

**PLANNING SERVICES FOR
DEVELOPMENT ORDINANCE UPDATE**

REQUEST FOR PROPOSALS



Date of Issue: December 13, 2024

Proposals Due: February 7, 2025

Time: 5:00 PM ET

**Issued for/by:
Town of Woodfin
90 Elk Mountain Road
Woodfin, NC 28804**

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SECTION 1 – INTRODUCTION

1.1 INTRODUCTION

Pursuant to N.C.G.S § 143-135.9, the Town of Woodfin, North Carolina, (Town) is seeking proposals from qualified consultants (either individual firms or teams) to conduct a comprehensive review and update of the Town’s current Code of Ordinances and revise it into a Unified Development Ordinance (UDO).

1.2 BACKGROUND

Nestled in the Blue Ridge Mountains of Western North Carolina and on the shores of the French Broad River, the Town of Woodfin is a strong and supportive community with a population of just over 8,000 residents. Despite significant growth pressure in recent years, the town remains committed to sustainable, safe, and affordable living for our residents, and to providing opportunities for our businesses to grow and thrive.

The Town of Woodfin was incorporated in 1971, and its current Code of Ordinances has evolved over several decades through incremental additions and amendments. Development regulations are currently organized into separate chapters, including zoning, subdivision, flood, stormwater, lighting, and signs. In the past five years, the town has made significant progress in updating its zoning code to reflect more modern practices. Additionally, in February of this year, the town adopted the Woodfin Together Comprehensive Plan, which provides a vision and framework for future growth and development. This plan serves as a policy tool to guide the community toward a prosperous, sustainable, and inclusive future. While the plan covers a wide range of topics, it places particular emphasis on land use and its impact on other aspects of the town. The new Unified Development Ordinance (UDO) should align with the goals and vision outlined in the comprehensive plan, establishing regulations and guidelines that support the community's objectives for the future.

1.3 PROJECT SUMMARY

This summary provides a non-exhaustive outline of elements to be considered in this process. The Consultant’s role in this project will be to first work with staff to conduct a detailed evaluation of the current ordinance and develop recommendations on areas requiring revisions. The evaluation will be conducted through discussions with planning staff regarding changes driven by policy direction established through the comprehensive plan, known issues with the current Ordinance, recent statutory changes or other case law, and input from the Planning Board and other stakeholders, as appropriate. This comprehensive code update should include:

- Incorporation of recommendations and goals from the **Woodfin Together Comprehensive Plan**, implementing the community vision through consistency between the UDO and the plan.
- Compliance with North Carolina General Statutes, case law and other applicable state and federal regulations.
- An easy-to-use format accessible and understandable by a wide variety of audiences centered around “plain language” text.
- Inclusion of user-friendly diagrams, graphics, photographs, schematics, tables and flow-charts to give examples of and clarify code language.
- Replacement of antiquated or ambiguous language with modern, clear and defensible language.
- Recommendations that reflect contemporary understanding and best practices.

- Clearly defined procedures for development application reviews, including administrative and Board processes and enforcement actions.
- Evaluation of the recent updates for consistency with new, or emerging schools of thought not already contemplated.
- Review of all existing zoning classifications with recommendations for additions, deletions and modifications.
- Consistency of text, terms and procedures within the new UDO, the Comprehensive Plan, and any other supporting documents.

1.4 PROJECT DELIVERABLES

The following deliverables are expected to be provided to planning staff and the Planning Board.

Town staff will work with the consultant to finalize tasks to achieve project expectations:

