

## Request for Qualifications

### **Consultant Services for Revisions to the East Montpelier Land Use & Development Regulations**

**Town of East Montpelier  
40 Kelton Road  
PO Box 157  
East Montpelier, VT 05651**

**Statements of Qualifications Due by 3:00 p.m., Wednesday, February 14, 2018**

#### **Project Description**

The Town of East Montpelier is requesting Statements of Qualifications from consulting firms for project assistance services for an update to the East Montpelier Land Use & Development Regulations. This project builds on a FY2016 Municipal Planning Grant used to prepare the East Montpelier Village Master Plan. Part of the zoning update will develop new zoning regulations for the four village planning areas identified in the Village Master Plan. PUD and parking standards need to be updated to help implement the village zoning. Zoning in the rest of the town is still based on the original 1970s-era districts and setbacks. These districts need to be reviewed and updated to be compatible with promoting growth in the village, consistent with development as it has occurred, and plans for future growth in the town. The updates also need to be explicit to ensure consistent interpretation by town staff, boards and commissions.

The town has received an FY2018 Municipal Planning Grant, **MP-2018-East Montpelier-00021**, from the VT Agency of Commerce and Community Development to fund this project. There is a total of \$25,750 available for consultant services, \$19,833 from the ACCD grant and a local match of \$5,917 from the town.

The East Montpelier Planning Commission (PC), an engaged, 9-member elected body, will take the lead on this project. The PC desires a consultant who can define problems with the existing zoning regulations, educate and inform the PC on the range of appropriate techniques, facilitate discussions and deliberations, and draft language to help achieve regulations that are clear, comprehensive and meet the town's planning goals.

The PC is currently working on an update to the East Montpelier Town Plan, with an anticipated adoption timeframe of late spring 2018. Pertinent town documents, including the current Town Plan, the draft Town Plan, the East Montpelier Village Master Plan, and the East Montpelier Land Use & Development Regulations, can be found on the town's website: <http://eastmontpeliervt.org/documents/planning-zoning-documents/>

## **Scope of Work**

### **Task 1. Organize Steering Committee and Develop Schedule**

The PC will function as the core steering committee and will ask several members of the community to participate on the steering committee to ensure additional community input and engagement.

The consultant will hold a kick-off meeting with the steering committee. This meeting will include a discussion of perceived issues with current zoning and compatibility with the Town Plan.

The consultant will provide a project framework and working schedule for PC approval. It is anticipated that the first hour of each PC meeting will be dedicated to discussions of the zoning updates. This schedule will also help keep the steering committee on track and ensure that the project will be completed in the required timeframe and within the identified budget. It is expected that this schedule will have flexibility and may need to be updated throughout the process.

Anticipated Outcome: A steering committee comprised of the PC and additional community members is formed. A schedule of anticipated meetings and topics is established that provides a framework for completing the project within 18 months.

### **Task 2. Review Existing Plans and Zoning**

East Montpelier's 2013 Town Plan is currently being updated for adoption in June 2018. The East Montpelier Village Master Plan was completed in 2017.

The Town's Land Use & Development Regulations were originally adopted in the early 1970s. Various amendments have occurred over time, however the zoning districts, boundaries, purposes, lot sizes and setbacks have not been revised since 1974 amendments. As a result, the regulations have not kept pace with current conditions or development trends and may not be meeting the stated purpose.

The consultant will need to become familiar with the Town Plan and the East Montpelier Village Master Plan. Similarly, a comprehensive review of the existing zoning bylaws will need to be completed to ensure consistency throughout the update process and to identify additional changes that will be needed.

Anticipated Outcome: Identification of changes that should be considered to update and modernize the town's land use and development regulations, consistent with the town's plans.

### **Task 3. Organize and Facilitate Discussion Topics**

In order to focus discussions with the steering committee, the consultant will develop a schedule of informational sessions or discussions on specific topics. The purpose of these discussions will

be to provide the steering committee sufficient background to understand the issues or options and have a basis for decision-making. Topics will respond to identified issues, but are expected to include: parking standards; planned unit developments; mixed uses; agricultural issues; forestry issues; siting standards; draft documents; or format for public meetings and open houses. The consultant may be asked to make presentations or assist in the coordination of guest speakers for specific topic areas. For guest speakers, the consultant will prepare a brief list of discussion questions to help guide an informal, but informative, discussion.

Anticipated Outcome: Scheduled discussions of specific topics that inform the steering committee.

#### **Task 4. Update Priority Sections and Village Zoning**

Based on the goals and implementation actions included in the East Montpelier Village Master Plan that was completed in 2017, several specific changes to the zoning bylaws were identified to implement the vision of the master plan. Specifically, new planning areas have been identified that will accommodate more development density in order to provide opportunities for revitalization of the village including the areas immediately surrounding the designated village center. To this end, the following sections have been specifically identified for priority updates.

##### New Village Zoning Designations

The East Montpelier Village Master Plan identified several new planning areas, including preferred uses, lot sizes, and setbacks to help revitalize the designated village center and the surrounding areas. While the basic purpose and intent of these areas has been established, the zoning bylaws will need to be updated in order to establish the regulatory framework and boundaries to implement these changes.

