



## **REQUEST FOR PROPOSALS**

### **Professional Consulting Services For Land Development Code Diagnostic**

May 2019

Issued By:

City of Fargo, North Dakota  
225 4<sup>th</sup> Street N.  
Fargo, ND 58102

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## Project Overview

### *Purpose*

The City of Fargo, North Dakota is seeking proposals from multi-disciplinary firms to provide professional consulting services to 1) conduct an evaluation of the City's municipal development codes and 2) provide guidance and recommendations on the most appropriate approach for making improvements and addressing identified deficiencies and issues.

The City intends to partner with a qualified consultant to conduct an evaluation of the City's land development codes and related processes. The purpose of this evaluation is to assess the effectiveness of the development codes and the potential for future improvements. The consultant will outline several alternative courses of action for undertaking improvements to the development codes and will provide a persuasive argument for the preferred alternative. To this end, the evaluation will need to assess:

- how well Fargo's development codes align with the City's development goals (such as those stated within the Go2030 Comprehensive Plan and related plans and policies), and the effectiveness of Fargo's development codes in reaching those goals;
- how well Fargo's development codes align with citizen expectations and national development trends;
- the simplicity, intelligibility, and overall user-friendliness of Fargo's development codes;
- the appropriateness and legal compliance of Fargo's development codes;
- stakeholder opinion and support of Fargo's development codes; and
- the impacts and effects of Fargo's development codes on City finances and the local economy.

### *Project Objectives*

The consultant shall be responsible for ensuring the following outcomes are met:

- 1) An understanding of the strengths and weaknesses of current development codes and processes, as they relate to the assessment needs outlined above.
- 2) A clear rationale supporting a preferred alternative action from a range of potential alternatives.
- 3) Buy-in, support, and general consensus from stakeholders on needed actions.

### *Background*

With a population of 122,359, Fargo is the most populous city in North Dakota and is the core city of the Fargo-Moorhead, ND-MN Metropolitan Statistical Area, which contains an overall population of 241,356. The City of Fargo serves as a regional economic hub for the Upper Midwest with a robust and diverse economy having specific strengths in the medical, agricultural, education, entrepreneurial, and retail industries. The community has continually been recognized among the best places in the country to live, work, attend school, and conduct business.

The City of Fargo has seen continual growth and development which has only accelerated in recent years. Over the past 20 years, Fargo has increased in area and population by roughly one-third, and has about doubled in both since 1980. Today, the City administers land use regulations over an area of just over 75

square miles, including 49 square miles within city limits and 27 square miles of extraterritorial jurisdiction. The Department of Planning & Development typically processes around 100 entitlement applications (subdivision, zoning map amendments, etc.) and approximately 50 administrative permits annually. Over the past four years, the City has permitted an approximate average of \$500,000,000 worth of construction annually.

Land development in Fargo is regulated by the City's Land Development Code (LDC), which was enacted in 1998. The LDC contains the City's zoning and subdivision regulations, as well as the City's sign code. The LDC is Chapter 20 of the Fargo Municipal Code, and can be found online in its entirety at [https://library.municode.com/nd/fargo/codes/code\\_of\\_ordinances?nodeId=CH20LADECO](https://library.municode.com/nd/fargo/codes/code_of_ordinances?nodeId=CH20LADECO). The LDC provides for 15 base zoning districts as well as 5 overlay and special purpose districts.

Since 1998, when the LDC was enacted, the City has gone through a number of planning efforts ranging from a city-wide comprehensive plan to individual corridor studies. The City's comprehensive plan, *Go2030*, was completed in 2012 and establishes the broad vision and policy direction for the City of Fargo. Pre-dating the *Go2030* Comprehensive Plan is the City's 2007 Growth Plan, which provides a future land-use plan for the City's growth areas. More recently, in 2017, the City adopted a master plan for the City's core, called *Downtown InFocus*. While the *Downtown InFocus* plan concentrates on the City's downtown core, the Planning Department is currently in the process of initiating a follow-up planning effort which would focus on the core neighborhoods which surround the downtown area—a "core neighborhoods plan." It is anticipated that the timelines for this Land Development Code Diagnostic and the core neighborhoods planning effort will overlap. So there may be some opportunity for the core neighborhoods planning efforts to inform the Land Development Code Diagnostic. Fargo's recent planning documents can be found on the City's website at: <http://fargond.gov/city-government/departments/planning-development/plans-studies>.