- Develop a project plan and provide project management, based on the Project Summary (outline beginning on pg. 4 of this package), including a clear schedule of deliverables, resource allocation, and budget for:
 - Evaluation of the Town's existing Code, Comprehensive Plan, development documents, and data;
 - Identification of potential solutions and approaches to make the regulations and review process more responsive to current development practices and emerging trends; and
 - Development of a draft UDO for comments and endorsement, and adoption of a final UDO.
- Develop and provide a public engagement and communications plan, including goals and objectives, diverse platforms, public engagement summaries (themes of interviews and interactions, demographic representation and findings), a schedule of public engagement activities and suggested stakeholder and workgroup members.
- Provide minutes for all meetings held. Review the minutes and provide ongoing updates as needed/requested to keep all parties apprised of status on UDO topics and processes.
- Assist planning staff and be available and able to present, provide presentation materials and incorporate feedback as necessary during the formal adoption process with the Planning Board and Town Council.
- Provide monthly status reports on project progress for internal review and evaluation.
- Submit a draft UDO incorporating data and information generated over the course of the project and produce final documents in a file format the Town has the ability to review and amend for preparation of a final UDO. The draft will include tracked edits to the UDO document and a summary of major edits to the UDO.
- Complete a final draft UDO through adoption: Final design files should include all sections of the ordinance and be simple to update over the life of the ordinance and not dependent on specialized software or third-party platforms. This includes any text and graphic files (i.e. illustrations, graphics, flowcharts, dashboards, tables, etc.), which, at minimum, should be provided in the following formats:
 - Digital PDF version that is word searchable and able to be hosted on the Town's website and/or codified in the Town Code of Ordinances by MuniCode
 - Digital Microsoft Word document
 - Three printed copies, fully bound

- Town of Woodfin shall be provided sole property rights to all manual and electronic originals.
- Assist staff with graphics and information for the Town’s website to help inform the public of project process and timeline.
- The overall UDO process will be complete when it is adopted by the Town Council; however, if any edits are included with the adoption of the UDO, the process is complete when an updated version is provided to staff following UDO adoption.

SECTION 2 – PROPOSAL INFORMATION

2.1 GENERAL INFORMATION

This RFP is intended to provide firms with a common, uniform set of instructions to assist them in the development of their proposals and to provide a uniform method for the Town to fairly evaluate proposals and subsequently select a proposal that provides a solution for this Scope of Work. Proposers are encouraged to initiate preparation of proposals immediately upon receipt of the RFP for all relevant questions and information needs to be identified and answered, and to allow adequate time to prepare a comprehensive and complete response.

This RFP is comprised of the base RFP document, any attachments, and any addenda released before Contract award, which are incorporated herein by reference.

2.2 RFP SCHEDULE

The table below shows the *intended* schedule for this RFP. Town will make every effort to adhere to this schedule.

TASK	DATE
Issue RFP	December 13, 2024
Submission Deadline	February 7, 2025
Selection Process	February 2025
Final Selection	March 2025
Draft Contract	March/April 2025
Final Contract Approved	April 2025
Project Begins	April/May 2025
Final Draft Submitted for Adoption	Spring 2026

2.3 PROPOSAL SUBMITTAL

Proposals shall be received electronically no later than **5:00 PM Eastern Standard Time, on Friday, February 7, 2025**. There will not be a public bid opening.

Offers submitted pursuant to this RFP are valid for ninety (90) days after Proposal due date. Proposals received will remain confidential until a contract is awarded.

2.4 REJECTION OF PROPOSALS

The Town of Woodfin reserves the right to reject all Proposals, to waive any informality in proposals received, to accept or reject any or all the items in the proposal, and to award the contract in whole or in part and/or

negotiate any or all items with individual Proposers if it is deemed in the Town's best interest. Moreover, the Town reserves the right to make no selection if proposals are deemed to be outside the fiscal constraint or not in the best interest of the Town.

2.5 PROPRIETARY INFORMATION

Upon receipt by the Town, your Proposal is considered a public record except for material that qualifies as "Trade Secret" information under North Carolina General Statute 66-152 et seq. Proposal Packages will be reviewed by the Town's Selection Committee, as well as other Town staff and members of the public who submit public record requests. To properly designate material as a trade secret under these circumstances, each contractor must take the following precautions: (a) any trade secrets submitted by a contractor should be submitted in a separate, sealed envelope marked "Trade Secret - Confidential and Proprietary Information - Do Not Disclose Except for the Purpose of Evaluating this Proposal," and (b) the same trade secret/ confidentiality designation should be stamped on each page of the trade secret materials contained in the envelope. Do not designate your proposed pricing as a trade secret.