##### Parking Standards

Updates to parking standards will be required to reflect more current needs and provide for alternative parking opportunities, specifically in the village. Due to the size of existing lots in the designated village center, there are limited opportunities for redevelopment. If current parking standards are utilized, redevelopment will be prohibitive. Considerations may include maximum numbers for parking spaces, on-street options, or shared parking in order to establish a more walkable and pedestrian oriented village.

##### Planned Residential Development (PRD) & Planned Unit Development (PUD)

Current zoning bylaws identify both PRDs and PUDs. Changes to statute have eliminated PRDs, as residential development is now covered under PUD language. Additionally, through discussions with the Planning Commission related to the Village Master Plan, additional development density would be permitted in the village if PUDs are utilized. This language will need to be updated to specifically address these desired changes in order to achieve the development density needed for village revitalization and to achieve the goals identified in the Village Master Plan.

Other Supplemental District Standards may need to be updated, such as lot coverage, landscaping and screening.

Significant work has gone into planning for updates to the village zoning through the village master plan process. As such, the PC anticipates completing the village zoning update and forwarding a recommendation for adoption to the Selectboard prior to completion of the draft of the remaining zoning bylaws.

Anticipated Outcome: Draft updates to priority areas are discussed by the steering committee, edited as necessary and prepared for presentation to the public for comment, including maps of updated boundaries. Village zoning is completed and presented to the Selectboard for adoption.

### **Task 5. Update Remaining Sections**

With the establishment of new village zoning districts, it will be critical to ensure that zoning in the remainder of the municipality does not conflict with these changes. As such, the zoning districts will be reviewed to identify changes needed to implement the village master plan and focus growth in and around the designated village center. At a minimum, consideration should be given to:

- District purposes
- Permitted, conditional, & prohibited uses
- Dimensional standards (lot size, setbacks, etc.)
- Specific district boundaries
- Siting requirements for protection of resources (this may also require updates to the subdivision regulations)

Anticipated Outcome: Draft updates to the remainder of the Land Use & Development Regulations are presented to the Steering Committee for discussion, edited as necessary and prepared for presentation to the public for comment, including maps of updated boundaries.

### **Task 6. Conduct Public Outreach**

Throughout the process, the consultant will work with the steering committee to identify and conduct public outreach activities to ensure a community-wide understanding of the goals, process, and outcomes is established. The intent of public outreach efforts is to educate the community on what changes to zoning will mean and what affect these changes may have on individual properties, as well as to identify any specific concerns or needs the community may have.

Extensive public outreach was conducted in developing the East Montpelier Village Master Plan. Those outreach efforts form a base for developing the priority zoning amendments (Task 3). The PC envisions one public meeting to present and receive comments on the draft priority zoning will be required. After review and possible revisions based on public comments, the PC will hold a public hearing on the draft priority amendments.

More public outreach and engagement is required for amendments to the regulations for the rest of the town. The PC envisions a public forum or workshop for multiple small groups to weigh in

on district purposes, uses, boundaries, lot sizes, setbacks and siting standards. The consultant and steering committee will use this public input in developing draft amendments to the regulations. The PC envisions that the draft amendments will be presented in an open house format, with a questionnaire or other tool used to collect feedback. The consultant and steering committee will use this feedback to finalize the draft amendments for presentation at a public meeting and/or public hearing.

The consultant will be responsible for preparing outreach materials, such as maps, posters, slide shows, and feedback collection instruments. The consultant will also be responsible for preparing a summary of public outreach results for the steering committee.

The PC will take responsibility for raising public awareness through articles in the East Montpelier Signpost and postings on Front Porch Forum.

Anticipated Outcome: Public meetings, workshops, forums, and/or open houses are conducted throughout the process to inform and educate the public. This will also include time spent with the steering committee presenting specific topics as educational items and summary reports to the PC identifying any themes or specific issues.

#### **Task 7. Prepare Draft Language**

The consultant will prepare draft language throughout the process to be reviewed by the steering committee. This will begin with drafts of the priority areas for review by the PC and subsequent public discussions to identify any concerns that exist. These issues will need to be resolved prior to work on the remainder of the zoning bylaws as village zoning designations will influence zoning in the rest of the municipality. Depending on public input, multiple drafts of the amendments may be necessary.

Anticipated Outcome: A draft of the complete zoning bylaw update will be compiled and presented to the public for comment and input, including maps of updated boundaries.

#### **Task 8. Prepare Final Language**

Following public input and discussion, a final draft of the land use & development regulations will be developed that incorporate all the necessary changes identified throughout the process. This draft will be presented at a public meeting in order for any final public comments to be offered or to provide information to the public on why certain decisions were made and how proposed zoning will affect the community. As with all municipal planning grant projects, the final product will be a draft document that can be reviewed and considered by the municipality for final action.

Anticipated Outcome: Final draft zoning bylaws will be completed and presented to the PC for consideration and recommendation to the Selectboard, including maps of updated boundaries.

