

Town of Payson

Request for Proposals

Unified Development Code Update

Prepared by:

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# ANNOUNCEMENT (RFPs) – Statement of Intent

The Town of Payson, Arizona is announcing a Request for Proposals (RFP) from qualified Land Use and Zoning Consultants to provide professional services to update the Town of Payson zoning ordinance, also known as the Payson Unified Development Code (UDC). The updated UDC shall comply with Federal laws, State Statutes, Town Ordinances, and be consistent with the Town of Payson General Plan. Proposals in their entirety must be received by **4:00 PM on Monday, June 21, 2022**.

# PROJECT OVERVIEW

## Background

The UDC was originally adopted in February 1996. Being over 25 years old, this document it is dated and often does not provide adequate provisions, direction, or regulation for important aspects of development in the community. While portions of the UDC have been amended over the years, piecemeal revisions have left the Town with a fractured and conflicting set of zoning regulations that do not always align well with the needs and desires of the community. Due to the lack of regular ongoing UDC updates, the document lacks clarity and contains a number of inconsistencies between the various sections. Processing modern development proposals has become challenging for residents, the development community, businesses, and the officials responsible for reviews.

## Purpose

The purpose of this project is to update the Town of Payson’s UDC. The new ordinance shall be comprehensive, user friendly, consistent with current zoning trends , anticipate future trends , meet current Federal laws, State Statutes, goals of the Town of Payson General Plan and other adopted plans. It is anticipated that certain sections will require complete rewrites, while the remainder of the code needs modernization and organization. It is the intention of the Town of Payson to procure the professional services of a qualified Zoning and Land Use Planning Consultant to facilitate the proposed update of the Town’s Unified Development Code in accordance with current planning practices and the Payson General Plan.

## Goals

The goal of this UDC update is to encourage modern and smart growth development of the community. This will be a highly collaborative process that includes input and feedback from residents, business owners, Town Staff, Planning & Zoning Commission, and the Town Council. As part of this process, the Town wishes to address a number of items, as further outlined in the Scope of Services. The Consultant shall facilitate the creation and adoption of the fully updated UDC by no later than June 30, 2023, complete with graphics and in a format agreed upon by the Town.

#  CONSULTANT SELECTION

 The selected consultant will be responsible for a comprehensive review of the UDC and recommend revisions related to format, definitions, zoning trends, sign codes, parking requirements, etc., to be current with national standards and trends throughout Arizona. There should also be consideration for The Town of Payson is a growing rural Town with historic characteristics such as Main Street, and has a strong and growing tourist industry and close proximity to metropolitan areas such as Flagstaff and Phoenix.

The consultant will need to review past text amendments, conditional use permits, rezones and other related Planning and Zoning cases to reflect on what items seem to be processed the most in order to prepare recommendations to updates in the UDC that may reduce common monthly Planning and Zoning Commission items. The consultant will also need to be familiar with the International Building Code to ensure that the UDC updates do not conflict with the Town of Payson’s adopted Building Code.

# RELEVANT TOWN DOCUMENTS

1. Town of Payson General Plan

2. Town of Payson Land Use Map

3. Town of Payson UDC

4. Payson Town Code

5. Greater Payson Area Economic Development Strategic Plan

# SUBMITTAL INSTRUCTIONS

U.S. Mail and Physical Location

Town Clerks

Town of Payson

303 N. Beeline Hwy

Payson, AZ 86401

Documents may be emailed to:dwilbanks@paysonaz.gov

All submittals will be time and date stamped once received in the mail room, submitted at the counter or submitted by email. Documents must be received by the stated deadline.

# INQUIRIES

Questions pertaining to the RFP and the selection process should be directed to

**Doni Wilbanks dwilbanks@paysonaz.gov by Wednesday, June 8, 2022:**

Questions and answer will be published on the Town’s website after **June 13, 2022.**

[www.paysonaz.gov](http://www.paysonaz.gov)

# SUBMITTAL DEADLINE

Proposals are due no later than **4:00 p.m. (AZ Time), Monday, June 21, 2022** and must be received by that time and date. Proposal postmark dates and times will not be considered as meeting that deadline. Proposers must submit 1 electronic copy (pdf, CD or Flash Drive). If the applicant desires to submit paper copies, please submit a maximum of five (5) bound copies of their proposal and one (1) separately sealed fee proposal envelope to the address shown under “Mailing Instructions” above. The proposal should consist of **a maximum of 20 pages (including supplemental material)**.

