

Municipality of Powassan

2020-Request for Proposal – Municipal Planning Services and Official Plan Review

The Municipality of Powassan is inviting proposals for Municipal Planning Services and Official Plan Review to be submitted by email to: Maureen Lang, CAO, Clerk-Treasurer - by June 12th, 2020 at 2:00pm.

This is not a call for tender but a request for proposals (RFP) to identify a preferred Proponent and to initiate negotiations for a Comprehensive Review of the Official Plan and a five (5) year contract for the supply of Municipal Planning Services.

Task 1 – OFFICIAL PLAN REVIEW

Background Information

The Municipality of Powassan was created in 2001 through the amalgamation of the former Towns of Trout Creek and Powassan and the Township of South Himsworth. The Municipality is a small urban/rural community with a population of approximately 3,200. It is located approximately 3 hours north of Toronto and 20 minutes south of North Bay.

Scope of Work

The Municipality of Powassan's Official Plan was adopted by Council in 2003. Since then there has been 2 amendments (Minister's Modifications in 2005 and Bylaw 2012-21).

The Plan is currently well past its 5-year lifecycle and the Municipality is looking to review the Plan's policy framework for the next 20 years and to provide for a review lifecycle of 10 years. The new Official Plan is subject to the Ministry of Municipal Affairs approval.

The following is an overview of the minimum scope of work which should be the focus of submitted proposals. Proponents may offer a work program which goes beyond these minimum elements.

- Undertaking a socio-cultural review with an emphasis on the Municipality's historical and heritage assets;
- Ensure that the Municipal Asset Management Plan is considered and reflected in the new policy framework;
- Consideration of the Municipality's water and waste water capacity;
- Development of appropriate transportation policies;
- Integration of employment policies which fully consider a changing economy;
- Review the downtown core areas and integrate policies which consider the needs and expectations of merchants and businesses;

- Development of urban forestry guidelines and policies which will address existing streetscapes and natural areas;

It is anticipated that proposals will include the following broad elements in the work program:

1. Project start-up with staff and Council briefing
2. Pre-consultation: Ministry of Municipal Affairs
3. Research leading to policy support studies and reports
4. Development and execution of a Public Consultation Plan
5. Policy development and review
6. Adoption
7. Submission

Proponents are not bound by the above noted structure, though the individual elements must be addressed. Creativity and alternatives which are effective and cost efficient are encouraged.

The proponents will be expected to develop and conduct a Public Consultation Process which goes beyond the minimum requirements of the Planning Act. It is expected that the work program will include consultation at regular intervals and a process which is inclusive of interest groups as well as the general public.

Municipal Resources

Proponents are expected to carry out this project with minimal impact on Municipal staff. The Municipality will provide all required documents such as past OPA's, the Asset Management Plan and other relevant documents and will be available for consultant led interviews on a pre-agreed schedule. Municipal staff will be responsible for booking meeting space and will coordinate the publishing of notices as required. Project progress and events will also be posted on Municipal social media as required.

TASK 2 – MUNICIPAL PLANNING SERVICES

The Municipality is seeking a qualified Municipal Planning Consultant in various land use and community planning practice areas. The Municipality wishes to secure the services of a qualified consulting firm or individual with expertise in various planning and development related areas, which the Municipality may consult with on a **case-by-case timely basis** to undertake the following duties:

- Provide planning advice/recommendations to Municipal staff, members of the public and proponents;
- Provide general planning opinion/recommendations on various land use applications;
 - Zoning By-law Amendments
 - Minor Variances
 - Site Plan Control
 - Official Plan Amendments
 - Plan of Subdivision/Condominiums
 - Consents
 - Holding Zones

- Interim Control
- Represent the Municipality for litigation and/or Local Planning Appeals Tribunal hearings, as required;
- Undertake research and development of various studies and reports as required;
- Supply services to draft and negotiate corporate and commercial contracts, agreements, easements and other documentation; and
- Attend meetings to provide or present information, including but not limited to internal staff meetings; meetings of Committee of Adjustment, and Municipal Council.

