

REQUEST FOR PROPOSAL (RFP)
Town of Arlington Zoning Bylaw Recodification
RFP # 16-47

The Department of Planning and Community Development (DPCD) acting through the Town Manager is requesting proposals from qualified individuals and firms for Consulting Services to develop and complete Zoning Bylaw Recodification for the Town of Arlington.

A copy of the RFP outlining the requirements for submission is available on the Town Website www.arlingtonma.gov/purchasing, or from the Purchasing Agent at dlanzillotti@town.arlington.ma.us. For further information contact Jennifer Raitt, Director of Planning and Community Development, at 781-316-3092, or jraitt@town.arlington.ma.us. The proposal may be viewed and downloaded from the Town website www.arlingtonma.gov/purchasing.

Proposals are invited and will be received by the Purchasing Officer, Town of Arlington, Massachusetts on or before 1:00 p.m., October 18, 2016 at the Town Manager's/Purchasing Office, Town Hall Annex 2nd floor, 730 Massachusetts Avenue, Arlington, MA 02476. Proposals delivered after the appointed time and date will not be considered. A briefing on the RFP and the scope of work is scheduled September 27, 2016 at 9:00 a.m. in the 2nd floor conference room, Town Hall Annex. All prospective applicants are encouraged to attend. Prospective applicants are also invited to observe a Zoning Recodification Working Group meeting on October 6, 2016, 8:00 a.m. in the Town Hall Annex first floor conference room. Questions about the RFP may be submitted by September 30, 2016. Responses to questions, including those raised at the briefing session, will be sent to those requesting the RFP and posted online as addenda to the RFP.

Twelve (12) copies of technical proposal and a USB drive with the technical proposal in searchable PDF format shall be submitted in a sealed envelope marked "RFP #16-47 Consultant/ Zoning Bylaw Recodification - Technical Proposal" and one (1) copy of the price proposal in a sealed envelope marked "RFP #16-47 Consultant/ Zoning Bylaw Recodification - Price Proposal"

The Town reserves the right to cancel any request for proposals, and to reject in whole or in part any and all proposals, when it is deemed in the best interests of the Town to do so.

Adam W. Chapdelaine
Town Manager

September 19, 2016

**REQUEST FOR PROPOSALS
TOWN OF ARLINGTON MASTER PLAN
SEPTEMBER 19, 2016**

Responses Due: October 18, 2016 at 1:00pm
Late Responses Will Be Rejected

Deliver Complete Responses To: Town Manager
Town Manager's/Purchasing Dept.
Town Hall Annex 2nd floor
730 Massachusetts Avenue
Arlington, MA 02476

For Further Information Please Contact: Jennifer Raitt, 781 316-3092
Email: jraitt@town.arlington.ma.us

RFP No. 16 – 47

I. OVERVIEW/ PURPOSE

The Town of Arlington, acting through its Department of Planning & Community Development (hereinafter referred to as DPCD) seeks proposals from consultants to recodify its Zoning Bylaw. In May 2015, the Arlington Town Meeting voted to endorse the Arlington Master Plan, "Your Town Your Future" with approximately 75% of members voting in favor of the plan. In the year since, the Town has begun to implement many of the plan's recommendations.

The Master Plan set forth policy goals and strategies for the community, including the need for Zoning Bylaw amendments. It included a Zoning Audit which outlined the need for updates to make the Zoning Bylaw clearer, internally consistent, reflect the Master Plan, and to comply with M.G.L. Chapter 40A and current case law. The audit recommended that the Town reorganize and reformat the Zoning Bylaw to clarify and make obvious the procedures for site plans, Environmental Design Review, special permits, variances, appeals, rezoning, and related tasks to incorporate better illustrations. The audit may be viewed here: <http://www.arlingtonma.gov/home/showdocument?id=28453>.

In July 2016, the Town, through its Master Plan Implementation Committee, formed a Zoning Recodification Working Group (ZRWG) to advance zoning bylaw amendments. The group's purpose is described further in subsequent sections of this RFP. The first year of this effort is funded by the Town's CDBG Program for FY16 with an allocated budget of \$50,000. Additional funding requests will be made for FY17 as needed.

