



# **Request for Proposals**

**Consulting Services for the City of Dunkirk  
Zoning Code Update**

**Sustainable Dunkirk 2030: Zoning  
Code for Resiliency & Smart Growth**

**Date of Re- Issuance: January 29, 2024**

**Revised Proposal Deadline: March 1, 2024**

## **OVERVIEW**

The City of Dunkirk is seeking funding to update its existing zoning code to align with the recently adopted community-driven Comprehensive Plan, which was adopted in December 2019. The intent is to create a limited form-based code or architectural design guidelines for the downtown and waterfront districts as well as to update code provisions in other districts (e.g. allowable uses, building heights, lot coverage, setbacks, greenspace, etc.) to attract a mix of development types, foster and encourage social diversity and integration, strengthen the City's sense of place, enhance connections and mobility options, and support job creation.

The City of Dunkirk (Contractor) and its Zoning Advisory Committee shall prepare a Zoning Code pursuant to the zoning enabling statutes contained in General City Law §20(24) and §20(25). The Zoning Code will be developed in accordance with an adopted Comprehensive Plan; ensure a development pattern that is consistent with the municipality's built form; guide future sustainable growth within the municipality; enhance the local cultural identity; and protect natural and cultural local resources.

## **LOCATION**

Dunkirk is a city in Chautauqua County, New York, United States. It was settled around 1805 and incorporated in 1880. The population was 12,743 as of the 2020 census. Dunkirk is bordered on the north by Lake Erie. It shares a border with the village of Fredonia to the south, and with the town of Dunkirk to the east and west. Dunkirk is the westernmost city in the state of New York.

## **BACKGROUND**

The existing Zoning Code for the city was adopted as a revision in 2009 with an earlier version in 1995 to promote orderly, economical, and desirable development in the community and to protect and enhance the value of property and life in the city, and to create Harborfront overlays. The Zoning Code has undergone numerous updates to address new issues that arise in the city as well as deficiencies in the existing code.

The City of Dunkirk was awarded the Downtown Revitalization Initiative (DRI) by New York State in January 2023. As part of the DRI, the City recently completed a Strategic Investment Plan (SIP) through a community driven process with an established Local Planning Committee (LPC) consisting of a diverse group of community stakeholders representing the diverse ethnic make-up of the City of Dunkirk. The SIP identifies a range of priority public and private projects that are transformational and catalytic in the defined DRI target area.

The City of Dunkirk has been awarded funding from New York Department of State in 2023 from the Environmental Protection Fund Smart Growth Community Planning and Zoning program to update its existing zoning code to align with the 2019 adopted community-driven Comprehensive Plan.

The intent is to create a limited form-based code or architectural design guidelines for the downtown and waterfront districts as well as to update code provisions in other districts to attract a mix of development types, foster and encourage social diversity and integration, strengthen the City's sense of place, enhance connections and mobility options, and support job creation.

Issues with current code:

- Can be difficult to navigate due to its lack of organization.

- Sections of the code are outdated and reference items that are no longer relevant.
- Due to numerous amendments made over the years some sections are not consistent with other sections of the code.
- The code can be difficult to interpret and contains standards that are difficult to administer.
- Area and bulk control tables lack historical context and evident justification.
- The code does not include design guidelines for architectural preservation and includes minimal form-based controls.

Through the process of developing and adopting a limited form-based code or architectural design guidelines for the downtown and waterfront districts - as well as code provisions in other districts incorporating Smart Growth principles, the City of Dunkirk Zoning Code Update will:

- Provide a clearer vision for the character of Dunkirk
- Examine existing land uses, density, and urban form to better understand place types
- Preserve historic buildings and protect the existing urban fabric
- Codify historical development patterns and align new development regulations with historical patterns
- Promote development and investment in the Central Business District, waterfront, and neighborhoods
- Encourage new development, including infill development, as well as redevelopment of vacant and underutilized buildings
- Create affordable and market-rate housing in new, rehabilitated, and repurposed buildings
- Better integrate housing, shopping, and recreation areas
- Protect natural spaces, while encouraging responsible development practices
- Articulate development allowed under existing and proposed development regulations
- Create GIS maps showing proposed code changes and final proposed zoning map
- Integrate updated land use and building codes into the existing regulatory framework

This scope of work is intended to be flexible and shall be refined in partnership with the City to best meet project needs and goals.