### *Project Schedule*

The City reserves the right to modify the timeline if necessary.

|  |  |
|--|--|
| RFP Available for Viewing                | April 30, 2019                             |
| Questions Due                            | May 17, 2019                               |
| Answers Due                              | May 24, 2019                               |
| Proposals Due                            | 11 AM June 3, 2019 (Central Daylight Time) |
| Interview Selection Notice               | June 17, 2019                              |
| Interviews                               | July 8 – 12, 2019                          |
| Award Notice                             | July 19, 2019                              |
| Contract Due                             | August 2, 2019                             |
| Contract to City Commission for Approval | August 12, 2019                            |
| Project Kick-off                         | September 2019                             |
| Project Completion                       | First Quarter 2020                         |

### *Scope of Work Elements*

With oversight from City staff as well as guidance from the Fargo Planning Commission, the selected consultant(s) will work to evaluate the City's development codes and processes and develop project deliverables as outlined within this RFP. The entire process involving the consultant(s) is expected to take about six (6) months to complete—September 2019 to February 2020.

The intent of the Scope of Work Elements provided below is to serve as a framework, which consultants can use to develop a more detailed scope of work based on their professional expertise and knowledge. The City asks consultants to present an efficient, effective scope of work, which insures the project objectives are met. The final scope of work will be negotiated with the selected consultants in conjunction with City staff prior to contract approval. The consultant is expected to provide interpretation and identification of deliverables or milestones it believes are integral to the project in the submitted proposal, as outlined within the Submittal Requirements section of this RFP.

The following Scope of Work elements are provided as a general framework:

- Project Management – The consultant will take the lead in managing their time, staff, resources, budget, and related activities to ensure that the project objectives are met. The consultant will be in close communication with staff throughout the life of the project. Staff will provide general oversight of the consultant and will help to facilitate interactions with the Planning Commission and project stakeholders
- Public & Stakeholder Participation – The consultant will develop a strategy for public and stakeholder participation in the project. The City will provide a list of potential stakeholders as a reference to the consultant.
- Development Codes Analysis – The consultant will conduct an in-depth and multi-faceted analysis of the City’s development codes. The City’s development regulations are codified within the Land Development Code (LDC), which is Chapter 20 of the Fargo Municipal Code. While the LDC will be the primary focus of the analysis, it should be noted that there are a few development-related codes that are located outside of the LDC, which may also need to be considered as part of the analysis. The analysis is not intended to include assessment of building codes or fire codes, unless there is direct impact to the LDC or the objectives of this project.

It is anticipated that this analysis shall include the following components:

*Primary Components:*

- *Alignment with Existing Plans & Policies* – An assessment of how well development codes align with the City’s development goals (such as those stated within the Go2030 Comprehensive Plan and related plans and policies), and the effectiveness of current development codes in reaching those goals.
- *Legal Compliance* – An assessment of code compliance and alignment with state and federal requirements and enabling legislation.

*Secondary Components:*

- *Best Practices & Expectations* – An assessment of how well the City’s development codes align with 1) expectations of citizens and the development community, 2) national development trends, and 3) municipal best practices.
- *Development Review Processes* – An assessment of the City’s development review process, including application review, communications, application fees, etc.
- *User Friendliness* – An assessment of the simplicity, intelligibility, and overall usability of the City’s development codes.

*Tertiary Components:*

- *City Financial impacts* – A cursory assessment of how development under current codes impacts costs and revenues of the City.