In submitting a Proposal, each contractor agrees that the Town may reveal any trade secret materials contained in such response to all Town staff and Town officials involved in the selection process and to any outside consultant or other third parties who serve on the Selection Committee or who are hired by the Town to assist in the selection process. Furthermore, each contractor agrees to indemnify and hold harmless the Town and each of its officers, employees and agents from all costs, damages, and expenses incurred in connection with refusing to disclose any material that the contractor has designated as a trade secret.

Any contractor that designates its entire Proposal as a trade secret may be disqualified from the selection process.

Information in the Request for Proposals responses will not be shared until after award of contract.

2.6 PROPOSAL CONTENTS

Proposers must carefully read the information requested in this "Proposal Contents" section and submit a complete proposal responding to each request for information. Failure to submit the information requested may render your proposal non-responsive.

a) Letter of Transmittal

A cover letter on company letterhead signed by a principal or other member of the firm authorized to commit the firm to a contract for services.

b) Table of Contents

Provide a Table of Contents with page numbers

c) Executive Summary

Provide a summary that includes the highlights of the RFP, along with the strengths and special expertise of the firm and the associated team to successfully accomplish the objectives of the Town. Please limit the executive summary to one page.

d) Statement of Qualifications

Identify and describe the qualifications of the firm and professional services that may be provided by the consultant or consultant team in response to this request. Also include information on any proposed sub-consultants. Note which team members were involved in referenced projects and the time period involved in referenced, completed or current projects. Also highlight any projects performed for the Town of Woodfin during the past 5 years.

e) Project Team & Project Management

Identify the proposed project team (including any sub consultants) and key personnel for the successful completion of projects in partnership with the Town. Include brief resumes of the project manager and up to four (4) project team members including office location, years of experience, certifications, and education. Identify the project manager or primary contact and any other team leaders proposed. It is expected that the team members proposed in the RFP will be those assigned to work on the project for the Town. Also describe the firm's quality assurance / quality control methods.

f) Approach

This section should include a detailed description of the proposer's understanding of the intent of the project and its objectives, the character of the required deliverables, and overall approach to the project. The proposer should identify the level of assistance required from the city to complete each task.

g) Project Cost Estimates

Provide an estimated cost of the project with a not-to-exceed price for all services.

h) Format

Submittals will be received electronically in PDF format and be 12 pt font size and limited to no more than 20 pages (standard letter size) excluding the cover page, cover letter, table of contents, and any section dividers. They shall be emailed with the words, "RFP -- Development Ordinance Update" in the subject line. The town will not consider proposals that do not arrive prior to the deadline.

i) Conflict of Interest

State any conflicts of interest a contractor or any key individual may have with this service.

SECTION 3 – PROPOSAL EVALUATION AND AWARD

3.1 PROPOSAL EVALUATION PROCESS AND AWARD

Proposals will be submitted electronically to rhurley@woodfin-nc.gov

Each original Proposal shall be signed and dated by an official authorized to bind the contractor. Unsigned proposals will not be considered.

All proposals must be received by the Town of Woodfin not later than the date and time specified on the cover sheet of this RFP.

At their option, the evaluators may request oral presentations or discussion with any or all proposers for the purpose of clarification or to amplify the materials presented in any part of the proposal. However, proposers are cautioned that the evaluators are not required to request clarification; therefore, all proposals should be complete and reflect the most favorable terms available from the proposer.

Proposals will be evaluated according to completeness, content, and experience with similar projects, and the ability of the offeror and its staff. The evaluators will randomly select the offeror's references, but the evaluators reserve the right to contact all the references listed if information from the three references contacted warrant further inquiry. Awarding a contract to one proposer does not mean that the other proposals lacked merit, but that, all factors considered, the selected proposal was deemed most advantageous to the Town of Woodfin.

In addition to any other evaluation criteria identified in the solicitation document, the town will consider the following factors to ensure that any award will be in the best interest of the Town of Woodfin:

Evaluation Criteria	Percentage
Overall content and quality of the RFP	15%
Professional qualifications of staff assigned to the project	20%

Experience providing requested services	25%
Approach to the project and understanding of intent and objectives	25%
Effective relationships and partnerships	10%
Project Cost	5%

3.2 SELECTION PROCESS

The Town will conduct a fair and impartial evaluation of all submittals that are received in accordance with the provisions of this RFP. The town will appoint a selection committee to perform the evaluation. Interviews with proposers will be held at the option of the selection committee. The Town reserves the right to obtain clarification of any point in a team's Proposal Package or to obtain additional information. All teams who submit Proposal Packages will be notified of the selection committee's choice. Final approval of any selected contractor/team is subject to the action of the Town Council or appropriate Town officials.

