

# REQUEST FOR QUALIFICATIONS

DESIGN AND PROFESSIONAL SERVICES  
FOR TOWN OF CLAYTON- UNIFIED  
DEVELOPMENT CODE RE-WRITE



Issued: November 19, 2019

Town of Clayton  
Planning Department  
Clayton, North Carolina

# Project Management

## Contact Information:

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Planning Director

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PO BOX 879  
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## Physical Address:

Town of Clayton- Planning Department  
Government Side- 2<sup>nd</sup> Floor  
111 E Second Street  
Clayton, NC 27520

*Any questions regarding the RFQ should be sent via email to:*

Samantha Wullenwaber

[SWullenwaber@townofclaytonnc.org](mailto:SWullenwaber@townofclaytonnc.org)

Phone: 919-553-5002

# Introductory Letter

November 19, 2019

A Request for Qualifications (RFQ) to provide evaluation, research, and drafting of the Town of Clayton's Unified Development Code (UDC)- inclusive of text, graphics and commentary- is enclosed. This RFQ includes the following sections:

- A. Project Overview
- B. Response Format
- C. Selection Process
- D. Miscellaneous Provisions

All RFQs will be reviewed in accordance with the selection process outlined in Section C. Interested firms must submit their Statement of Qualifications (SOQ) in accordance with instructions included in Section B and C. **All SOQs must be received no later than 5:00 PM EST on December 4, 2019.** Copies of the RFQ and any addenda may be downloaded directly from this site: <https://www.townofclaytonnc.org/Finance/bidding-opportunities.aspx>.

Proposals will be opened privately by a Town representative after the deadline. Each respondent will be notified in writing of the outcome of the written evaluations. The top three qualified firms will be selected to present to a selection committee on Monday, December 16, 2019 beginning at 8:30am at Town Hall. Please plan to be available between 8:30am-1:00pm on that day to present. If any copyrighted materials are submitted with the RFQ, the firm shall supply a copyright release for the Town of Clayton to make additional copies if needed for review. Please note that the selected firm should be available to proceed no later than January 13, 2020 with at least a two (2) year time frame to complete the project.

All questions regarding the RFQ should be sent in writing to Samantha Wullenwaber via email at [SWullenwaber@townofclaytonnc.org](mailto:SWullenwaber@townofclaytonnc.org) no later than November 30, 2019. The question and response will be sent to all points of contact that have been collected for the RFQ as well as posted on our website.

Sincerely,

*Samantha Wullenwaber*

Samantha Wullenwaber, MPA, CZO  
Planning Director

## **A. PROJECT OVERVIEW**

### **I. Authorized Project**

The Town of Clayton is seeking Statements of Qualifications (SOQ) from professional firms with experience in researching, evaluating, writing, and merging land use regulations to complete a re-write of the Unified Development Code (UDC). The Town last completed a full re-write of its UDC in 2006. Since then, changes to the UDC have been made periodically as needed. The Town is now seeking to re-write its UDC entirely to ensure consistency with the overall goals of the Comprehensive Plan 2040, as well as all applicable state and federal statutes pertaining to zoning and land use. The new Unified Development Code will be written to better serve the Town as it exists today and guide it into the next decade of growth and development.

The re-write of the UDC will be completed through funding over the course of at least two (2) fiscal years, with the anticipated completion occurring in 2022.

### **II. Background**

The Town of Clayton, established in 1869, has doubled in population since 2000 and is currently home to almost 23,000 residents. Clayton is the fastest growing town in Johnston County, which was just listed in North Carolina's Top 5 booming housing markets. Located just 15 miles south of Raleigh, the Town of Clayton is positioned to experience more exciting growth and is already home to some of the world's largest companies including Grifols Pharmaceuticals, Novo Nordisk Pharmaceuticals, Caterpillar, and Bayer.

