

**REQUEST FOR QUALIFICATIONS
FOR
LAND DEVELOPMENT REGULATIONS**



**City of Lakeland, TN
Planning Department
ATTN: Jordan McKenzie
10001 US Highway 70
Lakeland, TN 38002-9756**

October 2021

1. LAND DEVELOPMENT REGULATIONS

1.1 Purpose

The City is soliciting proposals from qualified, multidisciplinary planning firms/consultants to update the Land Development Regulations. The area to be considered in this land development regulation update will include the City's urban growth boundary and corporate boundary as shown in the attached map. The land development regulations will be used to implement the vision of the City's Comprehensive Development Plan (currently out for RFQ), Major Road Plan, and Economic Development Plan.

Lakeland's current Land Development Regulations were revised in 2013 and have become overly burdensome on developers and private citizens when dealing with the City currently growth. It is the City's desire that there be significant and meaningful community participation in preparation of the updated LDRs and that the consulting team includes substantial opportunities for citizen participation in the planning process.

1.2 Project Background Information

The City of Lakeland is located in the southwest corner of the state. Lakeland is approximately 17 miles northeast of Downtown Memphis, and 55 miles southwest of Jackson, TN. The City's corporate boundary encompasses approximately 23.49 square miles in Shelby County. The 2020 Census certified the population at 13,904, an increase of 11.86% from the City's census of 2010. The City is part of the Memphis, TN Metropolitan Statistical Area which includes three counties and a population of 1,324,108.

1.3 Community Engagement

The City of Lakeland considers itself to be a progressive, diverse, and forward-thinking community and desires formulation of a comprehensive development plan that will be inspirational for the community. As part of the plan process, the City desires to place a major emphasis on community engagement. The Lakeland Board of Commissioners has determined that the City must ensure it continually creates a better quality of life for the community. In order to implement that vision the Board of Commissioners has identified four core service values: to create safe and livable neighborhoods; to identify opportunities for projects that would draw new investment, users, and visitors to Lakeland (including small and large scale development); to provide all citizens, residents, and visitors alike excellent and affordable services with a focus on customer service; and, to produce an action plan section (recommendations and next steps based on the baseline data collected). The Board of Commissioners considers the comprehensive development plan update a foremost opportunity to engage the public and involve them in formulating a plan that truly belongs to the community and implements these values.

The City is seeking a consultant team that will engage the public through various media, including presentations, public hearings, social media, the internet, and workshops throughout the project. This community engagement process should be empowering for the public, engaging people in the process, and maintaining their continued participation. The consultant should embolden the community to think beyond the status quo, fostering an environment of cooperation in working together for Lakeland's future. The methods of public outreach and involvement should be advanced and inventive in manners that encourage residents to connect within the community to bring value to the plan.

1.4 Existing Ordinances and Regulations

The current Land Development Regulations (LDR) include the Administration, Neighborhood Development Regulations (Subdivision Regulations), Zoning Regulations, and Tree Management Ordinance. The TDRs were adopted in 2013 and has been amended numerous times to address new challenges.

The City wishes to modernize its land development regulations and address other major issues, content problems, or weakness, including, but not limited to, the following:

- Awkward and confusing ordinance format and structure,
- Unclear, contradictory language, including standards or requirements which simply cannot be met,
- Unclear review procedures and permitting requirements,
- Lack of graphics and illustrations with dimensional information,
- Lack of sufficient and clear definitions,
- Lack of aesthetic review criteria and design guidelines that address both the commercial districts and the City's overall character,
- Lack of cross-references within sections, section headings, and a comprehensive index; and,
- Lack of urban design and environmentally friendly practices for long term sustainability.