The following Goals and Priorities have been established by the ZRWG for this effort:

- o Create a broad citizen engagement process, including input from other Town boards, commissions and committees;
- o Rewrite and consolidate the Zoning Bylaw;

- o Improve the Zoning Bylaw’s readability and usability—online forms, access to information, creation of an index and a User Guide;
- o Improve Special Permit and Amendment of Special Permit processes;
- o Ensure Zoning Bylaw consistency with Arlington’s other regulations and policies;
- o Ensure that Zoning Bylaw provides clarity on roles of Zoning Board of Appeals, Arlington Redevelopment Board, and the Zoning Enforcement Officer; and,
- o Assist with communicating recodification to Town Meeting and general public.

II. BACKGROUND INFORMATION

The Town is governed by a five-member Board of Selectmen and Representative Town Meeting. Daily management is vested in a Town Manager appointed by the Board of Selectmen. Planning and development is controlled by Massachusetts General Law, the Arlington Town Manager Act, the Town Bylaws, and the Arlington Zoning Bylaw. The Arlington Redevelopment Board (ARB) has both planning board and urban renewal authority. Four members of the ARB are appointed by the Town Manager with approval of the Board of Selectmen and one member is a gubernatorial appointee. The Zoning Board of Appeals is appointed by the Board of Selectmen. Both the ARB and the Zoning Board of Appeals act as special permit granting authorities as designated in the Zoning Bylaw. The Director of Inspectional Services serves as the Town’s Zoning Enforcement Officer.

The Town last adopted a comprehensive zoning revision in 1975, with Town Meeting adopting many subsequent amendments. The business and industrial districts are generally along Massachusetts Avenue and Broadway. The vast majority of the land area in Arlington is zoned residential. The former agricultural community transformed into a streetcar suburb in the early to mid-20th Century and is now a densely developed vibrant community with approximately 95% zoned residential and 5% zoned commercial and industrial. Arlington has 33+ acres of protected open space.

The Master Plan

The Master Plan Implementation Committee (MPIC) was formed in October 2015. Members are as follows:

| Name | Appointing Authority |
|---------------------------------|-----------------------------------|
| 1. Andrew Bunnell | ARB representative |
| 2. Andrew West | ARB alternate |
| 3. Adam Chapdelaine | Town Manager, ex officio |
| 4. Michael Byrne | Inspectional Services, ex officio |
| 5. Joe Barr (Co-Chair) | ARB appointee |
| 6. Wendy Richter | ARB appointee |
| 7. Ann LeRoyer | Town Meeting Moderator appointee |
| 8. Peter Howard | Finance Committee appointee |
| 9. Charles Kalauskas (Co-Chair) | Selectmen appointee |
| 10. Ralph Willmer | Selectmen appointee |

The MPIC has met several times since its formation. DPCD staff work closely with the MPIC. The MPIC, as a subsidiary group of the ARB is intended to support the efforts of the ARB to advance Warrant Articles

that promote growth along the commercial corridors of Massachusetts Avenue, Broadway and the Minuteman Bikeway, and to propose some modest controls on development within residential neighborhoods. In 2016, Town Meeting adopted proposals that will encourage mixed-use and higher-density development in the commercial corridors and reduce parking requirements for mixed-use projects and multi-family housing. The MPIC continues to focus further efforts on addressing neighborhood concerns.

A number of near- and mid-term recommendations of the Master Plan have already been implemented or are in process, including a Housing Production Plan that was adopted this summer and awaits Massachusetts Department of Housing and Community Development approval, Commercial District Design Standards adopted by the ARB in 2015, a Complete Streets policy and guidance adopted by the Selectmen and approved by MassDOT, and a regulation aimed at preserving mature trees was adopted by Annual Town Meeting. During this fiscal year, the highest priority for the MPIC is to oversee zoning recodification.

Zoning Recodification Working Group

Recodification of the Zoning Bylaw is being overseen by the MPIC through the newly-formed Zoning Recodification Working Group (ZRWG). The Working Group's responsibilities include:

1. Working with staff to clarify goals and establish priorities for recodifying and revising the Zoning Bylaw;
2. Providing input to staff on the scope of work for consultant;
3. Providing one representative on the screening committee to hire consultant;
4. Working with staff and Consultant to design the public participation process;
5. Providing representation on the Residential Study Group and other Study Groups to be determined;
6. Working with staff to identify new sources of funding for consultant services, as needed; and,
7. Recommending Zoning Bylaw changes to the MPIC for approval by the ARB and Town Meeting.