The Town was ranked as one of the Top 10 Places to Raise a Family in 2018, as well as one of the Top 5 Places for Home Ownership. Major roadways in the community include US 70, NC HWY 42, and US 70 bypass which is slated to become Interstate-42 sometime in the next decade.

## **B. RESPONSE FORMAT**

### **I. Cover Letter & Contact Information**

A signed cover letter from a principal in the firm expressing interest in the project must be submitted and include a summary of the firm's understanding of the project and why the firm should be selected. The letter should include the following: firm name, address, contact person, phone number, and email address.

### **II. Statement of Qualifications**

Each submittal shall include a detailed statement of qualifications that is concise, well-organized, and clearly demonstrates the firm's experience in the re-development of a Unified Development Code (UDC). The submittal shall be limited to 10 single-sided pages or less and at a minimum include the following:

- History of the firm and its principals, including:
  - Years in business
  - Experience of business principals
- Organizational chart identifying key personnel who would be assigned to the project and any work experience they have including:
  - Roles and responsibilities.
  - Professional registration and certificates.
  - Locations of any individuals and any principal office involved.
  - Years of service with the firm.
  - Roles in past projects of similar nature.
  - Estimated percentage of their time to be devoted to this project, as well as their current and projected workload.
  - Any supporting personnel, if needed.
- Specific experience related to the preparation of Unified Development Code for a growing community of similar size and situation facing exponential growth.
- Examples of public involvement experience relevant to a UDC rewrite.
- Three references from past/present clients for recent projects that are similar in nature.
- If any sub-consulting services will be provided, the name of the firm and their contact information along with location.

## C. SELECTION PROCESS

### I. Overall Process

The consultant will be selected in a fair and uniform manner based on a team assessment of qualifications and experience for this type of project. The consultant must demonstrate the ability to complete the project in a timely manner. Selection will consist of the following phases:

#### 1. **Phase One: Qualifications**

All qualification submissions will be reviewed, scored, and prioritized based upon the evaluation criteria.

#### 2. **Phase Two: Proposals**

The top three firms identified by the Town in phase one will be asked to present before a selection committee on Monday, December 16, 2019. Consultants should be prepared to demonstrate the evaluation criteria below including UDC preparation, specifically a re-write of an existing code, and a unique, interactive approach to public engagement.

#### 3. **Phase Three: Contract Negotiations**

Following presentations the selection committee will make their selection and contract negotiations will start with that firm. In the event contract negotiations prove unsuccessful with the selected firm, staff will select the next most qualified firm to begin negotiations with.

**Disclaimer:** *Each consultant must perform its own evaluation and due diligence verification of all information and data provided by the Town. The Town makes no representations or warranties regarding any information or data provided by the Town.*

### II. Evaluation Criteria

The following criteria will be the basis on which firms will be selected:

1. Firm's expertise and experience.
2. Strength of the project team including members' expertise, experience, and accessibility in this type of project.
3. Estimated percentage of time that is able to be devoted to this project.
4. Projected workload and availability of key resources.
5. Evaluation of the three listed past projects with a focus on creativity, design, public engagement, quality of work, and attention to detail.
6. Strength of graphics, document layout, GIS mapping, and other means of visual communication.
7. Familiarity with the Town of Clayton development history and geographical region.

8. Compliance with the proposal format requirements and organization, completeness, and overall presentation of response.

### **III. Submissions and Proposal Packages**

Interested firms must submit three hard copies of their Qualifications package and an electronic copy as a PDF on a USB thumb drive. Attachments must be less than 10 MB. **Submissions must be received by 5:00 PM Eastern Standard Time on December 4, 2019.** No submittals will be accepted after the deadline.

Submissions may be mailed or dropped off to the Planning Department. All USB thumb drive submissions must be enclosed in an envelope and clearly marked “UDC RFQ”.