## **SCOPE OF WORK**

Respondent's proposal shall address each of the following tasks, with a separate cost and timeline for each identified task, using the same identifying language, including any paragraph or section numbers or letters as used in the RFP. In addition to the tasks identified below, the respondent's proposal shall consider and address (as appropriate) the tasks outlined in the Department of State's grant work plan included as Appendix A with this RFP. The successful respondent will be responsible for assisting the City in meeting its obligations under the terms of its grant with DOS.

**Please note**, the City will consider alternative or limited approaches to each task on a case by case basis. In such instances, the respondent will need to propose how the task will be accomplished by the consultant, the City, and/or other project partners in satisfaction of the City's obligations to the Department of State as outlined in its grant contract and work plan. The final scope of work to be carried out by the consultant will be negotiated in advance of contracting with the City.

### **TASK 1: PROJECT INITIATION MEETING**

Prior to entering into a contract with the City, the Consultant, the City, 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, budget, roles and responsibilities, the selection process for procuring consultants, State Environmental Quality Review Act (SEQRA) compliance requirements, MWBE 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 and role of the Zoning Advisory Committee shall be discussed during the project initiation meeting.

The Consultant, 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 review of the proposed approach as outlined in the meeting summary.

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

## **TASK 2: INITIAL REVIEW & ANALYSIS**

Prior to beginning any code reform, a clear vision for the desired physical form of future development and/or preservation should be in place. The City of Dunkirk Tasks 2 and 3 are designed to facilitate the flow of information and document the vision which the code will implement.

### **Activity 2.1: Review Existing Materials**

Consultant team will begin with a thorough review of relevant previous studies, plans and policies that may affect the code, and team will identify areas where further input is needed to confirm or clarify the vision. The 2019 City of Dunkirk Comprehensive Plan will be the foundation for the code amendments, and includes land uses and policies that must remain consistent with the proposed Code to the maximum extent practicable.

Consultant will supplement this review with an analysis of current or proposed development projects, proposed public infrastructure improvements, and a preliminary GIS analysis of existing conditions.

Relevant background information (including GIS data, previous plans and studies, existing regulatory documents, and proposed development/infrastructure improvements where available) will be provided to Consultant by the City.

### **Activity 2.2: Zoning & Regulatory Framework Analysis**

Consultant team will review existing regulations that impact new development, including the Zoning Code and the Comprehensive Plan, with a specific focus on development approval requirements and procedures to gain a clear understanding of the existing regulatory structure. The team's regulatory analysis will include an identification of potential barriers that will have to be surmounted to implement the type of Code envisioned by this scope. Findings from this analysis will be reported as part of Activity 4.2.

### **Activity 2.3: Community Character Analysis**

Consultant team will examine the physical details of Dunkirk and its current and historic patterns of urbanism and architecture. Consultant team will examine the network of streets, blocks and lots, building types, public spaces, neighborhoods, and building form. The analysis will include an examination of existing land uses, density, and urban design elements. An integral part to developing a Zoning Code is the recording of existing dimensions such as setbacks, street width, and building height, to determine the existing urban design of a place.

### **Activity 2.4: Site Analysis & Stakeholder Interviews**

In order to build the architectural design standards or limited form-based code, the Consultant team will conduct a site visit and conduct interviews to understand on-site constraints. While on-site, Consultants will document existing conditions and identify the unique elements of the City’s “DNA” that can serve as a model for new development.

Consultant team will conduct interviews with key stakeholders from City departments and officials as well as members of City boards, agencies and commissions.

## **TASK 3 ZONING ADVISORY COMMITTEE**

The City will establish a Zoning Advisory Committee to oversee all aspects of the project in cooperation with municipal officials and the project consultant. The Committee shall have at least one member from the planning board and zoning board of appeals and shall include representatives from a large range of ethnic, social, and cultural backgrounds and a diverse range of stakeholders, such as residents, civic leaders, business owners, elected officials, environmental experts, neighborhood association representatives, and municipal board members.

The members of the Zoning Advisory Committee shall conduct and oversee the development of the Zoning Code and participate in Committee meetings. The Committee will generate ideas and build consensus, provide the consultant team with relevant information reflective of the community’s current conditions and regulatory environment, review materials prepared by the consultant team (if applicable) and provide constructive feedback.