Membership on the Working Group includes the following members: Town Manager or his designee, one member of the Arlington Redevelopment Board, two members of the Master Plan Implementation Committee, one member of the Department of Planning and Community Development, one member of Inspectional Services, one member of the Zoning Board of Appeals, one member of the Conservation Commission, two Town Meeting members appointed by the Town Moderator, and one at-large member appointed by the Town Manager with approval of the Board of Selectmen.

The Residential Study Group

As part of the recodification of the Zoning Bylaw, the MPIC appointed its first Study Group. It is anticipated that additional Study Groups may form during the recodification process as a way to gain deeper input in the development of zoning amendments related to specific policy issues. With zoning Warrant Articles 8 through 17 being voted down at Annual Town Meeting, a resolution of Town Meeting was approved to form a Residential Study Group to recommend revisions to the Zoning Bylaw that address concern for neighbor impacts of new residential construction in established neighborhoods in compliance with M.G.L. Chapter 40A and current case law. This Study Group will operate in alignment with a broader effort to recodify and update the Zoning Bylaw. The Group will provide regular progress reports to the Zoning Recodification Working Group.

Membership on the Study Group includes the following members: Town Manager or his designee, one member of the Arlington Redevelopment Board, one member of the Department of Planning and Community Development, one member of Inspectional Services, one member of the Zoning Board of Appeals, two Town Meeting members appointed by the Town Moderator, and the following members were appointed by the Town Manager with approval of the Board of Selectmen: one Arlington resident from the real estate industry, one Arlington resident from the residential development/ construction industry, and four at-large members.

III. SCOPE OF SERVICES

The Consultant will, to the maximum extent feasible, utilize existing information, reports, and studies provided by the Town. The Consultant will work closely with the DPCD and Master Plan Implementation Committee's Zoning Recodification Working Group to:

- o Organize the reformatting and reorganization of the Zoning Bylaw
- o Conceive a structure and schedule of public participation activities
- o Conceive a timeline to meet the Working Group's goals and accommodate various Town reviews, approvals, and adoption.

The Consultant will participate in some committee and public meetings. The number of public meetings requiring the Consultant's attendance will be mutually negotiated, but is expected to be at least ten (10) meetings total. The Consultant will work with staff to keep town officials and the community well-informed as the process moves forward by assisting staff in implementing a successful community outreach program and providing content and materials for the Town's website.

The following outline is offered to describe the general extent of services to be provided by the Consultant. This outline is not necessarily all-inclusive, and the Consultant will include in the proposal any tasks or alternatives and services deemed necessary to satisfactorily complete the project. Consultants are encouraged to bring both industry expertise and creative ideas tested elsewhere to help the community design and implement an approach that best suits the Town.

A. Zoning Recodification

The purpose of the zoning recodification will be to update and revise the Arlington Zoning Bylaw to be clearer, internally consistent, reflective of the Master Plan, and in compliance with M.G.L. Chapter 40A and current case law. In its present form, the Zoning Bylaw is difficult to navigate and often difficult to interpret. The Consultant shall reorganize and reformat the Zoning Bylaw so that its provisions are easier for the public, town boards, staff, and applicants and their representatives to understand. The Consultant will also include better illustrations within the Zoning Bylaw. Further, the Consultant shall ensure that the Zoning Bylaw includes obvious procedures for site plans, Environmental Design Review, special permits, variances, appeals, rezoning, and so forth. Lastly, the Consultant shall provide concepts, ideas, and models for amendments to the Zoning Bylaw to implement key Master Plan policy recommendations.

B. Public Participation

The credibility and utility of the Zoning Bylaw recodification process and the prospect for its adoption and implementation will rest heavily on a strong public participation process. The consultant shall work

with the ZRWG, ARB, and DPCD staff to develop a public participation plan and schedule to ensure broad community engagement and significant community input and awareness of any proposed changes.

