



## Town of Bluffton Request for Proposals RFP # 2018-16

### **AS NEEDED UNIFIED DEVELOPMENT ORDINANCE CONSULTANT SERVICES**

#### **1. PURPOSE**

The Town of Bluffton, South Carolina (Town) is seeking proposals from interested and qualified firms with past, proven, positive experiences in providing **As Needed Unified Development Ordinance Consultant Services**, under a fixed price contract. The target date to start performing these services is **September of 2017**. The Town intends to award one contract to the firm that presents a proposal considered to be of the best value to the Town for a period of one (1) year.

At any time during the solicitation process, the Town of Bluffton reserves the right to refuse any and all sealed proposals and to waive any technicalities and formalities. The Town of Bluffton reserves the right to negotiate with all qualified Proposers. The Town may cancel this solicitation in part or in its entirety at any time during the solicitation process if it is in the Town's best interest to do so.

#### **2. SOLICITATION TERMS and CONDITIONS**

##### **Proposers Responsibility:**

While the Town has used considerable efforts to ensure an accurate representation of information in this RFP, each prospective Proposer is urged to conduct its own investigations into the material facts and the Town shall not be held liable or accountable for any error or omission in any part of this RFP.

Before submitting a proposal, each Proposer shall make all investigations and examinations necessary to ascertain site conditions and requirements affecting the full performance of a contract and to verify any representations made by the Town upon which the Proposer will rely. If the Proposer receives an award because of its submission, failure to have made such investigations and examinations will in no way relieve the Proposer from its obligations to comply in every detail with all provisions and requirements of the contract, nor will a plea of ignorance of such conditions and requirements be accepted as a basis for any claim by the Proposer for additional compensation or relief.

A Proposer, by submitting a proposal represents that the Proposer has read and understands the Request for Proposals requirements and its response is made in accordance therewith and that the Proposer is familiar with

the local conditions under which the awarded Proposer must perform.

It is incumbent upon each prospective Proposer to carefully examine these requirements, terms, and conditions. Any inquiries, suggestions, or requests concerning interpretation, clarification or additional information shall be made in writing in accordance with procedures set forth herein. The Town will not be responsible for any oral representation given by any employee, representative or others. The issuance of a written addendum is the only official method by which interpretation, clarification or additional information can be given.

**Questions and Inquiries:**

Questions and inquiries must be received seven (7) calendar days prior to the submittal due date. Replies considered necessary or critical to the solicitation will be issued through an addendum within the Bid Opportunities section of the Town's website at [www.townofbluffton.sc.gov](http://www.townofbluffton.sc.gov). It is the Proposer's responsibility to check the website periodically to determine if an addendum has been issued. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect and may not be relied upon by potential firms in submitting their qualifications statement. Receipt of all addenda shall be acknowledged by the firm signing and enclosing said addendum acknowledgement with their proposal.

Questions and inquiries regarding this solicitation shall be submitted to:

**Brian Boehs  
Purchasing Administrator  
Town of Bluffton  
bboehs@townofbluffton.com**

**Restricted Discussions:**

All prospective Proposers are hereby instructed not to contact any member of the Town of Bluffton Council, the Town Manager or Town of Bluffton staff members, other than the Town's Purchasing Administrator regarding this RFP or their response at any time during the RFP process. Any such contact shall be cause for rejection of your submittal

**Submittal of Proposals:**

Sealed proposals shall be received by or prior to:

**2:00 p.m. on August 31, 2017**

Packages containing submittals shall be presented as such that they may be easily identified. The outside of the package shall be identified as follows:

**RFP # 2018-16  
As Needed Unified Development Ordinance Consultant Services  
Town of Bluffton  
Attn: Heather Colin**

Packages containing submittals shall be sent to

**Town of Bluffton  
Attn: Heather Colin**

**20 Bridge Street  
Bluffton, South Carolina 29910**

**Opening of Proposals:**

The receipt and opening of packages containing proposals shall be public, at the address, on the date and time specified above. The closing date and time shall be scrupulously observed. All proposal packages that have been timely accepted by the Town will be formally opened and accepted for consideration. The names of the firms submitting a proposal package will be read aloud and recorded. No other information will be provided to the public until after a final contract has been awarded.

**Late Submittals:**

Under no circumstances shall proposals be delivered after the time specified; such submittals will be returned unopened to the submitting firm. The Town will not be responsible for late deliveries or delayed mail. It is the firm's sole responsibility to assure that his/her proposal is complete and delivered at the proper time and place of the said opening. Submittals which for any reason are not delivered will not be considered. Offers by facsimile, telegram or telephone are not acceptable.

