

REQUEST FOR QUALIFICATIONS
City of New Bern Land Use Ordinance



Issued By:

City of New Bern

Development Services Department
303 First Street, PO Box 1129
New Bern, NC 28563

RELEASE DATE:

Wednesday, October 11, 2023

PROPOSED CLOSING:

Monday, November 13, 2023, 5:00 pm
Late Submissions will not be accepted

Submit Responses to:

City of New Bern
Development Services
303 First Street, PO Box 1129
New Bern, NC 28563

**City of New Bern
Request for Qualifications
Land Use Ordinance**

Project Title:

City of New Bern Land Use Ordinance

Project Description and Purpose:

The City of New Bern requests qualifications from qualified firms to develop a new Land Use Ordinance. The City is interested in firms that have the proven ability to successfully provide professional services to include the following: development analysis, meeting facilitation, stakeholder engagement, drafting ordinance language and technical codes, preparation of graphics and visuals, utilization of charts, incorporation of elements in several adopted plans, final document preparation, drafts of related required documents (such as advertisements and mailings), a new zoning map, and the presentation of the entire project and process for adoption. The total time for this project is anticipated to be two years.

When developing this ordinance emphasis will be placed on:

- A user-friendly format that is clear, concise, and easy to navigate
- Ensuring consistency in the text, terms, definitions, and procedures
- Incorporating processes into the text of the ordinance
- Consistency with state and federal statutes regarding zoning, historic preservation, stormwater, land use, subdivision, environmental protection, permitting, administration, appeals, variances, flood, enforcement, etc.
- Modern and innovative solutions for multiple layers of planning
- An executive summary is required

Background:

Nestled at the confluence of the Trent and Neuse rivers, New Bern, North Carolina is the sister city of Bern, Switzerland. Settled in 1710 by Swiss and German palatines, New Bern has retained its European influence for more than three centuries. Our waterfront landscape is highlighted with historic architecture and our two historic districts reflect the design and charm of yesteryear. Bern translated from German means bear, and you'll find bear statues of all shapes and sizes throughout the community. As the county seat of Craven County, the city has a population of about 31,000 people and stretches approximately 29 square miles (with an additional 7 miles of extraterritorial jurisdiction). New Bern is also home to the region's Metropolitan Planning Organization, focusing state and federal resources on short- and long-term transportation needs. Also of note, New Bern is the most populous city in the Metropolitan Statistical Area. With a strong industrial base and a good mix of retail shopping opportunities and businesses large and small, New Bern and the surrounding community are poised for continued growth. Recently named one of the best small towns in North Carolina, New Bern is an attractive community for retirees, families, and young professionals.

The ordinances that compose the Land Use Ordinance were adopted and amended over time dating back as early as 1956. During this period the Land Use Ordinance became disjointed, ineffective, and cumbersome with its 26 articles. The City of New Bern desires to create an ordinance that addresses current growth trends and challenges, regulatory updates, and provides a framework for future development with an emphasis on connectivity.

Submission Requirements:

Firms wishing to be considered for this project are expected to be land use professionals, planning consultants or code writers with expertise and experience in comprehensive overhauls of land use ordinances and facilitating all processes up to adoption. Information submitted in response to this Request for Qualifications shall include the following:

1. Contact information: Name, address, email address, and phone number of the consulting firm;
2. Type of organization: Partnership, corporation, sole proprietorship; primary location of the firm; names and experience of principles or directors;
3. Firm Staffing: Names, titles, experience, and length of service of key personnel;
4. Statement of qualifications: Narrative or other statement by the firm of its qualifications to assist with developing the City of New Bern Land Use Ordinance;
5. Availability: Statement of the availability of key personnel of the firm to undertake this project;
6. Fees and Costs: Provide a listing of fees or hourly rates for members of the consulting team that will be involved in this project, including support personnel (do not include information on personnel who will not be regularly involved in the project);
7. Proposed work plan process, approach, and timetable. A detailed description of the proposed work plan in response to the scope of work outlined in this document. Work plan shall include the respondent's proposed methodology, process, communication plan and timetable for completion;
8. Project List: List of similar projects completed or currently underway by the firm and/or key personnel referenced under Availability; and
9. References: Names and telephone numbers of at least three references including name of project, brief description of project, and primary contact information whom the City can call regarding past performance, preferably on similar projects;
10. Any additional information that will assist in evaluating the applicant's qualifications.
11. Other requirements, insurance, and certification:
 - a. Certificate of insurance with the following limits:

Firm shall maintain at its own expense (a) Commercial General Liability Insurance in an amount not less than \$1,000,000 per occurrence for bodily injury or property damage; "City of New Bern", PO box 1129, New Bern, NC 28563, shall be named as additional insured. (b) Professional Liability insurance in an amount not less than \$1,000,000 per occurrence – if providing professional services; (c) Workers Compensation Insurance, as required by the general statutes of the State of North Carolina, and Employer's Liability Insurance not less

than \$500,000 each accident for bodily injury by accident, \$500,000 each employee for bodily injury by disease, and \$500,000 policy limit; (d) Commercial Automobile Insurance applicable to bodily injury and property damage, covering all owned, non-owned, and hired vehicles, in an amount not less than \$1,000,000 per occurrence as applicable. Certificates of Insurance shall be furnished prior to the commencement of services.

b. Equal Employment Opportunity Elements:

The City of New Bern reserves the right to negotiate with any or all firms submitting qualifications. Small and minority businesses, women’s business enterprises, and labor surplus area firms are encouraged to submit qualifications and firms using subcontractors must solicit such firms in the subcontracting process.

