and parks in relation to the overall municipal budget and to other departments from the same municipality for the previous 5-year period.

2. Describe the Borough's philosophy for providing tax support to finance recreation and parks.
3. Compare the Borough's capital and operating expenditures with agencies from municipalities that have similar populations and socio-economic characteristics.
4. Identify and analyze the major revenue sources (taxes, fees, donations, grants, etc.) and amounts used to finance recreation and parks.
5. Describe and analyze the current Borough (recreation and park) budget process.
6. Identify new sources to finance recreation and parks and provide examples of their application.

K. Recommendations and Cost Estimates

Outline specific Borough priorities and actions to improve recreation and park facilities, programs, and services to meet community needs. Recommendations supported by data analysis and public input must be provided for scope of work elements. Cost estimates must be provided when appropriate.

1. Describe the recommended changes for administration, personnel, facilities, maintenance, programs, services, and financing and provide supporting data to justify the recommendations.
2. Provide a cost estimate to implement each recommendation and discuss potential implementation opportunities and challenges.
3. Additional items for Greenways:
 - a. Provide options for the development of different types of greenways (active, passive, resource protection, etc.).
 - b. Develop a greenway concept plan.
 - c. Phase acquisition and development and identify appropriate protection measures.
4. Each plan component must include:
 - a. An inventory of existing conditions.
 - b. A comparison of existing conditions with local or national standards.
 - c. Recommendations with priorities, timetables, and cost estimates.

L. Plan Implementation

The cohesive and easy to follow five-year implementation plan must:

1. Prioritize the operating-related recommendations.
2. Identify the following information for each recommendation:
 - a. Roles and responsibilities of public and non-public agencies.
 - b. Appropriate organizational structure to establish and maintain the facility.
 - c. Target dates for implementation.
 - d. Potential costs.
 - e. Potential funding source(s).
3. Prioritize capital improvement recommendations and provide a multi-year year Capital Development Program organized by short-term (1-3 years), medium-term (4-7 years) and long-term (8 plus years) projects. Identify the following information for each project:
 - a. Facility/area name.
 - b. Description of proposed improvements.
 - c. Total estimated development costs of proposed improvements, including engineering and design costs, project administration costs, acquisition and/or construction costs, and at least a 10% contingency.
 - d. Potential funding source(s).
4. Provide a five-year summary of the projected fiscal impact on the operating budget for operating-related costs associated with administration, personnel, programs, services, and maintenance.

M. Additional Scope of Work Elements and/or Recommendations

The following elements should be included as part of the final CRPOS Plan:

1. Concept Designs for Neighborhood Parks—development of concept sketches based on aerial maps and suggestions provided by the public.
2. Development of a master plan for Negley Park should be quoted as an alternate item for consideration, contingent upon available funding.

N. Final Products

1. Narrative Report

A draft final CRPOS Plan must be reviewed and approved by the Borough and DCNR before it is officially adopted. The review process consists of reviewing a complete draft plan, providing comments, and reviewing a revised draft plan to ensure comments are adequately addressed.

The final CRPOS Plan must be a narrative, bound report beginning with an executive summary and followed by clearly labeled sections for each of the plan's components in logical order. All supporting documents and information should be included in the appendices and not in the body of the report.

- a. Executive Summary – Briefly describe the planning process, highest priorities, and final recommendations.
- b. (A) Plan Purpose, Goals, and Objectives
- c. (B) Public Participation
- d. (C) Background Information
- e. (D) Agency Mission Statement, Goals, and Objectives
- f. (E) Agency Administration
- g. (F) Agency Personnel
- h. (G) Facilities and Open Space Inventory and Analysis
- i. (H) Facilities and Equipment Maintenance
- j. (I) Recreation Programs and Services
- k. (J) Financing
- l. (K) Recommendations and Cost Estimates
- m. (L) Plan Implementation
- n. (M) Additional SOW Elements and/or Recommendations
- o. Appendices

2. Required Document Submission

- a. Twelve (12) printed and bound copies of the final CRPOS Plan with the cover signed, sealed, and dated by the design consultant.
- b. One (1) electronic PDF of the final CRPOS Plan (as a single document) with the cover signed, sealed, and dated by the design consultant.
- c. Twelve (12) printed and one (1) electronic PDF of other deliverables, as applicable.