1.5 Description of Proposed Land Development Regulations

The new LDRs may be a consolidated Unified Development Code or Traditional Individual Regulations. The City will work with the Consultant to determine the best method to carry out the City's new Comprehensive Development Plan. As a combined or individual document, the new LDRs will need to include at a minimum:

1. Administrative Review Manual – to guide Citizens, Developers, and Development Consultants through the permitting, site planning, subdivision, and other development processes.
2. Subdivision Regulations
3. Zoning Ordinance
4. Architectural Design Standards (Design Guidelines)
5. Tree Management Ordinance
6. Sign Ordinance

It is anticipated that this new LDR will:

1. Be "user-friendly", easy to read, understand, and interpret for all users, including citizens, staff, developers, businesses, and elected and appointed officials,
2. Be simpler, flexible, and more easily administered by staff,
3. Illustrated, with considerable graphics depicting the requirements, recommendations, and concepts detailed in the code,
4. Incorporate innovative and creative approaches to land-use regulations,
5. Be able to create unique and distinctive gateways and major thoroughfares throughout the City and,
6. Be built upon the small-town design principles and best practices throughout the county, state and/or country.

1.6 Scope of Services Required

The services being sought of the planning consultant selected for this project will include the following:

1. Review and assess the land use regulations of the City of Lakeland; subdivision regulations, zoning ordinances and all other relevant City ordinances with staff, the local development community, elected officials and appointed officials, citizens, and other interested parties to determine deficiencies,
2. Review, identify, recommend and facilitate potential changes to the Lakeland Land Development Regulations,
3. Prepare specific updates to the Lakeland Land Development Regulations to ensure elected officials, staff and the general public understand the use of the City's codes,

4. Evaluate different approaches and determine the most effective type of LDR product for the City of Lakeland,
5. Consideration of sustainable development practices, design features, and form-based code approaches,
6. Prepare a LDR that will clearly define the expectations of the City in regard to appearance, quality, density of development, and address identified weaknesses,
7. Work with a staff review team or advisory committee,
8. Provide neutral opinions and resolutions in cases of conflict,
9. Conduct workshops to cooperatively develop regulations with elected and appointed officials, staff, the development community and members of the public,
10. Coordinate the development of this LDR with concurrent projects,
11. Provide guidance regarding any zoning map changes which may result from text changes to the LDR,
12. Prepare updates as necessary to the City's zoning map using files compatible with ArcGIS shapefile format,
13. Present the ordinance at meetings and public hearings (the ultimate number to be determined by staff),
14. Ensure compliance with all applicable state statutes and regulations,
15. Design, host, and maintain a website dedicated to the project that will allow the community to review the progress of the project and to make comments about the ordinance updates throughout the process,
16. Act as facilitator with representatives of the City's business community, residents, elected and appointed officials, and the City staff in the formulation of regulations,
17. Provide all meeting materials, drafts, and final drafts to the City in common formats such as PDF and Word for reproduction at meetings and printing the final LDR and,
18. Recommend the best approach for managing and maintaining codification of the new LDR for adoption.

1.7 Project Timetable

The proposer's submittal shall include detailed project task and components and associated task timelines that would serve to allow evaluation by the city of the proposer's assessment of the Project task and time estimated to complete said task.

1.8 City Staff Expectations

The proposer's submittal shall include what expectations for information they expect to receive from the city staff to support the initiation, research, and development phases of the project.

2. INSTRUCTIONS AND CONDITIONS

2.1 Submission to City of Lakeland

The City is seeking proposals for the provision of professional services set forth in the proposal requirements. Proposals must be received by the Planning Department at City Hall, 10001 US Highway 70, Lakeland, Tennessee 38002-9756, no later than **2:00 p.m. CST on Thursday November 18, 2021**. Late proposals will not be considered and will be returned unopened. Proposals postmarked on the deadline date but received by the Planning Department after the specified time will be considered late and will be returned unopened. The City shall not be responsible for proposals that are mailed or sent via private delivery services. The City will not accept proposals submitted by fax or electronic mail.

It is anticipated that a contract will be negotiated with the firm selected via the RFQ based on the following schedule. Please note, the City of Lakeland reserves the right to change any of the dates stated in this RFQ.

