

MONROE COUNTY PLAN COMMISSION

and office of the

MONROE COUNTY BOARD OF ZONING APPEALS

Monroe County Government Center, 501 N. Morton St., Suite 224

Bloomington, IN 47404

Telephone: (812) 349-2560 / Fax: (812) 349-2967

<http://www.co.monroe.in.us/tsd/Government/Infrastructure/PlanningDepartment.aspx>



REQUEST FOR PROPOSAL:

ZONING ORDINANCE REWRITE/CONSOLIDATED DEVELOPMENT ORDINANCE

Monroe County, Indiana, (2015 population 144,705) is accepting proposals from qualified professional consultants and firms for the updating and rewriting of the Zoning Ordinance and Subdivision Control Ordinance to create a Consolidated Development Ordinance. Consultants and firms must have experience and knowledge in the fields of municipal and/or county planning and zoning, including experience in the writing and updating of zoning, subdivision and consolidated development code regulations.

Monroe County adopted a county-wide 20-year Comprehensive Plan in February 2012, and subsequent amendments to the plan in the form of an Urbanizing Area Plan in 2015 and a Framework Zoning Plan and Code Diagnostic in December 2016. We are now seeking an implementation strategy to rewrite the Zoning and Subdivision Ordinance for consistency with these adopted Plans. The last complete rewriting of the zoning regulations was in 1997. The Zoning Ordinance has been amended in piecemeal fashion since that time. These regulations need to be reorganized, codified, and illustrated to explain the concepts of the regulations, while also implementing the recommendations of the Comprehensive Plan.

The consultant will be expected to perform services as required by the County in a professional and timely manner. These services must include significant and meaningful public interaction and involvement throughout the planning process. It is anticipated that the time frame for the project will be approximately 12-18 months following the signing of the contract. The selected consultant will be expected to complete the contracted scope of work within the specified time frame.

The County requests proposals from firms able to facilitate and complete the rewrite of the Zoning and Subdivision Ordinance which will:

- Follow the vision, goals, and objectives of the Comprehensive Plan(s) and encourage economic, environmentally-friendly and socially sustainable development.
- Facilitate significant and meaningful public input during the process, including any workshops, open-houses or focus groups.
- Meet the County's desire to direct future land uses to compatible areas.
- Amend the Zoning Map; creating new zoning districts that include the recommendations which are consistent with the Comprehensive Plan and Urbanizing Area Plans.
- Provide commonly used definitions and a user-friendly set of guidelines in clear, simple language or in illustrated language. Ensure language is clearly stated to avoid, whenever possible, disputes of interpretations.

- Revise all sections of the Zoning Ordinance, as needed, including general regulations utilizing the diagnostic review materials in the Urbanizing Area Plan Phase II document and in consultation with County staff and officials.
- Update the Ordinances so that they are more responsive to contemporary development trends, recognize diverse physical characteristics of Monroe County, and encourage quality development.
- Update the Ordinances so that they are current with all local, state and federal statutes and are consistent with recent case law and constitutional determinations.
- Develop new Zoning Districts, Land Use concepts, Development Standards, and form-based code recommendations consistent with those concepts set forth in the Urbanizing Area Plan Framework and Comprehensive Plan;
- Clearly establish criteria for conditional land use and variance consideration/approval.
- Establish clear procedures for zoning related applications and identify opportunities for process simplification and flexibility consistent with identified community goals and proposed objectives.
- Reduce and/or streamline the caseloads of the Planning and Zoning Commission, Board of Zoning Appeals and County staff, by crafting regulations that require fewer requests for variances, conditional use permits and rezoning cases.
- A reorganized code available to the general public on-line at the County's web site, in an "easy access, easy look-up" format with electronic query capability, by search terms and by process type, that allows for future amendments to be easily incorporated into the on-line presentation format.
- Provide a final version of the plan in written form as well as in electronic form compatible with Monroe County's systems.
- Make recommendations for streamlining and fulfilling public notice requirements for zoning map amendments.

To the extent consistent with its status as an independent contractor, the Consultant shall consider and shall be guided by comments and suggestions from the Plan Commission (which will give consideration to the comments and suggestions of other government officials and of the public). Throughout each of the below listed phases, the Plan Commission shall receive and have time to review and comment on drafts of the newly created or amended ordinance(s). Nevertheless, the main point of contact for the project will be the Director of the Planning Department.

