CITY OF WASHBURN

REQUEST FOR PROPOSALS

FOR

PROFESSIONAL SERVICES FOR ZONING CODE REWRITE

April 10, 2012
REQUEST FOR PROPOSALS

I. INTRODUCTION

A. General Information

The City of Washburn is requesting proposals from qualified planners, urban designers, and multi-disciplinary firms for a comprehensive review and/or rewrite of its zoning code. The services under the proposed contract would start on July 9, 2012.

There is no expressed or implied obligation for the City to reimburse responding contractors for any expenses incurred in preparing proposals in response to this request.

To be considered, twelve (12) copies of a proposal must be received at the City Clerk’s Office, 119 Washington Avenue, P.O. Box 638, Washburn, Wisconsin 54891 by 4:00 P.M. on Thursday, May 17, 2012. The City reserves the right to reject any or all proposals submitted.

During the evaluation process, the City reserves the right to request additional information or clarifications from proposers, or to allow corrections of errors or omissions. At the discretion of the City, contractors submitting proposals may be requested to make oral presentations as part of the evaluation process.

The City reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the contractor of the conditions contained in this request for proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the City and the contractor selected.

It is anticipated the selection of a zoning code consultant will be completed by June 21, 2012.

B. Term of Engagement

A contract will be proposed for the length of time it will take to complete the desired services.
C. Subcontracting

Contractors submitting proposals may consider subcontracting portions of the engagement to small firms or firms owned and controlled by socially and economically disadvantaged individuals. If this is to be done, that fact and the name of the proposed subcontracting firms must be clearly identified in the proposal. Following the award of the zoning re-write contract, no additional subcontracting will be allowed without the express prior written consent of the City of Washburn.

II. NATURE OF SERVICES REQUIRED

A. General

The City of Washburn is soliciting for services to rewrite the City’s zoning code and prepare a new map based on the new code. With the adoption of the City’s Comprehensive Plan in April 2009, and the subsequent amendments thereof, there is a need to update the Zoning Code. Washburn’s current Zoning Code, while not necessarily out of date, does not always reflect best and desired zoning and planning practices. A copy of the existing zoning code can be obtained by contacting the City Administrator/Zoning Administrator (Section III (B)). As one of the main tools to implement the Comprehensive Plan, it is essential that a new code be developed that includes progressive provisions that address mixed-use development, form-based concepts, and regulations that are consistent with the City’s vision.

B. Project Objectives

1. The City desires a Zoning Code that includes graphics that illustrate regulations and make the Code easy to use.
2. The City desires a Zoning Code that is logically organized, easy to read and understand, and is consistent in terms of processes and requirements.
3. Ensure that the new Zoning Code implements the City’s adopted Comprehensive Plan (April of 2009).
4. Interface the new Zoning Code with exclusive floodplain and wetland overlay zoning, and wellhead protection overlay zoning.
5. Work with the City Attorney to assure that the Zoning Code meets the requirements of Wisconsin law and general legal principals.
6. The City desires a Zoning Code that is based on sound principles of Smart Growth, mixed-use and sustainable development.
7. The City desires a Zoning Code that incorporates land use-based (Euclidean) and form-based zoning provisions. The provisions shall address the design and land use recommendations of the City’s various codes, ordinances and plans. The Code shall include urban design standards (text and graphics) as deemed necessary by the City.
8. The City desires a Zoning Code that includes mixed-use zoning districts and attendant regulations for both built-up areas of the City as well as the rural area of the City.
9. The City desires a Zoning Code that includes a traditional neighborhood development zoning district.
10. The City desires a Zoning Code that includes provisions that will help the City achieve high quality infill and redevelopment projects that are consistent with the context of existing development in the area.
11. The City desires establishment of performance standards such as noise and lighting standards.
12. The City desires a Zoning Code that maintains the fabric of existing neighborhoods.
13. Interface the new Zoning Code with other ordinances of the City.
14. Identify locations that may become a nonconforming use, as to actual use of the property, under the proposed code and map.
15. The City desires a Zoning Map that establishes a zoning district for all properties within the City and aligns with the Zoning Code.
16. Devise a Sector Plan to cover the entire city. This will implement the adopted development boundary in the Comprehensive Plan and designate community types to be developed. Particular attention will need to be paid to areas not currently served by water and sewer utilities.
17. Provide for a hierarchy of approvals.

