



REQUEST FOR PROPOSALS

Revision of Zoning Ordinances and Zoning Map

**BOROUGH OF PHOENIXVILLE
140 CHURCH STREET
PHOENIXVILLE, PA 19460**

February 10, 2012

PART I

1. INTRODUCTION

The Borough of Phoenixville is accepting proposals from a qualified consultant for a one-time contract to perform professional services involving the evaluation and rewriting of the Borough's zoning code.

Using its 2011 Comprehensive Plan as a guide, the Borough believes there is improvement to be made in the area of land use and zoning practices and regulations. The purpose of this project is to recommend ways to simplify and modernize the Borough's approach to Subdivision and Land Development and Zoning through effective land use polices and sustainability.

The Borough has been working with a 30 year old Zoning Ordinance that does not adequately address the need to accommodate new growth and infill development within the context of an historic, walkable town developed with a street and alley grid pattern. Virtually all new development that has been proposed to conform with this mixed use/town scale pattern has required frequent variance requests, zoning amendments, or appeals to the Zoning Hearing Board.

The purpose of this project is to prepare a new Phoenixville Borough zoning ordinance to implement the recommendations of the Comprehensive Plan Update adopted in August 2011 and the Phoenixville Regional Comprehensive Plan. The plan recommends the development of a new zoning ordinance, including elements of a form-based code, to accommodate growth and infill development that complements the existing Borough development patterns and streetscape characteristics.

Phoenixville is located in southeastern Pennsylvania approximately 35 miles west of Philadelphia. It has a population of 16,400 within 3.6 square miles. It is a landlocked community that continues to experience successful commercial growth via redevelopment projects and a variety of residential neighborhoods. The community is bifurcated by a former steel site which now provides approximately 130 acres of prime developable land in the heart of the community along the French Creek and Schuylkill River.

2. SCHEDULE

The schedule that follows has been developed to provide adequate time for firms to prepare both a definite proposal and to permit the Borough time to consider the proposals. The following is a tentative schedule:

- Issue RFP to Consulting Firms: February 10, 2012
- Pre-proposal Meeting: March 1, 2012 (Strongly encouraged to attend)
- Completed Proposals due to Borough: March 15, 2012

- Interviews: March/April 2012
- Borough/DVRPC Approval: March / April 2012
- Conduct Study and Complete Project: May 2012 – December 2013

The project shall be completed by December 31st, 2013, per DVRPC TCDI grant program guidelines.

3. PROJECT GOALS

The professional consulting firm selected for this assignment will work closely with Borough Staff, an Advisory Committee, and local officials to complete the update of the Zoning Ordinance. The Borough Manager will serve as the point of contact for this project. This will require close coordination between the Consultant and the borough's staff. In addition, part of the responsibility of the Consultant shall be to recommend different planning techniques and recommendations that may not have been delineated to the Advisory Committee and/or the Planning Commission, staff and other municipal officials.

The following are the minimum major components of the zoning ordinance that will be addressed:

- Community and Regional Goals and Growth Management Objectives.
- Zoning Map
- Definitions
- Existing zoning districts to reflect current and future development outcomes:
- Lot and yard requirements, supplemental regulations, split zoning and height regulations.
- Accessory Structures
- Permitted, conditional uses, special exceptions and non-permitted uses in each district and the reconfiguration of the matrix to coordinate the permitted uses with the intended outcomes of development.
- Revised permitted use to help protect areas from incompatible development.
- Development standards for each district.
- Overlay districts
- Conditional Use application procedures and general standards and criteria.
- Planned Residential Development
- Planned Non-Residential Development
- Off-Street Parking and Loading
- Signs
- Non-Conforming Uses.
- Supplemental Regulations

4. SCOPE OF WORK:

Prepare a new Phoenixville Borough Zoning Ordinance to implement the recommendations of the Comprehensive plan Update adopted in August 2011, and the

Phoenixville Regional Comprehensive Plan. The plan recommends the development of a new Zoning Ordinance, including elements of a form-based code, to accommodate growth and infill development that complements the existing Borough development patterns and streetscape characteristics.