Preparation of Comprehensive Ordinance Update

Working Outline: With advice and assistance from public, Plan Commission, and staff, the consultant will prepare a working outline of the update listing the pertinent sections and the scope of their coverage. Following the County's review and approval of the outline, the consultant shall prepare a first draft of the update.

First Draft: The consultant will prepare a Consolidated Development Ordinance including a comprehensive update of the Zoning and Subdivision Ordinances.

The first draft of the ordinance update will incorporate the results from the tasks above and any supplementary material; the update should include references to the current Ordinances so that comparisons can be made.

The first draft of the update will be discussed in detail with the Plan Commission, Planning Department staff, Health Department, Building Department, Highway Department, Stormwater Department, Technical Staff and County Board of Commissioners. It shall also be presented and prepared for the general public for review and commentary.

All of the existing, updated and new sections of the Ordinance(s) will be reviewed and prepared to reflect the work program, public input received, and input and direction from public officials.

The Ordinance update should establish internal consistency, be at or above industry standards, and ensure legal compliance with all current State and Federal Laws.

Final Draft: Taking into account the commentary received concerning the first draft of the update, the consultant will prepare a proposed final draft of the update. The same review mechanisms applicable to the first draft will be utilized for the proposed final draft. The consultant will provide the Planning Department with two Microsoft Word file copies of the proposed final draft of the update: One in a strike-out/new text version (with graphics), and one final clean-copy version (with graphics), that can be loaded onto the County's web site. All illustrations/graphics shall be provided in EPS format.

Adoption and Publication

Final Publication: Taking into account the commentary received concerning the proposed final draft as adopted by the County Board of Commissioners, a final submission complete with maps and illustrations suitable for publication and distribution in both hard copy and in electronic format will be made to the County for its review and approval.

The consultant will provide a final copy of the adopted Ordinance update, in the following formats:

- a) In reproducible paper format, including all text, maps, charts and drawings;
- b) In electronic format acceptable to the Planning Department, which allows the County to maintain, publish and distribute the updated Ordinance(s) on paper, on the Internet, and on text-searchable PDFs.

Firms shall identify a desired project management schedule/timeline for the completion of Monroe County's Consolidated Development Ordinance rewrite process. All project phases and components contained in this Request For Proposal shall be taken into consideration.

Public Involvement: An extensive public participation program is anticipated. The consultant will be expected to work closely with the general public, Plan Commission, Board of Zoning Appeals, and planning staff, and public officials for the duration of the process. Additionally the consultant will be expected to attend all meetings and workshops and facilitate "hands-on" programs that will involve workshop participants.

With the expected high level of general public involvement or interest in the update process, a methodology of communication, beyond the public meeting format, must be included in the proposal. Public outreach may be accomplished through public forums/hearing notices, web site announcements, social media, media releases, cable television announcements, targeted mailings, etc. Monroe County has a website available to assist in the communication effort.

Countywide workshops/meetings are anticipated to solicit input on issues that may be relevant to the residential, business, and development community. It is also anticipated that smaller group workshops may be necessary with selected participant groups to focus on the review of individual sections. Interviews of key staff and stakeholders may also be appropriate. It is expected that all of these meetings would be attended by one or more members of the consultant team.

The goal is that citizens are given the greatest opportunity to have input into the update through public forums, workshops and on-line submissions. The consultant should provide innovative and proven communication methods. Such alternatives should be clearly described in the proposal. The proposal should include the projected number of public meetings/presentations to be held by the consultant.

Note: Due to budget constraints and depending on the overall cost of the proposal, the County may have to rearticulate the project into manageable parts or contract out the project by phases.

Content of Proposals

The proposals should include the following information (in this format, please):

1. *Cover Letter.*
2. *Firm Information and Background.*
3. *Project Approach – discussion on the firm’s particular approach to the scope of work including detailed public engagement proposals.*
4. *Project Schedule – proposed project schedule, including estimated delivery dates for 1st draft and final draft.*
5. *Project Team – identification of the Project Manager and anticipated team members (with resumes).*
6. *Firm Experience and Qualifications – information on overall firm qualifications and experience related to completion of similar projects within the past 5-10 years.*
7. *List of References – minimum of three.*
8. *Proposed fee for Services – information on the firm’s proposed fee, including anticipated allocation of resources and all necessary expenses (cost not-to-exceed). **Please note that costs associated with certain scope items should be included as separate line-items for evaluation and optional selection by the Plan Commission (i.e. public informational meetings, and County presentations).***
9. *Supplemental information – include any other supplemental information that may help the Monroe County Plan Commission with their review.*