C. Expected Outcomes

The result of this process is an innovative Zoning Code, with a corresponding zoning map, that maintains most of its existing Euclidean provisions applied to existing most single and multifamily residential, some commercial, and industrial areas. However, where possible, form-based code provisions for mixed-use neighborhoods, waterfront residential and waterfront commercial districts, and areas in need of additional redevelopment such as portions of the downtown core and connections with the City’s marina and waterfront may be warranted.

The Comprehensive Plan shall be used to guide the zoning code re-write, but revisions to the City’s Comprehensive Plan will need to occur, as appropriate, to address and acknowledge new standards developed in the zoning code. The Consultant shall provide recommended wording to address this and ensure that the zoning code and Comprehensive Plan are consistent with one another.
D. Consultant Qualifications

Successful Consultants shall have experience with concepts and applications of Hybrid Zoning Codes as well as Form-Based Codes. Such Consultants will demonstrate familiarity with innovative zoning concepts and the potential application of these concepts within the City of Washburn. Knowledge of Wisconsin zoning statutes and case law is a plus.

E. Scope of Work to be Performed

The Consultant or team of consultants (collectively “Consultant”) shall provide full professional services as described below to assist the City of Washburn Plan Commission, City staff, City Attorney and others with rewriting the City of Washburn Zoning Code.

1. Public Participation Plan (PPP)

The Consultant shall propose a broad-based Public Participation Plan (PPP) that specifies how and when the public (including neighborhoods, businesses, the development community and other interested parties) will be engaged throughout the Zoning Code rewrite process. The Proposal shall specify the methods, both formal and informal, it will use to achieve meaningful public participation in the project. The PPP could use a rapid feedback technique, such as image collections and sketches to show the public the implications of coding techniques. A community-wide charrette is one example of the type of public process desired. It is expected that the participation methods will engage the public and will include opportunities for open houses and more interactive methods.

Deliverables:

a. The Consultant shall provide the City with a Public Participation Plan (PPP) for City review and approval that includes a detailed strategy and timeline for engaging the public and all stakeholders in the Zoning Code rewrite process.

b. The Consultant shall implement its City-approved Public Participation Plan (PPP). The Consultant in consultation with the City’s Zoning Administrator (Project Manager) shall be responsible for arranging and facilitating all public meetings/presentations. The Consultant shall be responsible for producing meeting materials (including meeting minutes), visual presentations, or any other resources or material necessary to engage the public.

c. The Consultant shall provide information for the City’s website or host a web page devoted solely to the City’s Zoning Code Rewrite that will provide detailed information and documents and will provide a forum for the public to record comments.
2. **Project Orientation**
At the outset of the project, the Consultant shall meet with City staff (which shall include the City Attorney) and the Plan Commission for a project orientation meeting in order to provide an understanding of project goals and the project schedule, specific issues, City policies, interagency interaction, opportunities and/or problems relating to growth and development within the City. The Consultant shall be responsible for reviewing and understanding the City’s Comprehensive Plan, other City plans and policies as identified by the City, and all relevant and applicable local, state and federal laws. The Consultant shall propose its strategy for introducing the project to the general public and others. The strategy shall be designed to foster and develop a common understanding of the project scope.

**Deliverables:**
a. The Consultant shall be responsible, in consultation with the City’s Zoning Administrator, for arranging and facilitating a project orientation meeting with City staff and the Plan Commission. The Consultant shall be responsible for preparing materials and meeting minutes as well as arranging and facilitating all public meetings/presentations.

3. **Issue Identification Analysis**
The Consultant shall describe its approach for gathering broad-based input about existing land use conditions, zoning code and map. City staff; Plan Commission; City commissions and committees; the general public; stakeholders, and others shall be asked for their input concerning current Zoning Code requirements, administration procedures, Zoning Code deficiencies, suggested changes and implementation procedures. The Consultant shall prepare a draft and final memorandum that summarizes the input gathered during the issue identification process.

