

SUDBURY EAST PLANNING BOARD



REQUEST FOR PROPOSALS

Sealed Proposals For: **FIVE (5) YEAR OFFICIAL PLAN REVIEW TO ADOPT A
NEW OFFICIAL PLAN**

As Described Herein and Addressed:
Matthew Dumont, Director of Planning
39 Lafontaine Street, P.O. Box 250
Warren, Ontario POH 2N0
705-967-2174

Delivery and Courier Address:
Sudbury East Planning Board
39 Lafontaine Street, P.O. Box 250
Warren, Ontario POH 2N0

Will Be Received Until: **Tuesday May 8, 2018**
12:00 p.m. noon, local time

March 14th, 2018

INDEX TO REQUEST FOR PROPOSAL DOCUMENT

SECTION

A GENERAL INFORMATION

B TERMS OF REFERENCE

C PROPOSAL SUBMISSION REQUIREMENTS

SECTION A

GENERAL INFORMATION

SUDBURY EAST PLANNING BOARD

SECTION A

GENERAL INFORMATION

1. **Scope of Proposals**

The Sudbury East Planning Board invites proposals for a five (5) year Official Plan review to adopt a **New Official Plan** Study respecting the Planning Boards Official Plan in accordance with this Request for Proposals and the Terms of Reference provided in Section B of this document.

2. **Terms of this Request for Proposals**

The Terms of Reference for the Study are set out in Section B to this document. The requirements for the Proposal Submission are set out in Section C of this document. All three sections of this document comprise the REQUEST FOR PROPOSAL (RFP) for the **New Official Plan** Study.

3. **Questions**

Proponents having questions and seeking clarification respecting the RFP shall do so in the following manner:

Questions shall be submitted in writing by email to the **Director of Planning, Matthew Dumont, MCIP, RPP** at planner@sepb.org

The respondent is put on notice that:

- a. Only the Director of Planning is authorized by the Planning Board to amend or waive the requirements of the RFP.
- b. Under no circumstances shall the respondent rely upon any information or instructions from any other employee of the Planning Board or the area Municipalities unless the Director of Planning provides the information or instructions in writing.
- c. Neither the Planning Board, nor their respective employees or agents shall be responsible for any information or instructions provided to the respondent, with the exception of information or instructions provided in writing by the Director of Planning.

4. **RFP Clarification**

Please report all discrepancies, omissions, errors, departures from good practice, and points considered to be ambiguous or conflicting to the Director of Planning in writing. This must be completed before the bid closing date so that the Planning Board may issue instructions, clarifications or amendments by addendum to all respondents prior to the bid closing date.

SUDBURY EAST PLANNING BOARD

SECTION B

TERMS OF REFERENCE

**TERMS OF REFERENCE
NEW OFFICIAL PLAN REVIEW
SUDBURY EAST PLANNING BOARD**

1. Purpose

The Sudbury East Planning Board ('the Planning Board') is seeking proposals from qualified consultants to carry out a phased exercise for the Planning Boards New Official Plan ('NOP') over approximately 18 months in 2018 to 2020. The study is proposed to conclude in January 2020 with the adoption of a New Official Plan for the Sudbury East Planning Board.

2. Background

The Planning Board provides planning services for the Municipalities of French River, Killarney, Markstay-Warren and St.Charles, as well as 13 Unincorporated Townships and is situated north of Georgian Bay between Sudbury, North Bay and Parry Sound. The population of the Planning Area gradually declined between 2001 and 2006 from 7,909 to 7,546 permanent residents. Although the Planning Area has experienced a slight decline in population, the Municipality of Markstay-Warren grew between 11 to 16 percent in the last five years which has been influenced by some economic factors including affordability, cost of development/living in Greater Sudbury and strength of the mining industry.