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## **D. MISCELLANEOUS PROVISIONS**

### **1. Cost of SOQ Preparation**

The Town accepts no liability for the costs and expenses incurred by Consultants responding to this RFQ, in preparing responses for clarification, in attending interviews, participating in contract development sessions, or in attending meetings and presentations required for the contract approval process. Each Consultant that enters into the procurement process shall prepare the required materials and submittals at its own expense and with the express understanding that the Consultant cannot make any claims whatsoever for reimbursement from the Town for the costs and expenses associated with the procurement process.

### **2. Ownership of Proposals**

Upon receipt by the Town, each SOQ becomes the property of the Town and is considered a public record except for material that qualifies as "Trade Secret" information under North Carolina General Statute 66-152 et seq. SOQs will be reviewed by the Town's selection committee, as well as other Town staff and members of the general public who submit public record requests after a selection result has been announced to the public. To properly designate material as a trade secret under these circumstances, each firm must take the following precautions: (a) any trade secrets submitted by the firm should be submitted in a separate, sealed envelope marked "Trade Secret – Confidential and Proprietary Information – Do Not Disclose Except for the Purpose of Evaluating this Qualification package," and (b) the same trade secret/confidentiality designation should be stamped on each page of the trade secret materials contained in the envelope.

In providing a SOQ, each firm agrees that the Town may reveal any trade secret materials contained in such response to all Town staff and Town officials involved in the evaluation process and to any outside consultant or other third parties who serve on the selection committee or who are hired by the Town to assist in the selection process. Furthermore, each firm agrees to indemnify and hold harmless the Town and each of its officers, employees and agents from all costs, damages and expenses incurred in connection with refusing to disclose any material that the firm has designated as a trade secret. Any firm that designates its entire proposal as a trade secret may be disqualified from consideration.

### **3. Financial Capacity; Insurance Requirements**

Selected firms must have the financial capacity to undertake the work and assume associated liability. The selected firm will be required to furnish proof of professional liability insurance coverage in the minimum amount of \$1,000,000. The firms will also be required to provide certificates of insurance evidencing coverage for automobile liability in the minimum amount of \$1,000,000, commercial general liability in the minimum amount of \$1,000,000, and workers' compensation insurance as required by North Carolina statutes. Proof of insurance is required prior to the execution of the Consultant Services Agreement.

#### **4. No Lobbying**

The Consultant certifies that it has not and will not pay any person or organization to influence or attempt to influence an officer or employee of the Town, the State of North Carolina, any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining a contract under this RFQ. In addition, in the event that a single contract awarded under this RFQ exceeds \$100,000, the consultant must fully comply with the requirements of Title 40 CFR Part 34, New Restrictions on Lobbying, and submit required certification and disclosure forms accordingly.

#### **5. Town Reserved Rights and Options**

The Town expects to select one Consultant. The Town reserves the right to request substitutions of any key team member, including staff and sub-consultants. The Town reserves the right to contact any Consultant if such is deemed desirable by the Town to obtain any additional information including but not limited to experience, qualifications, abilities, equipment, facilities, and financial standing. The Town reserves the right to conduct investigations with respect to the qualifications and experience of any Consultant. The Town reserves the right to modify any part of this RFQ by issuing one or more addenda during the RFQ response period. The Town reserves the right to reject any or all responses to the RFQ, to advertise for new RFQ responses, or to accept any RFQ response, in whole or part, deemed to be in the best interest of the Town. The Town reserves the right to waive technicalities and informalities.

This RFQ does not constitute an offer by the Town. A response to this RFQ shall not be construed as a contract, nor indicate a commitment of any kind. No binding contract, obligation to negotiate, or any other obligation shall be created on the part of the Town unless the Town and the Consultant execute a contract. The Town may select the Consultant to engage in further discussions. The commencement of such discussions, however, does not signify a commitment by the Town to execute a contract or to continue discussions. The Town can terminate discussions at any time and for any reason. No recommendations or conclusions from this RFQ process concerning the Consultant shall constitute a right (property or otherwise) under the Constitution of the United States or under the Constitution, case law, or statutory law of North Carolina.