**Deliverables:**
a. The Consultant shall implement its approach for gathering broad-based input about the current Zoning Code and map. The Consultant in consultation with the City’s Project Manager shall be responsible for arranging and facilitating all public meetings, presentations, workshops, etc. The Consultant shall be responsible for preparing materials and meeting minutes.
b. One original and twenty (20) copies of a draft and final memorandum that summarizes input the Consultant received about the existing Zoning Code and map during the issue identification process.
c. Electronic (Microsoft Word & PDF) file on the draft and final Issue Identification memorandum.

4. **Zoning Code Analysis/Evaluation**
The Consultant shall complete a thorough analysis and evaluation of Washburn’s current Zoning Code and map. This analysis and evaluation shall be made against the issues identified in the issue identification
process, applicable federal, state and local laws, the Consultant’s experience with or knowledge of best practices in other communities, and the Consultant’s knowledge of innovative zoning and land use practices such as hybrid zoning codes (i.e. codes that incorporate form-based and conventional land use-based provisions) and form-based codes, including traditional neighborhood development ordinances. The analysis and evaluation shall assess the strengths and weaknesses of the existing Zoning Code in terms of its structure, organization, clarity, ease of use, existing zoning districts and district standards, general regulations, definitions, and zoning code procedures. Further, it shall include the Consultant’s findings regarding how well the current Zoning Code is integrated with other City Ordinances (Subdivision and Platting, Historic Preservation, Building, Utilities and others) and how the Code does or does not conform to the City’s adopted Comprehensive Plan. The Consultant shall evaluate other city ordinances, the Comprehensive Plan and related documents to ensure consistency and integration. Identify areas of conflict or potential conflict and recommend alternative solutions. The Consultant shall provide a summary of consistencies or inconsistencies between the current Zoning Code and map and the City’s Comprehensive Plan and other City plans, policies and ordinances. Part of this analysis shall include the review of the City’s current Zoning Code map to identify areas of the City where there is a mismatch between the zoning district designation and the desired land use as recommended in the plans. The Consultant shall also gauge the public’s perceptions about the strengths and weaknesses of the current Zoning Code and map. The Consultant shall analyze the recommendations of the City’s Comprehensive Plan and the City’s neighborhood plans to determine whether there are regulatory frameworks that would help implement those plans.

Deliverables:

a. One original and twenty (20) copies of the technical analysis and evaluation report concerning the current Zoning Code and map and discussion of new zoning concepts and approaches.
b. Electronic (PDF) file of the technical analysis and evaluation report.
c. Present technical analysis and evaluation report to City staff and the Plan Commission.

5. Annotated Outline

The Consultant shall identify and discuss new zoning concepts and approaches for potential inclusion in the draft Zoning Code, with special attention given to addressing the project objectives and the results of the issue identification and zoning code analysis tasks. Based on this information, the Consultant shall prepare an annotated outline that includes a chapter-by-chapter detailed description of the proposed new Zoning Code, an overview of the proposed structure and substance of the new Zoning Code, a discussion of zoning options, and a commentary explaining the rationale for the recommended approach to drafting the
Zoning Code. If the SmartCode is the basis for the new Zoning Code, annotation may not be required and in place the Consultant may propose what parts of the SmartCode would apply to the City and in conjunction with the City Attorney, customize/calibrate the appropriate sections to the circumstances of the City of Washburn. The annotated outline shall include examples of how the new Zoning Code would be used to implement the recommendations of the Comprehensive Plan and neighborhood plans. The Consultant shall present the annotated outline to City staff, the Plan Commission, and other City boards and commissions as deemed appropriate by the City and others for review and comments. After obtaining general agreement on the contents of the initial draft of the annotated outline, the Consultant shall provide the City with a final annotated outline, based on the comments received.