The Municipality is the approval authority for all Planning Act applications with the exception of Section 26 Official Plan reviews. The Municipality has a Committee of Adjustment made up of a Council appointed Councilor and two members of large. Council meets twice a month for Council Meetings. The Deputy Clerk coordinates all planning applications with regulatory and other assistance provided by a Planning Consultant.

Proponents must demonstrate past experience in the provision of planning advisory services in small urban/rural municipalities. Consulting firms must identify one individual as the responsible direct contact.

Deliverables

The selected firm will be required to provide the following to the Municipality during and at the conclusion of the Official Plan Review:

- Five (5) bound hard copies of all draft and final reports
- One (1) electronic PDF version of all draft and final reports on appropriate media or via email.
- One (1) electronic MS Word version of all draft and final reports on appropriate media or via email.
- One (1) electronic copy in PDF, JPEG, or TIFF format of all plans, illustrations and/or drawings in appropriate GIS file format.
- One (1) electronic copy of all schedules to the Official Plan
- One (1) electronic and one (1) hard copy of all meeting minutes, public notices, presentations, handouts, comments, sign-in sheets, etc. prepared for, or as a result of the public consultation, project steering and Official Plan Review process.

ADMINISTRATIVE REQUIREMENTS AND CONSIDERATIONS

Comprehensive Submissions

The Municipality is seeking to establish continuity and a working relationship to address land use planning issues. As such Proponents must submit a comprehensive proposal which addresses both components of the RFP document. Submissions for undertaking a single component will be disqualified.

Closing Date and Time

Proposals shall be submitted prior to or by June 12th, 2020 at 2:00pm.

All proposals received after the specified closing time will not be considered. There will be no public opening for this RFP.

Municipal Contact

Prior to submitting a Proposal, read the entire solicitation, including the Terms and Conditions, all addenda, any other documentation supplied by the Municipality for information purposes.

Proposals must be received on or before the stated closing date and time.

Any questions or concerns arising out of this RFP should be submitted via email to:

Maureen Lang, CAO, Clerk Treasurer
mlang@powassan.net

**Please register as an interested party to ensure you receive any all addenda by emailing:
mlang@powassan.net**

Terms and Conditions

Acceptance

The Submission of a Proposal(s) indicates acceptance by the Proponent of the instructions, terms, conditions, and requirements or other information as set out in this RFP. Any variations from this information must be submitted in writing with the completed Proposal.

Proponent's Minimum Qualifications

Proponents shall demonstrate that they have the resources and capability to provide the materials and services as described herein:

- Demonstrated ability and experience in the provision on Municipal Planning Services and Official Plan Reviews.
- Staff assigned specifically to the Municipality to deal with day to day Municipal Planning questions, queries, and requirements as they arise.
 - Proven ability to work with the Municipal Planning and Building Departments to provide timely and accurate information.
- The team identified for the undertaking of the Official Plan review as well as their specific role and time commitments.

Municipal Information Waiver

All information contained in this document and any potential subsequent addenda, with respect to operations, qualities, values, description or properties, losses etc., are reasonably and realistically accurate to the best of the Municipality's knowledge however, accuracy is not guaranteed by the Municipality.

Expenses Incurred

Submissions are made at the sole expense of the Proponent and the Municipality takes no responsibility for any expense incurred by a Proponent in preparing or submitting its proposal.

Conflict of Interest

Proponents must ensure that they are not in apposition that may be perceived as a conflict of interest.

Legal Proceedings with the Municipality

No Proposal will be accepted from a Proponent which has a claim or has instituted a legal proceeding against the Municipality or against whom the Municipality has a claim or instituted a legal proceeding with respect to any previous contract, bid submission or business transactions.

