Town of Ledyard
Request for Qualifications
Appraisal Services

Background

The Town of Ledyard Planning Commission is seeking an appraiser(s) to assist it with valuing land for the purposes of determining fees in lieu of open space pursuant to Section 8-25 and Section 8-25b of the Connecticut General Statutes. The appraiser may be retained individually or as part of a pool of appraisers from which the Commission will select an appraiser to appraise land associated with subdivision applications. Appraisals submitted to the Commission will be paid for by the applicant of the subdivision. Appraisal reports will become public information once submitted to the Commission. From time to time the appraiser may need to be present at a Commission meeting or public hearing to respond to questions from the Commission or applicant.

Required Information

The following information at a minimum shall be submitted:

A. Background information setting forth the capabilities, history, and other introductory information of the responder.
B. If the responder is a firm, the qualifications, resumes, and positions within the firm of each appraiser who may be assigned to work with the Commission.
C. A detailed summary of the expertise and experience of the appraiser in the specialization of land appraisals and any work done for municipalities in connection with fees in lieu of open space. The summary should also include any instances where the appraiser has served as an expert witness in connection with litigation. This section may include other information deemed relevant by the responder.
D. A detailed description of how the responder proposes to provide appraisal services to the Commission and general approach to providing appraisal services. Response time to appraisal services with time constraints (etc). The description should address how appraisals will be finished and submitted to the Commission within the statutory time frame provided for subdivision review (65 days).
E. A list of references to include any towns or municipalities that have been represented by the responder within the past five years. The name and phone number of the contact person should be provided.
F. A detailed schedule regarding the charges involved for appraisal service including any retainer, hourly rates, required expenses, and other costs involved.
G. Quality Control. This should include a description of the process and professional standards the appraiser will use to ensure that opinions of value are substantiated and free of error/misjudgement.
H. A listing of any grievances filed, with the outcome, against the firm or individual appraiser.
I. Any conflicts of interest, relations, associations, with Town employees, or elected and appointed officials.

Other Conditions:

The successful appraiser or firm shall be required to furnish evidence of the following insurance coverage within 10 days from notification award. Insurance coverage shall remain in full force for the duration of the term, including any and all extensions. All renewal certificates shall be furnished at least ten (10) days prior to policy expiration.

A. Commercial General Liability issued by an insurance company licensed to conduct business in the State of Connecticut in the amount of $1,000,000 combined single limit per occurrence for bodily injury, personal injury, or property damage.
B. Automobile Liability Insurance with $1,000,000 combined single limit per accident for bodily injury and property damage.
C. Umbrella liability of $1,000,000 per occurrence must be provided.
D. Errors and Omissions Professional Policy with limits of $5,000,000 per claim with a $5,000,000 aggregate. Any changes to the firm's policy or carrier from year to year will include "Full Prior Acts" coverage.
E. Workers Compensation Insurance in accordance with Connecticut General Statutes.
F. The Town of Ledyard is named as Additional Insured on General Liability, Auto, and Umbrella Insurance coverage.
G. Each insurance coverage named above shall provide for not less than a thirty (30) day notice of cancellation to the Town of Ledyard by certified mail, return receipt requested.

Hold Harmless Agreement:

The appraiser, its agents and assigns, shall absolutely indemnify and hold harmless the Town of Ledyard Planning Commission, its officials, officers, and staff, from any claims brought by a person or entity whatsoever, in any forum, on any theory, arising from any negligent or wrongful act or omission of the appraiser during the appraiser's performance of the contract or any other agreement of the appraiser entered into by reason thereof. The appraiser shall indemnify the Town of Ledyard including but not limited its elected officers, employees, and agents from any all losses or liabilities resulting from any such claim, including but not limited to damage awards, costs, and attorney's fees.

Non-Discrimination:

No person shall be denied or subjected to discrimination on account of services or activities made possible by or resulting from this agreement on the grounds of sex, race, color, creed, national origin, age (except minimum age and retirement provisions), marital status, sexual orientation, or disability.

Any violation of this provision shall be considered to be a violation of material provision of this agreement and shall be grounds for cancellation, termination, or suspension of the agreement, in whole or part, by the Town and may result in ineligibility for further Town contracts. The proposer shall at all times, both in the proposal and in the contract process, comply with all applicable city, state, and federal anti-discrimination laws, rules, regulations, and requirements, thereof.

