

City of Portsmouth  
Portsmouth, New Hampshire  
**Planning Department**  
**Climate Action Plan**  
**REQUEST FOR PROPOSALS**

**Sealed proposals, plainly marked with “Climate Action Plan, RFP #04-23” on the outside of the mailing envelope as well as the sealed proposal envelope, delivered to City Hall, 1 Junkins Avenue, Portsmouth, New Hampshire, 03801, addressed to the Finance/Purchasing Department, will be accepted until **September 1, 2022 @ 1:00 p.m.****

The City of Portsmouth is seeking proposals for an experienced and qualified consultant or consultant team to help the City of Portsmouth create a plan that will serve as the foundation for all climate adaptation projects and goals for the next 50 years. This will utilize the existing Coastal Resiliency Initiative (CRI) in tandem with new adaptation efforts to create systems to assist with benchmarking, policy evaluation, and progress tracking. The City of Portsmouth is a diverse, forward-thinking urban community and we aim to have an innovative and extensive climate action plan to help fortify our city against current and future climate threats. This proposal should integrate climate adaptation planning into the City’s local planning and regulatory framework. The purpose of this RFP is to contract for these services.

Four (4) copies and a digital copy of Proposals shall be submitted by the date and time as indicated above.

Specifications may be obtained from the City’s web site:  
<http://www.cityofportsmouth.com/finance/purchasing.htm>. Questions can be answered by contacting the Finance/Purchasing Department at 603-610-7227. Addenda to this proposal document, if any, including written answers to questions, will be posted on the City of Portsmouth website under the project heading. Addenda will not be provided directly to bidders.

The City of Portsmouth reserves the right to reject any or all proposals, to waive technical or legal deficiencies, and to accept any proposal that it may deem to be in the best interest of the City.

City of Portsmouth, NH

RFP # 04-23  
Request for Proposals  
Professional Planning Services  
Climate Action Plan

The City of Portsmouth is seeking proposals for an experienced and qualified consultant or consultant team to help the City of Portsmouth create a plan that will serve as the foundation for all climate adaptation projects and goals for the next 50 years. This proposal should integrate climate adaptation planning into the City's local planning and regulatory framework.

**Sealed Requests for Proposals, plainly marked with RFP #04-23, "Climate Action Plan" on the outside of the mailing envelope** as well as the sealed proposal envelope, delivered to City Hall, 1 Junkins Avenue, Portsmouth, New Hampshire, 03801, addressed to the Finance/Purchasing Department, will be accepted until September 1, 2022 @ 1:00 p.m.

Please submit your proposal in PDF format and ensure it does not exceed 25 pages. Proposals received after the time and date listed above will not be accepted under any circumstances. Proposals not submitted via email will also be excluded from consideration. It is the sole responsibility of the party submitting the RFP response to ensure receipt before the deadline.

Attached to this RFP you will find the following:

- Background on the project and our vision for it
- Scope of work for the project
- Selection criteria for the RFP evaluation process
- Guidelines from our Purchasing Department which govern the procurement process
- Required forms and agreements that must be submitted with your RFP (if any)

## **BACKGROUND/PURPOSE**

The City of Portsmouth, through its Planning Department, is seeking a consultant or consultant team to help develop the City's first Climate Action Plan. This consultant will help the community develop a comprehensive and multi-faceted strategy for addressing, mitigating, and adapting to climate change impacts. The project will include working with the community to identify goals and priorities that will inform short term, medium term, and long term strategies. The vision for this plan is to have an innovative, step-by-step approach to addressing, mitigating, and adapting to ongoing and future climate change impacts in our city in an effective and equitable manner. This plan should focus first and foremost on understanding how our community interacts with the natural environment. The plan should take into account existing conditions, existing challenges, community values, the natural environment, and the city's role as an eco-municipality. This plan should advance the City's objectives as an Eco-Municipality and should utilize a systems-thinking approach to empower and encourage residents, businesses, visitors, and city staff to take action to reduce and adapt to the impacts of climate change. As an Eco-Municipality, the City of Portsmouth strives to make decisions that will benefit the community through four major steps:

- Reduce dependence upon fossil fuels and extracted underground metals and minerals;
- Reduce dependence on chemicals and other manufactured substances that can accumulate in nature;
- Reduce dependence on activities that harm life-sustaining eco-systems; and
- Meet the hierarchy of present and future human needs fairly and efficiently.

