

REQUEST FOR PROPOSAL
OFFICIAL PLAN REVIEW AND ZONING BY-LAW AMENDMENT

2024-013

Closing: March 7, 2024

Joie de vivre



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West Nipissing Quest

**MUNICIPALITY OF WEST NIPISSING
RFP OFFICIAL PLAN REVIEW AND ZONING BY-LAW AMENDMENT**

**SECTION 1
INSTRUCTIONS**

REQUEST FOR PROPOSALS

The Municipality of West Nipissing is inviting proposals from Land Use Planning consultants to undertake a comprehensive review of the West Nipissing Official Plan, and Comprehensive Zoning By-law update

Owner: Municipality of West Nipissing
101-225, Holditch Street
Sturgeon Falls, ON P2B 1T1
Phone: 705-753-2250

BID SUBMISSION

- 1.0** Electronic bid in the form of a password protected pdf document to bids@westnipissing.ca before 2:00 PM (local time) on March 7, 2024. Subject line should include the Bid reference number. After the official closing time, respondents will be requested to submit the password).
- 1.1** It is the respondent’s responsibility to ensure submissions are received by the Municipality by the submission deadline. The Municipality assumes no obligation for issues caused by electronic or telecommunications issues affecting the delivery of the submission, even if originating from the Municipality’s IT systems.
- 1.2** All pages contained in the Request for Proposal form an integral part of this process.
- 1.3** The lowest or any RFP will not necessarily be accepted. The owner may decide, at its sole discretion, that no RFP submitted will be accepted and no contract will be awarded pursuant to this procurement process. If the owner elects to reject all RFPs, all Proponents will be notified and the owner will not be liable to any tenderer in preparing the RFP, damages, loss of anticipated profit in connection with the work, or any matter whatsoever.
- 1.4** Proponents are advised that the Municipality functions through its Policy No. 2006-332 “Validity of Tenders”, Policy No. 2017-334 “Vendor Performance Policy”, and by its By-Law No 2016-89 (including the most current amendments), “By-law to Establish Purchasing Policies and Procedures for the Municipality of West Nipissing” (Purchasing By-Law).
- 1.5** Proponents are required to check the Municipality of West Nipissing website for addenda issued before the closing date and time. If the municipality determines that an amendment is required to the RFP documents, the municipality will prepare an addendum and post it to the Municipality of West Nipissing website.
- 1.6** Partial or incomplete RFPs will not be considered.

QUESTIONS AND CLARIFICATIONS

- 2.0** Enquiries, request for explanation, interpretations or clarifications must be submitted by email to mducharme@westnipissing.ca only those inquiries submitted by email will be considered. Emails submitted must include the tender title and tender reference number.
- 2.1** Enquiries will be received up to noon local time on February 29, 2024. Enquiries received after the date and time noted will not receive a response.

PROPOSAL OPENING

- 3.0** Proposals will be opened privately.
- 3.1** RFP's received after the official closing time are considered LATE, and will not be accepted and will be returned unopened to the Proponent.

ADJUSTMENT OR WITHDRAWAL OF BIDS

- 4.0** Adjustment by telephone, facsimile or letter for an RFP already received will not be considered. A Proponent desiring to make adjustment to a bid must withdraw the submission and/or supersede it with another offer.
- 4.1** A Proponent may withdraw its RFP at any time prior to closing provided the withdrawal:
- i) is in the form of a letter and,
 - ii) states the name of the Proponent and clearly identifies the RFP that is being withdrawn and;
 - iii) is signed by the Proponent's duly authorized signing officer;
- 4.2** An RFP may not be withdrawn after the closing time.

RESPONSE MATERIAL OWNERSHIP

- 5.0** All material submitted regarding this RFP becomes the property of the Municipality and will only be returned to the Proponent at the Municipality's discretion. Disqualification of a Proponent does not eliminate this right.

