

# **TOWN OF LONDONDERRY, VERMONT**

100 Old School Street  
South Londonderry, Vermont 05155

## **REQUEST FOR PROPOSALS FOR REWRITE OF ZONING BYLAW - 2019 (RFP)**

**RFP NO. 2019-1**

**January 30, 2019**

**PROJECT TITLE:** Rewrite of Zoning Bylaw – 2019 (the “Project”).

### **PROPOSAL DELIVERY REQUIREMENTS**

Contractors must provide ten (10) copies of their proposals, in sealed envelopes, for receipt by the Town of Londonderry (the “Town”) at the Londonderry Town Office, 100 Old School Street, South Londonderry, VT 05155, no later than 3:00 p.m. on Monday, **February 25, 2019**. Bids will be publicly opened at that time.

Proposals may not be submitted in electronic form.

### **ESTIMATED TIME PERIOD FOR CONTRACT**

Proposals must include an estimate of the time period required to complete the Project.

### **CONTRACTOR ELIGIBILITY**

This procurement is open to all contractors who satisfy the minimum qualifications stated herein and are available for work in the State of Vermont.

### **CONTENTS OF THE PROPOSAL**

1. Introduction and Notice of Interest
2. Pre-submission Meeting
3. General Information for contractors
4. Break Down of Pricing and Expenses; Exceptions; Payment Information
5. Submission of Proposals
6. Evaluation and Contract Award

### **1. INTRODUCTION; NOTICE OF INTEREST IN SUBMITTING PROPOSAL**

The Town is seeking a qualified consultant to assist the Town in a rewriting of the Town’s Zoning Bylaw (1) to conform to changes made to the 2017 Londonderry Town Plan, (2) to update the Bylaw to reflect best practices for municipal zoning in the State of Vermont, and (3) to reflect the recommendations of the Town’s Planning Commission and Select Board (collectively, the “Scope of Work”). Copies of the

Town Plan and the current Bylaw may be found on the Town’s website, at [www.londonderryvt.org](http://www.londonderryvt.org). Additional details concerning the Project are set forth below.

This project is funded through a Municipal Planning Grant (MP-2019-Londonderry-00019) awarded by the Vermont Department of Housing and Community Development, and all work products and contracts are governed by and subject to all rules and regulations of the Municipal Planning Grant Program and the Town’s grant award.

Persons who are considering the submission of a proposal on the Project should promptly advise the Town Administrator by e-mail (at [townadmin@londonderryvt.org](mailto:townadmin@londonderryvt.org)) of their potential interest in submitting a proposal, so that the Town may keep all potential contractors advised as the RFP process moves ahead.

## **2. PRE-SUBMISSION MEETING; SUBMISSION OF WRITTEN QUESTIONS**

Persons interested in submitting a proposal are strongly encouraged to attend a meeting with the members of the Planning Commission and other Town officials to discuss the Scope of Work, the Town’s related goals and expectations, and any questions that potential contractors may have. The meeting will take place in the Town Office, 100 Old School Street, Londonderry, at **1:00 PM on February 14, 2019**.

Contractors who have questions concerning the RFP may, alternatively, submit questions in writing to the Town Administrator no later than **February 14, 2019**. The Town Administrator will respond to any written questions no later than **February 19, 2019**, with copies to all persons who have advised the Town that they are considering submission of a proposal.

## **3. GENERAL INFORMATION FOR BIDDERS**

### **3.1 Right to Accept or Reject Proposals**

The Town of Londonderry reserves the right to accept or reject any proposal, at its sole discretion, and to award a contract based solely on its determination of the best proposal considering all circumstances and conditions applicable to the Project.

### **3.2 Right to Cancel or Postpone the Project**

The Town reserves the right at its sole discretion to reject any and all proposals received without penalty and not to issue a contract as a result of this RFP.

### **3.3 Right to Retain and/or Utilize Information Contained in Submitted Proposals**

The Town of Londonderry reserves the right to retain all proposals and to use any ideas in a proposal regardless of whether the proposal is selected. Submission of a proposal indicates acceptance by the contractor of the

conditions contained in this RFP, unless clearly stated to the contrary and specifically noted in the proposal submitted and confirmed in the contract between the Town of Londonderry and the selected firm.