**Acceptance / Rejection:**

The Town reserves the right to accept or reject any or all proposals. The Town also reserves the right to waive any irregularities, informalities, or technicalities and may at its discretion, request a new solicitation.

Receipt of a proposal does not indicate that the Town of Bluffton has pre-determined a company's qualifications to receive an award or contract. Such determination will be made after the opening and will be based on the Town's evaluation of the proposals compared to the specific requirements and qualifications of a firm as contained and described in this document.

**Proprietary and/or Confidential Information:**

A proposal is a public document under the South Carolina Freedom of Information Act (FOIA), except as to information that may be treated as confidential as an exception to disclosure under the FOIA. A firm that cannot agree to this standard should not submit a proposal.

All information that is to be treated as confidential and/or proprietary must be CLEARLY identified, and each page containing confidential and/or proprietary information, in whole or in part, must be stamped and/or denoted as CONFIDENTIAL, in bold, in a font of at least 12 point type, in the upper right hand corner of the page. All information not so denoted and identified may be subject to disclosure by the Town.

**Award:**

Award will be made to the Proposer who submits the overall proposal that is judged to provide the most advantageous and best value to the Town. In determining the most advantageous proposal, the Town reserves the right to consider criteria, such as, but not limited to, cost, quality, workmanship, past experience, ability, capability, reputation, and past performance. The Town may opt to establish alternate selection criteria to protect its best interest or meet performance or operational standards.

### **Local Preference:**

The Local Vendor Preference program has been implemented by the Town of Bluffton under the Town of Bluffton Ordinance No. 2010-13. The ordinance allows the Town to implement more favorable evaluation criteria for vendors that are certified as local vendors. Any vendor certified as a local vendor shall be given preference in the following manner:

#### A. Definition of a Certified Local Vendor:

- Company maintains a local office within the legally defined boundaries of Beaufort County; has a majority of full time employees, chief officers and managers regularly conducting work at this location; properly licensed for commercial operations; is open to the public; and is in compliance with local zoning requirements;
- Company has held a valid Town Business License for a consecutive period of at least two (2) years prior to application for certification; and
- Company has submitted a Local Preference Certification statement and is on file .

#### B. Evaluation Processes:

- Selection criteria shall include (as applicable) the local vendor preference program or demonstrated local content with a minimum weighting of five (5) percent

## **3. QUALIFICATIONS**

At a minimum, and to be considered a responsible proposer, the individuals and/or firm must:

- A.** Currently possess or be willing to obtain a Town of Bluffton Business License if contract is awarded;
- B.** Have five (5) years of documented past, proven and positive experiences in providing the services requested;
- C.** Provide at least three (3) references of clients for whom the firm has provided similar services
- D.** Demonstrate the ability to provide the requested services;

## **4. SCOPE OF SERVICES**

This Scope of Services defines the minimal acceptable performance by the proposer in providing the defined services at all the identified locations and related areas identified below. The successful offeror will demonstrate in its proposal the ability to perform these services for the Town of Bluffton. Offerors are encouraged to propose alternate approaches and/or enhancements to the process as part of the methodology and approach of the submittal package. The target date to start performing these services is **September of 2017**.

### **Term of Contract:**

This contract shall be effective for **one (1) year** following the date of execution.

### **Option to Renew:**

Prior to, or upon completion of the initial term of this contract, the Town shall have the option to renew the contract for additional periods. Continuation of the contract beyond the initial period, and any option subsequently exercised, is a Town prerogative, and not a right of the vendor. This prerogative will be exercised only when such continuation is clearly in the best interest of the Town.

### **Scope of Work:**

Consultant shall provide services that include, but are not limited to revisions, updates and/or new developments to the current Town of Bluffton UDO that meets the Town's objectives and creates a comprehensive process resulting in an integrated set of land development regulations that:

- Implement the vision, goals, guiding principles and policy recommendations identified in the Town of Bluffton's Strategic Plan through applicable proposed code edits and revisions to the Town's Unified Development Ordinance.
- Create development regulations through code edits and revisions that utilize best practices that are effective and practical within the existing and future economic, social and political climate.
- Address unique issues associated with the Town of Bluffton, and incorporate existing zoning and development tools as appropriate through code edits and revisions. Sections of the code that have been identified for additional review and possible changes are identified as:
  - Historic District Architectural Standards;
  - Minor Subdivisions application and process;
  - Silviculture application and process;
  - Sign regulations;
  - Parking regulations; and
  - Street lighting regulations
- Create regulations and text amendments that are legally sound and consistent with applicable federal and state laws.
- Create regulations and text amendments that are concise, consistent, and effective for use by citizens, developers, property owners, design professionals and Town Administration.
- Incorporates graphics and internet/mobile-based platforms and implementation approaches to make the UDO more user-friendly, searchable and easier to understand for citizens, business and property owners, and consultants and developers.