Section 26(1) of the Planning Act requires that municipalities update and revise their Official Plan not less frequently than every five (5) years or to adopt a New Official Plan which would need to be revised at a 10 year time period. In April 2010, the Planning Board and its member municipalities adopted an Official Plan following a lengthy comprehensive review and update process. The Official Plan was approved on September 28, 2010. The existing Official Plan consists of the following Municipalities and Unincorporated Townships (Municipality of French River; Municipality of Killarney; Municipality of Markstay-Warren; Municipality of St.Charles; and 13 Unincorporated Townships of the Sudbury East Planning Board), were enacted by the Planning Board and each member Municipalities Council in 2010 and are in current force and effect have not to date been the subject of a major planning review.

The successful respondent to this Request for Proposal will be a land-use planning firm with extensive experience in crafting municipal Official Plans in Ontario. The successful respondent will also have proven experience at the Ontario Municipal Board (as of April 3rd, 2018, the Local Planning Appeals Tribunal) in the defense of Official Plans that the respondent has written. Sound and effective communication skills, together with the ability to relate to a broad range of community decision makers and stakeholders are essential.

Respondents are invited to submit proposals that will result in the satisfaction of the Planning Board's objectives in a cost-effective manner.

3. Study Area

The study area includes all the lands within the jurisdiction of the Sudbury East Planning Board. The NOP must also consider the location and context of all four (4) member municipalities, as well as 13 Unincorporated Townships and is situated north of Georgian Bay between Sudbury, North Bay and Parry Sound.

4. Scope of Work

The New Official Plan Study is intended to occur over 2018 and 2019. Provided below in Table 1 is a summary of the proposed phasing and timelines for the NOP Study project. The schedule matches the Planning Boards approval to include the Budget for the project in the 2018 and 2019 Budgets.

Table 1 – Phasing and Timelines

Phase		Timeline
ONE	Consultation/Visioning	August – November 2018
TWO	Background Studies and Discussion Papers	August 2018 – May 2019
THREE	Directions and Recommendations	June 2019 – July 2019
FOUR	Draft Official Plan	August 2019 – October 2019
FIVE	Final Official Plan	November 2019 – January 2020

The following description of each proposed phase of the NOP study is intended to provide an overview of the process and describes, in a general way, the outcomes and deliverables for each phase of the project.

PHASE ONE – CONSULTATION/VISIONING August – November 2018

Community engagement in the NOP will be critical to the success of the Project. Community consultation and participation is an essential component of the work program and opportunities for engagement and participation in the process will be required during each phase of the NOP. Moreover, Section 4.16 (3) Public Participation, the Planning Boards current Official Plan recognizes that Community consultation and engagement is an essential component of community building and the local planning review and decision making process. In addition, the Official Plan requires the development of a Public Consultation Plan as part of the New Official Plan Study.

The consultants, selected in Phase One, will be required to prepare a Public Consultation Plan to describe how they will engage the Community through the entire course of the work program for the NOP. The Public Consultation Plan must include:

- the methods and types of notice, including social media
- the number and purpose of the consultation meetings including workshops, round tables and statutory public meetings
- how the Planning Board “duty to consult” will be undertaken in respect of all four (4) member municipalities and Wikwemikong First Nations.
- how comments will be addressed and responded to; specifically including where changes in land use designation are proposed and how those owners will be notified and consulted.
- the number, timing and purpose of consultation meetings with the Planning Board throughout the various phases of the study.

The project consultants will also be required to undertake a Community Visioning exercise at the outset of the NOP. The intent of the visioning exercise is to establish a Community vision, goals and principles for the NOP based on Community input. The vision, goals and principles will guide the development of the NOP and will guide the growth, development and change of the Planning Boards area over the next 20 years. The deliverable will be a Vision Statement, guiding principles, goals and policy objectives to form and inform the framework for the NOP. The final format for the visioning exercise will be determined based on the recommendations of the selected consultant and as outlined in the Public Consultation Plan.