Conflict of Interest

The responding firm shall provide a statement of any conflicts of interest that exist in rendering service to and in representing the Town of Ledyard Planning Commission.

Submission:

The information requested for this request for qualifications must be submitted with an original and eight copies to the Planning Director, Town of Ledyard, 741 Colonel Ledyard Highway, Ledyard, CT 06339 no later than September 25, 2008 at 2 p.m.

Selection Process

Staff will review submissions to ensure that respondents have provided information to address the required information in this proposal. Submissions that do not at a minimum address these points will not receive further consideration. Remaining respondents will be interviewed by members of the Planning Commission based on:

- Experience

- References
- Principal staff assigned to Town
- Length of and services provided to similar clients;
- General knowledge of the subject area of service to be provided

The information requested in this request for qualifications is intended to serve as the basis for interview selection and individual/firm interviews. Respondents are encouraged to address each of the factors thoroughly and provide additional information concerning background, experience, cost and cost containment, and qualifications for legal services as deemed appropriate. The Town reserves the right to reject or accept any and all applications in whole or in part or waive any informality or technical defects in applications received if, in its sole opinion, it is the in the best interest of the Town to do so.

Excerpts of the Connecticut General Statutes

Sec. 8-25. Subdivision of land. (a) No subdivision of land shall be made until a plan for such subdivision has been approved by the commission. Any person, firm or corporation making any subdivision of land without the approval of the commission shall be fined not more than five hundred dollars for each lot sold or offered for sale or so subdivided. Any plan for subdivision shall, upon approval, or when taken as approved by reason of the failure of the commission to act, be filed or recorded by the applicant in the office of the town clerk within ninety days of the expiration of the appeal period under section 8-8, or in the case of an appeal, within ninety days of the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant but, if it is a plan for subdivision wholly or partially within a district, it shall be filed in the offices of both the district clerk and the town clerk, and any plan not so filed or recorded within the prescribed time shall become null and void, except that the commission may extend the time for such filing for two additional periods of ninety days and the plan shall remain valid until the expiration of such extended time. All such plans shall be delivered to the applicant for filing or recording not more than thirty days after the time for taking an appeal from the action of the commission has elapsed or not more than thirty days after the date that plans modified in accordance with the commission's approval and that comply with section 7-31 are delivered to the commission, whichever is later, and in the event of an appeal, not more than thirty days after the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant or not more than thirty days after the date that plans modified in accordance with the commission's approval and that comply with section 7-31 are delivered to the commission, whichever is later. No such plan shall be recorded or filed by the town clerk or district clerk or other officer authorized to record or file plans until its approval has been endorsed thereon by the chairman or secretary of the commission, and the filing or recording of a subdivision plan without such approval shall be void. Before exercising the powers granted in this section, the commission shall adopt regulations covering the subdivision of land. No such regulations shall become effective until after a public hearing held in accordance with the provisions of section 8-7d. Such regulations shall provide that the land to be subdivided shall be of such character that it can be used for building purposes without danger to health or the public safety, that proper provision shall be made for water, sewerage and drainage, including the upgrading of any downstream ditch, culvert or other drainage structure which, through the introduction of additional drainage due to such subdivision, becomes undersized and creates the potential for flooding on a state highway, and, in areas contiguous to brooks, rivers or other bodies of water subject to flooding, including tidal flooding, that proper provision shall be made for protective flood control measures and that the proposed streets are in harmony with existing or proposed principal thoroughfares shown in the plan of conservation and development as described in section 8-23, especially in regard to safe intersections with such thoroughfares, and so arranged and of such width, as to provide an adequate and convenient system for present and prospective traffic needs. Such regulations shall also provide that the commission may require the provision of open spaces, parks and playgrounds when, and in places, deemed proper by the planning commission, which open spaces, parks and playgrounds shall be shown on the subdivision plan. Such regulations may, with the approval of the commission, authorize the applicant to pay a fee to the municipality or pay a fee to the municipality and transfer land to the municipality in lieu of any requirement to provide open spaces. Such payment or combination of payment and the fair market value of land transferred shall be equal to not more than ten per cent of the fair market value of the land to be subdivided prior to the approval of the subdivision. The fair market value shall be determined by an