The scope of work includes coordination with Town staff for policy direction. The consultant is asked to provide proposed code edits; however, it does not require community presentations or workshops of presentations to boards, committees or Town Council.

### **Development of Scope of Work:**

Following selection of the successful firm, a detailed Scope of Work will be developed by the Town and Consultant to outline the specific tasks for the UDO Project. The Town will use the Proposer's estimate to develop a period of performance for work to be completed. This period of performance may be adjusted at the Town's discretion. All work shall be performed in accordance with good commercial practice.

**Acceptance of Services:**

The services rendered as a result of an award from this solicitation shall not be deemed complete, until accepted by the Town and shall be in compliance with the terms herein, fully in accord with the specifications and of the highest quality. In the event that the service does not conform to the specifications, the Town reserves the right to terminate the contract and will not be responsible to pay for any such service.

**5. SUBMITTALS and FORMAT**

By submitting a proposal, the firm certifies that it has full knowledge of the scope, nature, and quality of work to be performed. Submittals should be prepared simply and economically, providing a straightforward, concise description of the respondent's ability to fulfill the requirements of the scope of work and a solution that is viable and within the Town's best interests.

The Town reserves the right to award a contract pursuant to this RFP without further discussion with proposers. Therefore, it is important that each submittal is complete, adheres to the format and instructions contained herein, and is submitted in the most favorable manner possible. Failure to provide the requested information will render your proposal as non-responsive.

The submittal package shall consist of **four (4)**, one (1) signed original and **three (3)** complete copies of the Respondents proposal. The submittal package along with the appropriate number of copies shall be sealed and delivered no later than date and time listed above.

The contents of the proposal shall include the following:

**A. Letter of Transmittal**

Limit to one (1) or two (2) printed pages.

- Briefly state the firms understanding of the work to be done and the commitment to perform the work.
- Give the names of the persons who will be authorized to make representations for the firm, their titles, and contact information.
- The letter must be signed by an authorized representative of the company who has the authority to commit the company to their proposal as submitted.

**B. Copy of Town of Bluffton Business License**

This section shall include a copy of the firms Town of Bluffton Business License. If the firm does not currently have a license, then a letter of commitment to obtain a Town of Bluffton Business License if contract is awarded shall be inserted.

**C. Firms Profile**

- State whether the organization is national, regional or local
- State the location of the office from which the work is to be performed.
- Describe the firm, including the size, the number of clerical staff and range of services offered in house.
- Qualifications of project members, operating personnel and management who would be assigned and have direct responsibility for fulfilling the terms of the contract, particularly with similar scope and complexity.
- What ability does the firm have to sustain the potential loss of key personnel and still adequately meet the terms of the contract?

**D. Firms Experience and Performance (Past and Current)**

- Indicate firm's proven, positive past experiences with projects of similar scope and complexity.
- Provide experience in meeting timelines and schedules with clearly established and proven methods for maintaining the budget.
- Indicate services performed for similar projects in the past ten (10) years. Projects shall include demonstrated, successful performances including, but not be limited to:
  - Project management;
  - Quality control;
  - Responsiveness to RFIs, Change Order Requests, etc.;
  - Quality of project monitoring and contract administration;
  - Unique approaches, creativity, site adaption, integration of new technologies; and
  - Quality, timeliness, completing project, closeout.
- Provide at least three (3) references of clients for whom the firm has provided similar services. Give dates and other particulars of the jobs, contact persons with contact information.

**E. Firms approach and methodology to executing solution and/or performance**

- Provide a concise description of the approach and process the firm will employ to successfully complete the work to be performed to include operational plans, work procedures, processing systems and any specific staffing or equipment resources that will be employed by the firm to support the needs and objective of the Town of Bluffton.
- Provide a statement demonstrating an understanding of the services and support required by this RFP. State how the firm will approach the project and the methodology to be used to perform the services or obtain the solution as described or outlined in the Scope of Services.
- Exceptions – clearly describe any exceptions the firm may have in regards to any requirements stated in the Scope of Services.