PHASE TWO – BACKGROUND STUDIES AND DISCUSSION PAPERS August 2018 – May 2019

Official Plans are large, complex and comprehensive documents that cover a wide range of issues and themes impacting the operation, growth and development of the Sudbury East Planning Area. As a result, the amount of information that needs to be presented to the Public, Council and the Planning Board is considerable and the best way to present both the new and existing work is through a series of background studies and discussion papers. The themed discussion papers will form the basis for public consultation.

The following studies and discussion papers will be completed by the Project Consultants in Phase Two of the NOP:

- Conformity exercises addressing changes to the Planning Act, the Provincial Policy Statement and Provincial Plans;
- Growth Management & Municipal Comprehensive Review Study and Discussion Paper – the purpose of this report is to address the growth management components of the Official Plan and the growth targets. Included will be an intensification review to determine appropriate intensification locations and policies to satisfy the intensification targets of the Official Plan. The Study will also look at employment land forecasts and commercial land needs and to develop a comprehensive strategy for protecting employment lands. Issues and options for the New Official Plan will be identified in the discussion paper;

- Natural Heritage Study and Discussion Paper – the purpose of this Study will be to provide a review and analysis of the natural heritage features and functions in the Planning Board based on the 2014 PPS and allow for the identification and protection of a natural heritage framework. Approaches for the NOP in respect of the natural heritage system implementation will be the subject of the Discussion Paper;
- Infrastructure Discussion Paper – this discussion paper will review the relevant background studies noted above and identify issues and options for policies that should be considered in the NOP respecting water, wastewater, storm water, roads, and active transportation matters;

Consultation shall be conducted on the above-noted Background Studies to provide proposed directions to be prepared as part of Phase 3.

PHASE THREE - DIRECTIONS AND RECOMMENDATIONS June 2019 – July 2019

Phase Three of the NOP Study project will include an extensive consultation process on the Discussion Papers produced in Phase Two of the process and will result in a Directions and Recommendations Report from the Project Consultant. The Directions and Recommendations Report will provide consolidated and integrated recommendations on the various policy matters identified in the Discussion Papers and directions on the drafting of the NOP. The consultation could include a range of approaches including on-line, social media, and the use of more traditional workshops and open houses.

The final format for the consultation approaches for Phase Three will be determined based on the recommendations of the selected consultants and as outlined in a Public Consultation Plan.

PHASE FOUR – DRAFT OFFICIAL PLAN August 2019 – October 2019

Phase Four will include preparing the draft Official Plan for circulation to the Planning Board, agencies, stakeholders and Council for review and for holding the statutory Public Open House under the *Planning Act*. The Open House will include a presentation of the draft Official Plan and an opportunity for the Community to provide comments and suggestions for consideration by Council and the Planning Board.

PHASE FIVE – FINAL OFFICIAL PLAN November 2019 – January 2020

Phase Five will include preparing the final draft of the Planning Boards New Official Plan based on the review and comments received during Phase Four of the NOP Project. The final draft of the NOP will be presented at the statutory Public Meeting under the *Planning Act* and subject to any final refinements; the New Official Plan will be prepared for each of the four (4) member municipalities for Council adoption as well as the Planning Board (Unincorporated Townships). Once adopted by Council and the Planning Board, the NOP will be submitted to the Ministry of Municipal Affairs and Ministry of Housing for approval in accordance with the provisions and regulations under the *Planning Act*.

5. Consultation and Meeting Requirements

The proposal must contain the consultant’s recommendations for public consultation as part of the Study. The selected consultant will be required to prepare a Public Consultation Plan to set out how they will engage the Community through the entire course of the work program for the NOP. Creative and innovative approaches to engage the Community are highly sought.

At a minimum, the proposal shall include a description of the number and type of meetings and consultation opportunities proposed:

- a. Meetings with each of the four (4) member Municipalities and the Planning Board and purpose and proposed outcomes of each.
- b. Community consultation meetings by number, type and proposed outcomes.
- c. Statutory Meetings with Council and the Planning Board. The statutory meeting required under Section 26 of the *Planning Act*.