1. Task 1: `Review of Issues and Options

Objectives: This task will supplement the Comprehensive Plan recommendations with a review of existing issues observed with administering the existing Zoning Ordinance. It will include interviews with the Borough Staff charged with administering the code, along with a review of Zoning hearing Board appeals and new development proposals.

Products: Preliminary draft of the Zoning Map and a summary report on the new zoning project scope. This task will include the following work elements:

- a) Comprehensive Plan Recommendations
 - i) Draft of potential new Districts
 - (1) Existing Developed Area
 - (2) Growth Areas
 - (3) Conservation Areas
- b) Issues/problems with Existing Zoning Ordinance
 - i) Staff meetings/interviews
 - (1) Administrative Issues
 - ii) Review recent amendments
 - iii) ZHB appeals
 - (1) Variances granted
 - (2) Variances denied
 - iv) Elements to be retained from existing Ordinance
 - v) Conclusions
- c) Review potential/proposed new land developments
- d) Zoning Map, Preliminary Draft
 - i) Review existing District and Map issues
 - ii) Draft a new map based on Comprehensive Plan
 - (1) Existing Developed Area
 - (2) Growth Areas
 - (3) Conservation Areas
- e) Report on New Zoning Needs and Revision Scope

2. Task2: Present Initial Findings

Objectives: This task will be pursued to review the Draft Scope and Zoning Map prepared in Task 1 and to develop a consensus on the issues to be address in the new zoning ordinance. In addition to Task Force meetings, this task will also include a Public Workshop to present the initial Draft Zoning Scope and Map and, using maps and assignment sheet handouts, engage the participants in hands-on analysis of existing zoning and development issues.

Products: Refinement of the Draft Zoning Scope and Map. This task will include the

following work elements:

- a) Task Force Meetings
 - i) Review of findings
 - (1) Comprehensive Plan
 - (2) Existing Issues
 - (a) Staff
 - (b) ZHB
 - (3) Potential/proposed new development
 - ii) Potential new Zoning Districts
 - (1) Existing Developed Area
 - (2) Growth Areas
 - (3) Conservation Areas
- b) Public Workshop
 - i) Present initial findings
 - ii) Present new zoning issues and scope
 - iii) Workshop questions/assignment

3. Task 3: Preliminary Ordinance/Map Outline

Objectives: Working with the Task Force, this task will review the results of the Public Workshop and review the initial zoning scope and map in order to prepare a detailed outline of the new Zoning Ordinance and refine the Zoning Map.

Products: Refinement of the Draft Zoning Scope and Map. This task will include the following work elements:

- a) Zoning District Map
- b) Regulation issues to be addressed in each District
 - i) Land Uses
 - ii) Development Density/Intensity
 - iii) Design requirements/parameters
- c) Administration/Review Procedures

4. Task 4: Draft New Code

Objectives: Prepare a complete draft of the new Zoning Ordinance and Map. The new code will be prepared in section, each of which will be reviewed with the project Task Force.

Products: Complete Draft of the new Zoning Ordinance and Zoning Map. At a minimum, this task will include the preparation of the following Zoning Ordinance components:

- a) Zoning Map
- b) Purpose
- c) Definitions
- d) Districts
- e) General Requirements

- i) Parking
- ii) Lighting
- iii) Other
- f) Administration

5. Task 5: Adoption

This task addresses the plan adoption process as prescribed in the Municipalities Planning code.

- a) Public Presentation (Planning Commission)
- b) Agency/Regional Review
 - i) Phoenixville Regional Planning Committee
 - ii) Chester County Planning Commission
- c) Public Hearing (Borough Council)

The goal of the Municipality is to have the new Zoning Ordinance completed and adopted by December 31, 2013.