The Town is not responsible for proposals that are delinquent, lost, mismarked, and sent to an address other than that given above or sent by mail or courier service. The Town reserves the right, after opening the proposals, to reject any or all proposals, or to accept the proposal(s) that in its sole judgment is (are) in the best interest of the Town.

#  PROPOSAL EVALUATION

Proposals should provide a straightforward and concise presentation adequate to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of contents. Responsiveness to the RFP will be a principal basis for evaluation.

#  PROPOSAL SELECTION

The Town of Payson reserves the right, without qualification, to:

1. Select any proposal as a basis for written or oral communication with any or all of the companies or individuals when such action is considered to be in the best interest of the Town of Riverbank.
2. Select proposals, based on initial proposals received, without discussion or after detailed discussions or contract negotiations.
3. Reject all proposals.

# SELECTION PROCESS

The following is an outline of the procedures the Town will use in the selection process:

1. A Selection Committee will review the proposals submitted by the prospective consultants to evaluate the proposal based on the following factors:
	1. Experience of the firm and project manager and assigned team in preparing an updated UDC
	2. Record of the firm, and project manager and assigned team in completing these types of projects within required time frames and within budget allowance.
	3. Record of the firm and project manager in being responsive to the clients’ requests.
	4. Quality of work previously performed by the firm for the Town and other agencies.
	5. Community relations, including evidence of sensitivity to citizen concerns.
	6. Ability to communicate effectively with citizens, elected officials, and staff professionals.
	7. Ability to conduct surveys, neighborhood meetings, present at Planning and Zoning Commissions and to the Town Council, about the processing and regular updates related to this project.
	8. Ability to update the Town of Payson UDC in an organized and timely manner.
	9. Geographic location of the principal offices of the firm and proximity of staff working on the study to the Town.
	10. Knowledge of Federal Requirements, Arizona State Statutes, Construction and Architecture of Historic Buildings, Arizona History, Environment and Culture that would apply to the project.
2. Based upon the proposals submitted, the Committee may select a short-list of qualified firms for this project. The Town of Payson reserves the right to make final consultant selection based solely upon evaluation of the written proposals, without short-listing firms or conducting oral interviews, should it find it to be in its best interest to do so.
3. The Committee may interview the short-listed firms. Based upon the proposal and interview, the Committee will rank the finalists as to qualifications. The Committee will enter into negotiations with the selected firm. (The Town Council has final authority for selection.)
4. The negotiations will cover: scope of work, contract schedule, contract terms and conditions, technical specifications, and price. If the negotiating team is unable to reach an acceptable agreement with the selected firm, the negotiating team will recommend that negotiations be terminated and that negotiations with the second ranked firm be initiated. The Community Development Director has final authority to terminate negotiations and move to the next ranked firm.
5. After negotiating a proposed agreement that is fair and reasonable, the negotiating team will recommend to the Town Council that the Town of Payson enter into the proposed agreement. Final authority to approve the agreement rests with the Town Council.

# PROPOSAL CONTENT

The Town of Payson requires the proposer to submit a concise proposal clearly addressing all of the requirements outlined in this RFP. Proposal must be a maximum of 20 pages (including supplemental material) and include, at a minimum, the following sections in the order indicated:

## Information Page

Include project name, name of firm submitting the proposal, contact information for the person who will act as project leader including name, title, address, telephone, and email address, and assigned team members with background/bios, and company website.

## Description of Study Understanding

Outline of the proposer's understanding of the project and summarizing the basic approach to the project.

## Methodology and Approach

Describe the proposed methodology and approach which will enable the Town of Payson to assess the proposer's capability to conduct this project in a structured and efficient fashion.

## Scope of Work – (Note as Exhibit A in your proposal.)

Please provide details with specific task descriptions to demonstrate that the proposer has considered all aspects of the study and that the proposer will cover them thoroughly. Representatives of the firm may be required to attend a minimum of 2 public meetings a month. These meetings can include Planning and Zoning Commission, Historic Preservation, Town Council, and public workshops. The firm should also provide any needed informational material deemed necessary to educate the community, Commissions and Council regarding the project such as PowerPoint Presentations.

## Timetable

A timetable which identifies the milestones of the project, according to the Scope of Work, and projected completion dates throughout the project period.

## Personnel

Resumes of the individual(s) assigned to the study and other personnel available to support the study. Particular attention should be given to the proposer's organization which provides internal service for supporting the study team and facilitates quality assurance auditing of the study work.

## Qualifications

Description of the organization, covering background experience connected with comprehensive zoning code updates, as well as other similar projects.

