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Serving the communities of Baker, Clay, Duval, Flagler, Nassau, Putnam and St. Johns Counties


***Bringing Communities Together***

## MEMORANDUM

**DATE:** JUNE 5, 2018

**TO:** NORTHEAST FLORIDA REGIONAL COUNCIL BOARD OF DIRECTORS

**THRU:** PERSONNEL, BUDGET AND FINANCE POLICY COMMITTEE

**FROM:** BRIAN D. TEEPLE, CHIEF EXECUTIVE OFFICER 

**RE:** CITY OF ATLANTIC BEACH LAND DEVELOPMENT CODE  
CONSULTANT SELECTION

As you may recall, the City of Atlantic Beach has asked the Council to assist in a re-write of their Land Development Regulations. We have entered into a contract with the City for \$150,000 over two years. It was always contemplated by the City and the Council that we would sub-contract out a portion of that work to subject matter expert(s).

We recently concluded a competitive procurement process through a Request for Proposals (attached) and received eight (8) responses. The proposal review committee consisted of three (3) City personnel and two (2) Council staff. Proposals were received from, in alphabetic order:

- Anderson Shell Consulting
- Canin Associates
- Greenberg Trauig
- K2 Urban Design
- Kimley Horn
- NZ Consultants
- Planning Collaborative
- VHB

The committee unanimously chose Kimley Horn as being most responsive and best suited for this project with VHB ranked second.

### Recommendation

Authorize the CEO to negotiate and execute a contract with Kimley Horn in the amount of \$99,920. Should those negotiations fail, the CEO is authorize to negotiate and execute a contract with VHB in the amount of \$97,110.

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EQUAL OPPORTUNITY EMPLOYER

**Request for Proposals**

**Issued by**

**Northeast Florida Regional Council**

**To Re-Write the**

**City of Atlantic Beach**

**Land Development Regulations**

## **Background**

The **Northeast Florida Regional Council (NEFRC)** is the regional planning organization for seven Northeast Florida counties (Baker, Clay, Duval, Flagler, Nassau, Putnam and St. Johns Counties) and their twenty-seven municipalities. The NEFRC has extensive experience in assisting local governments in our region with a wide variety of planning related issues

**The City of Atlantic Beach, Florida** is a municipal corporation in the state and has contracted with the NEFRC to re-write their Land Development Regulations.

The NEFRC is seeking subject matter expert assistance in re-writing the City of Atlantic Beach's Land Development Regulations as more fully described in this Request for Proposals.

**The purpose of this RFP is to solicit proposals for a subject matter expert(s) to assist the NEFRC in re-writing the City of Atlantic Beach's Land Development Regulations as more fully described within this RFP.**

## **Responses**

Responding to this Request for Proposal is non-binding. No obligation on the part of the NEFRC as the RFP issuing agency or on behalf of the responding entity is created by the response. The NEFRC reserves the right to reject all proposals and re-issue an RFP at their discretion. NEFRC reserves the right to request additional information from all or a single respondent.

## **Submittal Contents**

### A. Title Page

Show the RFP subject, the name of the firm, local address, telephone number, email, name of the contact persons and the date.

### B. Table of Contents

Include a clear identification of the material by section and by page number.

### C. Letter of Transmittal (Limit to two pages).

C1. State the names of the persons who will be authorized to make representations for the firm and their titles.

C2. State that the person signing the letter will be authorized to bind the firm.

## D. Scope of Work /Cost Proposal / Fee Schedule

### D1. Project Criteria:

The following project criteria will serve as the basis for a contractual scope of work, and should be treated in response to this RFP as expected deliverables. Each deliverable should be in the form of a written report. Additionally, it is expected that respondents will identify their proposed methodology for achieving/satisfying the project criteria, including any proposed deviation from the scope below. Respondents are encouraged to be as specific as possible.

#### Phase 1: Audit

##### Task 1.

The first task will be to undertake a desktop audit and assess the City of Atlantic Beach Land Development Code, Comprehensive Plan, City Charter and other related documents specifically identifying areas to be addressed and examining the effectiveness of the zoning atlas in relation to the Land Development Code.