The Committee will also support each of the public participation and outreach efforts, assist the consultant team in integrating the Zoning Code into the existing municipal code, and set the stage for the adoption of the completed Zoning Code.

## **TASK 4: DRAFTING THE ZONING CODE UPDATE**

### **Activity 4.1: Draft Zoning Code Update**

Consultant team shall create a draft Zoning Code Update. The Code will be user-friendly, visual, and will serve to encourage future redevelopment in an organized manner and further the goals and vision of the community, and graphics will be incorporating into the code to convey design standards.

Consultant team will work closely with the City in determining the format and an outline of components to be included in the updated Code.

Key components of the Code should likely include updated Purpose & Overview, Regulating Standards, Design Standards, Bulk Area Schedule, Use Schedule, and Official Zoning Map.

Draft updates to the Zoning Codes which draw from previous tasks, comments from the Zoning Advisory Committee and the City. These draft revisions shall address, but not necessarily be limited to, the following:

- a. Permitted uses
- b. Bulk, density, and area/dimensional regulations
- c. Zoning district purposes and boundaries
- d. Zoning map

- e. Conservation subdivision
- f. Site plan review standards and procedures
- g. Open space preservation
- h. Protection of environmentally sensitive lands
- i. Shoreline protection
- j. On-site wastewater treatment
- k. Water quality and watershed protection
- l. Nonpoint source pollution management
- m. Scenic resource protection
- n. Community design guidelines
- o. Signage
- p. Design and building form standards
- q. Historic site review standards or design guidelines
- r. Special permit review process
- s. Administrative procedures

#### **Activity 4.2: Code Integration**

Consultant team will provide assistance with integration of the updated Code into the existing regulatory framework. This will include a review of the existing zoning and land development regulations, and input from meetings with City staff. Based on this work and the analysis conducted in Activity 2.2, Consultant team will propose needed amendments to local land use regulations, review and approval processes, and any waivers or exemptions or other changes in local law needed to implement the standards.

Consultant team will work closely with the City to ensure the Code balances with state and local legal requirements and provide input as to the need for changes to other existing regulations.

#### **TASK 5: REFINING THE ZONING CODE**

Task 5 includes presentations and revisions of the draft Zoning Code. Consultant team will submit the first draft of the updated Code to the City prior to Task 6, in both electronic and hard copy format.

##### **Activity 5.1: Presentation of the First Draft**

Representatives from the Consultant team will participate in meetings with City staff and officials as well as key stakeholders (as scheduled by the City). This may include individual stakeholder meetings and/or presentations to the Zoning Advisory Committee.

A particular focus of the meetings will be to review the potential impacts of the updated Code on key sites. The team will demonstrate what is allowable under the current Code along with the potential development that can be achieved under the revised Code. Resulting discussions will be used to gather input on any desired refinements to the draft.

The draft documents shall be made available to interested participants following the meetings for an additional review and comment period.

- a) Review the updated code for overall consistency and potential for unintended consequences.
- b) Audit and prepare a brief report through the lens of the Vision of the newly updated Comprehensive Plan and how this draft update addresses the objectives within the Vision.
- c) Ensure the Code is presented as an efficient, easy-to-use document (hard copy and online).

Mechanisms such as cross-referencing, illustrations and tables should be used whenever possible to provide examples and enhance understanding of the Code in order to reduce misinterpretations.

- d) Develop the first draft of an associated zoning district map and accompanying dimensional and use regulations.
- e) Present the draft Code, Zoning district map, and accompanying dimensional and use regulations to City staff. Revise based on feedback and additional understandings, as necessary.

Deliverable(s): Draft Zoning Code, and report on how the Code complies with the Comprehensive Plan submitted to the City for review and approval.

### **Activity 5.2: Presentation of the Second Draft**

Consultant team will prepare a second draft of the updated Code, revised based on a consolidated set of comments and input received. After making revisions, Consultant team will present the key changes at a meeting convened by the City.

### **Activity 5.3: Final Draft**

Following the Task 5 meetings and presentations, Consultant team will make one additional round of edits and submit the Final Draft for approvals. GIS maps will be prepared depicting the Final Draft code parameters, and made available for online review during the approvals process.