With this sustainable mindset, the selected Consultant should develop a plan for achieving the City's climate change goals and recommend strategies

- That inform and advance resiliency and sustainability in city decision making
- That increase public awareness and help inform and empower community members to make choices that advance community climate change goals
- That advance equity – particularly distributional equity to ensure that all community members experience the benefits of positive outcomes and that no community members bear a disproportional share of the impacts of climate change

### Existing Conditional Assessment

This plan should inventory and review all the actions the municipality and the community are taking to address climate change impacts.

### Plan Development

The plan shall provide direction for how these actions can be improved. Additionally, this plan should highlight how the residents and municipal government can develop and implement mitigation and adaptation efforts and what those efforts will entail. The plan should include a strategic and well-designed proposal for calculating fiscal impacts that both the municipality and the community will have to incur in order to reach identified goals. Fiscal impact calculations should include an analysis of climate impacts, and proposed solutions, but also methods for implementing solutions that are built into and coordinated through community planning and capital expenditures by the local government.

### Public Involvement

The Consultant will provide a public involvement strategy that will build off of current engagement and community efforts while striving to reach a broader and all-inclusive audience. Further details on public involvement are outlined within the different phases listed in this request.

## SCOPE OF WORK

We expect this project to address two major phases- initial engagement with the community and then identification of community and municipal goals. These goals have specific constraints and expectations that are described below. For each goal, we would like to see a thorough plan taking the following steps:

- Develop a creative and forward-thinking list of priority actions within each goal, Priority actions will focus separately on
  1. Local government and
  2. Greater Portsmouth community

The priority actions should provide:

- A timeline for each action, with a distinction between short-term and long-term steps with a methodology to track progress towards goals
- Estimated cost of each action
- Thorough analysis of possible co-benefits associated with each action and how it can contribute to equity efforts across the City
- List of best-suited partners/parties/staff for each action
- Possible funding sources for each priority action
- Innovative methods for involving residents in each action and ways to challenge and encourage residents to help accomplish actions and reach goals
- A plan for measuring the progress of each action as it relates to the goal

The City of Portsmouth is requiring that Phase I of this project be completed and Phase II underway by no later than the end of August 2023 (with Phase I complete by early spring 2023).

## PHASE I- COMMUNITY ENGAGEMENT

### **GOAL #1: Community-Organizing & Outreach for CAP Initiatives and Products**

The plan should be drafted in collaboration with the Project Manager and other City of Portsmouth staff. We expect the plan drafting phase to include a robust community engagement process that incorporates current efforts, priorities, and perceptions of the city, the community, and the many organizations already participating in climate action work in our city. Our expectations for this phase of the planning process are listed below:

- Engagement with community members through initial workshops, neighborhood meetings, and planning sessions. This outreach should be uplifting and supportive in nature when it comes to working alongside residents and providing them with an opportunity to share their needs and concerns for climate issues within the City. Within these programmed events, the Consultant should gain an understanding of which actions could be better suited for requirement under City ordinance for households as compared to suggestions or recommendations. During this initial phase, the Consultant and their team should plan to perform community meetings at the neighborhood level. The goal of these meetings should be to target as many community members as possible, the Consultant should expand upon how they achieve this while prioritizing diversity, equity, and inclusion. These meetings will be organized and performed in conjunction with members of the community who are eager to volunteer for Climate Action Plan (CAP) outreach efforts. Together, the Consultant and volunteers will lead meetings/workshops/trainings that will:
  - Educate the public on the CAP and any potential impacts it could have
  - Train attendees on the Natural Step approach and the importance of a ‘systems thinking’ approach to everyday life that is embodied by sustainability
  - Start identifying climate impact areas of concern across the City. This can lead to workshopping solutions and mitigation strategies. This form of stakeholder engagement will be critical for the success of the final CAP document reflecting the values and needs of our community. We expect the Consultant to be innovative but thorough in their development and coordination of this Phase.
  - The Consultant should also develop and present a number of innovative outreach concepts to be employed which will most effectively engage a complete cross-section of the community.

