



## **REQUEST FOR QUALIFICATIONS**

# **COMPREHENSIVE GROWTH POLICY UPDATE**

**JUNE 28, 2019**

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## I. INTRODUCTION

The City of Livingston is proposing to develop a new Growth Policy. The document will provide guidelines for the growth and development of the City's jurisdiction as well as provide the necessary data and analysis to support a 2-mile extraterritorial jurisdiction. Because of the specialized nature of the work involved, this Request for Qualifications (RFQ) is being issued to select a consultant to perform the necessary tasks.

The main objectives of this effort are to: (1) Develop a growth policy that reflects the desires and needs of the community and; (2) Develop a growth policy that provides meaningful guidance to the City for future land use decisions. This will be accomplished by:

- Soliciting extensive public input including but not limited to planning board public hearings, special meetings facilitated by the consultant, surveys, etc.
- Developing community wide goals and objectives in relation to growth and development.
- Determining the best locations for growth based upon exiting sewer, water, and transportation infrastructure.
- Considering existing Capital Improvement Plans and the City's financial capacity.
- The final growth policy should consider:
  - Population characteristics
  - Economic and market characteristics
  - Community and institutional structures
  - Community resources
  - Historic and cultural heritage

## II. SCOPE OF WORK

The following is a list of the minimum work required under this contract. Additional tasks and work elements may be added during contract negotiations. It is also possible that tasks or elements could be deleted through consultation. The selected contractor will be required to prepare a comprehensive growth policy for City approval on conclusion of the negotiation process. The contractor will be required to complete all work under this contract by August 31, 2020 or within the time frame agreed to once they have received the contact.

### A. STUDY AREA BOUNDARY

The City of Livingston and the statutory 2-mile extraterritorial jurisdiction.

## **B. DATA ACQUISITION**

The contractor will identify the information and data needed to accomplish all facets of the growth policy, will search out and evaluate the information and data that is already available for use, and will be responsible for collecting or developing any additional information required to accomplish the study tasks and objectives. Any existing data utilized will be adequately referenced in study documents to allow users and reviewers of the growth policy to identify and obtain the referenced material. Any new data and information collected or developed by the contractor shall be appended to the growth policy.

## **C. REQUIRED ANALYSES**

The analyses performed by the contractor will include (at a minimum):

- Ensure that the content of the growth policy complies with the requirements of 76-1, Part 6, M.C.A.
- Ensure that the 2-mile extraterritorial area outside the City is analyzed and presented as a neighborhood plan as identified in 76-1-601(4)(a) & (b).
- Ensure that the growth policy contains elements sufficient to satisfy Sec. 76-1-601(4)(c) M.C.A.
- Generate goals and objectives within the growth policy that are consistent with the City's strategic plan and public input.
- Review the existing Zoning Ordinance and recommend appropriate changes.
- Consider the creation of a Planned Unit Development Ordinance.
- Analyze and recommend appropriate implementation tools to meet goals and objectives.

Note: The applicant should include any additional information that the City has not identified, but that could be valid for the development of a growth policy.

## **D. PUBLIC PARTICIPATION**

This project will entail extensive public engagement and involvement. The contractor shall include a public participation program in his/her response to this RFQ to maximize public awareness and involvement in the analysis process. The City shall approve the proposed program during negotiation of the final contract. The contractor's program proposal should include at least the following elements.

- Mechanisms for informing/educating the public about the growth policy (and the significant issues under consideration), which will motivate participation and encourage meaningful response.
- Mechanisms for public participation to be used in gathering response to the contractor's inquiries.

- Mechanisms for presenting the draft growth policy to the general public, and the City.
- Mechanisms for documenting participation, recording input, analyzing, and summarizing the responses received during all phases of the process.
- An indication, and/or examples, of the materials (media releases, handouts, presentation displays, graphics) that the contractor will use in public communication.

## **E. PLANNING OUTPUTS**

The contractor shall provide a complete and detailed growth policy document and implementation recommendations deemed appropriate based on their analyses of the previously listed issues and factors.