The City of New Bern is an equal opportunity employer without regard to race, color, sex, age, religion, national origin, persons with disabilities, or limited English proficiency.

Interested consulting firms should limit their responses to 26 single-sided or 14 double-sided pages (excluding cover, table of contents, and cover letter). **Respondents shall submit five hard copies and one digital PDF copy of their qualifications on or before Monday, November 13, 2023, at 5:00 pm** to the office below. Sealed envelopes must be labeled “Land Use Ordinance RFQ” for reference.

City of New Bern - Development Services
Attn: Jessica F. Rhue, Director of Development Services
303 First Street, PO Box 1129
New Bern, NC 28563

Email for electronic copy: rhue.jessica@newbernc.gov

Responses received after the date and time listed will not be considered.

Scope of Work

The intent of the Scope of Work described herein is to serve as a framework for major tasks as currently envisioned by the City. This is not a comprehensive list. A complete Scope of Work and an estimated fixed fee will be developed in consultation with the selected firm based on the City’s needs and the firm’s experience and capabilities. The City has envisioned the following:

1. Create, to the fullest extent possible, a user-friendly, simplified, clear, and easily understood Land Use Ordinance, including:
 - i. Eradication of vague, unclear, or confusing language and incorporation of language, terms, and intent statements are consistent from one section to another
 - ii. Ensure the essential words used in the text of the Land Use Ordinance are defined in the definitions section
 - iii. All sections should be clear and concise, avoiding conflict with each other or the unintended impacts associated with overly complex ordinances
 - iv. Modernize the formatting

2. Review and update procedures and regulations.
3. Ensure that the ordinance conforms to generally accepted land use law, state and federal statutes, and case law.
4. Overhaul the Table of Permitted Uses and Supplemental Regulations.
5. The firm will be required to attend and facilitate public engagements, workshops, meetings, and public hearings with various audiences such as the Board of Aldermen, Planning and Zoning Board, residents, and other stakeholders, and prepare multiple drafts of the proposed ordinance for review and comment.

City staff will be available to assist the firm in facilitating the process. Staff will assist in meeting arrangements, advertising public meetings, workshops, hearings, and other logistics. Staff will also work closely with the firm by reviewing any work product before it is submitted to any reviewing body or presented to the public.

Evaluation and Award:

1. Selection Process:
A consultant selection committee comprising City staff will be formed to review the proposals, short list and interview the applicants. The selection committee will make a final selection of the successful consultant for this project. The RFQ will not be deemed to be awarded until a written contract, in a form acceptable to the City, has been fully executed by both parties.
2. Evaluation Criteria:
 - a. Qualifications and relevant experience of the firm and any proposed subconsultants in successfully preparing effective Land Use Ordinances. (Assigned Weight – 20%)
 - b. Qualifications of key personnel, inclusive of any outside consultants to be assigned to the project. (Assigned Weight – 20%)
 - c. Demonstrated ability to meet schedules and deadlines. Some priority will be given to applicants who can commence work immediately. (Assigned Weight – 20%)
 - d. Ability to frequently work with staff in person and attend required meetings and public engagements. (Assigned Weight – 20%)
 - e. Proposed cost of work to be performed by Phase. This plan is anticipated to span two (2) fiscal years which dictates the need for phasing. Cost shall not be the sole basis for selection. (Assigned Weight – 20%)

3. Critical Dates:

- a. Consultant's deadline for submitting questions related to this RFQ: October 25, 2023, at 5:00 PM EST.
- b. City's deadline for responding to questions: November 8, 2023, at 5:00 PM EST.
- c. Proposal Deadline: November 13, 2023, at 5:00 PM EST.

4. Questions:

- a. No oral interpretations shall be made to any respondent as to the meaning of any of the documents. Every request for an interpretation shall be made in writing and submitted via email, such questions must be received by October 25, 2023, at 5:00 PM EST. The subject line should read "Land Use Ordinance RFQ"
- b. Any questions regarding this RFQ should be directed in writing via email to Jessica Rhue, Director of Development Services, rhue.jessica@newbernnc.gov.
- c. The City of New Bern will post its response to questions and clarifications by November 8, 2023, at 5:00 PM EST. It is the responsibility of each respondent to check the website for any addendums.

END OF THE REQUEST FOR QUALIFICATIONS