## **TASK 6: SEQRA COMPLIANCE**

Prepare any materials necessary for compliance with the State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617 through the Determination of Significance for the Zoning and Subdivision Code Update.

Deliverable(s): SEQR documents prepared and submitted to the City for review.

## **TASK 7 APPROVAL PROCESS**

Consultant team will provide assistance during the approval process. This will include participation in presentations of the Code, and collecting comments, questions, and suggestions for refinements at meetings.

One round of revision to code documents will be provided to address comments received on the Final Draft. Following completion of the Final Draft Zoning Code and Zoning Map, the City, Consultant team and the Zoning Advisory Committee shall conduct a community workshop to present the revised code and to solicit public input regarding the completeness and accuracy of the document(s), whether the community vision and goals have been met, and to discuss next steps.

The City of Dunkirk's Development Department will organize and facilitate the community workshop. The workshop will be publicized through press releases, social media, announcements, individual mailings, and any other appropriate means to ensure input and participation from Dunkirk's diverse population, including accommodations for Hispanic citizens.

**County Planning Board Review:** The final Zoning Code and Zoning Map revisions shall be referred by the City, with assistance from Consultant team, to the Chautauqua County Planning Department and Planning Board for review and recommendations pursuant to Section 239-m of the New York State General Municipal Law.

Consultant team will facilitate up to two (2) public hearings held by the Common Council. Any substantive changes to the code following the public hearing will necessitate additional public hearing(s). We will also provide support presentation materials to City staff for additional meetings. Additional meetings and rounds of revision, if requested, can be accommodated as an additional service.

## **TASK 8 GRANT ADMINISTRATION**

Consultant team will provide the City of Dunkirk Development Department with requested documentation necessary to administer the DOS Smart Growth Planning and Zoning Grant. This will include assisting the City to ensure any MWBE subconsultant partnering with the Consultant for this project provides the completed MWBE Workforce Employment Utilization Form and MWBE Utilization Plan to the City. The consultant will also provide the City with records of any payments to MWBE firm(s) so the City can properly complete reporting requirements through the New York State Contract System.

## **PROJECT DURATION**

The consultant will be expected to complete the planning process and present the final documents to the City Council within fifteen (15) months from the date of contract execution.

## **PROJECT BUDGET**

The **cost of the work shall not exceed \$93,700.00**, including all professional services, expenses, overhead, and profit. It is anticipated the work will begin in April 2024 and can be completed in fifteen (15) months. It is anticipated that completion of each task deliverable will serve as the basis for payment. The consultant must submit a brief progress report with each invoice describing the progress on each task.

Consultants must receive written authorization from the City prior to revision of tasks and deliverables detailed above. Any work completed without prior authorization from City staff may not be eligible for payment.

Task order above is not entirely indicative of a timeline or order in which deliverables will be requested.

The City recognizes that there are different approaches that can lead to the desired outcomes that have been noted in this RFP. If, based on the consultant's knowledge and experience, the consultant believes the required scope of work should be changed in any way, the suggested changes should be outlined in their response.

Respondents to the RFP are required to include a recommended project approach based on their expertise and experience with similar projects. The City reserves the right to modify the above-mentioned scope of services based on project approaches that may be recommended by respondents, and all RFP document holders shall be notified of such changes.

All documents requested as part of the deliverables, both draft and final products will be submitted to the City with the following considerations:



## **DRAFT/FINAL DELIVERABLES**

Draft Product(s) Deliverable Format: five (5) paper copies of each product. In addition, all draft products must be submitted as an electronic copy in Word and Portable Document Format - PDF (created using 300 dpi scanning resolution).

Final Product(s) Deliverable Format:

1. Five (5) paper copies of each product.  
In addition, all final products (including reports, designs, maps, drawings, and plans) must be submitted as an electronic copy in Microsoft Word and Portable Document Format - PDF (created using 300 dpi scanning resolution) and be submitted on a single flash drive.
2. Electronic Data for all Geographic Information System-Based Mapping Products: must be submitted in either ArcGIS format, or similar product, and comply with the requirements for Contract GIS Products.
3. Electronic Data for All Designs, Drawings, and Plans: must be submitted in the original software that they were created (such as CAD format or other similar product), as well as in JPG format.
4. Photographs and Images: must be submitted in JPG format with a minimum resolution of 300 dpi and must be dated and captioned with the location and a brief description of the activity being documented.
5. All products must indicate: *"This [document, report, map, etc.] was prepared with funding provided by the New York State Department of State Environmental Protection Fund."*