6. Available Information

The Planning Board will provide:

- Existing Official Plan Text Sections (MS Word format)
- Existing Official Plan Schedules (PDF format)
- Background mapping

7. Work Plan

The proposal must provide a work plan indicating the timing for conducting each of the five phases of the NOP, the approximate timing for the various tasks included, the cost of each of the phases broken down by task and the date of final submission to the Planning Board.

8. Project Budget

The overall project budget has been set at a maximum upset limit of \$100,000, taxes included. The NOP has been budgeted over approximately 18 months (2018 to 2020) and has a project budget of approximately \$25,000 for 2018, \$55,000 in 2019, with the balance of the project budget set for 2020.

9. Deliverables

The selected consultant will be required to provide the following to the Planning Board during and at the conclusion of the study:

- a. Ten (10) bound hard copies of all draft and final reports and ten bound (10) copies of the final Sudbury East Planning Board Official Plan for adoption.
- b. One (1) electronic PDF version of all draft and final reports on appropriate media (CD or DVD) or via email.
- c. One (1) electronic MS Word version of all draft and final reports and of the final Official Plan on appropriate media (CD or DVD).
- d. One (1) electronic copy in PDF, JPEG or TIFF or compatible version formats of all plans, illustrations and and/or drawings produced during the Study.
- e. One (1) electronic copy in ArcMap or compatible format of all schedules to the Official Plan.

SUDBURY EAST PLANNING BOARD

SECTION C

PROPOSAL SUBMISSION REQUIREMENTS

THE SUDBURY EAST PLANNING BOARD

PROPOSAL SUBMISSION REQUIREMENTS

1. Required Proposal Format

The Terms of Reference contains several sections all of which need to be addressed for your proposal to be considered. Please double check your finished document to ensure that you have included all the required information. In order to receive uniform format of responses and information from all prospective consulting firms the following should be addressed and included in your submission:

- a. Proposals should be submitted electronically only in PDF format including a letter of submission signed by an authorized representative of the Consultant as set out below.
- b. Proposals shall be less than 10 MB in size and shall be less than 40 pages in total length. Proposals shall generally be limited to standard letter format (21.59 cm x 27.94 cm). Cost Estimates and Work Plan/Timing may be in larger formats. **Proposals larger than 10 MB or longer than 40 pages in length will not be accepted.**
- c. Proposals must outline the cost of conducting the study listed in the Terms of Reference both as a total price, total plus HST and cost per task format.
- d. The proposal shall include a Work Plan for the study and the projected and expected time frame for the Study.
- e. The Proposal will include a summary of the Consultant's professional information and history and relevant experience shall be included.
- f. A summary of past projects which will demonstrate the Consultant's experience in the Study tasks as outlined in the terms of reference shall be included in the Proposal.
- g. Proposals must be submitted with a minimum of three references listed for contact respecting recent and relevant projects.

2. Evaluation Process

Submissions will be evaluated based on respondents who have conformed with all aspects to the RFP and who are capable of performing the contract requirements with integrity and reliability, which will assure good faith performance. Respondents must include in their submission any relevant information that would allow the Planning Board to accurately assess their organization with regards to evaluation criteria. No assumptions will be made. The Planning Board shall consider each submission and after such consideration, shall have the right to do one (1) or more of the following:

1. Require any/all of the respondents to attend individual interview(s)/presentation(s) to clarify their submission.
2. Develop a short list and conduct negotiations with all short listed respondents.
3. Examine/test products contained in the proposal.

The Planning Board reserves the right to waive informalities and accept a bid, which, in the Planning Board’s discretion, is substantially compliant. Should the Planning Board receive non-compliant proposal(s), the Planning Board, in its discretion, may re-bid the project or may negotiate a contract for the whole or any part of the project with the respondent who has submitted a non-compliant bid. The Planning Board may contact any one (1) or more respondents to request information without any obligation to contact or request the same information from any other respondent.