The contractor shall prepare a written summary suitable for public distribution of the material described in the previous paragraph. A presentation, together with appropriate visual/graphic displays for use at an open public meeting will also be prepared. The contractor should plan to participate in several public meetings and make presentations as needed.

Utilizing the guidance received from the City, the contractor shall prepare a final document outlining the recommended growth policy and an appropriate implementation strategy.

10 copies of the draft final study plus one unbound, reproducible document, in addition to public presentation graphics, will be submitted to the City for its final approval. One copy of all text and graphics will be submitted to the City in electronic format.

## **III. PROPOSAL REQUIREMENTS**

Five copies of proposals along with one unbound, reproducible document shall be delivered by 4:00 p.m. July 29, 2019 to the City of Livingston Finance Office, 110 South B Street, Livingston, Montana 59047. Each submitted proposal shall be clearly marked "Growth Policy".

Proposals shall, at a minimum, include the following items:

- A brief statement of the contractor's understanding of the goals of this project and the services required of the contractor.
- A proposed work plan by phase, indicating tasks to be accomplished, work schedule with deliverable dates, and contractor personnel/subcontractors expected to perform each major task element.
- A public participation program detailing contractor's plan for obtaining public input and identifying the specific mechanisms to be employed in meeting the requirements identified in the Scope of Work Public Participation section.

- Qualifications of key individuals to be assigned to this project, their availability during the relevant time periods, and their recent experience on similar projects.
- References for whom the contractor and/or key personnel have performed similar work within the last five years, and two examples of work produced under similar contracts (examples produced on projects utilizing the key personnel identified for this proposal are preferred).
- Outline and discuss the analysis methodology to be used.
- Provide a listing of any additional issues you feel should be addressed that have not been identified, and an explanation why they could be important.
- Explain why your firm is uniquely qualified to perform this work.

#### **IV. CONTRACTOR SELECTION**

The City will convene a Contractor Selection Committee to evaluate and rank the contractors, which respond to this RFQ. This evaluation will be based on the proposals submitted and (at the discretion of the committee) on interviews with those contractors who appear to be particularly well qualified based on their written proposals.

The evaluation and ranking of contractors will be based on the following factors, which will be weighted as shown:

- Contractor’s demonstrated knowledge/understanding of the goals of this project. (25%)
- Responsiveness and quality of contractor’s work plan. Does the work plan show that the contractor has the ability and will commit sufficient resources, to accomplish the required analyses, coordinate work with City staff, and produce a quality document? (25%)
- Adequacy and feasibility of contractor’s public participation plan. Will it inform the community of the process and issues, provide adequate opportunities for involvement, factor public concerns into the development of the document, and provide documentation of input received and how that input was utilized in the growth policy? (20%)
- Qualifications and availability of the key personnel and subcontractors identified in the work plan. Availability of adequate support staff and material resources. (15%)
- Contractor’s record for fulfilling the requirements of similar projects to the satisfaction of the contracting entity, and for accomplishing such projects on schedule and within budget. (15%)

The contractor rankings assigned by the Contractor Selection Committee will be subject to the approval of the City Commission as a whole. Upon approval, negotiations will commence with the highest ranked consultant. The contract will be awarded upon reaching an agreement on a final work plan and price. If an appropriate agreement cannot be reached with the highest ranked consultant, the second ranked consultant will be approached, and so on.

## **V. ADDITIONAL INFORMATION & CONDITIONS**

### **A. STATEMENT OF NON-COMMITMENT**

Issuance of this RFQ does not commit the City of Livingston to award a contract or to pay any costs incurred in preparation of proposals responding to this RFQ. The City reserves the right to reject any or all proposals and to re-advertise. All proposals will become property of the City of Livingston.