- The Consultant should consider the use of survey techniques to educate and solicit input.
- The City already has substantial plans in place in other departments, and we'd like to see the final climate action plan be aligned with the following plans and ordinances:
  - Capital Improvement Plan
  - Economic Development Plan
  - Master Plan
  - Bicycle & Pedestrian Plan
  - Transportation and Parking Studies
  - Open Space Plan
  - Coastal Resilience Initiative
  - Historic Properties Climate Change Vulnerability
  - Renewable Energy Policy
  - Portsmouth Energy Advisory Committee (PEAC)

The Climate Action Plan will involve many City departments, initiatives, sub-committees, and working groups, we expect the Consultant to start by working on departmental outreach which will encourage support of and collaboration on the Plan's goals within each department. This can be done through different methods such as leading workshops, trainings, or information sessions on Plan implementation across the City.

- The City has working groups already establishing sustainability efforts within the community, and we'd like to see the Consultant coordinate with the following working groups:
  - Blue Ribbon Committee on Sustainable Practices
  - Portsmouth Climate Solutions
  - Portsmouth High School Eco Club
  - Governance Committee
- The City has many very involved non-profit and community groups and organizations that are actively working on many related topics to climate action

and climate initiatives. These groups and organizations have invaluable insight into the community and many have a substantial background in the efforts on which they focus. The engagement of these organizations and groups is expected to be fully integrated and aligned. These groups include but are not limited to:

- Strawberry Banke Museum
  - Portsmouth Smart Growth
  - Portsmouth Chamber of Commerce
- Community engagement efforts should be multi-pronged and designed to include all aspects of the community in a diverse and equitable manner. For example, diversity should consider race but also socioeconomic status, language, and comfort with local government (for example big, forum-style events that might exclude those who aren't familiar with local government processes/culture should not be the norm).
  - Please discuss past experience interfacing with elected officials in your proposal as we expect you to present the plan to our City Council and host workshops with the Council, other land use boards, and City departments (listed below) to guide them on the integration of CAP into their workflows.
    - Assessor
    - City Clerk
    - City Manager
    - Community Development
    - Economic Development
    - Fire
    - Health
    - Human Resources
    - IT
    - Inspection
    - Legal
    - Library
    - Police
    - Parking
    - Public Works
    - Recreation
    - School
    - Senior Services
    - Tax Collector
    - Welfare
    - Wastewater & Sewer
    - Water
    - Zoning Enforcement



## **PHASE II- MUNICIPAL AND COMMUNITY GOALS FOR TACKLING CLIMATE MITIGATION AND ADAPTATION**

The purpose of Phase II will be to take all of the data gathered during Phase I in understanding the community interests and needs for climate change mitigation and adaptation, and relay that into a Climate Action Plan report. This will be the guide for the City and community to use for implementing the best strategies for mitigation and adaptation. The second half of Phase II will be dedicated to post-CAP community engagement, our aim for this will be to present the final CAP report to the community and start conversations revolving around how each goal will be attained in the coming years. This post-engagement will also be the rollout stage of a community dashboard-like tool that will encourage continued engagement with the CAP.

### **GOAL #2: Development of Strategies for Emission Reduction Goals**

A list of strategies to be drafted should encompass the areas of concern that community members feel strongly about as well as the many areas that we know impact the city's carbon footprint, including but not limited to:

- Built Environment
  - Infrastructure, buildings, developments, etc.
- Transportation
  - Public transportation, pedestrian and cycling paths, personal, municipal, and commercial vehicles, EV infrastructure, impacts from tourism, travel roads, shipping, air travel, etc.
- Land Use
  - Building design, land use & zoning codes, walkability, lack of incentives for sustainable development, etc.
- Waste Reduction
  - Diversion of organic materials from the landfill, residential programs such as composting, etc.
- Energy
  - Reliance on oil, gas, non-renewable electricity generation, etc.
- Natural Resources
  - Preserving lands that can provide carbon storage and foster healthy ecosystems

The strategies themselves should be based on best practices seen in other communities, but not just “copied and pasted” from prior plans the vendor has drafted. We’d like to see a portfolio of mitigation strategies that are well-aligned with our community’s interests and the Council’s strategic vision. We’d also like to see the scale of each mitigation strategy appropriately sized for the City.