2.1 Evaluation Criteria & Weighting

Each proposal will be evaluated based on the following factors and weighting:

Evaluation Criteria	Weighted (Points)
Price (See Section 1.4 for further information)	20
Ability, Related Experience (particularly in regards to experience in writing municipal Zoning By-laws in Ontario and providing expert witness defense Testimony at the Ontario Municipal Board) and Professional standing of the proposed Project Team	40
Approach to Public Consultation, scheduling and Timing of the work, methodology, organization and Technical content outlined in the proposal	30
Reference Response	10
Total Available Points per Review	100

Respondents may be asked to provide the Planning Board with a presentation or clarification about their proposal before a final decision is made. No other respondent is entitled to be present or to receive any information regarding the presentation of any so-invited respondent. Representatives of the respondent(s) (if any) invited to make a presentation shall be fully versed on the contents of the RFP and the respondent’s proposal and shall have the full authority to bind the respondent to any matters discussed at the presentation.

2.2 Contract Award

Unsuccessful respondents may request a debriefing from the Director of Planning.

It is not the intent of the Planning Board to award a contract to any respondent that does not furnish satisfactory evidence of possessing the ability and experience in this class of requirements and, sufficient capital and plant to ensure acceptable performance and completion of the service. The lowest cost proposal will not necessarily be awarded the contract. The Planning Board may not make an award if, at their sole discretion, it is not in their best interest to make an award.

NO RESPONDENT CONTRACT WILL BE SIGNED.

The Planning Board reserves the right to reject any submitted proposal from any respondent, who in the Planning Board's reasonable opinion, is deemed incapable of providing the necessary labour, materials, equipment, financing and management resources to perform the work in a satisfactory manner.

2.3 Default by the Successful Candidate

In the event that the successful respondent(s) is found in non-compliance with the terms/requirements hereof or in supplying and delivering the goods and/or services in accordance with the terms/requirements, the contract may be cancelled at the full discretion of the Planning Board.

2.4 Clarification/Waiver

Without prejudice to this right, the Planning Board may seek clarification and request additional information in relation to the proposal after the submission deadline where any respondent's intent is unclear and may waive or request or amend where, in the opinion of the Planning Board there is a minor irregularity or omission in the information that is to be submitted in a required document.

2.5 Right to Negotiate

After the contract has been awarded to the successful respondent, the Planning Board reserves the right to negotiate minor changes, amendments or modifications to the respondent's submission, without offering the other respondents the opportunity to amend their submissions.

2.6 Settlement of Disputes

In the event of any dispute or claim arising between the Planning Board and the respondent as to their respective rights and obligations under the contract, with party may give the other written notice of such dispute or claim. The notification of dispute or claim shall be made within fourteen (14) days of the dispute or cause of action arising. If the dispute or claim cannot be resolved through negotiation to the satisfaction of both parties, the parties may between themselves agree to submit the particular matter to arbitration in accordance with the laws of Ontario. If no agreement is made for arbitration, then either party may refer such dispute to the appropriate judicial tribunal as the circumstances may require.

3.0 Submission of Proposals

3.1 Submission Requirements

Six (6) complete proposals are to be submitted. One (1) proposal document must have an original signature.

Sealed proposals clearly marked "New Official Plan", will be received until 12:00 p.m. noon local time on Tuesday, May 8th, 2018 at:

Sudbury East Planning Board
39 Lafontaine Street, P.O. Box 250
Warren, Ontario P0H 2N0
Attention: Matthew Dumont, MCIP, RPP, Director of Planning

An authorized representative at the above address will time and date stamp the proposal. The Planning Board will not accept proposal(s) beyond the closing time/date as set out in the RFP documents. Proposals received after the specified time and date of this RFP closing will not be considered and will be returned to the respondent unopened. Delivery to any other location other the specified location will be disqualified.