SECTION 4. CONSULTANT QUALIFICATIONS

Regardless of the planning project type, your consultant or consulting team **must** meet the following requirements:

1. Have documented experience developing and implementing public participation techniques, such as holding public and study committee meetings and conducting key person interviews.
2. At least one member of the consulting team must have documented, prior experience conducting studies of the project type being undertaken. This person should be the project leader and assume overall project coordination responsibilities between the grantee and the consulting team.
3. Have documented experience with the planning, design, general operation, and maintenance of recreation and park areas and facilities.
4. Have documented experience in developing and recommending to local government officials and non-profit organizations the policies and procedures related to providing public recreation and park services and/or facilities, as well as the management and operation of these facilities and amenities.
5. Have documented experience in setting goals, analyzing problems, generating alternative solutions and providing recommendations and implementation strategies.

Comprehensive recreation, open space, and greenway plans are typically developed by a team of professionals that include landscape architects, community planners, and recreation and park professionals. At least one

member of the consulting team must be a recreation and parks practitioner, preferably holding Certified Recreation and Park Professional (CPRP) certification with a minimum of three (3) years' experience in the administration, planning and development of facilities/areas, programming, finance, personnel and maintenance of a comprehensive park and recreation system or related entity. Generally, the practitioner's role is to educate the grantee on the variety of available recreation and park-related operating practices to help select the most suitable ones. The practitioner's minimum role should include:

- Attending a majority of the study committee meetings.
- Involvement in and implementation of the public participation process (such as attending public meetings, conducting interviews, and incorporating results of the recent community survey).
- Participation in preparing and reviewing the plan text from draft chapters to the final plan. The Bureau requires written review comments from the practitioner.
- Visits to and evaluations of all existing sites and those considered for potential acquisition.

SECTION 5. REQUIRED SUBMITTALS

Proposals must include the information outlined below, and in the order given, to be considered complete and should be no more than 30 pages when submitted as a PDF file. Failure to provide the requested information may deem the proposal incomplete and ineligible for consideration. Pages submitted in excess of 30 will not be included with the application and may result in the proposal being considered ineligible.

A. Letter of Transmittal (not more than 500 words)

This letter must include the following:

- A statement demonstrating your understanding of the work to be performed.
- A statement of the firm's experience in conducting work of the nature sought by this RFP.
- A statement confirming that the firm meets the Consultant Qualifications (see Section 4 above).
- The location of the firm's office that will perform the work.
- A statement of agreement with the form of contract proposed, or any suggested alterations in the terms provided.
- The firm's contact person and telephone number.

B. Profile of Firm

This consists of the following:

- An organization chart or table showing key team members and their roles.
- Resumes of up to three (3) individuals (consultants, employees) proposed to conduct the work and the specific duties of each in relation to the work. These should include the Project Manager and two additional key contributors. DCNR requires that the project consulting team have the minimum qualifications outlined in Section 4, Consultant Qualifications.
- Project descriptions for three (3) recent similar projects completed within Pennsylvania within the past ten (10) years along with client contact information.
- 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 (not more than 10 pages)

The proposal must include a description of the methods and procedures the firm will use to perform the work. The scope of work need not be repeated, but the consultant should provide comments and suggestions on ways to improve or streamline the work and best achieve the Borough's goals. The Borough may request an example of similar work product from short-listed firms during its review of the proposals.

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.
- Breakdown of costs for preparation of the Negley Park Master Plan as an alternate bid item.

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 scope of work and costs.

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

The method of billing must be stated. The preferred practice of Borough of Lemoyne is to pay upon completion of the work and receipt of the required report. However, the Borough will consider paying on a periodic basis as substantial portions of the work are completed.