Submission Guidelines

1. This Request For Proposals is being released on June 1, 2017.
2. Four copies of the proposal must be received by **12:00 p.m. on July 14, 2017**, in the office of the Planning Department.
3. The outside of the envelope shall be clearly marked: "PROPOSAL FOR MONROE COUNTY ZONING/SUBDIVISION ORDINANCE UPDATE".
4. Due to the requirements of this Request For Proposal, faxed qualifications/proposals will not be accepted. Late proposals or proposals received before release of this Request For Proposal shall not be considered.
5. Questions regarding this Request For Proposal, or regarding submitted proposals, should be directed to:

Larry J. Wilson, AICP
Director, Monroe County Planning Department
Monroe County Government Center
501 N. Morton St., Suite 224
Bloomington, IN 47404
(812) 349-2561
lwilson@co.monroe.in.us

6. The County Plan Commission will select the firms to be interviewed. Those firms selected to be interviewed will be informed of the exact time and place of the interview at a later date. Final selection shall be by the Plan Commission.

7. Project Cost Estimates:

a. Final Service fees will be negotiated upon selection. However, in an effort to assure the full anticipated costs are understood by the County, and to assure an accurate comparison with all submissions, all proposing firms must complete an estimated project cost and provide it to Monroe County along with their proposal.

b. The total fee shall be all-inclusive and include all personnel, meetings, presentations and public hearings as required. It is assumed the fee will also include all other related reimbursements including but not limited to, travel, meals, consultants, phone, fax and printing, map making and etc.

c. All firms shall provide a statement summarizing the basis for any subsequent fees not estimated in estimated project cost or variations from the estimated project cost. Proposals will be screened to insure that they meet the minimum requirements of the proposal format. A selection committee will review qualifying proposals, and may interview the shortlisted firms. The following criteria are among those that will be used to evaluate submitted proposals.

Selection Criteria

1. A high level of professional competence and a proven track record in the preparation of Zoning Ordinances, Subdivision Ordinances, Land Development Code, Visual Preference, and the implementation of public participation programs:
 - a. Qualifications and experience of the firm and any sub-consultants.
 - b. Demonstration of professional and technical expertise and experience of the principal consulting staff and sub-consulting staff that will work on the project.
 - c. If a joint venture, the track records of team members' experience working together.
2. Design approach/methodology in completing scope of services:
 - a. Grasp of project requirements and level of interest.
 - b. Creativity and problem solving ability.
 - c. Ability of consultant team to demonstrate initiative, motivation and knowledge of Monroe County.
3. Responsiveness and compatibility between consultants and County:
 - a. General attitude and ability to communicate.
 - b. Ability to listen, be flexible, and follow and/or implement direction and/or ideas or concepts.
 - c. How the consultant team interacts with the general public, County staff, and public officials.
4. Ability of the consultant to maintain a high level of direct interaction and communication with County officials.
5. Public facilitation capabilities and experience working with the public, as well as citizen committees, in diplomatically crafting standards and/or criteria to be incorporated into the Zoning Ordinance.
6. Quality of the proposal. The proposal should clearly demonstrate:
 - a. Understanding of the County's overall objectives in the comprehensive Zoning Ordinance and Subdivision process.
 - b. Ability to produce high quality documents that are user friendly with high quality graphics.
 - c. Ability to make high quality oral and visual presentations using Microsoft PowerPoint.
7. Cost of preparing the comprehensive Zoning Ordinance and Subdivision Ordinance update in relationship to the services offered.