### **B. EQUAL EMPLOYMENT OPPORTUNITY**

Successful contract bidders must comply with provisions of all applicable federal law, including Title VI and Title VII of the Civil Rights Act of 1964. Any subcontracting by the successful bidder subjects subcontracting firm(s) to the same provisions of federal law. In accordance with the Montana Governmental Code of Fair Practices (49-3-207 MCA) the consultant (hereinafter referred to as the "Contractor"), agrees as follows

### **C. COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 FOR FEDERAL-AID CONTRACTS**

- (1) Compliance with Regulations: The Contractor shall comply with all Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, 49 Code of Federal Regulations, Part 21, as they may be amended (hereafter referred to as the Regulations), which are incorporated by reference and made a part of this Contract.
- (2) Nondiscrimination: The Contractor, with regard to the work performed by it during the Contract, shall not discriminate on the grounds of sex, race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR 21.5.
- (3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, whether by competitive bidding or negotiation by the Contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, any potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this Agreement and the Regulations relative to nondiscrimination.
- (4) Information and Reports: Contractor will provide all reports and information required by the Regulations, or directives issued pursuant thereto, and permit access to its books, records, accounts, other sources of information and its facilities as may be determined to be pertinent to

ascertain compliance with Regulations or directives. Where any information required of the Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify as requested, setting forth what efforts it has made to obtain the information.

- (5) Sanctions for Noncompliance: In the event of the Contractor noncompliance with the nondiscrimination provisions of this Contract, Local Government may impose sanctions as it or the FHWA determines appropriate, including, but not limited to,
  - (a) Withholding payments to the Contractor under the Contract until the Contractor complies, and/or
  - (b) Cancellation, termination or suspension of the Contract, in whole or in part.
- (6) Incorporation of Provisions: Contractor will include the provisions of paragraphs (1) through (6) "Compliance with Title VI of the Civil Rights Act of 1964 for Federal Aid Contracts - Notice to Contractor" ("Exhibit B") in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. Contractor will take such action with respect to any subcontract or procurement as the Department or the FHWA may direct to enforce such provisions including sanctions for noncompliance: Provided, however, that in the event the Contractor is sued or is threatened with litigation by a subcontractor or supplier as a result of such direction, the Contractor may request the Department to enter into the litigation to protect the interests of the State, and, in addition, the Contractor or the State may request the United States to enter into such litigation to protect the interests of the United States.

#### **D. COMPLIANCE WITH THE MONTANA GOVERNMENTAL CODE OF FAIR PRACTICES, § 49-3-207, MCA**

In accordance with Section 49-3-207, MCA, Contractor agrees that for this Contract all hiring will be made on the basis of merit and qualifications and that there will be no discrimination on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing the Agreement.

#### **E. COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT (ADA)**

- (1) Contractor will comply with all regulations relative to implementation of the AMERICANS WITH DISABILITIES ACT.
- (2) Contractor will incorporate or communicate the intent of the following statement in all publications, announcements, video recordings, course offerings or other program outputs: **"Contractor will provide reasonable accommodations for any known disability that may interfere with a person in participating in any service, program or activity offered by the Contractor. In the case of documents, recordings or verbal presentations, alternative accessible formats will be provided. For further information, call the "Contractor."**

#### **F. COMPLIANCE WITH DISADVANTAGED BUSINESS ENTERPRISE (DBE)**

Based on consideration of the RFP work items, a DBE goal of 0% has been set for this contract. Even though a 0% DBE Goal was set for this contract, DBE contractors are encouraged to bid through the following:

- a) Serious consideration of utilizing DBE firms should subcontracting of services be deemed necessary by the prime contractor (if prime is a non-DBE firm) proposing on this project.

#### **G. VENUE**

In the event of litigation, venue shall be in the Sixth Judicial District in and for Park County, Montana, and the laws of the State of Montana shall apply.

#### **H. INSURANCE**

Prior to the start of work, the consultant shall provide written proof of having the following insurance:

Workers Compensation Insurance, current and valid in the State of Montana.

- Comprehensive General Liability Insurance, including Automobile Liability Insurance, with limits of not less than \$1,000,000 per occurrence.

#### **F. RFQ AUTHORITY**

This RFQ has been issued in accordance with 2.5.602 Administrative Rules of Montana. The RFQ process is a procurement option allowing award to be based on stated criteria or evaluation factors. The evaluation factors to be utilized in this procurement have been specified in Section IV of this RFQ.

#### **G. ADDITIONAL INFORMATION**

For more information regarding this RFP, please contact Jim Woodhull at 330 Bennett Street, Livingston, MT 59047 or phone (406) 222-4903.