- *Economic Considerations* – A cursory assessment of how current development codes impact the local economy. This could include such factors as housing affordability, economic development goals, etc.
- Development of Alternatives – The consultant will develop and prioritize alternative courses of action based on the results of the codes analysis. Each alternative, including sub-alternatives, shall be sufficiently detailed to clearly outline necessary action steps as well as the pros and cons of each.
- Recommendation on Preferred Alternative – The consultant will develop a persuasive argument in favor of a preferred alternative. The preferred alternative will be identified with input from City staff and the Planning Commission.
- Presentations & Communications – The consultant will present the codes analysis report and alternatives recommendation to the Planning Commission, City Commission, and other applicable committees as defined in the final scope of work.

### *Anticipated Project Deliverables*

The project will result in the following primary deliverables. Additional intermediary deliverables may be identified by the consultant and/or City as the scope of work is finalized.

- Development Codes Analysis Report
- Report on Alternatives with Recommendation
- Presentations to Planning Commission, City Commission, and other applicable committees.

## Submission Requirements

### *Proposal Requirements*

The content and sequence of the information contained in each copy of the proposal shall be as follows:

A. Cover Letter

Include your firm's understanding of the work to be performed within the terms and conditions set forth in this RFP. In addition, state why your firm believes it to be the best qualified to perform the services requested, including features, skills or services which distinguish your firm and make it the better choice for the City. The length of time during which the proposal and the prices quoted shall be valid for consideration by the City is required to be 120 days from the proposal's due date. The RFP cover letter must be signed by an officer of the consultant or a designated agent empowered to bind the firm in the contract offer. (Keep response to one page.)

B. Table of Contents

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

C. Contact Summary Sheet

This section of the proposal must be a completed copy of the Contact Summary Sheet (Appendix A) included with this RFP.

D. Proposed Work Program

Provide a conceptual work program for the project that you believe is appropriate based on your understanding of the City's needs, as well as the outcomes, deliverables, and the scope of work elements outlined within this RFP. Submittal of a draft project schedule is required as part of the conceptual work program. Submit specific plans of how you will manage, control, and supervise the project in order to ensure satisfactory provision of services.

E. References

List all of the municipal governments that your firm has worked for or with in a similar capacity to the work outlined within this RFP within the last five (5) years. List names of organizations, and names, telephone numbers, and email addresses of persons who can be contacted with regard to the services you have provided.

F. Project Team Information & Qualifications

List the proposed principal(s) who will be responsible for the work, proposed project manager, and project team members and provide relevant background information for each, such as education, professional experience, certifications, etc. Provide a project organizational chart illustrating the structure of the project team. Additionally, provide a breakout of hours for each member of the team by major task area within your proposed work program, and an overall indication of the level of effort (percentage of overall project team hours) allocated to each task.

G. Cost

The City wishes to know the final and complete cost of each proposal and to realize only those additional costs beyond the proposal that the City requests. All cost quotations must include but not be limited to fees, modifications, travel and per diem, documentation, taxes, discounts, etc. All Cost tables should be sub-totaled and totaled.

#### H. Work Samples

Provide 2-3 work product examples showcasing recent relevant projects, along with key contacts and phone numbers for the client, and a brief description of each project. Additionally, the work product examples must be provided in full, either in digital (e.g. Flash Drive, website address, online file share) or in hard copy format.

### *Proposal Submission*

Consultants are to submit five (5) hard copies of the proposal in accordance with the requirements set forth within this RFP. In addition, an electronic version of the proposal shall be provided on a Flash Drive and/or uploaded to the City's digital file transfer site: <http://transfer.fargond.gov/index.php/s/2pZzPJCA8skyyEA>. The information included should be as concise as possible. Proposals should generally be printed on 8 1/2" x 11" paper, but pages with organizational charts, matrices, or diagrams may be printed on larger sheets. Document pages should be numbered. Type size should be no smaller than 11 points for narrative sections, but may be reduced for captions, footnotes, etc. as required while still maintaining legibility.