## **Submission Requirements**

**Please furnish five (5) paper copies and one (1) electronic file (.pdf format) of the Statement of Qualifications with pages numbered consecutively.**

The Statement of Qualifications should be a narrative proposal that best represents your firm's qualifications to perform the desired consultant services for the project, MP-2018-East Montpelier-00021. The Statement of Qualifications should include the proposed project team, expected duties of team members, primary project contact, technical abilities, examples of previous projects, references, and any other information that you consider important.

**We are not seeking a detailed scope of work or cost proposal at this time.**

The cost of preparing, submitting and presenting is the sole expense of the firm. The Town reserves the right to reject any and all Statements of Qualification received as a result of this solicitation or to cancel this RFQ in part or in its entirety if it is in the best interests of the Town. This Request for Qualifications in no way obligates the Town to award a contract.

## **Submission Schedule**

Statements of Qualifications are to be submitted to:

Town of East Montpelier  
C. Bruce Johnson, Town Administrator  
40 Kelton Road, PO Box 157  
East Montpelier, VT 05651  
(802) 223-3313 x 204  
eastmontadmin@comcast.net

Submissions must be received at the East Montpelier Municipal Office Building no later than **3:00 p.m., Wednesday, February 14, 2018**. Submissions received after the deadline will not be accepted.

## **Selection**

The Planning Commission will review and evaluate each statement of qualifications, based on the criteria below. Firms will then be ranked accordingly. The PC may decide to short list the highest ranked firms and request interviews if it is deemed necessary in order to choose the highest qualified firm. Upon completion of any interviews, a scope of work and cost proposal will be required from the highest ranked firm and negotiations will begin. If a scope of work and fee cannot be agreed upon within a reasonable time, negotiations with the top-ranked firm will be concluded and negotiations with the second-ranked firm will be initiated. If a satisfactory contract is not worked out with this firm, then this procedure will be continued until a mutually satisfactory contract is negotiated.

## **Criteria for Selection**

The following selection criteria will be used to evaluate the qualifications of the consultant:

1. Experience with writing and revising zoning regulations;
2. Knowledge of current state statutes, case law, and best practices related to local zoning;
3. Experience with organizing and facilitating public meetings;
4. Proven ability to work with a Planning Commission and other local boards and committees;
5. Availability to begin work upon completion of a contract for the services; and
6. Quality, completeness and clarity of submission.

## **Schedule**

- Statement of Qualifications due on February 14, 2018
- Consultant selection by March 15, 2018
- Work to begin by April 5, 2018
- Complete project by May 2, 2019

## **Contract Requirements**

The following requirements will be explicitly included in the consultant contract, as mandated by the state Municipal Planning Grant program:

1. The consultant will maintain all books, documents, payrolls, papers, accounting records and other evidence pertaining to costs incurred under this Agreement and make them available at reasonable times to the Grantee and the State during the period of this contract and for three years thereafter for inspection by any authorized representatives of the State. The official records, however, will be maintained by the Grantee. If any litigation claim, or audit is started before the expiration of the three-year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved, including any period for filing an appeal. The Grantee and the State, by any authorized representative, shall have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this contract.
2. The consultant certifies under the pains and penalties of perjury that he or she is in good standing with respect to, or in full compliance with a plan to pay, any and all taxes due the State of Vermont as of the date the consultant signs this contract.
3. The consultant shall not assign or subcontract the performance of this agreement or any portion thereof to any other consultant without the prior written approval of the State. The consultant also agrees to include in all subcontract agreements a tax certification in form substantially identical to paragraph 2 above.
4. The consultant agrees to comply with the requirements of Title 21 of the Vermont Statutes, sections 495-496, relating to fair employment practices, to the extent applicable. Consultant shall also ensure, to the full extent required by the Americans with Disabilities Act of 1990, that qualified individuals with disabilities receive equitable access to the services, programs, and activities provided by the consultant. Consultant further agrees to include this provision in all subcontracts.

5. The consultant states that as of the date the contract is signed, he/she:
  - a. is not under any obligation to pay child support; or
  - b. is under such an obligation and is in good standing with respect to that obligation; or
  - c. has agreed to a payment plan with the Vermont Office of Child Support and is in full compliance with that plan. Consultant makes this statement with regard to support owed to any and all children residing in Vermont. In addition, if the consultant is a resident of Vermont, consultant makes this statement with regard to support owed to any and all, children residing in any other state, territory, or possession of the United States.

### **Appeal Process**

If the award of the contract aggrieves any firms, they may appeal in writing to:

Town of East Montpelier Selectboard  
40 Kelton Road  
PO Box 157  
East Montpelier, VT 05651

The appeal must be post-marked within seven (7) calendar days following the date of written notice to award the contract. Any decision of the East Montpelier Selectboard is final.

### **Information**

All questions related to this RFQ shall be directed to:

C. Bruce Johnson, Town Administrator  
40 Kelton Road, PO Box 157  
East Montpelier, VT 05651  
(802) 223-3313 x 204  
eastmontadmin@comcast.net

Other than very routine questions, all questions will be answered in writing and distributed to all prospective firms.