Staff Role

Town of Arlington staff, primarily from DPCD, will be closely involved, but the Consultant is expected to devote the time needed to conduct research, write documents, and participate in meetings as needed with the ZRWG, MPIC, ARB and the public. Staff will take primary responsibility for scheduling meetings, posting notices for meetings, preparing meeting minutes, and attending all meetings. Staff will provide any reasonably necessary baseline data, the Zoning Map, the Zoning Bylaw, and any other relevant materials in electronic format.¹

IV. PROJECT SCHEDULE

Work is expected to start in October 2016, the ZRWG has set a goal to adopt amendments to Zoning Bylaw at a Special Town Meeting in either October or November of 2017 with a deadline for the Town Meeting Warrant in September 2017². The Consultant shall demonstrate that the ZRWG will receive a complete full draft of an amended zoning bylaw by June 30, 2017. A significant portion of the public outreach should occur prior to June 30, 2017. The Consultant is not expected to present at Town Meetings. The Consultant is expected to complete the project based on the anticipated schedule above. If the Consultant believes that the Project cannot meet the schedule noted above, this should be outlined in the Response.

A Project Briefing Session to address Consultants' questions and provide access to relevant Town plans and studies will be held in the Arlington Town Hall on September 27, 2016 at 9:00 a.m. To confirm your attendance at the project briefing session, please contact Jennifer Raitt at 781 316-3092 or by email at jraitt@town.arlington.ma.us. Any interviews with prospective consultants will be scheduled in October 2016.

V. DELIVERABLES

The Consultant will deliver twenty-five (25) copies and one unbound version of an amended Zoning Bylaw. The final version of each deliverable should be submitted in electronic format on a CD, DVD, or USB compatible hard drive and contain a Microsoft Word compatible version, and a searchable PDF version. All images, tables and graphs used in the final version should be in Microsoft Excel compatible format, and shall include all GIS or CAD data created by the consultant and used in maps in the final version. All materials will become the property of the Town of Arlington.

VI. CONSULTANT QUALIFICATIONS

At a minimum, the proposing firm/team must meet the following requirements:

1. The firm/project manager/team must have at least five (5) years of experience in land use law, municipal planning, public policy and administration, and community engagement.
2. The principal and project manager to be assigned to this project must be available for meetings with the Town on days or evenings, as required.

¹ Some older information may only be available in a hard copy format.

² Dates will be determined by the Board of Selectmen. The Arlington Redevelopment Board will need to hold a public hearing prior to this deadline.

3. The firm/team must have previous experience in the management of public information processes and successful recodification or amendment of zoning bylaws. Successful completion of a minimum of three (3) such projects in municipalities in Massachusetts within the last five (5) years is required, and completion of five (5) overall is desired.
4. The firm/team must have proven experience in the public sector and in working with federal, Massachusetts state and municipal agencies and neighborhood/business organizations.
5. The volume of the proposed project managers and firm's current and projected workload must not adversely affect its ability to immediately initiate work and to follow through with the project in a timely and professional manner. The firm and all team members must be capable of devoting a significant amount of time to this project in order to complete the work within the schedule outlined in this RFP.

VII. SELECTION CRITERIA

The Town will award the contract to the Consultant offering the most advantageous response to this RFP, taking into consideration all evaluation criteria. The selection process will include an evaluation procedure based on the criteria identified below. Finalists will be required to appear for an interview.

1. Staffing Plan and Methodology, including the professional qualifications of all project personnel with particular attention to training, educational background, professional certification or registration, and professional experience. Demonstrated expertise and experience of the Principal-in-Charge, Project Manager, and other key personnel, and any Consultants to be assigned to the Project, including professional registration of the Consultants and their qualifications.

Highly Advantageous: The plan of services proposes a detailed, logical, creative, and highly efficient scheme for producing a complete project that addresses all Goals and Priorities of this project and meets all the minimum applicant qualifications detailed in Section VI, "Consultant Qualifications".

Advantageous: The plan of services proposes a credible scheme for producing a complete project that addresses all of the required issues and meets all the minimum applicant qualifications detailed in Section VI, "Consultant Qualifications".

Not Advantageous: The plan of services is not sufficiently detailed to fully evaluate, or the plan does not contain all the components necessary to produce a complete project that addresses all of the required issues and meets all the minimum applicant qualifications detailed in Section VI, "Consultant Qualifications".