### **3.4 Purchasing Policy**

Contractors may wish to review the Town's Purchasing Policy, a copy of which may be found on the Town website, at [www.londonderryvt.org](http://www.londonderryvt.org).

### **3.5 Change Orders**

If specification changes are made prior to the close of the proposal submission process, the RFP will be amended, notice shall be sent to any person who already has submitted a proposal, and a new solicitation process will be initiated. Once a proposal has been accepted, if changes to the specifications become necessary, the Selectboard will prepare a change order specifying the scope of the change. Once approved, the successful contractor and an authorized agent of the Town must sign the change order.

### **3.6 OWNERSHIP OF BID INFORMATION**

The Town shall have ownership of all information submitted by a contractor and shall be free to utilize that information for whatever purposes it chooses whether or not the contractor is selected to perform the Project.

## **4. BREAK DOWN OF PRICING AND EXPENSES; EXCEPTIONS; PAYMENT INFORMATION**

### **4.1 Break Down of Pricing; Exceptions or Suggestions**

Each contractor must include a separate break-down of its proposed charges for each of the following steps in completing the work:

1. Review of the Town's existing Town Plan and Zoning Bylaw.
2. Initial meeting with the Planning Commission and other Town officials to discuss possible changes to the Bylaw.
3. Preparation of draft of revised Bylaw, detailing proposed changes to existing Bylaw and reasons for those changes.
4. Up to two (2) meetings with Planning Commission and other Town officials to discuss draft.
5. Preparation of revised draft.
6. Attendance at public hearing concerning proposed changes to the Bylaw.

In addition, proposals must specify (a) the contractor's hourly rate to make any additional changes requested by the Town following the public hearing referenced in subsection 6 above and (b) contractor's per-meeting charge for any meetings that are in addition to those listed above.

Contractors shall note whether they take any exceptions to the RFP requirements or have other suggestions concerning the Project.

#### 4.2. Costs Incurred by Contractors

The Town will not reimburse contractors for any expenses incurred in preparing or presenting proposals in response to this RFP.

#### 4.3. Payment Information

Contractors shall include in their proposals a proposed payment schedule. The Town suggests, but does not require, that proposals include partial payments tied to the completion of each task identified in Section 4.1 above. All work must be satisfactorily completed before being invoiced.

#### 5. SUBMISSION OF Proposals

All proposals must be submitted in sealed envelopes, with ten (10) copies, addressed to the Town Administrator, Town of Londonderry and plainly marked **“Rewrite of Zoning Bylaw - 2019.”**

Proposals must be received by the Town at the Town Office at 100 School Street, Londonderry, no later than **3:00 PM on Monday, February 25, 2019**. Bids will be opened at that time.

No electronically submitted bids will be accepted in response to this RFP.

Proposals will be date stamped on the outside of the envelope immediately upon receipt. Any proposal may be withdrawn in writing prior to the scheduled time for the opening of proposals. Any proposals received after the time and date specified shall not be considered and shall be returned to the contractor unopened. Contractors shall prepare proposals based on specifications noted herein and any exceptions must be noted. A contractor submitting a proposal thereby certifies that the proposal is made in good faith without fraud, collusion, or connection of any kind with any other contractor for the same work, and that the contractor is competing solely on his/her behalf without connection with or obligation to any undisclosed person or firm.

#### 5.1 Town Contact Person

The Town Administrator will serve as the single point of contact for this request:

Shane O’Keefe, AICP  
Town Administrator  
100 Old School Street  
South Londonderry, VT 05155  
Phone Number 802-824-3356  
Email: [townadmin@londonderryvt.org](mailto:townadmin@londonderryvt.org)

**All communication between the contractor and the Town upon release of this RFP must be solely with the Town Administrator.** Any other communication will be considered unofficial and non-binding on the Town. Contractors may rely on information concerning this RFP only if it is provided in written form (including by email) by the Town Administrator. Communication directed to any Town official or employee other than the Town Administrator may result in disqualification of the contractor.