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 overall qualifications to successfully complete the project.
- 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.

B. Procedures and Methods

The following factors will be considered:

- The firm's demonstrated understanding of the work to be performed.
- 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.
- The ability to complete the work within the project budget.

D. Oral presentation

Any or all firms submitting proposals may be invited to give an oral presentation of their proposal either in person or via the Zoom platform pending current guidelines in place concerning the COVID-19 pandemic response.

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 Borough of Lemoyne 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 _____, 2021 by and between the Borough of Lemoyne, Cumberland County, Pennsylvania ("Borough"), and _____ ("Consulting Firm").

WHEREAS, the Borough desires to have certain one-time professional consulting work performed to create the Borough of Lemoyne Comprehensive Recreation, Parks and Open Space Plan; and

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

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

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 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 Borough to be of equal ability or experience to the predecessor.

The Borough will:

1. Compensate the Consulting Firm based on percentage of the total bid compared to milestones achieved. Payment will be made based on actual hours worked and actual reimbursable expenses for a total amount not to exceed \$76,800.
2. Provide the Consulting Firm with reasonable access to Borough personnel, facilities, and information necessary to properly perform the work required under this Contract.
3. Make payment to the Consulting Firm within 60 days after receipt of a properly prepared invoice for work satisfactorily performed.

IT IS FURTHER AGREED THAT:

1. All copyright interests in work created under this Contract are solely and exclusively the property of the 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 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. Either party may terminate this Contract at any time upon giving the Borough written notice of not less than 30 calendar days. The Borough may terminate this Contract at any time if the Consulting Firm violates the terms of this Contract or fails to produce a result that meets the specifications of this Contract. In the event of termination of this Contract by either party, the Borough shall, within 60 calendar days of termination, pay the Consulting Firm for all services rendered by the Consulting Firm up to the date of termination, in accordance with the payment provisions of this Contract.

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

WITNESS:

FOR THE BOROUGH OF LEMOYNE:

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)

DCNR-2021-Gen
Gen-GPM – 1 Rev. 8/18

APPENDIX B

Parks Directory/Map



Negley Park is located on Cumberland Road and offers a stunning view of the Harrisburg skyline. This vantage point is a favorite of tourists and photographers and is often featured on television newscasts and publications. In addition to the spectacular view, the park has pavilions, a basketball court and tennis/pickleball courts. The lower pavilion has 12 large picnic tables with a capacity of approximately 72 people. The upper pavilion can hold as many as 120 people with 15 tables. You can purchase a Tennis Key and pass at the Borough Office for \$25. This will give you access to the courts until the locks are changed next year.



Frazer Park is located on Washington Terrace between North Fourth and Fifth Streets and is a haven for nature lovers. This park is meant for passive recreation where you can enjoy a wooded hillside, quiet walks or a grassy open area for a pick-up ball game. There are no facilities or equipment in this park.



Flynn Park is located on Ninth Street. This small wooded park is a cool place to be on a hot summer day. There are some swings and a picnic bench here for your enjoyment.



Fort Couch is a historical site located just west of Negley Park on Indiana & Fort Streets marking the location where Civil War General Darius Couch built fortifications against the possible attack on Harrisburg by the Confederate Army.



Schell Park is accessible from Sycamore Street. There are fun things for everyone to enjoy, such as a small playhouse, merry-go-round, swings, a basketball court, benches and picnic tables.



Memorial Park can be accessed from either Hummel or Herman Avenues. This park features a gazebo, pavilion (available for rent), playground equipment, and a baseball field. This is also located beside our popular Borough Swimming Pool. The pavilion may be rented for special events, and whoever would like to swim can pay the daily rate to enter the pool. A great place for a family reunion or other party!



Maple Street Park is located on Maple Street. This is a great little neighborhood park with a pavilion available for rent, playground equipment, sand box, basketball court, and is also home of the Gateway Historical Society's railroad car!



Woodside Park is a passive recreation area along Woodside Avenue between Walnut Street and Washington Terrace great for reading and relaxing.