3.2 Withdrawal, Amendment and Disqualification

A respondent that submits a proposal to the Planning Board may withdraw its proposal only by giving written notice to the Director of Planning before the closing time that the respondent is withdrawing its proposal. A respondent can amend a proposal by submitting an amended proposal in a sealed envelope to the above mentioned address before the closing time. The last proposal received by the Planning Board before the closing time shall supersede and invalidate any proposal previously submitted by the respondent. The Planning Board shall return, unopened any submitted proposal that has been withdrawn or amended. The Planning Board, without liability, cost or penalty, in its sole discretion, may disqualify any proposal before the proposal is fully evaluated, if:

- It contains false information.
- The proposal reveals a conflict of interest.
- The respondent misrepresents any information provided in its proposal.

3.3 Interpretation

Wherever the amount quoted for an item does not agree with the extension of the quantity and the unit price, the unit price shall govern and the total price shall be corrected accordingly. Where the words “must”, “shall”, “will” or “mandatory” appear in this RFP, the clause is to be considered as a mandatory requirement.

3.4 Limitations of Damages

The respondent, by submitting a proposal, agrees that it will not claim damages in excess of the amount equivalent to the reasonable costs incurred by the respondent in repairing its proposal for matters relating to the contract or in respect of the competitive process, and the respondent, by submitting a proposal, waives any claim for loss of profits if no contract is made with the respondent. Submitting a proposal confirms and certifies that the prospective consultant has read and fully understands and accepts the terms of the RFP and its requirements.

4.0 ADDITIONAL INFORMATION

4.1 Pricing

Prices shall be net prices, in Canadian dollars; all costs must be included in the unit cost of the item (i.e. fuel charge, minimum order charge, shipping, administrative costs, disbursements, etc.).

Unit pricing will govern where mathematical errors may occur in the extension of prices. Where it appears the respondent may have made an error in the calculation, the Planning Board shall consider the intent of the respondent and may accept the quotation for consideration and subsequent correction.

The Planning Board reserve the right to reject any or all quotations or to accept any quotation should it be deemed in the interest of the Planning Board to do so. In addition, the Planning Board may elect to reject any or all quotations for the following reasons:

- All the quotations are outside the budget for this job.
- The Planning Board does not approve the purchase.

It is understood in submission of this quotation that the respondent agrees that the pricing may be subject to acceptance up to ninety (90) calendar days after the closing date.

4.2 Terms of Payment

The respondent shall invoice the Planning Board on a milestone progress payment basis or any other payment period as agreed between the parties. No interim or final payment shall be made until the respondent has demonstrated to the Planning Board's Designated Representative(s) that the work referred to in the invoice has been satisfactorily performed.

All invoices submitted by the successful respondent shall be directed to the Planning Board, at the address provided, and shall provide additional information as follows:

- i. Federal and Provincial taxes shown separately, as applicable, and
- ii. Respondent's H.S.T. registration number.

Payment terms are Net 30 days from date of receipt, acceptance of the work and validation of charges. Invoices that do not comply will be returned for adjustment prior to payment, and any delays resulting from this action shall not prevent the Planning Board from taking any early prompt payment discounts.

Each invoice shall contain full details as to the items, dates and hours (if applicable) being charged.

4.3 Examination of Contract Documents and Site (where applicable)

Each respondent must satisfy himself/herself by his/her own study of the proposal documents, by calculations, and by personal inspection of the individual site respecting the conditions existing or likely to exist in connection with the execution of the works, as to the practicality of completing the work successfully for the bid price. There will be no consideration of any claim, after submission of proposals, that there is a misunderstanding with respect to the conditions imposed by this RFP.

4.4 Role of the Planning Board

The Planning Board shall be responsible for the following:

1. Provide a representative as the source of communication for the life of the study. The Director of Planning will make decisions in a timely manner to maintain the study schedule.
2. Providing facilities for project meetings and public consultations.
3. Placement and funding of published notices provided by the respondent in local media outlets.