ACCEPTANCE OF PROPOSAL CONTENT

- 6.0** The contents of the RFP of the successful may become contractual obligations if the Municipality wishes to execute a contract based on the submitted proposal. Failure of the successful to accept these obligations in a purchase agreement, purchase order, contract, or similar instrument may result in cancellation of the award, and such may be removed from future solicitations.
- 6.1** RFPs must include all incidental costs and the Proponent must be satisfied as to the full requirements of the RFP. No claims for extra work will be entertained and any additional works must be authorized in writing prior to commencement. Should the Proponent require more information or clarification on any point, it must be obtained in writing prior to the submission of the RFP.



INSURANCE

- 7.0** The successful Proponent shall, within (7) calendar days after receipt of the Owner’s notice of award, deliver to the Owner one (1) copy of certificates attesting to the fact that the required policies of insurance as outlined in the contract documents have been obtained by the Proponent.

PREQUALIFICATION OF CONTRACTOR

- 8.0** Contractor or all sub-contractors working for the Proponent must pre-qualify with the Municipality of West Nipissing Health and Safety officer before starting work.

BACKGROUND

- 1.0** The Municipality of West Nipissing is an amalgamated municipality consisting of five (5) former incorporated municipalities and seventeen (17) formerly unincorporated territories. The current West Nipissing Official Plan was approved by the Ministry of Municipal Affairs and Housing in 2011 and a new Comprehensive Zoning By-law was adopted in 2014 (By-Law 2014-45).
- 1.1** The primary objectives of this project are;
- i) to complete a comprehensive review of the Municipality's Official Plan that is consistent with the most recent Provincial Policy Statement, the *Planning Act* and any other regulatory requirements;
 - ii) To update the Comprehensive Zoning By-law and to ensure conformity with the updated Official plan in accordance with the *Planning Act*.

SCOPE

- 2.0** The following is an overview of the minimum scope of work that should be the focus of submitted proposals. Proponents may offer a work program that goes beyond these minimum elements.
- a) Address issues with the existing Official Plan;
 - b) Review and refinement of the population projections;
 - c) Review and refinement of the housing and employment forecasts;
 - d) Review of the natural heritage system and development of appropriate policies;
 - e) Improvement of the Lot Creation policies;
 - f) Examination of residential growth strategies in the Settlement Area.
 - g) Review and enhancement of the natural environment policies.
 - h) Examine opportunities for the extension of Natural Gas and other utilities.
 - i) Review of policies governing the improvement and assumption of Seasonal and Private Roads.
 - j) Promotion of West Nipissing as a livable, four season community.
 - k) Review of policies related to water and waste water servicing in West Nipissing;
 - l) Development of appropriate transportation policies;
 - m) Integration of employment policies which fully consider a changing economy;
 - n) Review and enhancement of the Official Plan Schedules.
 - o) Review of policies related to the Landfill Impact Area(s).
- 2.1** It is anticipated that proposals will include the following broad elements in the work program:
- i) **Official Plan Review:**
 - a) Project start up with staff and Council briefing.
 - b) Pre-consultation: Ministry of Municipal Affairs and Housing.
 - c) Research leading to technical review, policy support, studies, and reports.

- d) Community and Stakeholder Consultation.
 - e) Policy development and review.
 - f) Adoption.
 - g) Submission.
- (ii) **Comprehensive Zoning By-law Update:**
- a) Bring the Zoning By-law into conformity with the new Official Plan.
 - b) Complete a detailed analysis of the Municipality's zoning provisions.
 - c) Change zoning provisions and make recommendations regarding issues and/or problem areas.
 - d) Community and Stakeholder consultation.
 - e) Consolidate all amendments into one comprehensive document.
 - f) Adoption.
- 2.2** Proponents are not bound by the above noted structure, though the individual elements must be addressed. Creativity and alternatives that are effective and cost efficient are encouraged.
- 2.3** The proponents will be expected to develop and conduct public consultation in accordance with the requirements of the Planning Act. It is expected that the work program will include consultation at regular intervals and a process which is inclusive of interest groups as well as the general public.
- 2.4** The Proponent shall provide a firm quotation for the hourly fees charged for each type of service and category of employee for the years 2024, 2025 and 2026. All fees should be quoted excluding Harmonized Sales Tax (HST).
- 2.5** One-time fees should be identified separately. Out of pocket expenses should be clearly stated to be part of the quoted hourly fee or should be quoted separately