The final plan report should take into account the City's current business-as-usual emissions (BAU) and provide target reduction goals for the City. Actions should be based on, and backed by, scientific evidence and align with City and State legislation. The consultant should also consider the City's entrance into a Community Power agreement with the Community Power Coalition of New Hampshire (CPCNH) by the end of 2023 which could include turning to more renewable energy options that can provide residents with options for carbon neutrality.

The City of Portsmouth is part of the greater Seacoast region which entails that any impact we have on our local climate, may also impact or be impacted by our surrounding neighbors. With this in mind, we would like to see the Consultant explore and understand what our neighboring communities are doing (or not doing) to reduce emissions and tailor our reduction strategies to both our local community and broader community impacts.

### **GOAL #3: Prioritization Analysis of Updated Strategies**

In addition to updating the strategies to be more implementation-focused, we need a prioritization analysis conducted to figure out how to sort the strategies and which ones should be focused on first. We currently have limited staff and resources to implement the CAP, so we'd like an eye toward **pragmatism** and an emphasis on the mitigation strategies that are the most impactful.

We expect the following components to be addressed in the prioritization analysis:

- The cost of every strategy included in the updated list, not just in terms of material costs, but also *staff time* required to implement the action
- An estimate of the impact that each updated strategy will have on our collective emissions
  - It is not enough to say “low/medium/high” for this estimate—we want something with more resolution
- All the co-benefits that are included with each updated strategy such as equity, economic development, public health, infrastructure improvements, etc.
- A culmination of all of the above information to help prioritize the costs vs. benefits of each different mitigation strategy
  - We are not interested in just a pure marginal economic analysis that only prioritizes actions based on the amount of CO<sub>2</sub> eliminated from the atmosphere. The co-benefits and potential to drive value in everyday constituents' lives are equally important for us and we'd like to see the cost-benefit analysis address that concern.

#### **GOAL #4: Increasing Renewable Energy Systems and Incorporating Renewable Energy Requirements into City Regulations**

As the City looks towards reducing energy emissions and reaching a net zero goal, renewable energy needs to become a viable candidate for replacing traditional energy sources as we move forward. We are requesting help in coming up with supportive regulations for switching to renewables and the sequestration of GHGs that could include but is not limited to:

- Incentive programs (taxes, rebates, etc.)
- Education and outreach on the benefits of community aggregate power programs and household electrification
- Amendments to current regulations and zoning ordinances

We are also requesting help in understanding the best-fit sites for renewable energy infrastructure across the City, including on both City-owned and private properties and how pilot projects may be implemented and where, before we dive deeper into large-scale community projects.

#### **GOAL #5: Updated Emissions Forecasting**

After the completion of our updated 2021 GHG inventory, we would like to see an update to our emissions forecast. There have been changes from the local utility, state, and federal level regarding regulations, and this needs to be reflected in the forecast so we can accurately plan. Ideally, you'd provide a dynamic forecasting tool which allows us to adjust assumptions as these commitments continue to change over time and see how that affects our business-as-usual emissions scenario. Ideally, this would include two forecasts including (1) one for internal operations in the City of Portsmouth, New Hampshire and (2) one for community-wide emissions which will include:

- City limits
  - GHG impacts from Interstate 95
  - Pease Airport and Tradeport emissions
  - Port Authority and shipping traffic emissions
  - GHG impacts from visitors to the area and tourists

Some constraints on this goal:

- We'd like to see a framework laid out that allows for municipal staff to easily continue the forecasting process after this update is conducted. We request that the Consultant provide guidance in their proposal on how they will enable staff to continue to track changes in emissions within the community moving forward after the initial engagement.

Ideally, the Consultant will provide a tool or some other system that reduces staff burden with this process.

#### **GOAL #6: Develop short- and long- term funding plans**

Consultant will work with City departments to analyze City policies and budgeting schedules to find the best opportunities for funding of short-term projects and long-term projects using not only the City budget but also incentive programs and other opportunities for funding tasks such as grants or other programs. Through this analysis, the Consultant will produce two major funding plans to align with CAP projects. These plans include (1) a short-term funding plan which will be for tasks assigned for the first five years of CAP implementation, and (2) a long-term funding plan for larger tasks that may be either ongoing or scheduled after the initial five years of CAP implementation.