Deliverables:

a. Meeting(s) with the Plan Commission, City staff and others. The Consultant in consultation with the City’s Project Manager shall be responsible for arranging and facilitating all meetings. The Consultant shall be responsible for preparing meeting minutes.

b. One original and twenty (20) copies of the draft annotated outline.

c. One original and twenty (20) copies of the revised, final annotated outline.

d. Electronic (PDF) files of all documents.

6. Discussion Draft Zoning Code

The Consultant shall prepare a discussion draft Zoning Code that is based on the final annotated outline. The discussion draft should be presented in distinct modules that will permit easy review. The modules may include: (a) definitions; (b) general provisions; (c) zoning district regulations and permitted uses; (d) dimensional and development standards; (e) form-based zoning provisions; (f) special development standards; and (e) administration and enforcement. The Consultant may present an alternative approach to presenting the discussion draft for review and comment. The discussion draft shall include extensive use of graphics, tables, flow charts, matrices and other methods for facilitating easy use and understanding of the Code. The Consultant shall also provide a working zoning map that shows how the Zoning Code will be mapped for representative sub-areas of the City.

The Zoning Code should be:

- Updatable;
- Limited use of color; color to be used as appropriate for geographic representations;
- Easy to read, understand and follow; and
- Be drafted in both Microsoft Word and Adobe In-Design formats.

After initial review and comments by City Staff and Plan Commission, the discussion draft shall be widely distributed to the public for review and
The Consultant shall propose an approach for soliciting broad-based input about the discussion draft from City commissions and committees; the general public; stakeholder and others. The Consultant in consultation with the City’s Project Manager shall be responsible for arranging and facilitating all public meetings. Following discussion and review the Consultant shall provide a revised discussion Draft Zoning Code for further review. Consultant will conduct a meeting in order to gather input and complete review and revisions of the discussion draft. These meetings/presentations, etc. are anticipated to be part of the development of a consensus public hearing draft Zoning Code document and not part of the public hearing review and adoption process.

Deliverables:

a. One original and twenty (20) copies of the discussion draft Zoning Code.

b. Electronic (PDF) file of the discussion draft Zoning Code.

c. Electronic file of the discussion draft Zoning Code working map as it applies to representative sub-areas of the City.

d. Meetings/presentations, etc. with the Plan Commission, City staff, other City commissions and committees, the general public and others to review the discussion draft Zoning Code. The Consultant, in consultation with the City’s Project Manager, shall be responsible for arranging and facilitating all meetings/presentations. The Consultant shall be responsible for preparing meeting minutes.

e. The Consultant shall implement its approach to soliciting input from the general public and other Zoning code users about the discussion draft Zoning Code.

f. The Consultant shall work with the City to evaluate, test and revise the discussion draft Zoning Code and the working map.

g. The Consultant shall modify the discussion draft Zoning Code and working map as needed.

h. One original and twenty (20) copies of revised discussion draft Zoning Code.

i. Electronic (PDF) file of revised discussion draft Zoning Code.

j. Electronic file of revised discussion draft working map.

7. Discussion Draft Citywide Zoning Code Map

The Consultant shall prepare a discussion draft citywide Zoning Code map that applies the proposed zoning districts citywide. The map shall build on the working map prepared in Subsection F above. Bayfield County Land Records Office, which uses ArcGIS Editor 10 in an ArcServer 10 Geodatabase, may serve as an effective mapping source for this work. The Consultant shall provide a draft citywide map that shows where the proposed zoning districts are recommended. After initial review and comment by City staff and Plan Commission, the discussion draft citywide Zoning Code map shall be widely distributed for review and comment. Following discussion and review the Consultant shall modify the discussion draft citywide Zoning Code Map as needed. The Zoning Code
map must identify zoning districts for each parcel within the City; the City can provide parcel data. If a parcel has more than one zoning designation, the map must accurately depict all zoning designations. The Consultant shall propose an approach for soliciting broad-based input about the discussion draft citywide Zoning Code map from City commissions and committees; the general public; stakeholders and others. The Consultant, in consultation with the City's Project Manager, shall be responsible for arranging and facilitating all public meetings. The proposal shall include the projected number of meetings/presentations/workshops, etc. the Consultant will conduct in order to gather input and complete reviews and revisions of the discussion draft citywide Zoning Code map. These meetings/presentations, etc. are anticipated to be part of the development of a consensus public hearing draft Zoning Code map and not part of the public hearing review and adoption process.