MUNICIPAL RESOURCES

- 3.0** Proponents are expected to carry out this project with minimal impact on Municipal staff. The municipality will provide all required documents such as past Official Plan, Zoning By-Law, Amendments, Asset Management Plan, Housing Strategies and other relevant documents. Staff will be available for consultant led interviews on a pre-agreed schedule. Municipal staff will be responsible for booking meeting space and will coordinate the publishing of notices as required. Project progress and events will also be posted on the Municipal website as required.
- 3.1** Council is the approval authority for Official Plan Amendments, Zoning By-law Amendments and Site Plan Control. Council for the Municipality of West Nipissing has, by By-Law No. 2022-107, established the West Nipissing Planning Advisory Committee (PAC). The role of PAC is to provide advice and comments to Council. PAC will work closely with the Proponent and PAC meetings shall be the venue for all statutory public meetings;

- 3.2** Please include a brief profile of your firm indicating the scope of its practice, the range of activities performed by the firm. Proponents must demonstrate past experience in the provision of Official Plan Review expertise that focus on municipalities having multiple communities with the municipality, varied natural resources, cultural diversity and vast land area.
- 3.3** Consulting firms must identify one individual as the responsible direct contact.

DELIVERABLES

- 4.0** The selected firm will be required to provide the following during and at the conclusion of the Official Plan Review:
- a) Five (5) bound hard copies of all draft and final reports.
 - b) One (1) electronic PDF version of all draft and final reports on appropriate media or via email.
 - c) One (1) electronic MS Word version of all draft and final reports on appropriate media or via email.
 - d) One (1) electronic copy in PDF, JPEG, or TIFF format of all plans, illustrations and/or drawings produced during the review, as well as
 - e) One (1) electronic copy of all plans, illustrations and/or drawings in an appropriate GIS file format.
 - f) One (1) electronic copy of all schedules to the Official Plan.
 - g) One (1) electronic and one (1) hard copy of all meeting minutes, public notices, presentations, handouts, comments, sign-in sheets, etc. prepared for, or as a result of the public consultation, project steering and Official Plan Review process.

EVALUATION

- 5.0** In recognition of the importance of the procedure by which a Proponent may be selected, the following criteria outlines the primary considerations to be used in the evaluation and consequent awarding of this contract (not in any particular order). Evaluation of Proposals will include but not be limited to the following:
- a) Understanding of the requirements
 - b) Municipal planning experience
 - c) Firm personnel qualifications and experience
 - d) Approach taken for Review of Official Plan and Comprehensive Zoning By-law update, including timelines
 - e) Additional services
 - f) References
 - g) Fees

5.1 The weighting of criterion will be as follows:

Proposal Clarity / Presentation	30 points
Five Year Approach to Municipal Requirements	20 points
Municipal Planning Qualifications and Experience	20 points
Municipal References	10 points
Fee Proposal	20 points
Total	100 points

5.2 An award may be made solely on the basis of the proposal received, without the Municipality seeking any clarification, meeting or presentation by the Proponent. Therefore, each Proposal should contain the Proponent's best terms/information, including all required documentation and information as listed in the RFP.

HEALTH & SAFETY

- 1.0** Proponent must comply with the Occupational Health and Safety Act (OHSA) and the Municipality of West Nipissing safety policy.
- 1.1** **Competent person:** Proponent is responsible using their training, knowledge and experience to protect the health and safety of their workers and others, reporting to their supervisor the absence of, or defect in any protective equipment or device, and reporting to their supervisor, any circumstances or conditions that may limit their ability to comply with the requirements of the OHSA and the Municipality of West Nipissing Safety policy.
- 1.2** **Equipment & tools:** All equipment and tools used by the Proponent shall conform to Canadian Standards Association (CSA) or manufacturer specifications. The Municipality of West Nipissing reserves the right to prohibit the use of any equipment and methods or practices that do not conform to acceptable standards. Defective equipment and tools shall be removed from the work site premises immediately
- 1.3** **PPE:** All workers must wear appropriate CSA approved eye protection, hearing protection, CSA approved hard hats, CSA approved foot protection and CSA approved gloves at all time while working in prescribed areas.
- 1.4** **Reporting:** Proponent must report immediately to the contract administrator all workplace incidents, near misses, injuries and illnesses and environmental damages. Contractor shall also report accidents/incidents to the Ministry of Labour or any other appropriate authority required by legislation.
- 1.5** **Supervision:** Proponent shall comply with OHSA regulations.
- 1.6** **WSIB:** Proponent shall provide the Municipality with a current WSIB Clearance Certificate within five (5) days of contract award.