Rights Reserved

The following are rights reserved by the Municipality:

- This request does not commit the Municipality to award a contract for Municipal Planning Services or the Official Plan Review.
- The Municipality shall not be liable for any expense, loss or damage incurred or suffered by any proponent as a result of a non-award of this Proposal call.
- The Municipality reserves the right to ultimately select, in its own best judgment, and at its sole discretion the firm it deems best qualified to carry out this agreement. The Municipality's determination will be final and not open to review or challenge whether it is alleged that the selection is arbitrary or otherwise not in accordance with standard trade practice.
- The Municipality reserves the right to cancel, terminate or withdraw this Proposal call at any time of to accept or reject all or any part of any Proposal.
- The Municipality reserves the right to retain all Proposals submitted and to employ and concepts contained in a Proposal regardless of whether or not that Proposal is selected.
- The proposal with the lowest cost will not necessarily be accepted.
- The Municipality reserves the right to enter into further discussions in order to obtain information that will allow the Municipality to reach a decision with a Proponent, and to waive irregularities and omissions if, in doing so, the best interest of the Municipality will be served.

Evaluation Process:

Evaluation Committee

An Evaluation Committee will evaluate each of the compliant Proposals received in accordance with the evaluation criteria as set out below and score the Proposals using a "consensus" approach, in relation to the criteria and points which are identified herein.

Presentation

An award may be made solely on the basis of the proposal received, without the Municipality seeking any clarification, meeting or presentation by the Proponent. Therefore, each Proposal should contain the Proponent's best terms/information, including all required documentation and information as listed in the RFP.

No other Proponent is entitled to be present or to receive any information regarding the presentation of any Proponent. Representatives of the Proponent(s) invited to make a presentation shall be fully versed on the contents of the RFP and the Proponent's Proposal.

Evaluation Criteria

In recognition of the importance of the procedure by which a Proponent may be selected, the following criteria outlines the primary considerations to be used in the evaluation and consequent awarding of this contract (not in any particular order). Evaluation of Proposals will include but not limited to the following:

- Understanding of the requirements
- Municipal planning experience
- Firm personnel qualifications and experience
- Approach taken for providing Municipal Planning Services
- Approach taken for Review of Official Plan
- Additional services
- References
- Municipal Planning Services Fees
- Official Plan Review Fees

The weighting of criterion will be as follows:

Criterion	Weight
Proposal Clarity/Presentation	15
Comprehensive Approach to Municipal Requirements	15
Municipal Planning Qualifications and Experience	15
Approach to Municipal Planning Services	15
Approach to Official Plan Review	15
Municipal Reference	5
Fee Proposal	20
Total	100

Submission Instructions

Closing Time and Date

Proposals must be received no later than – Jun 12th, 2020 2:00pm

Any proposal received after this deadline will be rejected.

Key Dates

The Municipality will conduct the RFP process according to the following dates. These dates are tentative and subject to change.

Task	Target Date
Issue RFP	April 28, 2020
Final date of receipt of proponents questions	June 8, 2020
Response to proponents questions	June 10, 2020
RFP closed	June 12, 2020
Evaluation of Responses	June 16, 2020
Selection of preferred proponent	June, 2020
Council approval and award of contract	July 7, 2020

Freedom of Information and Protection of Privacy Act

The Municipality is required by law to adhere to the requirements of the Freedom of Information and Protection of Privacy Act, as amended. Any Proponent who requires that the information in its Proposal be kept confidential shall explicitly advise the Municipality of that fact by stamping or boldly marking the information as "CONFIDENTIAL". Release of any information not marked as confidential will be in compliance with the Municipality's policies and procedures. Proposal results may be reported to Council and the reports are released for public information.

Request to withdraw a proposal submitted

Requests for withdrawal of a Proposal shall be allowed if the request is made prior to the closing date and time. Requests shall be directed to the Municipal Contact by email, by and Authorized Agent of the company, with a signed withdrawal request confirming the details. Telephone requests will not be considered. The withdrawal of a Proposal does not disqualify a Proponent from submitting another Proposal on the same RFP.