8. Proposed schedule required to complete the project.

9. Review of references and work product.

*****Final determination of the selected consultant shall be made by the Monroe County Plan Commission*****

Other Conditions

1. Legal Compliance: Work performed and maps and ordinances produced shall comply with all state, federal and local laws, including but not limited to those related to environmental, statutory, legal process and the Fair Labor Standards Act.
2. The County reserves the right to reject any and all proposals and to waive informalities, if, at its discretion, the interests of the County will be best served thereby.
 - a. The County reserves the right to accept other than the lowest cost proposal, and to negotiate the specified dollar amount, or any portion of that amount. The County reserves the right to negotiate contract changes following the award.
 - b. If there is any conflict between these documents and the proposal, these documents shall control.
 - c. The County reserves the right to cancel this Request For Proposal in writing or postpone the date and time for submitting proposals at any time prior to the proposal due date. The County reserves the right to stop the project if it is the best interest of the County.
 - d. No proposer shall have a right to make a claim against the County in the event the County accepts a proposal or does not accept any proposal.
3. Validity of Proposals: Proposals must be valid for at least 60-days.
 - a. Insurance: The Contract shall be effective only upon approval by the County Board of Commissioners with acceptable evidence of the insurance required.
4. Indemnification: Consultant will take precautions to protect the public against injury and shall agree to indemnify, release and hold the Board harmless from any and all claims or lawsuits that may arise from negligent acts, errors, and omissions of the Consultant and/or its agents/employees.
5. Independent Contractor: Nothing in the contract award shall create an employee/employer relationship between the County and the Consultant. It is understood that the Consultant will be an independent contractor and not the County's employee.
6. Assignability: Consultant shall not assign any interest in the contract and shall not transfer any interest in the same, whether by assignment or invitation, without the prior written approval of the County Board provided, however, that claims for money due or to become due to the Consultant may be assigned to a bank, trust company or other financial institution, or to a Trustee in Bankruptcy without such approval. Notice of such assignment or transfer shall be furnished by the Plan Commission.
7. Nondiscrimination: Consultant will not discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, sex, national origin, sexual preference, disability, age, marital status or status with regard to public assistance or as a veteran.

8. Payment(s): Payments shall only be made in accordance with the agreed upon Contract.

No reimbursements will be made for any expenses incurred by the Consultant except for the expenses specifically described in the Contract. No payment will be made for any incomplete, inaccurate or defective work until same has been satisfactorily remedied at no additional cost to the County. All work performed and all related documentation records, etc., shall become property of Monroe County.

9. Billing: Billing for completed services shall be based upon a monthly invoice submitted by the Consultant. It is anticipated that the invoice shall include at minimum the total contract amount, percent of work completed to date, the total amount billed to date, the total paid to date, the remaining amount to be paid, and possibly the hours of labor performed by each person charging the project and their charge rate. The County will have the right to inspect the project timesheets. The County, at its discretion, may opt to retain a percentage of the total fee to ensure that sufficient fees are available to complete the project. These items will be discussed further during the selection process.

10. Proposer Responsibilities: The Consultant is responsible for conducting necessary research and becoming familiar with conditions under which the work is to be performed.

- a. The County will not be responsible for any costs incurred by applicants in preparing proposals.
- b. Consultants/applicants are held legally responsible for their proposals.
- c. Consultants/applicants are not to collaborate, for the purposes of restricting competition, with other applicants or competitors in developing proposals.

Addenda

1. Any changes, additions or clarifications to the Request for Proposal will be made by written proposal addenda.

a. Such addenda will be sent to all proposers receiving the original Request for Proposal and will become part of the proposal package, having the same binding effect as provisions of the original proposal.

b. All addenda, amendments and interpretations of this solicitation shall be in writing. The County shall not be legally bound by any amendment or interpretation that is not in writing. Only information provided by the County in writing or in this Request for Proposal shall be used in preparing proposal responses. All contact that a proposer may have had before or after receipt of this Request for Proposal with any individuals, employees or representatives of the County, and any information that may have been read in any news media or seen or heard in any communication facility regarding this proposal should be disregarded in preparing proposal responses.

c. The County does not assume responsibility for receipt of any addendum sent to proposers.

d. A copy of all addenda issued must be signed and returned with your proposal.

The selected firm will be required to enter into a contract with the County. Additional contract conditions may be required depending upon the nature and extent of the services to be provided. The County reserves the right to negotiate a change or modification to any of the proposed contractual conditions.

At a minimum, qualified firms shall submit a detailed cost estimate to perform the various elements identified within the request.

Written proposals are due at 12:00 p.m., July 14, 2017. Please submit four (4) copies labeled "PROPOSAL FOR MONROE COUNTY ZONING/SUBDIVISION ORDINANCE UPDATE" to:

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For more information, including the complete Comprehensive Plan, please visit the following websites:

<http://www.co.monroe.in.us/tsd/Government/Infrastructure/PlanningDepartment.aspx>