Deliverables:

a. Electronic file of the preliminary discussion draft Zoning Code working map as it applies.
b. Meetings/presentations, etc. with the City staff, Plan Commission, other City commissions and committees, the general public and others to review the discussion draft citywide Zoning Code Map. The Consultant, in consultation with the City's Project Manager, shall be responsible for arranging and facilitating all meetings/presentations. The Consultant shall be responsible for preparing meeting minutes.
c. The Consultant shall implement its approach to soliciting input from the general public and other Zoning Code users about the discussion draft citywide Zoning Code map.
d. The Consultant shall modify the preliminary discussion draft citywide Zoning Code Map as needed.
e. The Consultant shall work with the City to evaluate, test and revise the discussion draft citywide Zoning Code Map.
f. Electronic file of the final discussion draft citywide Zoning Code map, designating zoning districts at the parcel level for all land within the City.

8. Public Hearing Draft Zoning Code and Citywide Map

After City staff, Plan Commission and public consideration and evaluation of the discussion draft Zoning Code and map, the Consultant shall prepare a public hearing draft Zoning Code and map. In addition, the Consultant shall prepare an executive summary explaining the public hearing draft and map and changes from the discussion draft and map, including the rationale for such changes. The executive summary will be distributed to the general public and the media prior to the public hearing. This material shall be available two (2) months in advance of the public hearing.
Deliverables:
  a. One original and twenty (20) copies of the public hearing draft of the Zoning Code.
  b. One original and twenty (20) copies of the public hearing draft Zoning Code executive summary.
  c. Written recommended alterations to relevant sections of other municipal codes, and the Comprehensive Plan.
  d. Electronic (PDF) file of the public hearing draft Zoning Code and executive summary.
  e. Electronic file of the public hearing draft Zoning Code map.

9. Attend Public Hearings, Revise Zoning Code & Map, & Final Adoption
   The Consultant shall present the public hearing draft of the proposed Zoning Code and map at a public hearing of the Plan Commission, explain its contents, respond to questions and revise the Zoning Code and map as directed by the Plan Commission. The revised Zoning Code and map, as recommended by the Plan Commission, will serve as the drafts on which the Common Council takes final action to adopt them. The Consultant shall then present the revised Zoning Code, as recommended by the Plan Commission, to the Common Council for final adoption.

Deliverables:
  a. Consultant to attend Plan Commission public hearing at which the proposed Zoning Code and map is considered.
  b. One original and twenty (20) copies of revised, post-public hearing consensus draft of the Zoning Code.
  c. Electronic (PDF) file of revised, post-public hearing consensus draft of the Zoning Code.
  d. Electronic file of the revised, post-public hearing consensus draft of the Zoning Code map.
  e. Consultant to attend the Common Council meeting at which the proposed Zoning Code and map, as recommended by the Plan Commission, is acted on.
  g. An electronic (Microsoft Word and Adobe In-Design formats) file of the adopted Zoning Code.
  h. A web-friendly version of the adopted Zoning Code.

F. Standards

All contractors submitting proposals to the City of Washburn shall provide proof that they are fully licensed, bonded, and insured. The successful contractor, as a condition of the contract, shall be required to have all necessary insurance coverage including liability at a minimum of $1.0M per occurrence, naming the City of Washburn as additional insured. The contractor must also provide a certificate of insurance as evidence of
worker’s compensation coverage. Any vehicle used in connection with this position must carry bodily injury/property damage liability at no less than a single limit of $1.0M or a split limit of $1,000,000/$1,000,000/$500,000. The City of Washburn must be named as an additional insured on this policy.

G. Compensation

The proposal shall include a proposed cost for the various phases/services to be provided under this RFP. Options to be provided should be clearly delineated. This information will also facilitate negotiation of a contract with the firm which is awarded the RFP.