## Representative Study Descriptions and Client References

Submit descriptions of similar assignments which were conducted by the proposer, including other agency’s contact name and telephone number.

## Cost Estimates of Consulting Fee – (Note as Exhibit B in your proposal.)

Each proposal shall include a cost estimate for providing services. Cost estimates shall be placed in a separate sealed envelope on which is written:

 **RFP Cost Estimate**

**Town of Payson UDC Update Project**

**(Name of your firm)**

**(Date)**

#  EVALUATION CRITERIA

The Town of Payson intends to engage the most qualified consultant available for this assignment. It is imperative the consultant's proposal fully address all aspects of the RFP. It must provide the Town's staff with clearly expressed information concerning the consultant's understanding of the Town of Payson’s specific requirements which would result in the conduct of this project in a thorough and efficient manner.

The following criteria shall be used in evaluation of the proposer's offer of services:

1. Proposal clarity in expressing the understanding of the Town needs and in defining a work plan for satisfying these needs; understanding the scope of work.
2. Consultant experience in providing consulting services on comprehensive zoning code updates, creation of redevelopment plans, and creation or expansion of Downtown Historic Overlay Districts.
3. Professional qualification of Project Manager and his/her team's experience in conducting assignments of similar scope.
4. Proposer's support organization and in-house quality control and quality assurance methods.
5. Methodology and approach to be employed in conducting the study.
6. Client satisfaction and recommendations.
7. Cost of services.

# SCOPE OF SERVICES

The selected consulting firm will be tasked with working with Town Officials to update the UDC. The Planning and Zoning Commission will provide a recommendation to the Town Council, who will ultimately adopt the final UDC update. It is not the intent for Town Staff to do the majority of the required work. The selected consulting firm will be responsible for conducting research, educating and collecting feedback from the public and appointed/elected officials, and providing recommended amendments for staff oversight.

The selected consultant will be responsible for ensuring that all the basic code elements included in the UDC are brought into conformance with current Federal and State laws, modernized to complement best practices in the field of planning and zoning, organized so that staff, applicants, and the public can clearly navigate and understand the updated UDC, as well as remove sections, outdated language, and definitions that no longer apply.

The selected consultant will be expected to work with various Town departments and officials, as well as outside community organizations and stakeholders to receive input regarding how the proposed changes may affect the development of Payson. The consultant will be responsible for organizing, notifying, and hosting related outreach meetings, as well as attended public hearings of the Planning and Zoning Commission and Town Council for this project.

It is anticipated that the selected consulting firm will first work with Town Staff to overview the necessary amendments that staff has identified. The consultant will conduct research on these matters, provide feedback and possible amendments, and work with staff on crafting a first draft of UDC amendments. Upon completion of the first draft, the consultant will be expected to begin stakeholder and public outreach to gain feedback on the proposed amendments. Utilizing said feedback, the consulting will continue to work with Town Staff to refine the UDC update prior to any public hearings with the Planning and Zoning Commission.

The following is a list of necessary amendments that Town Staff has identified to be included in this UDC update. This is not an exhaustive list and staff reserves the right to make insertions or deletions as necessary throughout the project.

* Address any inconsistencies and duplications
* Update definitions (Section 154-11), terminology, and land uses, as well as graphics and tables to illustrate regulations and make the UDC more user friendly.
* Address antiquated, redundant, confusing, and conflicting development standards, including but not limited to:
	+ Parking (Section 154-04)
	+ Landscaping, Screening and buffering, fences
	+ Design Review
* Evaluate and update zoning district regulations
	+ Review of existing zoning districts
	+ Review accessory, permitted, and conditional uses
* Update the Land Use Table
	+ Consolidate uses into broader categories
	+ Remove antiquated land uses
	+ Incorporation of emerging/missing land uses (including, but not limited to, wineries, breweries, RV storage facilities, campgrounds, golf courses, horse stables, gyms, sober & assisted living facilities, and senior centers)
* Explore the creation of a form-based zoning district or overlay, or the intervention of form-based code theories/intent
* Update and streamline the subdivision review and approval process
* Explore the addition of use allowances and development standards for tiny homes
* Consider modernization of lot development standards for existing districts
* Update residential landscape requirements
* Modernize the sign code

#  DELIVERABLES

All items delivered as part of this project shall be the sole property of the Town of Payson.