#### **GOAL #7: Develop tools for monitoring and communicating CAP progress post-plan**

The City would like to have the Consultant work with City planning staff to workshop the most effective way to utilize our CAP data for civic engagement. It is our hope that by having an interactive tool that can showcase our sustainability efforts and progress on the plan, members of the public will become more energized and committed to the CAP goals. This communication tool would not only inform the public of CAP task updates, but should also serve as a meeting place for inter-community collaboration. With this type of platform, the Consultant and staff could engage with residents by answering questions, sharing resources and providing guidance to the community about the CAP initiatives.

#### **GOAL #8: Post-Plan Engagement & Community Outreach**

Once the Consultant has produced the final CAP document and it has been published across the City, we expect the Consultant to do a final phase of community outreach and engagement to walk the community through the goals and tasks assigned within the CAP and how implementation will occur going forward. This engagement will occur once again through widespread and inclusive community meetings and through the newly developed CAP engagement platform.

# SCHEDULE

Contract award and execution is expected to be within one month of proposal submission. The selected consultant shall be prepared to begin work within two weeks of contract execution and shall complete all project work on phase one of the project in its entirety by late 2022/early 2023, including final City review and approval. (Please see the Funding and Payment section for information about project phrasing) Project work for Phase II is expected to be complete by the end of September 2023.

## Climate Action Plan PROJECT DELIVERY TIMELINE



## CITY ROLE

Planning Department staff will be responsible for administering the project and overseeing the consultant's work on this project. Representatives of the City's Planning Department will oversee the project and work closely with the consultant as work proceeds. Input will be solicited from a variety of City Departments, including but not limited to the Public Works, Health, Inspections, and School, Library, and Recreation departments.

The following information is available for review online or at Portsmouth City Hall, 1 Junkins Avenue Portsmouth, NH from 8:00 a.m. to 4:30 p.m. Monday through Friday.

- Portsmouth Hazard Mitigation Plan
- Coastal Resilience Initiative: Climate Change Vulnerability Assessment and Adaptation Plan
  - <https://files.cityofportsmouth.com/files/cri/CRI-Report.pdf>
- City of Portsmouth Greenhouse Gas Inventory Report – 2006, 2012, and 2018 (2022 coming soon)
  - [https://files.cityofportsmouth.com/files/ww/2006\\_ICLEI\\_Inventory\\_w\\_appdx.pdf](https://files.cityofportsmouth.com/files/ww/2006_ICLEI_Inventory_w_appdx.pdf) (2006)
  - [https://files.cityofportsmouth.com/files/ww/Portsmouth%20\\_2012%20GHG%20Inventory\\_w\\_appendix.pdf](https://files.cityofportsmouth.com/files/ww/Portsmouth%20_2012%20GHG%20Inventory_w_appendix.pdf) (2012)
  - [https://files.cityofportsmouth.com/files/planning/2018\\_GHG\\_Portsmouth\\_Final.pdf](https://files.cityofportsmouth.com/files/planning/2018_GHG_Portsmouth_Final.pdf) (2018)
- Historic Properties Climate Change Vulnerability Report: Preparing Portsmouth's Historic District for Sea Level Rise
  - [https://files.cityofportsmouth.com/files/planning/Preparing\\_Portsmouths\\_HD\\_SL\\_R\\_FINAL.pdf](https://files.cityofportsmouth.com/files/planning/Preparing_Portsmouths_HD_SL_R_FINAL.pdf)
- Portsmouth 2025 Master Plan – City of Portsmouth
  - <https://view.publitas.com/city-of-portsmouth/portsmouth-master-plan-adopted-2-16-2017/page/1>
- Citywide GIS data layers available upon request:
  - City-owned properties
  - Wetland Inventory 2003
  - Parcels
  - Streets
  - Conservation lands
  - Utilities (water, sewer, stormwater, pump stations, treatment plants)
  - Topography (2' contour intervals)

Digital orthophotos from 2000, 2003, 2005, 2006, 2010, 2013, 2015, 2016, 2018, 2019, 2020, 2021, 2022.