The proposal must be placed in an envelope, box, or similar container securely sealed therein and labeled: **"Proposal for Professional Consulting Services For Land Development Code Diagnostic for the City of Fargo."**

Sealed proposals must be submitted to the City of Fargo Auditor's office, 225 4<sup>th</sup> Street North, Fargo, ND 58102 at or before 11:00 A.M., June 3, 2019 (Central Daylight Time). Proposals received later than the time and date specified will not be considered.

### *Communications*

This Request for Proposals (RFP) is available to download at the City's website:

[www.FargoND.gov/BidPostings](http://www.FargoND.gov/BidPostings). Any addendum made to this Request for Proposals will be posted at the same website used for downloading the RFP.

All questions related to this RFP must be submitted in writing and submitted by email to the project contact, Aaron Nelson, at [ANelson@FargoND.gov](mailto:ANelson@FargoND.gov). The question period shall expire as defined within the Project Schedule section of this RFP. Responses to questions will be posted on the same webpage as this RFP (<http://fargond.gov/work/bids-rfqs-rfps>). Questions received after the deadline for questions will not be answered.

For technical issues, consultants can dial (701) 241-1475 for assistance. Office hours are 7:45 a.m. to 4:30 p.m. Monday through Friday, excluding holidays.



## Evaluation, Selection, & Contract Award

### *Selection Process*

Proposals will first be reviewed for completeness. Only those proposals that are properly completed and meet the minimum content requirements will be considered in the evaluation process. Complete proposals will then be evaluated and scored by an evaluation committee.

The evaluation committee may choose a limited number of proposals for further consideration and to interview these firms. Notification of these consultants will be made as soon as possible, but the consultant team should be prepared to convene in Fargo for these interviews.

Proposals will be evaluated based on the following general criteria:

- Proposed Work Program and Deliverables (Understanding of the project scope and objectives; quality of response to proposed work program and to proposed deliverables).
- Communications (Organization/completeness of response; writing skills, as shown through the submission and any submitted work samples).
- References and Work Product Examples (Confirmation that consultant has performed similar work in the past; assessment of ability to produce quality product within the project schedule; assessment of ability to conduct productive meetings; assessment of ability to work with staff, stakeholders, and elected officials; quality and applicability of submitted work examples).
- Demonstrated Capacity (Past performance of consultant firm on similar projects; expertise and experience of project manager and team members; current workload and availability of consultant team members).
- Estimated cost of work.

The City reserves the right to reject any/all proposal(s) or accept what is, in its judgment, the proposal which is in the City's best interest. The City further reserves the right, in the best interests of the City, to waive any technical defects or irregularities in any/all proposal(s) submitted.

The City may request additional information from consultants during the selection process. Additionally, discussion may be conducted with consultants to assure full understanding of, and responsiveness to, the requirements of this RFP.

### *Contract Award*

The City will select a consultant with whom City staff shall commence contract negotiations. The selection of a proposal shall not imply acceptance by the City of all terms of the proposal, which may be subject to further negotiations prior to approval by the City Commission before the City may be legally bound thereby. If a satisfactory contract cannot be negotiated in a reasonable time the City, in its sole discretion, may terminate negotiations with the highest ranked consultant and begin contract negotiations with the next highest ranked consultant.

## Appendix A: Contact Summary Sheet

Firm Name: \_\_\_\_\_

Firm Parent or Ownership: \_\_\_\_\_

Firm Address: \_\_\_\_\_

\_\_\_\_\_

Firm Telephone Number: \_\_\_\_\_

Person responsible for direct contact with the City of Fargo and services required for this Request for Proposal (RFP):

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Person responsible for day-to-day servicing of the account:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Types of services provided by the firm: \_\_\_\_\_

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\_\_\_\_\_

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