Adjustment to a proposal

Adjustments by telephone, fax, email, or letter to a submitted Proposal will not be considered. A Proponent desiring to make adjustments to a Proposal shall withdraw the Proposal and/or supersede it with a later Proposal submission prior to the specified Proposal closing date and time.

Proposal Returned Unopened

A Proposal received after the closing time shall be noted and returned unopened to the Proponent, as soon as possible at the email address from which it was received with text to note the circumstance under which it isn't being considered.

Submission of more than one proposal packages

- If two (2) or more Proposals are received for the same RFP under separate email/cover, the one with the latest time and date received shall be considered the intended Proposal.

Receiving

Once received, all Proposals will become the property of the Municipality.

CONTENT REQUIREMENTS

General Requirements

Your proposal must:

- Contain signed copies of any and all addenda that have been issued
- Include a signed Statement of Acceptance, attached as Schedule A
- Include responses to all requirements noted
- Be no larger than 150 pages in size

- Be signed

Proposal Clarity/Presentation

In order for the Evaluation Committee to conduct a careful evaluation of all Proposals received, Proposals must be clear, well ordered, detailed and concise. The Proponent is therefore requested to provide detailed specifications and functional information.

The Proponent is requested to respond to each and every aspect of the RFP's objectives, expectations, specifications, schedules and requirements to allow for fair evaluation of the Proposal submissions.

Fee Breakdown Municipality Planning Services

The Proponent shall provide a firm quotation for the hourly fees charged for each type of service and category of employee for the years 2020, 2021, 2022, 2023 and 2024. All fees should be quoted excluding Harmonized Sales Tax (HST).

One-time fees should be identified separately. Out of pocket expenses should be clearly stated to be part of the quoted hourly fee or should be quoted separately.

Fee Breakdown Official Plan Review

The Proponent shall provide a firm quotation for provision of Official Plan Review. This should include breakdown of hours and fees by category of employee and phase of the review. All fees should be quoted excluding Harmonized Sales Tax (HST).

One-time fees should be identified separately. Out of pocket expenses should be clearly stated to be part of the quoted fees or should be quoted separately.

Corporate Profile

Please include a brief profile of your firm indicating the scope of its practice, the range of activities performed by the firm. Clearly identify the Proponent's contact person for this RFP, with phone number and email address. State the home office address as well as the address and phone number of any local office that will manage or assist in managing the services.

Qualification and Experience

Please provide a list of current Ontario Municipal clients and indicate the number of years the firm has been working with each. Describe the familiarity and experience with the Municipal Planning and Official Plan Reviews.

Staffing

Provide the names and brief resumes of the partner(s), manager(s) and other key staff who would be assigned to the Municipality.

References

The Proponent is to provide a minimum of three (3) municipal references that can be contacted, where programs are similar in scope/magnitude are in progress or have been completed within the last three years.

Implementation

Proposals must clearly show the firm's understanding of the work to be performed, approach, and commitment to perform the work within the time period agreed to. This would include the approach to be used to gain an understanding of the Municipality's structure, goals, and current plans and by-laws.

Other Services

Provide a description of the methodology to be used for keeping the Municipality abreast of any changes in Municipal Planning or legislation that would impact the Municipality.

Also, describe any non-municipal planning professional services provided to other clients and innovative products offered by your firm as well as any specific pricing structure for such services.

CONTRACT WITH SUCCESSFUL PROPONENT

Contact Terms and Conditions

The Contract with the Successful Proponent will contain the following Contract Terms and Conditions. Proponents taking exception to these terms and conditions or intending to propose additional or alternative language must:

- Identify the specific terms and conditions to which they take exception or seek to amend or replace; and
- Include any additional or different language with their Proposal.