Unacceptable: The plan of services does not meet all the minimum applicant qualifications detailed in Section VI, "Consultant Qualifications".

2. Depth of experience with similar projects, and prior experience with public contracts and relevant zoning bylaws, land use laws, and local, Massachusetts, and Federal regulations.

Highly Advantageous: The Consultant has at least seven (7) years of experience consulting with Massachusetts municipalities on projects of similar size and scope to this project. The Consultant can demonstrate the successful completion of five (5) similar projects within the

last five (5) years.

Advantageous: The Consultant has at least five (5) years of experience consulting with Massachusetts municipalities on projects of similar size and scope to this project. The Consultant can demonstrate the successful completion of three (3) similar projects within the last five (5) years.

Not Advantageous: The Consultant has less than four (4) years of experience but more than one (1) year consulting with Massachusetts municipalities on projects of similar size and scope to this project. The Consultant can demonstrate the successful completion of two (2) similar projects within the last five (5) years.

Unacceptable: The Consultant has less than four (4) years of experience consulting with Massachusetts municipalities on projects of similar size and scope to this project. The Consultant cannot demonstrate the successful completion of similar projects.

3. Ability and knowledge to serve as a resource to the Town as evidenced by direct involvement in the following: (1) projects utilizing innovative zoning techniques and zoning illustrations; (2) projects utilizing extensive citizen input to advance zoning amendments for approval; and (3) projects showcasing best practices in zoning recodification.

Highly Advantageous: Substantial involvement, i.e. lead consultant, in each of the three types of projects specified.

Advantageous: Involvement in each of the three types of projects specified.

Not Advantageous: Involvement in at least two of the three types of projects specified.

Unacceptable: Involvement in no more than one of the three types of projects specified.

4. Strength and credibility of client references. The Consultant shall demonstrate prior client satisfaction with working relationship, project management capabilities, and technical expertise in developing similar projects.

Highly Advantageous: More than three clients who consider your services satisfactory or better.

Advantageous: Three clients who consider your services satisfactory or better.

Not Advantageous: Three or more clients not all of whom consider your services satisfactory or better.

Unacceptable: Fewer than three clients who consider your services satisfactory or better, or three or more clients who consider your services unsatisfactory.

5. Desirability of approach to the project, as well as a demonstrated understanding of all project components and public outreach needs.

Highly Advantageous: The response contains a clear, creative, and comprehensive plan that addresses all project Goals and Priorities as stated in the RFP.

Advantageous: The response contains a clear plan that addresses most of the project Goals and Priorities as stated in the RFP.

Not Advantageous: The response does not contain a clear plan to address many of the project Goals and Priorities as stated in the RFP.

Unacceptable: The response does not contain any plan to address the project objectives stated in the RFP.

6. Demonstrated ability to meet project budget and project schedule.

Highly Advantageous: All of the Consultant's references indicate that the projects were completed within budget and on schedule or with minimal, insignificant delays.

Advantageous: One of the Consultant's references indicates that the project was not completed within budget attributable to the Consultant or with substantial delays attributable to the Consultant, and no current project or project completed in the last three years experienced substantial delays attributable to the Consultant.

Not Advantageous: Two of the Consultant's references indicate that the project was not completed within budget attributable to the Consultant or was completed with substantial delays attributable to the Consultant, and no current project or project completed in the last year experienced substantial delays attributable to the Consultant.

Unacceptable: More than two of the Consultant's references indicate that the project was not completed within budget attributable to the Consultant or was completed with substantial delays attributable to the Consultant.

VIII. SUBMITTAL REQUIREMENTS

Interested qualified firms must submit its response addressing the objectives, scope and schedule described in this RFP. Responses must include, at a minimum, each of the following:

- Twelve (12) paper copies of the technical proposal and a USB drive with the technical proposal in searchable PDF format shall be submitted in a sealed envelope marked "RFP #16-47 Consultant/ Zoning Bylaw Recodification - Technical Proposal" (Responses should be no more than 20 double-sided pages in length, single-spaced, exclusive of required forms).
 1. General description of the firm/team's experience.
 2. Description, with examples, of the firm/team's experience in working with Massachusetts municipalities' successfully recodifying and amending zoning bylaws and conducting public meetings. Include reference to your experience in (1) use of visual materials to illustrate proposed future development scenarios, and (2) community relations, public speaking, facilitation, and mediation.