6. Project Outcomes and Implementation Approach

- a) Procedures /Methods – the proposal must include a detailed description of the procedures and methods you propose to use to complete the Scope of Work. This is important because the methods and procedures proposed will receive primary consideration in evaluating your proposal.
- b) Timetable – A project work schedule should be provided which includes time frames for each major work element, target dates for public meetings, and dates for completion of draft and final documents. The project shall be completed by December 31, 2013. Only work done within this timeframe will be eligible for payment.
- c) The consultant shall provide Electronic draft versions for review at various stages throughout the project.
- d) A Narrative Report must be presented for the Planning Commission Public Hearing and Borough Council Public Hearing prior to final adoption by the Borough Council and organized as follows:
 - i) A brief executive summary setting forth the key aspects of the planning process and the final plan.
 - ii) Background information including a description and summary of the public participation process.
 - iii) Study Area information and analysis.
 - iv) Examples from around the United States on successfully implemented land use planning policies that promote economic vitality, lessen environmental

impact and recognize the value of a multi-modal transportation network.

v) Recommendations on Zoning Ordinance amendments, subdivision and land development ordinance amendments, policy initiatives and public education programs that will lead to successful economic development; including draft ordinance amendments and revisions thereto as the process progresses.

5. PROPOSAL SUBMISSION

- Proposals, including any/all attachments, cover letter and tabs should not exceed ten (10) pages in length on 8 ½" x 11" paper, single spaced using a minimum font size of 12 pt.
- Proposals shall be scanned as a PDF file and submitted in electronic format via email to the below email address. Faxed proposals will **not** be accepted.
- One (1) original of the proposal to be submitted.
- Electronic proposal must be received by 12:00 noon on Thursday, March 15, 2012.
- Proposals are to be submitted to:

Borough Manager
140 Church Street
Phoenixville, PA 19460
Attn: Zoning RFP

ejkrack@phoenixville.org

Subject Line shall read: Revision of Zoning Ordinances and Zoning Map-RFP

PART II

1. FIRM PROFILE

A brief statement indicating the firm's experience in conducting work of the nature sought by this RFP.

A Brief synopsis indicating understanding of the objectives and tasks of the project and describing any modifications or expansion of the information provided.

A list of zoning code updates prepared by your firm for other communities.

The location of the firm's office should be included.

Resumes of individual consultants or employees proposed to conduct the work and the specific duties of each consultant or employee relative to the proposed work.

A clear and concise statement, with examples, indicating the consultant's past performance and familiarity with the type of work sought under this RFP. A list of client references for which the consultant has provided similar services should be provided, including the name, address and phone number of a contact person for each reference. Indicate the type, scope and duration of the work done for each client.

One copy of your firm's typical services agreement or contract.

2. TERMS OF PAYMENT

Full cost information should be provided that shows the minimum number of hours to be provided by each person assigned to the proposed work by the firm's organizational levels.

- The proposed hourly rate for billing shall be included for each person.
- The number of hours of work and cost shall be itemized for each major work element of the proposal.
- An itemized estimate of "out-of-pocket expenses" must be included.
- The total amount of maximum payment must be stated.

The cost shall be based on the number of hours of work provided and "out of pocket expenses" and shall not exceed the maximum cost proposed unless an amendment to the contract is negotiated and approved by the proper authority of the Borough of Phoenixville.

The budget for the project is \$121,000. The project is being funded, in part, from a Transportation and Community Development Initiative (TCDI) grant from the Delaware Valley Regional Planning Commission. The amount of the award is \$90,664; Phoenixville Borough will add a local share of \$31,000 minimum, with a twenty percent required match, either directly or through other available grant programs. Additional

funding, however, could be used depending on the attractiveness of proposals.

The Borough of Phoenixville will enter into a contract for professional consulting services based on a fixed-price (or lump sum) to the contractor for the specified scope of services. Incremental payments to the consultant will be made at the completion of major tasks with a “not to exceed” contract amount. Ten (10) percent of the contract price will be held as final payment upon delivery of the final products. The exact payment schedule will be negotiated and determined as part of the contract and shall be based on the budget provided with the proposal.

The Borough of Phoenixville shall not be liable for any costs incurred by a consultant in responding to this request for proposals or for any costs associated with discussions required for clarification of items related to this proposal.

3. SELECTION PROCESS

All proposals will be evaluated based on the technical and professional expertise and the experience of the firm relating to similar land use planning projects, the proposed method and the procedures for completion of the work and the cost of the proposal. The apparent ability of the firm to be independent and objective in performing the requested work will also be considered.

- A review and evaluation of all responsive Proposals by Borough staff.
- The Borough Staff may select a short list of proposers to make an oral presentation, if needed. The presentation will be limited to 60 minutes, shall serve to confirm proposal representations, provide supplemental information and provide the Borough the opportunity to meet and assess the project consultants.