**Deliverable:** A matrix that, at a minimum, identifies overlap, consistency, or gaps between the City Charter, the Comprehensive Plan and the Land Development Regulations.

**Due Date:** June 29, 2018

##### Task 2.

The second task will be to gather input on recurring/pressing issues related to the Land Development Regulations by holding four facilitated workshops, in the following order:

- Workshop #1: Citizens
- Workshop #2: City Staff
- Workshop #3: Community Development Board
- Workshop #4: City Commission

**Deliverable:** Meeting summaries for each of the workshops.

**Due Date:** July 31, 2018

Task 3.

Development and distribution of a data/opinion collection form for use by anyone who wishes to provide written input during this first phase of the project. These forms will be distributed at the workshops in Task 2 and will be available at City Hall and on the project webpage. Coordinate a “walkabout tour” of the City to physically observe the physical manifestation of code issues.

**Deliverable:** Input form and a compilation of input received via the input form.

**Due Date:** August 31, 2018

Phase 2: Assess

Based on information and direction gathered in Phase 1 a series of potential approaches to address issues gathered will be developed.

Task 1.

Generalized concept approaches will be developed in order to gauge acceptability prior to further detailed development of specific regulatory language.

**Deliverable:** Report of generalized approaches for resolution of issues discovered in Phase 1.

**Due Date:** October 31, 2018

Task 2.

The second task will be to gather input on generalized conceptual approaches related to the Land Development Regulations by holding four facilitated workshops, in the following order:

- Workshop #1: Citizens
- Workshop #2: City Staff
- Workshop #3: Community Development Board
- Workshop#4: City Commission

**Deliverable:** Meeting summaries for each of the workshops.

**Due Date:** November 30, 2018

Task 3.

Based on the input received in Task 2 recommendations will be developed in strikethrough/underline draft ordinance format.

**Deliverable:** Rewrite of Land Development Regulations in strikethrough/underline draft ordinance format.

**Due Date:** February 28, 2019

Task 4.

The final task in this Phase will be to gather input on the draft ordinance language for the Land Development Regulations by holding four facilitated workshops, in the following order:

- Workshop #1: Citizens
- Workshop #2: City Staff
- Workshop #3: Community Development Board
- Workshop#4: City Commission

**Deliverable:** Meeting summaries for each of the workshops.

**Due Date:** March 29, 2019

### Phase 3: Adoption

This phase will be geared to adopting amendments to the Land Development Regulations.

Task 1.

One workshop and one hearing will be held with the Community Development Board to review the specific draft recommendations to the Land Development Regulations.

**Deliverable:** Amended recommendations after the workshop and recommended changes to the City Commission after the hearing.

**Due Date:** May 31, 2019

Task 2.

One workshop and one hearing will be held with the City Commission to review the specific draft recommendations to the Land Development Regulations.

**Deliverable:** Amended recommendations after the workshop and recommended changes to the City Commission after the hearing.

**Due Date:** June 28, 2019

Task 3.

The City Commission will consider and adopt changes to the Land Development Regulations.

**Deliverable:** Final clean copy ordinance suitable for codification.

**Due Date:** September 30, 2019

- D2. Provide detailed descriptions of deliverables, tasks, timelines and compensation rates for the Scope of Work outlined above. Consultant time and travel expenses for study period should be included in price. The NEFRC has allocated \$100,000 for consulting services for this project.
- D3. Cost/Fee proposals shall be “fixed-fee” deliverable based, with a clear breakdown by task and their associated costs.
- D4. State whether the firm has been involved in contracts in which some costs have been disallowed.

E. Expertise and Work Experience

Respondents should document:

- E1. Expertise and work experience in developing and/or modifying land development regulations especially in coastal communities in Florida similar in scope and size to the City of Atlantic Beach;
- E2. Prior work experience in facilitating stakeholder input;
- E3. Quality of previous work (include references);
- E4. Confirmation of ability to perform tasks and provide deliverables as specified above.