Failure to both identify with specificity those terms and conditions the Proponent takes exception to or seeks to amend or replace as well as to provide Proponent's additional or alternate Contract terms may result in rejection of the Proposal. While the Municipality may accept additional or alternate language if so provided with the Proposal, the Terms and Conditions marked with an asterisk (*) are mandatory and non-negotiable.

Contract Term

It is expected that the term of the Contract shall be for a period of five (5) years commencing with services in – July 15, 2020.

Should the Municipality exercise the right to extend this Contract, the Successful Proponent and the Municipality shall enter into negotiations to determine the new rates for the services listed in the RFP. Only upon satisfactory negotiations of both parties shall the Contract be extended for up to additional maximum of five (5) years. All rates negotiated for each Contract extension shall remain firm for the entire extension.

Procedures

The Successful Proponent shall not comply with requests and/or orders issued by any individual other than the CAO/Clerk-Treasurer. Any change to the Contract must be approved in writing by the CAO/ Clerk-Treasurer and the Successful Proponent.

WSIB Clearance

The Proponent certifies that it is in full compliance with the Workplace Safety and Insurance Act.

Indemnification

The Successful Proponent must agree to keep the Municipality indemnified against any and all claims, actions or demands that may be brought, made or arise in respect of anything done or omitted to be done by the Successful Proponent or its employees who shall be and remain at all times and for all purposes, the servants or employees of the Successful Proponent, save and except to the extent that such claims, actions or demands arise from or relate to the negligence, wrongful act or omission of the Municipality, or any of its officers or employees.

Accessibility for Ontarians with Disability Act (AODA)

The Proponent will provide the Municipality with documentation indicating that training in accordance with the requirements of Regulation 429/07 has been provided to all of their staff who will be providing goods and services on behalf of the Municipality.

Assignment of Contract

This Contract may not be assigned in whole or in part without the written consent of the CAO/Clerk Treasurer.

Termination

The Municipality reserves the right, without prejudice, to cancel the remaining years of the Contract, by providing 60 days' notice in writing if dissatisfied in any way with performance, or any other elements of the service provided, or in the event of an administrative restructuring of planning services delivery.

Contractual Disputes

In the event of a dispute between the Municipality and the Successful Proponent, both parties agree to appoint representatives, who in good faith, will use their best efforts to resolve the dispute.

Should the representatives be unable to promptly resolve the dispute, both parties shall agree to continue the work as required being understood that neither party will jeopardize any claim that they may have.

Severability

In the event that any provision shall be judged or decreed to be invalid, such ruling shall not invalidate the entire Agreement but shall pertain only to the provision in question and the remaining provisions shall continue to be valid, binding and in full force and effect.

Non-exclusive

Any Contract awarded as a result of the RFP will be non-exclusive. The Municipality may, at its sole discretion, purchase the same or similar services from other sources during the term of the Contract.

Cancellation

Any contract termination by the successful Proponent will require sixty (60) days' notice to the Municipality unless otherwise noted and agreed to by the Municipality.

Governing Law

Any Contract resulting from this RFP shall be governed by and interpreted in accordance with the laws of the Province of Ontario.

Signing Page (Appendix A)

All response should be signed:

I/We certify that the information provided in this RFP Response Document is true and complete.

I/We declare that no employee of the Municipality is or will become interested, directly or indirectly as a contracting party or otherwise in the supplies, work or business to which it relates or in any portion of the profits thereof, or in any such supplies to be therein or in and of the monies derived there from.

I/We further declare that the undersigned is empowered by the Proponent to negotiate all matters with the partnering municipality's representatives, relative to this Proposal.

I/We further declare that the agent listed below is hereby authorized by the Proponent to submit this Proposal and is authorized to negotiate on behalf of the Proponent.

Legal Company Name:	
Respondent's Signature:	
Respondent's Printed Name:	
Respondent's Title:	
Email:	
Business Phone:	
Business Fax:	
Mailing Address:	