The consultant shall be responsible for the submittal and execution of the following:

## Progress Reports and Research.

The consultant shall be responsible for submitting monthly progress reports and research information relative to the project. The consultant shall clearly communicate how the regulatory effects of the proposed ordinance changes may differ from the effects of the current ordinance. Background information regarding subjects addressed in the new ordinance, which are not addressed in the current ordinance, shall also be submitted in matrix format.

## Draft Ordinances.

Draft documents for review and use by Town Officials during the development stages of the project shall be submitted to Town Staff by the consultant in an editable electronic format. It will be the responsibility of the consultant to generate and provide any required print material or copies, should they be necessary for project meetings or other reviewers.

## Meetings.

The consultant will be responsible for meeting with Town Officials on a regular basis. The number and frequency of the meetings will be determined in consultation with all parties before the project begins. The purpose of the meetings will be to establish objectives, discuss alternatives, provide direction and review progress. In addition, the consultant will be expected to attend periodic meetings of the Planning and Zoning Commission and Town Council.

The Town Council meets the second and fourth Thursday of each month at 4:30 pm in the Council Chambers at Town of Payson Town Complex located at 303 N. Beeline Hwy, Payson, AZ 85541.

The Planning and Zoning Commission meets the first Monday of each month at 3:00 pm in the Council Chambers at Town of Payson Town Complex located at 303 N. Beeline Hwy, Payson, AZ 85541.

The updated Town of Payson UDC must be provided in an electronic format that is compatible with the Town’s software. The consultant shall provide the following specific products once each project is complete:

 Five (5) bound hardcopies developed with Microsoft Word in an 8 ½” x 11” format.

 The electronic Word version of the ordinances shall be provided to the Town on a flash drive, drop-box or other forms acceptable by both parties.

# INFORMATION PROVIDED BY THE TOWN OF PAYSON

The Town will be responsible for providing the selected consulting firm with electronic copies of the following information immediately following the signing of the contract:

1. Town of Payson General Plan

2. Town of Payson Land Use Map

3. Town of Payson UDC

4. Payson Town Code

5. Greater Payson Area Economic Development Strategic Plan

#  SCHEDULE

The Town of Payson aims to secure a consultant to conduct the subject project and begin work prior to **August 1, 2022**. The project will be completed by **July 1, 2023.**

# GENERAL CONDITIONS

## General Information

The Town of Payson, Arizona, will receive at its office located at Town Hall, 303 N. Beeline Hwy. Payson, AZ 85541, all proposals for this Town of Payson project. Proposals shall be submitted as previously outlined in Section M, Proposal Content. Bids shall be written in ink or computer generated. Mistakes may be crossed out and corrections inserted adjacent thereto and must be initialed in ink by the person signing the proposal. Proposals are to be verified before submission as they cannot be corrected or altered or signed after proposals are opened.

## Interpretation of Proposals

Should a proposer find discrepancies in, or omissions from, the specifications, or should a proposer be in doubt as to their true meaning, the proposer may submit to the Planning and Economic Development Department a written or emailed request for an interpretation thereof prior to the proposal review. The proposer submitting the request shall be responsible for its prompt delivery. Any interpretation or change in the issued documents will be made only by an addendum issued to each person to whom specifications have been issued, and shall become part of any contract awarded. The Town will not be responsible for any other explanation or interpretations.

## Addenda

Any addenda issued by the Town before proposal submittal shall be addressed in cover letter. Any addenda issued by the Town during the time of proposal review shall be covered in the proposal and shall be made a part of the contract.

## Proposal review

Proposals shall be delivered to the Town of Payson on or before the day and hour set for the review of proposals in Section I, Submittal Deadline, above. A consultant may withdraw their bid, either personally or by written request, at any time prior to the scheduled time of proposal review.

## Late Proposals

Any proposals received after the scheduled time of review will be noted as received, but they will not be opened or considered.

## Payment Terms

Partial payments will be made as the work progresses at the end of each calendar month, or as soon thereafter as practicable on estimates made by the consultant and as approved by the Town, provided that the consultant is performing the overall job in a diligent manner. In making partial payments, there shall be retained ten percent on the amount of each estimate until final completion and acceptance of all the work.

Upon completion and acceptance of the work the Town shall certify that the work has been substantially completed and accepted under the conditions of the Contract. The entire balance found to be due to the consultant, including the retained percentage, except such sums that may be lawfully retained by the Town, shall be paid to the consultant within 30 days after formal acceptance of work by the Town Council.

## Assignment

No assignment by the consultant or any contract to be entered into hereunder or of any part thereof, except of funds to be received there under by the consultant, will be recognized by the Town unless such assignment has had the prior written approval of the Town.