3. A detailed scope of services for the proposed work, including the firm/team's general approach to such work, evidence of the firm/team's understanding of the goals and objectives of the project, and methodology for accomplishing the tasks as listed in this RFP.
 4. An outline of the schedule for completion of tasks (timeline) as presented in the firm/team's approach to the scope of services.
 5. Description of or resumes for the assigned staffs' experience, educational background, availability, and chain of responsibility, including the name and title of the principal and project manager assigned to the project, names of all sub-consultants, and resumes of all personnel to be associated with the project.
 6. At least three (3) references, including name, title, agency, address, description of project, project cost, and telephone number and the email address for clients with similar projects completed by the Consultant within the last five years (including dates).
 7. Other pertinent information about the firm(s) that would aid the Town in making a selection.
 8. Completed Attachments in Section X Required Forms (not included in page limit).
 9. Evidence of insurance coverage, including general and professional liability and Workers' Compensation insurance as shown in Attachment E.
- Sealed Submission, one (1) copy, clearly marked "RFP #16-47 Consultant/ Zoning Bylaw Recodification - Price Proposal".
 1. Completed Price Proposal Form (attached)
 2. Estimated breakdown by planning element of professional service fees (including expenses), assigned project staff and hourly billing rates of all staff assigned to provide services (including any sub-consultants).

Proposals must clearly address all the submittal requirements; that is, the response should include a section addressing all of the minimum qualifications, the minimum submittal requirements, and each of the review criteria. The proposal will be reviewed based on each of these items and it will be to the benefit of the responder to clearly address each of the items. Where the requirements specify a minimum level of experience, indicate the dates of said experience.

A Zoning Bylaw Recodification Project Selection Committee will be convened to review proposals. Committee members will be drawn from Town Staff and ZRWG members and may include other community members.

The Town reserves the right to reject any or all proposals, to waive any non-material irregularities or information in any RFP, and to accept or reject any item or combination of items. The Town also reserves the right to seek additional information and revised proposals prior to selection of a Consultant through written notice to all of the respondents.

Questions and/or comments may be submitted to Jennifer Raitt, Director of Planning and Community Development at jraitt@town.arlington.ma.us / 781 316-3092 by September 30, 2016.

Responses to the RFP are due by **1 PM on October 18, 2016**. Facsimile and/or emailed responses will not be accepted. All responses should be submitted to:

Adam W. Chapdelaine
Town Manager
Town of Arlington
730 Massachusetts Avenue
Arlington, MA 02476

IX. PROJECT FUNDING

Consultants must complete the attached Price Proposal Form under separate cover. Project fees must be provided for each Project Component of work as described in the Scope of Services. Fees shown will include all costs and expenses (copying, mileage, photographs, maps, etc.) to complete the Scope of Services defined in this RFP. Also, the selected Consultant will be required to submit invoices identifying hours, expenses and total cost by specific tasks. The final contract scope, price and fee will be negotiated with the highest ranked responder.

X. REQUIRED FORMS

All required forms must be submitted with the proposal.

- A. Certificate of Non-Collusion
- B. Certificate of Tax Compliance
- C. Price Proposal Form

**CERTIFICATE OF NON-COLLUSION FORM
TOWN OF ARLINGTON
ZONING BYLAW RECODIFICATION**

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of Individual Submitting Bid or Proposal

Name of Individual Submitting Bid or Proposal

Name of Business

Date

BY STATE LAW THIS NON-COLLUSION FORM MUST BE SIGNED AND SUBMITTED WITH THE BID OR PROPOSAL.

**CERTIFICATE OF TAX COMPLIANCE FORM
TOWN OF ARLINGTON
ZONING BYLAW RECODIFICATION**

Pursuant to MGL Chapter 62C, Section 49A, I certify under the penalties of perjury that I have complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Social Security Number or
Federal Identification Number

Signature and Title of Individual or
Responsible Corporate Officer

BY STATE LAW THIS CERTIFICATE OF TAX COMPLIANCE FORM MUST BE SIGNED AND SUBMITTED WITH THE BID OR PROPOSAL.