GENERAL LIABILITY INSURANCE

- 2.0** The successful Proponent's General Liability Insurance policy shall not be less than Five Million Dollars (\$5,000,000) per occurrence. The successful Proponent agrees to provide proof of a General Liability insurance policy in the amount of not less than Five Million Dollars (\$5,000,000) per occurrence, to indemnify the Corporation of the Municipality of West Nipissing against any damages occasioned through any act, omission or neglect of the successful Proponent while carrying out the service under this Proposal.

PROTECTION OF WORK AND PROPERTY

- 3.0** The successful Proponent shall provide continuous and adequate protection of all work from damage and shall protect the Municipality's property from injury or damage arising from or in connection with this work. The successful Proponent shall make good any such damage or injury.

PERFORMANCE

- 4.0** Any undue delays in the execution of the work and/or costs incurred by the Municipality due to inefficiencies in performance on behalf of the successful Proponent shall be deemed to be the responsibility of that Proponent and as such, any and all costs, as deemed appropriate and reasonable compensation for the Municipality, will be assessed to the successful Proponent.

CHARACTER AND EMPLOYMENT OF STAFF

- 5.0** The successful Proponent shall employ only orderly, competent and skillful employees to ensure that the services are carried out in a respectable manner.
- 5.1** Workmanship and services shall be of the best quality, executed by employees qualified, experienced and thoroughly skilled in the respective duties for which they are employed.
- 5.2** Decision as to the quality or professionalism of workmanship in case of any dispute rests solely with the contact administrator, whose decision is final.
- 5.3** In the event that any person employed by the successful Proponent in connection with the service arising out of this Proposal gives, in the opinion of the Municipality, just cause for complaint, the successful Proponent upon notification by the Municipality in writing, shall not permit such person to continue in any future service arising out of this Proposal.
- 5.4** Proponent will be informed about any unsatisfactory performance, as identified by the contractor administrator, and given a reasonable opportunity to remedy. Unresolved unsatisfactory performance issues may result in termination of the remainder of the contract.
- 5.5** The Municipality reserves the right to disqualify a Proponent due to the Proponent's past performance on previous contracts awarded, failure to complete awarded work, or termination of previous contracts



CONFIDENTIALITY

- 6.0** Proponents shall not at any time before, during or after completion of the contract, divulge any confidential information communicated to or acquired by the Proponent or disclosed by the Municipality.

ASSIGNMENT OF CONTRACT

- 7.0** The successful Proponent shall not assign transfer, convey, sublet or otherwise dispose of this contract or his/her right, title or interest therein, or his power to execute such contract, to any other person, company or Corporation, without the previous consent, in writing, of the Municipality's officials, which consent shall not be unreasonably withheld.

SUB-PROONENTS

- 8.0** No portion of the work under this award may be sub-contracted without the written authorization of the Municipality. The Proponent is fully responsible to the Municipality for the acts and omissions of sub-Proponents and/or persons directly or indirectly engaged by the Proponent in respect to this work. Sub-Proponents will be required to abide by all the requirements of the Proposal document as though the primary successful Proponent (Insurance, WSIB, Health & Safety Policy, etc.). The Proponent agrees to bind every sub-Proponent by the terms of the Proposal documents as far as it is applicable to their work.

PAYMENT

- 9.0** All Invoices submitted by the Proponent must show the project name, the Project reference number and the Contract administrator's name.
- 9.1** Any pricing changes, addition or deletion of items, and/or changes in service for any extension period will be negotiated between the Proponent and the Municipality of West Nipissing.
- 9.2** Only original copy of invoices will be processed for payment.