Staff will make their recommendation to Borough Council. Final determination will be made by Borough Council for appointment.

4. INSTRUCTIONS FOR RESPONDING TO THIS REQUEST FOR PROPOSAL

- a. The Applicant shall submit the requested number of bound and signed copies of the Proposal. The Proposal must be organized using the following format
 - i. Signed Letter of Transmittal for Request for Proposal
 - ii. Addenda - (if Applicable)
 - iii. Provider Profile -Lead Firm(s) - Joint Venture Partners
 - iv. Key Personnel - List of name, title, project assignments, years of experience and any other relevant qualifications.
 - v. Key Outside Consultants

vi. Municipal Experience and References - References must include municipal name, address, persons to contract, telephone number, and a brief description of the work done by your firm.

vii. Outline familiarity with the Services and identify critical or unique issues specific to this Proposal. Outline a communications process and explain unique approaches used elsewhere.

b. Proposals must be completed as instructed. Proposals received that do not include all required documents and signatures may be considered non-responsive.

5. DEBARRED OR SUSPENDED CONSULTANTS

A Consultant or business (contractor, subcontractor or supplier) that has either been debarred or suspended, or is otherwise under a disciplinary sanction, will not be considered.

6. CONFLICT OF INTEREST

The successful Applicant shall not have conflicts of interest with the Borough, and shall address and resolve any individual matters involving a conflict in advance of appointment. Such conflicts shall be disclosed as part of the Proposal submission.

NOTE: Failure to clearly state and fully disclose any of the information required in the letter of transmittal shall be grounds for the Borough to reject the firm's proposals and will be grounds for immediate cancellation of any contract entered into between the Borough of Phoenixville and firm without payment of work completed.

7. TERMS AND CONDITIONS

The process of selecting a consultant for the Borough's Zoning Code rewrite requires the accumulation of comprehensive and accurate information to ensure that a knowledgeable, objective decision can be made.

The Borough of Phoenixville reserves the right to accept or reject any or all proposals or portions thereof without stated cause.

The Borough reserves the right to obtain clarification of any point in a Proposer's proposal or obtain additional information.

The Borough of Phoenixville is not bound to accept the proposal with the lowest cost, but may accept the proposal that demonstrates the best ability to meet the needs of the Borough.

The Borough reserves the right to waive any formalities, defects, or irregularities, in any proposal, response, and/or submittal where the acceptance, rejection, or waiving of such is in the best interests of the Borough.

The Borough reserves the right to disqualify any proposal, before or after opening, upon evidence of collusion, intent to defraud, or any other illegal practice on the part of the Proposer.

8. INSURANCE

Selected consultant must maintain Professional Liability and Errors and Omissions Insurance in the minimum amount of \$1,000,000.00.

9. QUESTIONS

The consulting firm selected to do the work will contract with the Borough of Phoenixville and be responsible directly to the Borough Manager for the completion of work described in this RFP.

The Borough's Code of Ordinances are available online at:
<http://www.ecode360.com/PH1486>

A copy of the Zoning Map is available at:
[http://www.phoenixville.org/PDF/Maps/02_01_2010%20OFFICAL%20ZONING%20MAP%2024%20X%2036%20\(2\).pdf](http://www.phoenixville.org/PDF/Maps/02_01_2010%20OFFICAL%20ZONING%20MAP%2024%20X%2036%20(2).pdf)

Staff will assist the consultant with scheduling and coordinating meetings conducted by the consultant during the course of the project.

All questions must be in writing and e-mailed to the contact person. All Questions and Responses to questions will be posted to the RFP on the Borough's website to ensure uniformity.

Any Addendums will be posted to the RFP on the Borough's website to ensure uniformity.

Consultants are not permitted to contact individual Plan Commission, City Council members or other Proposal Review Team members for clarification of the RFP. Any such contact may disqualify the consultant from evaluation. All inquiries and questions for clarification concerning this RFP should be directed to the following contact person:

Kelly Getzfread
Phone: 414-479-3520
E-mail: kgetzfread@phoenixville.org

End of Request for Proposal