***All work produced for this project, preliminary and final, paper and electronic format shall be property of the City of Dunkirk and can be used by City of Dunkirk departments.***

## **PROPOSAL SUBMISSION REQUIREMENTS**

Responses to the RFP shall include:

- A. Letter of Transmittal (1 page) – a letter of transmittal that includes a single contact, mailing address, telephone number, and email address
- B. Introduction/Summary; (2 pages max) – a short introduction and summary of the company/consultant to include a description of what disciplines are included within the firm.
- C. Scope of Work (15 pages max) – include a detailed work program explaining how the consultant proposes to perform the Scope of Work that includes:
  - a. Each task to be completed
  - b. Timeline for each task
  - c. Schedule of work products
  - d. Proposed budget with:
  - e. Cost breakdown for each work task complete with proposed number of hours to complete each task, assigned staff member, and billing rates
  - f. Not to exceed fee for services required to fulfill the deliverables described herein
- D. Project Management/Communication (1-page max) – Proposed method of project management

and proposed, best means of communication with the City of Dunkirk about project progress, reviews, and conduct of public meetings

- E. Qualifications and References (10 pages max) – Provide a firm profile that will include the following:
  - a. List of past similar projects completed by firm within the past five (5) years with one (1) reference for each respective project
  - b. Current contact names and telephone numbers for references
  - c. Summary of project(s)
  - d. Public involvement in project(s)
  - e. Project team organizational chart
  
- F. Work Sample: A representative work sample completed within the past five (5) years and similar to the work being requested. Sample may be provided digitally as PDF or web link can be provided. One (1) sample is required.

## **PROPOSAL FORMAT**

Submit three (3) complete, hard copies of the proposal and one (1) electronic copy on a flash drive. All submissions become property of the City of Dunkirk upon submission.

### **Project Attribution**

The Contractor must ensure that all materials printed, constructed, and/or produced acknowledge the contributions of the Department to the project. All final and public facing materials must include the Department of State logo and the following acknowledgment:

*"This [document, report, map, etc.] was prepared with funding provided by the New York State Department of State Environmental Protection Fund."*

The contributions of the Department must also be acknowledged in community press releases and other notices issued for the project, including web site postings and other forms of digital distribution. Project press releases and other notices shall be submitted to the Department for review and approval prior to release.

**Submissions may be hand delivered or mailed to:**

Vincent DeJoy, Director of Planning & Development  
City of Dunkirk  
342 Central Avenue  
Dunkirk, New York 14048

*Submissions must be received by 4:00PM on Friday, March 1, 2024. Emailed or faxed submissions will NOT be accepted.*

**TIMELINE**

ACTIVITY	TIME	DATE
RFP Re- Release		January 29, 2024
Deadline for Questions	4:00 PM	February 13, 2024
Response to Questions		February 16, 2024 (Posted to City Web Site)
Proposals Due	4:00PM	March 1, 2024
Consultant Selection & Notification		March 15, 2024

\* Note: All dates are tentative and subject to change. Changes to the timeline shall be included as an addendum to this RFP and posted to the City’s website.

Questions concerning responses to this RFP must be submitted via email to Vince DeJoy at [vdejoy@cityofdunkirk.com](mailto:vdejoy@cityofdunkirk.com) and received no later than Tuesday, February 13<sup>th</sup>.

Answers to all questions will be posted on the City’s website: [www.cityofdunkirk.com](http://www.cityofdunkirk.com)

**PROPOSAL REVIEW CRITERIA**

A selection committee will evaluate the proposals based on the following matrix

Review Criteria	Weight	Max. Points	Points x Weight
Understanding Scope of Work	4	5	20
Past Performance on Similar Projects	3	5	15
Qualifications & Experience of Proposed Staff	2	5	10
Proposed Schedules & Budgets	3	5	15
Ability to complete all project tasks	2	5	10
Overall Strategy and Quality of Proposal	4	5	20
Ability to meet MWBE goals	2	5	10
<b>TOTAL</b>	-	-	<b>100</b>

Secondary interviews may be held by the City with those firms whose proposals received the most favorable scores during the initial round of review completed using the above criteria. In the event the City chooses to conduct such interviews, reasonable best efforts shall be made to ensure a uniform format across all interviews.