## EVALUATION CRITERIA

Proposals will be evaluated by a team of City staff according to the following:

- |   |           |
|---|-----------|
| 1. Responsiveness to submission requirements.   | 15 points |
| 2. Qualifications of firm and project team members including any proposed sub consultants. Particular attention will be given to the experience and ability of the project manager. | 25 points |
| 3. Previous related work.   | 15 points |
| 4. Understanding of project goals and issues.   | 20 points |
| 5. Proposal price.  | 25 points |

The City, at its discretion, may select a firm outright or select a finalist(s) for in-person and/or telephone interviews.

The City of Portsmouth reserves the right to reject any or all proposals, to waive technical or legal deficiencies, and to accept any proposal that it may deem to be in the best interest of the City.

The City reserves the right to undertake such investigation as it deems necessary to verify qualifications.

The City reserves the right to negotiate directly with the firm(s) selected for additional project work.

## CONTRACT DOCUMENT

Upon selection, the successful Consultant will be sent a contract for execution. When the contract is executed by both parties, the Consultant will be instructed to commence providing the work outlined in the contract. All information, data, documents, photos, computer records, and other materials of any kind acquired or developed by the Consultant pursuant to this project shall be the property of the City of Portsmouth. Contractor shall be required to carry insurance; see attached "Insurance Coverage Requirements".

## REQUIREMENTS FOR RFP RESPONSE

Proposals shall include the following and shall be organized using each of the required elements as section headings in the order in which they appear below:

- A. Firm Description – provide a brief description of the firm including firm size and area of specialization.
- B. Project Team – Provide names and resumes of key professionals who would be assigned to the project. Resumes shall be included for key project personnel only. Each team member’s education and experience shall be listed. The project manager shall be designated and a description of relevant previous projects, and the project staff that have played a central role in those projects shall be provided.
- C. Statement of project understanding – State in succinct terms the consultant’s understanding of what is required by the Request for Proposals.
- D. Scope of Services – Describe the consultant’s approach and technical plan for accomplishing the work listed herein broken out by task. The consultant is encouraged to elaborate and expand on the goals listed in the RFP; however, the consultant shall not delete any requested goals.
- E. Detailed schedule by task and subtask.
- F. A lump sum proposal price itemized by task, and hourly rates for project personnel. Please note the Funding and Payment section below for divisions of budget tasks and subtasks.
- G. Three (3) references, including current contact name and phone number for similar projects which the project manager has managed.

The proposal shall be printed on two sides of the page and shall not have a plastic cover. Four (4) hard copies and a digital copy of the proposal in a PDF format shall be submitted.

Sealed Requests for Proposals, plainly marked RFP # 04-23, “Climate Action Plan,” on the outside of the mailing envelope, addresses to the Finance/Purchasing Department, City Hall, 1 Junkins Avenue, Portsmouth, NH 03801 will be accepted until 1:00 p.m. on September 1, 2022

## FUNDING AND PAYMENT

This project is being funded through a portion of our capital budget. Both phase I and phase II of this plan will be included in the overall funding. The Contractor should provide a detailed project budget at or below \$80,000 to complete all phases of the work and deliverables. This funding will be paid on a monthly basis based on a lump sum amount upon approved completion of each phase of the project. Since the second phase of the project will not be confirmed until the first



phase of the project is underway, the Contractor shall not proceed with the second phase of the project without authorization from the City.

## **ADDITIONAL INFORMATION**

Questions must be submitted in writing by Thursday, August 25, 2022 at 1:00 p.m. and answers will be posted in addenda to the City of Portsmouth website on Monday August 29, 2022 by 6:00 p.m. Addendums will only be posted to the City's website and not sent out to responders directly.

Requests for additional information should be directed to Peter Britz, Environmental Planner/Sustainability Coordinator at (603) 610-7215 or to Kate Homet, Associate Environmental Planner at (603) 610-7225.

## **NON-DISCRIMINATION**

**Pursuant to State and Federal laws, any entity or individual that enters into a contract for goods or services with the City of Portsmouth or any of its boards, agencies, and departments and any recipient of City funds shall:**

- A. Implement an employment nondiscrimination policy prohibiting discrimination in hiring, discharging, promoting or demoting, matters of compensation, or any other employment-related decision or benefit on account of actual or perceived race, ethnicity, color, religion, national origin, gender, disability, age, military status, sexual orientation, gender identity, gender expression, or marital or familial status.
- B. Not discriminate in the performance of the contract on account of actual or perceived race, ethnicity, color, religion, national origin, gender, disability, age, military status, sexual orientation, gender identity, gender expression, or marital or familial status.
- C. Incorporate the foregoing requirements in all subcontracts related to its contract with the City.