F. Qualifications and expertise of personnel to perform each of the tasks

- F1. State the location of the office(s) from which the work is to be performed.
- F2. List and describe recent experiences similar to those requested in this proposal.
- F3. Provide names, addresses and telephone numbers of client references for which similar work was performed by the respondent. A minimum of three references are preferred but submit no more than five.
- F4. Provide the name(s) of the person(s) who will be the project manager and all others who will be assigned to this project along with concise statement of qualifications and experiences. Resumes should be included in an appendix.
- F5. State the relevant staff training employed by the firm and name(s) of the various professional organizations for which membership is maintained.

G. Litigation and Debarment

Respondents must disclose any prior, current, or proposed business related debarment, suspension, ineligibility, voluntary exclusion from contracts, suspension, litigation, bankruptcy, or loan defaults within the past five (5) years; as well as if the respondent or any of its principals are the subject of any investigations or hearings by any Federal, State, or local regulatory agency. If none, a statement to that effect must be included.

**Terms and Conditions**

A. Contract Agreement/Scope of Work/Compensation

The selected respondent will be expected to enter into a formal agreement at the time of selection. The selected respondent(s) will also be expected to submit a scope of work with detailed descriptions of deliverables, tasks, timelines, and associated compensation.

B. Acceptance/Rejection of Proposals

The Northeast Florida Regional Council reserves the right to accept or reject any or all proposals received as a result of this request, and to waive any informalities, defects, or irregularities in any proposal.

C. Proposals

To be considered, respondents must submit a complete response to the RFP using the format provided in the Submittal Instructions. The respondent shall furnish such additional information as may be reasonably required. The NEFRC reserves the right to investigate the qualifications



of the respondent as deemed appropriate and to reject any or all qualifications and to waive technicalities and informalities. All material submitted becomes the property of the NEFRC.

D. Intellectual Property

All work products related to a contract resulting from this RFP shall be sole and exclusive intellectual property of the NEFRC and the City of Atlantic Beach.

**Proposal Scoring Criteria**

Proposals will be rated on the following criteria:

Response to the Scope of Work (D1)	30 points
Fee Proposal (D2-D4)	30 points
Firm Expertise/Work Experience (E1-E4)	20 points
Personnel Qualifications/experience (F1-F5)	20 points

**Submittal Instructions**

This RFP shall be construed in accordance with the laws of the State of Florida. The selected firm(s) agrees to subject themselves to the jurisdiction and venue of the Circuit Courts in Duval County, Florida as to all matters and disputes that may arise under this RFP.

Responses to this RFP must include six (6) bound copies and (1) digital copy. Responses must be clearly marked on the outside:

[FIRM NAME]  
REQUEST FOR PROPOSAL RESPONSE  
CITY OF ATLANTIC BEACH  
LAND DEVELOPMENT REGULATIONS RE-WRITE

Please attach a cover letter including the company name, contact person and title, address, telephone numbers and email address.

The deadline for submissions is **2:00 p.m. Eastern Time Zone, April 30, 2018**. Responses received after this date and time will not be considered. Responses must be directed to:

Brian Teeple  
Northeast Florida Regional Council  
100 Festival Park Avenue  
Jacksonville, Florida 32202

## **RFP Questions and Clarification**

In order to ensure consistent responses and to ensure consistent and correct information to all interested parties, potential respondents must submit all questions and requests for clarification in writing to [COABLDR@nefrc.org](mailto:COABLDR@nefrc.org). All questions and answers will be posted at [www.nefrc.org](http://www.nefrc.org). No questions will be accepted after 5:00 p.m. on April 23, 2018.

During the bidding process, all prospective proposers are hereby prohibited from contacting any member of the Northeast Florida Regional Council's Board of Directors or employees, or any member of the Atlantic Beach City Commissioners, the City Manager or any City employee or agent regarding the solicitation in any respect during the solicitation and evaluation period.

The violation of this rule shall result in the automatic disqualification of any response to a bid solicitation submitted by the violator.