Date	Event
October 4, 2021	Issuance of Request for Proposals
October 22, 2021	Questions Cutoff Date
November 2, 2021	Response to Questions Due
November 18, 2021	RFQ Submission Deadline
November 30, 2021	Review/select consultants for interviews
December 14-17, 2021	Interviews
Week of December 20, 2021	Selection of Consultant
Week of December 27, 2021	Contract negotiation
January 13, 2022	Contract award
February 2022	Project Kickoff

* Dates subject to change

2.2 Organization of Proposal and Completeness

The proposer shall submit an original plus eight (8) copies of the proposal to the Planning Department at the address set forth in 2.1 above. In addition, each proposal shall submit at least one electronic copy. All proposals must be sealed, and the envelope or container clearly marked with the proposer's name and the words "Comprehensive Development Plan". Failure to provide this information on the envelope or container may result in the proposal not being considered. It shall be the sole responsibility of the proposer to have the proposal delivered to the city before the proposal deadline.

Each proposal shall be organized in the order and manner as outlined in Section 3 of this Request for Qualification. Any negative, incomplete, or outright failure to respond to questions, inquiries or required information will permit the city to reject or refuse to consider the proposal. All proposals shall be typewritten. Proposers are cautioned to verify their proposal prior to submission.

2.3 Proposal Interpretation-Communication with the City of Lakeland

The City of Lakeland has designated Jordan McKenzie, City Planner, to be responsible for coordinating communications between the city and the firm(s) submitting proposals. If additional information is required to make an interpretation of items in this RFQ, written questions (including faxes or e-mails) will be accepted through the date listed in the table above. The City will attempt to respond promptly but will nonetheless provide written answers to questions within seven (7) days prior to the proposal deadline, and all answers will be posted on the afore-mentioned website. All questions regarding the RFQ should be addressed to:

Jordan McKenzie
Planning Department
10001 US Highway 70
Lakeland, TN 38002-9756
jmckenzie@lakelandtn.org

The City specifically requests that no contact concerning this RFQ be made with any other city personnel or official, except the above-referenced, until the selection process has been completed. Failure to honor this requirement will be viewed negatively in the selection process and may result in the disqualification of a proposal.

2.4 Cost and Contracting

The City of Lakeland budgeted for this project in this current fiscal year. The pricing and rate schedule shall be negotiated separately by the City of Lakeland and the highest ranked firm. If a fair price for services cannot be reached with the first choice, then the City of Lakeland will go to the next choice for fee negotiations. The proposer shall provide a written statement indicating the firm's willingness to accept a City-written contract and must not construe this against the City. The City may also be willing to accept the proposer's standard contract, so long as it is deemed acceptable by the City. This will be part of the contract negotiations upon selection of a successful consultant.

2.5 Subcontracting

If any part of the work is, or is intended to be subcontracted, the proposer shall provide within the proposal submittal a list of the subcontracting firm(s) participating in the land development regulation and their respective roles. All subcontractors will be subject to approval by the City. The successful proposer shall furnish the corporate or company name and the names of the officers or principals of said companies proposed as subcontractors by the proposer.

2.6 Proposal Modification

Proposals may be modified, withdrawn, and/or resubmitted in writing to the City prior to the deadline for proposal submission. After this deadline, no resubmissions may be made for any reason.

2.7 Approval Required

No award or acquisition can be made until a contract is approved by the Board of Commissioners. The City will not be obligated to proposers for services until the completion of a signed contract approved by authorized officials of the City. This solicitation in no manner obligates the City to the eventual rental, lease, or purchase of any equipment or services described, implied, or which may be proposed, until confirmed by a written contract. Progress towards this end is solely at the discretion of the City and may be terminated at any time prior to the signing of a contract.

2.8 Right of Rejection

The City of Lakeland reserves the right to reject any or all submittals, to compare the relative merits of the respective responses, and to choose a vendor, which in the opinion of the City, will best serve the interests of the City. The City reserves the right to negotiate all final terms and conditions of any agreement entered into. Nothing in the Request for Qualifications shall be deemed to commit the City to engage any services. Each response to this RFQ shall be done at the sole cost and expense of each proposing vendor and with the express understanding that no claims against the City for reimbursement will be accepted.

3. PROPOSAL AND SUBMISSION REQUIREMENTS

To achieve a uniform review process and obtain the maximum degree of comparability, it is required that the proposal be organized in the manner specified below and contain all specified information. All proposals shall be bound with all required information listed in this section. Each individual section shall be separated by tabs numbered in accordance with the required sections below. Proposals that do not adhere to the requirements of this section may not be considered. All submittals must be limited to 75 pages, excluding individual resumes and past project samples.