## **5.2 References**

Proposals must identify for reference checking by the Town at least two (2) municipalities for which the contractor has performed comparable services in the last five (5) years, including the name, address, phone number and email address of the principal contact person at each municipality and a brief summary of the work performed.

## **5.3 No Obligation to Contract**

This RFP does not obligate the Town of Londonderry to contract for services specified herein.

The Town of Londonderry reserves the right to reject all proposals and to either withdraw the RFP or reissue a revised RFP at a later time.

## **5.4 Commitment of Funds**

The Town of Londonderry Selectboard is the only entity that may legally commit the Town to the expenditures of funds for a contract resulting from this RFP.

No costs chargeable to the proposed contract may be incurred before receipt of a fully and properly executed contract.

## **5.5 Right to Extend Contracts**

The Town reserves the right to extend a contract for ongoing services without reissuing an RFP.

## **5.6 Insurance Requirements**

The successful contractor will furnish the Town with a certificate(s) of insurance executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements set forth below.

The contractor shall, at its own expense, obtain and keep in force insurance coverage during the full term of the contract. Upon the Town's acceptance of the contractor's bid, a Certificate of Insurance shall be provided to the Town by the contractor or the contractor's insurance company before any work is performed.

The contractor's policies shall name the Town of Londonderry as an additional insured.

#### **5.6.1 Liability Insurance**

Contractor shall maintain Commercial General Liability Insurance with a limit of not less than \$1,000,000 per each occurrence and General Aggregate coverage of at least \$2,000,000.

#### **5.6.2 Automobile Liability Insurance**

Contractor shall maintain automobile liability coverage with a Combined Single Limit of at least \$1,000,000.

#### **5.6.3 Compliance with Workers' Compensation and Other Laws**

The contractor will, at all times, comply with all applicable workers' compensation, occupational disease, and occupational health and safety laws, statutes, and regulations to the full extent applicable. The Town will not be responsible in any way for claims filed by the successful contractor or its employees for services performed under the terms of this contract. Additionally, the successful contractor is responsible for ensuring that any subcontractors provide adequate insurance coverage for the activities arising out of subcontracts.

### **6. EVALUATION AND CONTRACT AWARD**

#### **6.1 Evaluation Procedure and Timeline**

Proposals will be evaluated in accordance with the requirements stated in this RFP and the Town's Purchasing Policy, a copy of which may be found on the Town's website, at [www.londonderryvt.org](http://www.londonderryvt.org).

The Town Administrator may contact any contractor for clarification of any portion of the proposal.

The Town's Planning Commission will review all proposals at a meeting on **February 28, 2019**, and determine which contractors will be invited to meet with the Planning Commission to discuss their proposals. That meeting or meetings will take place on or about **March 11, 2019**. At the conclusion of that meeting or meetings, the Planning Commission will determine which, if any, bids to recommend to the Selectboard for its consideration.

It is currently anticipated that the Selectboard will determine on **March 18, 2019**, which contractor to select on a tentative basis to undertake the Project.

## 6.2 Selection Criteria

The Town of Londonderry will consider the following criteria when evaluating and selecting bids:

- Clarity and completeness of the submitted proposal
- Contractor's experience and reputation, including any past performance for the Town of Londonderry
- Contractor's references
- Contractor's ability to perform in a timely fashion.
- Price
- Contractor's ability to meet other terms and conditions, including insurance and bond requirements, if any
- Any other factors that the Town determines are relevant and appropriate in connection with the project.

## 6.3 Notification to Contractors; Finalization of Contract

The Town Administrator expects to notify the apparently successful bidder of its selection on, or about, **March 19, 2019**. It is possible that the Town's selection and related notification may be delayed beyond that date. It is anticipated that, following discussions and any required clarifications between the Town and the contractor, contract award will take place within two (2) weeks following notification.

## 6.4 Start of Work

Work will commence on a date and time mutually agreed to by the Town of Londonderry and the successful contractor, following the execution of an approved and signed contract.

**END OF DOCUMENT**