III. DESCRIPTION OF THE GOVERNMENT

A. Name and Telephone Number of Contact Persons

The contractor’s principal contact with the City of Washburn will be Scott Kluver, City Administrator, 715-373-6160 Ext. 4.

B. Background Information

The City of Washburn serves a population of 2,110 in Northeastern Bayfield County. The City’s fiscal year begins on January 1 and ends on December 31. Further information about the City of Washburn can be obtained on the City’s website www.cityofwashburn.org. More information on the City of Washburn can be obtained by contacting Scott Kluver, at (715) 373-6160 Ext. 4 or by e-mail at washburnadmin@cityofwashburn.org. Any questions regarding this RFP or its process should be directed to the previously-mentioned individual.

IV. TIME REQUIREMENTS

A. Proposal Calendar

The following is a list of key dates up to and including the date proposals are to be submitted:

Request for proposal issued
Due date for proposals

April 10, 2012
May 17, 2012 4:00 p.m.

B. Notification and Contract Dates

Selected contractor notified (anticipated) Selected contractor notified (anticipated)
Contract date

June 21, 2012
July 9, 2012
V. PROPOSAL REQUIREMENTS

A. The following material is required to be received by 4 pm Thursday, May 17, 2012 for a proposing contractor to be considered:

1. Title Page
   Title page showing the request for proposals subject; the contractor’s name; the name, address and telephone number of the contact person; and the date of the proposal.

2. Table of Contents

3. Transmittal Letter
   A signed letter of transmittal briefly stating the proposer’s understanding of the work to be done, the commitment to perform the work within the time period, a statement why the contractor believes itself to be best qualified to perform the engagement, a statement that the proposal is a firm, and an irrevocable offer for the year starting July 9, 2012.

4. Detailed Proposal
   The detailed proposal should follow.

5. Copies of proposer’s guarantees and warranties.

B. Proposers should send labeled proposals “Zoning Re-Write RFP” to the following address:

   City Clerk
   119 Washington Avenue
   P.O. Box 638
   Washburn, WI 54891

VI. EVALUATION PROCEDURES

A. Proposal Evaluation

Proposals submitted will be evaluated by the Plan Commission who will make a recommendation for final approval to the Common Council of the City of Washburn.
B. Evaluation Criteria

Proposals will be evaluated using three sets of criteria. Contractors meeting the mandatory criteria will have their proposals evaluated and scored for both technical qualifications and price. The following represent the principal selection criteria, which will be considered during the evaluation process.

1. Mandatory Elements
   a. The contractor has no conflict of interest with regard to any other work performed by the contractor for the City.
   b. The contractor adheres to the instructions in this request for proposal on preparing and submitting the proposal.
   c. The contractor submits a copy of its licenses, bonds, and insurance as necessary.

2. Technical Qualifications
   a. Demonstration of experience and qualifications of staff.
   b. Demonstration of past experience and performance on comparable government engagements. Should include examples of zoning methodologies.
   c. Proposed methods and approach in serving the City of Washburn (e.g. work plan, information available to public, finished products).

3. Proposed schedule of fees and compensation for services

C. Oral Presentations

During the evaluation process, the City may, at its discretion, request any one or all contractors to make oral presentations. Such presentations will provide contractors with an opportunity to answer any questions the City may have on a contractor’s proposal. Not all contractors may be asked to make such oral presentations.
D. **Final Selection**

The Plan Commission and the Common Council will select a contractor based upon the above criteria.

It is anticipated that a contractor will be selected by June 21, 2012. Following notification of the contractor selected, it is expected a contract will be executed between both parties by July 9, 2012.

E. **Right to Reject Proposals**

By responding to this RFP an individual respondent accepts the process outlined in this RFP and fully acknowledges that the final determination of the City of Washburn Council is binding and without appeal.

The City Administrator reserves the right to reject any or all proposals, without prejudice and/or waive any irregularities if deemed in the best interests of the City.

The City of Washburn Common Council reserves the right to accept the proposal considered most advantageous to the City of Washburn. All respondents accept this process in submitting a proposal.