Submission of responses by Minority and Women Owned Business Enterprises is strongly encouraged. The selection of the consultant shall be made without regard to race, color, sex, age, religion, national origin, or political affiliation. The selected consultant shall comply with all applicable federal, state, and local laws and regulations in the performance of service.

## **MBE/WBE REQUIREMENTS**

An overall goal of 30% for Minority and Women-Owned Business Enterprises (“MWBE”) has been established for this project

This requirement is further broken down into specific goals of 15% for Minority- Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises (“WBE”) participation.

For purposes of providing meaningful participation by MWBEs and achieving the Contract Goals established, the selected consultant (if not an M/WBE firm itself) should reference the directory of New York State Certified MBWEs found at the following internet address:

<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>

## **EEO REQUIREMENTS**

The City of Dunkirk is an Equal Employment Opportunity employer. Successful respondents will be required to comply with the federal Equal Employment Opportunity Act.

## **INSURANCE REQUIREMENTS**

Proof of General Liability Insurance, Automobile Liability, Worker's Compensation and NYS Disability Insurance will be required from the consultant prior to commencing any work.

Liability insurance coverage shall be in the amount of \$2,000,000 aggregate (combined single limit or equivalent), with the City of Dunkirk named as additional insured.

## **MODIFICATIONS TO THE RFP**

Any material clarifications or modifications to the RFP or the selection process will be made in writing and provided to all persons who submit proposals (“proposer”). It is the responsibility of the proposer teams, before submitting a response to the RFP, to ascertain if the City has issued any notices, clarifications, addenda, or other communications to proposers. Oral explanations or instructions from City staff, officials or consultants shall not be considered binding on the City.

## **RESERVED RIGHTS**

The City reserves the right to:

1. Modify or cancel the selection process or schedule at any time.
2. Waive minor irregularities.
3. Reject any and all responses to this RFP and to seek new proposals when it is in the best interest of the City to do so.
4. Evaluate the proposals as to their veracity, substance and relevance to project and seek clarification or additional information from proposer and independent sources as it deems necessary to evaluate the response, including evidence of the Proposer’s financial status.
5. Incorporate this RFP and the selected Proposer’s response to this RFP as a part of any formal agreement between the City and the Proposer.

## **HOLD HARMLESS**

By participation in this RFP process, Proposer agrees to hold harmless the City of Dunkirk, its officers,

employees and consultants from all claims, liabilities and costs related to all aspects of the selection process.

## **PUBLIC INFORMATION**

All documents, conversations, correspondence, etc. between the City and Proposers are public information subject to the laws and regulations concerning disclosure that govern the New York State municipalities, unless specifically identified otherwise.

## **EXPENSES**

All expenses related to any Proposer's response to this RFP, or other expenses incurred while the selection process is underway, are the sole obligation and responsibility of the Proposer. The City will not, directly or indirectly, assume responsibility for these costs. The proposer shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or outside consultant associated with the project for purposes of influencing consideration of a response to this RFP.

## **INTERVIEW GUIDELINES**

After all proposals have been reviewed using the criteria outlined above, interviews may be required to provide the City an opportunity to obtain an understanding of:

1. The consultant/firm's depth of knowledge of the subject matter of the RFP and understanding of the City's needs
2. The overall proposed work plan and approach to project
3. The respondent's ability to pull together individuals with the necessary skills and expertise to contribute to the successful completion of the project
4. The primary features and benefits of the proposal
5. The public presentation skills of the proposer's Interview/presentation format are left to the discretion of the City.

## **NOTIFICATION OF AWARD**

The successful respondent will be notified by phone, followed by written confirmation. For those proposals that are not accepted, respondents will be notified in writing, via email.

The City of Dunkirk will authorize the award of a contract to the successful respondent. In the event a contract cannot be finalized within thirty (30) days of the award, the City of Dunkirk reserves the right to enter into negotiations with another respondent.

## **LIABILITY**

The City of Dunkirk is not liable for any costs incurred by any individual or firm(s) for the work performed to prepare its proposal or for any travel and/or other expenses incurred in the preparation and/or submission of its proposal or participation in subsequent interviews or presentations. Further, the City of Dunkirk is not liable for any costs incurred prior to approval of the contract.