appraiser jointly selected by the commission and the applicant. A fraction of such payment the numerator of which is one and the denominator of which is the number of approved parcels in the subdivision shall be made at the time of the sale of each approved parcel of land in the subdivision and placed in a fund in accordance with the provisions of section 8-25b. The open space requirements of this section shall not apply if the transfer of all land in a subdivision of less than five parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin for no consideration, or if the subdivision is to contain affordable housing, as defined in section 8-39a, equal to twenty per cent or more of the total housing to be constructed in such subdivision. Such regulations, on and after July 1, 1985, shall provide that proper provision be made for soil erosion and sediment control pursuant to section 22a-329. Such regulations shall not impose conditions and requirements on manufactured homes having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards or on lots containing such manufactured homes which are substantially different from conditions and requirements imposed on single-family dwellings and lots containing single-family dwellings. Such regulations shall not impose conditions and requirements on developments to be occupied by manufactured homes having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards which are substantially different from conditions and requirements imposed on multifamily dwellings, lots containing multifamily dwellings, cluster developments or planned unit developments. The commission may also prescribe the extent to which and the manner in which streets shall be graded and improved and public utilities and services provided and, in lieu of the completion of such work and installations previous to the final approval of a plan, the commission may accept a bond in an amount and with surety and conditions satisfactory to it securing to the municipality the actual construction, maintenance and installation of such improvements and utilities within a period specified in the bond. Such regulations may provide, in lieu of the completion of the work and installations above referred to, previous to the final approval of a plan, for an assessment or other method whereby the municipality is put in an assured position to do such work and make such installations at the expense of the owners of the property within the subdivision. Such regulations may provide that in lieu of either the completion of the work or the furnishing of a bond as provided in this section, the commission may authorize the filing of a plan with a conditional approval endorsed thereon. Such approval shall be conditioned on (1) the actual construction, maintenance and installation of any improvements or utilities prescribed by the commission, or (2) the provision of a bond as provided in this section. Upon the occurrence of either of such events, the commission shall cause a final approval to be endorsed thereon in the manner provided by this section. Any such conditional approval shall lapse five years from the date it is granted, provided the applicant may apply for and the commission may, in its discretion, grant a renewal of such conditional approval for an additional period of five years at the end of any five-year period, except that the commission may, by regulation, provide for a shorter period of conditional approval or renewal of such approval. Any person, firm or corporation who, prior to such final approval, sells or offers for sale any lot subdivided pursuant to a conditional approval shall be fined not more than five hundred dollars for each lot sold or offered for sale.

(b) The regulations adopted under subsection (a) of this section shall also encourage energy-efficient patterns of development and land use, the use of solar and other renewable forms of energy, and energy conservation. The regulations shall require any person submitting a plan for a subdivision to the commission under subsection (a) of this section to demonstrate to the commission that such person has considered, in developing the plan, using passive solar energy techniques which would not significantly increase the cost of the housing to the buyer, after tax credits, subsidies and exemptions. As used in this subsection and section 8-2, passive solar energy techniques mean site design techniques which maximize solar heat gain, minimize heat loss and provide thermal storage within a building during the heating season and minimize heat gain and provide for natural ventilation during the cooling season. The site design techniques shall include, but not be limited to: (1) House orientation; (2) street and lot layout; (3) vegetation; (4) natural and man-made topographical features; and (5) protection of solar access within the development.

(c) The regulations adopted under subsection (a) of this section, may, to the extent consistent with soil types, terrain, infrastructure capacity and the plan of development for the community, provide for cluster development, and may provide for incentives for cluster development such as density bonuses, or may require cluster development.

Sec. 8-25b. Fund. Payments in lieu of open spaces. Any municipality which provides in regulations, adopted pursuant to section 8-25, for the payment of a fee or the fair market value of land transferred in lieu of any requirement to provide open space, shall deposit any such payments in a fund which shall be used for the purpose of preserving open space or acquiring additional land for open space or for recreational or agricultural purposes.