**The foregoing terms shall have the meaning prescribed to them in N.H. RSA Chapter 354-A or in the Uniformed Services Employment & Reemployment Rights Act, as applicable.**

## **INDEMNIFICATION**

The Consultant agrees to pay on behalf of and hold harmless the City of Portsmouth for all claims arising in whole or in part from its work on behalf of the City.

## **INSURANCE COVERAGE REQUIREMENTS**

1. Consultant shall carry Comprehensive General Liability Insurance with combined single limits not less than \$1,000,000 per occurrence for Bodily Injury and Property Damage and \$2,000,000 for general aggregate.
2. Consultant shall carry Automobile Liability Insurance, including owned and hired motor vehicles on an occurrence form with a combined single limit of not less than \$1,000,000 for Bodily Injury and Property Damage.

The City of Portsmouth shall be named as an additional insured on these liability policies. Coverage amounts can be met through umbrella/excess policies.

3. Consultant shall carry Professional Liability Insurance in an amount of not less than \$1,000,000 in the aggregate, covering acts, errors, or omissions related to the Scope of Professional Services to be rendered under the Contract.
4. Consultant shall carry Worker's Compensation Insurance for all persons employed under this contract in accordance with the statutory requirements.

Applicable to all insurance requirements:

The City of Portsmouth shall be identified as a certificate holder on all policies as follows: City of Portsmouth, Attn: Legal Department, 1 Junkins Avenue, Portsmouth, NH 03801.

Consultant shall provide proof of insurance coverage satisfactory to the City of Portsmouth.

Coverage shall remain in effect for a period consistent with the Statutes of Limitations under the Law of New Hampshire.

## CITY OF PORTSMOUTH CORONAVIRUS GRANT RECIPIENT TERMS AND CONDITIONS

Coronavirus Local Fiscal Recovery Fund Grant monies (SFLRF/ARPA) are being used for this project/work. Therefore, selected contractor/vendor/firm will be required to comply with the requirements associated with the monies in the performance of the project or work, see section 603(c) of the Social Security Act (the Act) and associated regulations, guidance and executive orders. Those requirements are as follows:

- (i) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200;
- (ii) Universal Identifier and System for Award Management, 2 C.F.R. Part 25;
- (iii) Reporting Sub award and Executive Compensation Information, 2 C.F.R Part 170;
- (iv) OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Non-procurement), 2 C.F.R. Part 180;
- (v) Recipient Integrity and Performance Matters 2 C.F.R. Part 200 and Appendix XII;
- (vi) Government-wide Requirements for Drug-Free Workplace, 31 C.F.R. Part 21;
- (vii) New Restrictions on Lobbying, 31 C.F.R. Part 21;
- (viii) Uniform Relocation Assistance and Real Property Acquisitions Act of 1970; and
- (ix) Generally applicable federal environmental laws and regulations.

The City further encourages contractor/vendor/firm to adopt and enforce on-the-job seatbelt policies and programs for when operating company-owned, rented, or personally owned vehicles, and to adopt and enforce policies that ban text messaging while driving pursuant to Executive Orders 13043 and 13513 respectively.

Contractor/vendor/firm must assure compliance with statutes and regulations prohibiting discrimination including but not limited to Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.), the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), and Protections for Whistleblowers in accordance with 41 U.S.C. § 4712. More specifically, contractor/vendor/firm and its subcontractors and other agents shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract or agreement. Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, and herein incorporated by reference and made a part of this contract/ agreement.

SFLRF/ARPA funds do not themselves require compliance with the Davis Bacon Act. However, when the project or work includes funding from sources that do require compliance with the David Bacon Act, the David Bacon Act requirements will apply along with Executive Orders 11625 and 12432 (Concerning Minority Business Enterprise) and 12438 (Concerning Women's Business Enterprise) when applicable.

CONTRACTOR/VENDOR/FIRM

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Duly authorized Date

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Date