**F. Pricing Schedule**

Firms shall submit an hourly fee/project rate pricing schedule which is based on the scope of services to be provided. The pricing schedule of the services to be provided must be completed and submitted with the proposal. Hourly fee/project rates shall be inclusive of all labor rates, materials, etc.

## 6. EVALUATION, SELECTION, NEGOTIATION and AWARD

State of South Carolina procurement code will be followed to secure the awarded firm. The contact listed within this solicitation, in coordination with the Purchasing Administrator, will be the coordinator for the selection process and the sole point of contact for all respondents. In addition to the materials provided in the written responses to this RFP, the Town may utilize site visits or may request additional material, information, interviews, presentations or references from the respondent(s) submitting a proposal or offer.

### A. Evaluation Criteria:

Proposals will be evaluated on, but not limited to the following criteria:

- a. **Proposed Costs**
- b. **Related Experience on Similar Projects**
- c. **Ability to provide the services requested**
- d. **Methodology and approach**
- e. **Firms Qualified Personnel**
- f. **Firms Relevant Experience**
- g. **Firms Performance (Past and Current)**

A points system will be given to each criteria listed through the identified weighting system:

| EVALUATION CRITERIA                             | MAX POINTS |
|---|------------|
| <b>Proposed Costs</b>                           | <b>40</b>  |
| <b>Qualified Personnel</b>                      | <b>20</b>  |
| <b>Methodology and Approach</b>                 | <b>20</b>  |
| <b>Relevant Experience and Past Performance</b> | <b>20</b>  |
| <b>TOTAL POSSIBLE POINTS</b>                    | <b>100</b> |

### B. Evaluation Method

All responsive submittals will be reviewed and evaluated by a Review and Selection Team. This three (3) to five (5) member committee approach will require selected staff to evaluate the submittals through the following processes:

- Individually provide a detailed review and thorough evaluation of each submittal;
- Individually score each submittal utilizing the scoring method given;
- Combining the scores of each individual team member to form an overall team score;
- Eventual participation in a team discussion, including in-depth evaluations and group interaction after individual review and scores are achieved.

The Town reserves the right to request additional information and/or clarification of any information submitted by any respondent at any time during the evaluation process. This includes, but is not limited to



information that indicates financial resources as well as the ability to provide and maintain the services as requested. The Town reserves the right to make investigations of the qualifications of the respondent as it deems appropriate, including but not limited to background investigations.

Firms exhibiting the ability to provide and maintain the services requested; submits a proposal that is formatted correctly; and is inclusive of all the required forms will be considered a responsive and responsible proposer.

**C. Selection Method:**

In general, the Town of Bluffton wishes to avoid the expense (to the Town and to presenting firms) of unnecessary presentations. Therefore, the Town will make every reasonable effort to achieve the ranking using written submittals alone.

If no single top ranked firm can be clearly identified by review of the written submittals alone, then the Review and Selection Team shall request the Purchasing Administrator to schedule the top ranked firms for presentations / interviews.

The Town may choose to conduct oral interviews with, or receive oral presentations from, one or more of the Proposers. If the Town chooses to allow oral interviews and/or presentations, such interviews or oral presentations will be open to the public. The Town will not be liable for any costs incurred by a Proposer in connection with such interviews/presentations (i.e., travel, accommodations, etc.)

The Selection and Review team will rank all complete submittals received and/or formal oral presentations/interviews in order of preference and outcomes will be based on the determination of which firm will meet the needs and provide the best overall value to the Town as it pertains to the requirements of the scope of work.

**D. Negotiations:**

The Town reserves the right to negotiate a final agreement with the top ranked proposal that meets the needs and is considered the best value to the Town of Bluffton. If a contract cannot be negotiated with the highest ranking firm, negotiations may be conducted with the second, and then the third, and so on until a satisfactory contract can be agreed upon and executed. Additionally, should the Town choose to do so, it reserves the right to provide all responsive and responsible Proposers an opportunity to submit their best and final offers.

**E. Award and Contract**

Award will be made in accordance with the Town of Bluffton's purchasing policy and procedures. A contract resulting from an award shall be the Town of Bluffton's purchase order and/or contract, containing the Town's terms and conditions. A sample of the contract has been attached to this solicitation for viewing. Contracts from firms submitting a proposal will not be accepted.