3.1 Title Page

Show the name of proposing firm(s), address, telephone number(s), name of contact person and title, and date.

3.2 Table of Contents

Clearly identify materials by section and page number.

3.3 Letter of Intent

Briefly state your understanding of the services to be performed and make a positive commitment to provide the services as specified. Give the name(s) of the person(s) who are authorized to make representations for your firm, their titles, address, and telephone numbers. The letter must be signed by a corporate officer or other individual who has the authority to bind the firm and the capacity to negotiate on behalf of the firm. The letter of intent shall respond to the Scope of Work and the contents of the Request for Proposals reflecting a clear understanding of the project. It shall also indicate the firm's willingness to accept the City's fee approach of negotiating a price upon selection of the consultant.

3.4 Proposer Information & Experience

The proposal shall include general information about the consultant, a history of the consultant's firm, and shall include the consultant's related experiences with the type of project that is the basis of this RFQ. A consultant may join with other firms to strengthen their proposal. In this case, information on all firms represented must be shown, however only one firm will be recognized as the consultant or lead firm for contractual purposes and accountability. The consultant or lead firm shall demonstrate that it has past experience in performance of projects in similar size, scope, and complexity. The proposal shall include an organizational chart of the proposed team and a written description of their individual specific role(s) in the Project. The team shall identify a project manager.

Comparable work, specific to comprehensive development plans, within the last five (5) years of similar projects must be listed by both the lead firm and sub-consultant firms. The examples of listed work should be similar to the work identified by the City in terms of scope and function that is the basis of this RFQ. Samples of previous projects may be submitted, including links to on-line versions, to avoid necessary printing. However, no more than three (3) samples shall be submitted for review.

3.5 References

Contact information shall be provided for the projects listed and experience identified in Section 3.4, including name, title, address, and telephone number for the representative of the organizations or firm for which purported similar duties were performed.

3.6 Equal Employment & Affirmative Action

The proposal must contain information relative to the consultant's policy on equal employment opportunities. The successful consultant will ultimately be required to contractually secure these and other typically required assurances with their sub-consultant(s).

3.7 Project Plan & Schedule

The proposer shall include a detailed work plan and schedule for the project as generally outlined in Section 1 of this RFQ. The work plan and schedule shall identify important and identifiable milestones for and within each phase of the Project. The schedule should be expressed in terms of days or weeks from the time the contract is signed rather than actual dates in the event an unanticipated delay occurs.

The proposer shall additionally provide a best estimate of the entire project timeline from Notice to Proceed to Final Adoption of the land development regulation document.

3.8 Understanding of Scope/Technical Approach

The proposer shall include a detailed synopsis of the project and professional services that would convey a clear understanding of the tasks that will be required to complete the project. This should be of sufficient detail to provide evidence that there is a clear understanding of the tasks and issues both identified herein as well as those that may be anticipated based on experience. The proposer shall provide evidence that they have invested sufficient time in reviewing the Scope of Services and Plan/Project elements and that the synopsis reflects a thorough, thoughtful, and creative approach in design services implementation and that any proposed implementation methodology is sound and reliable.

3.9 Staff Resources

The proposer shall provide a summary of the experience and technological expertise of the staff that will be assigned to this project and describe the responsibilities and the role(s) that each of these individuals will contribute to the project. Full resumes of these individuals should be included in this section of the proposal. This section shall also clearly define what items are understood by the consultant to be completed by City staff.

4. EVALUATION

4.1 Proposal Evaluation and Scoring

All submitted proposals will be evaluated and scored by the individual members of the proposal review team in accordance with the following point system and categories:

1. Compliance - 10 points are possible for compliance with the RFQ and completeness of the proposal.
2. Experience/Staffing - 35 points are possible for the proposer's firm and/or team's staff availability and exhibited history and experience of the proposer's firm and/or team members individually and collectively in compiling a comprehensive development plan. The city will evaluate the proposed project team's experience and qualifications for providing the services described in this RFQ, including the ability to provide service and technical support. Specific attention will also be paid to transportation planning experience, as well as to the team leader's specific experience. Up to ten (10) points of the 30 will be available to firms that have completed comprehensive development plans in the State of Tennessee or the southeast region.
3. Understanding of Scope/Technical Approach - 30 points are possible for the proposer's demonstrated clear understanding of land development regulation issues, challenges, opportunities, and the specific objectives of the proposed plan elements for a rural jurisdiction including a sound methodology associated with the tasks identified in this RFQ.
4. Innovation and Community Engagement - 20 points are possible for demonstrated innovation in public outreach and community engagement.
5. Schedule - 5 points are possible based on reasonableness of schedule estimates and whether proposer can reasonably meet or exceed the schedule expectations for the plan. The proposal shall state whether or not existing contractual commitments of similar scope and priority are likely to have a negative impact on the proposer's ability to service a contract resulting from award under this RFQ.

4.2 Proposal Review Team

All proposals will be evaluated by a Consultant Evaluation Committee (CEC) comprised of City of Lakeland Staff. After a review of the proposals, the CEC may elect to conduct interviews to further gather data on the experience and qualifications of the proposer. Interviews will be limited to 30 minutes.

The City reserves the right to seek clarification of any proposal submitted and to select the proposal considered to best promote the public interest of Lakeland.

All proposals become the property of the City of Lakeland upon submission. The cost of preparing, submitting and presenting a proposal is the sole expense of the Consultant. Lakeland reserves the right to reject any and all proposals received as a result of this solicitation, to negotiate with any qualified source, to waive any formality and any technicalities or to cancel the RFP in part or in its entirety if it is in the best interest of the City of Lakeland.

The City of Lakeland will not discriminate against any individual for any reason and will provide services to all citizens and contractors, both potential and current, in a nondiscriminatory fashion. It is the intent of the City to fully comply with the provision of Title VI and Title VII of the Civil Rights Act of 1964. The City is committed to a moral, ethical and legal responsibility to ensure equitable employment practices and the delivery of City services regardless of an individual's race, color, religion, national origin, age, disability, gender or political affiliation. Interested certified Disadvantaged Business Enterprise (DBE) firms as well as other minority-owned and women-owned firms are encouraged to respond to all advertisements.

4.3 Contract Negotiations

One consultant will be selected for contract negotiations for each of the Land Development Regulations Update. Realizing that the final basis for agreement between the consultant and the City of Lakeland

must be a contract, firms must indicate their willingness to negotiate a contract acceptable to both parties. This RFQ and specified portions of the consultant's proposal will be included in such a contract. The selected consultant will be required to execute a written contract for and by the City. The City may execute the firm's standard contract upon approval by the City Attorney. However, all proposals must contain a statement indicating the firm's willingness to accept a City-written contract. The firm must agree not to construe this against the City. All contracts must be approved by the Board of Commissioners. The City reserves the right to cancel the project due to budgetary constraints.

4.4 Insurance Requirements

The Consultant will be required to purchase and maintain during the life of the contract Comprehensive General Liability insurance and Professional Liability insurance to protect the Consultant and Owner against liability from damages because of injuries, including death suffered by persons, including employees of the Owner, and liability from damages to property arising from and growing out of the Consultant's negligent operations in connection with the performance of the contract.

	<u>LIMITS</u>
A. Worker's Compensation	Statutory
B. Comprehensive General Liability	\$500,000 per occurrence
Premises/Operations	
Products/Completed Operations	
Contractual Liability	
C. Professional Liability/Errors and Omissions	\$500,000
	(optional requirement depending on service)

Consultant shall provide Owner with certificates evidencing such insurance as outlined above prior to beginning any work under this agreement. Such certificates shall provide the thirty (30) days advance written notice to Owner of cancellation, material change, reduction of coverage, or non-renewal, and shall list the City of Lakeland as an additional insured.

In addition, Consultant shall provide Owner with copies of insurance policies and/or policy endorsements listing the City of Lakeland as an additional insured. City's failure to request or review such insurance certificates or policies shall not affect City's rights or Consultant's obligations hereunder.

Consultant agrees to forever indemnify the City and hold it harmless from all liability for damage to property, injury to or death to persons, including all costs, expenses, and attorney's fees incurred related thereto, arising from negligence of the Consultant.