SECTION 4 – REQUIREMENTS

4.1 PROPOSER RESPONSIBILITY

The Proposer is responsible for verifying all information provided and to familiarize themselves with the work required prior to submitting a proposal. A plea of ignorance of the conditions that exist, or may hereafter exist, or difficulties that may be encountered in the execution of the work, as a result of failure to make necessary investigations and examinations, will not be accepted as an excuse for any failure, or omission on the part of the successful documents and to complete the work for the consideration set forth herein, or as a basis for any claim whatsoever.

4.2 COMPLIANCE WITH LAWS

All Proposers are expected to comply with all federal, state and local laws and regulations relative to the preparation and submission of proposals for insurance. All proposals that are submitted will be presumed to be in compliance with all applicable laws.

4.3 CONTROLLING LAW

Any contract resulting from this RFP will be governed and construed in accordance with the laws of the State of North Carolina. Venue for any adversarial proceeding is Town of Woodfin.

4.4 INDEMNIFICATION

Any work to be performed by Proposer because of this RFP shall be performed entirely at Proposer's own risk. Proposer shall indemnify and save harmless the Town, its council, employees, agents and representatives from any and all liabilities and claims of every kind, including attorney's fees, to which Town may be subjected on account of loss, destruction or damage to property or injury to or death of persons, including Proposer and persons employed by Proposer, arising out of or in connection with performance of the contract. The provisions of this paragraph shall not be applicable to loss or damage caused by the negligent act of omission of Town or its employees.

4.5 TERMINATION

The Town may terminate this agreement at any time by providing 60 days' notice in writing from the Town to the Contractor. If the contract is terminated by the Town as provided herein, the Contractor shall be paid for services satisfactorily completed, less payment or compensation previously made.

4.6 NON-APPROPRIATION CLAUSE

Payment to Proposer for services is expressly conditioned upon availability of funds, and upon the actual receipt of funds, from appropriated revenue sources. If funds are insufficient to meet expected performances

hereunder due to non-appropriation or reduction of funds by the source, services to be provided hereunder may be adjusted by the parties, in writing, to conform with the funds which are actually available. If such adjustment is impractical or would defeat the intent or purpose of this Agreement, same may be terminated accordingly without penalty.

4.7 INSURANCE COVERAGE

If Proposer is selected for contract award, a Certificate of Insurance must be provided showing coverages, with limits approved by Town, for the following lines: professional liability, commercial general liability, automobile liability, workers' compensation & employers' liability and cyber liability.

4.8 SUBCONTRACTORS

The successful Proposer will be the primary service provider and will perform the services using their own workforce. The Proposer shall not subcontract the project without the prior approval of the Town. If the Proposer intends to subcontract any part of the Project, the subcontracted services and subcontractor information must be clearly identified in the submittal, including roles, resumes of key personnel and project references.

4.9 E-VERIFY

Proposer shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if Proposer uses a subcontractor, Proposer shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

ATTACHMENT A REFERENCE DISCLOSURE FORM

Proposer shall provide information regarding experience in work similar to this scope of work by listing FIVE (5) RECENT CLIENTS, ONLY ONE OF WHICH MAY BE A TOWN OF WOODFIN GOVERNMENT LISTING. References should be clients of a similar scale as the services requested in this RFP.

1. COMPANY NAME: _____
PERSON TO CONTACT: _____
TELEPHONE NUMBER: _____
EMAIL ADDRESS: _____
PROGRAMS/MODULES IN USE: _____
YEAR IMPLEMENTED: _____
SERVICE DATES:
BEGINNING _____ END _____

2. COMPANY NAME: _____
PERSON TO CONTACT: _____
TELEPHONE NUMBER: _____
EMAIL ADDRESS: _____
PROGRAMS/MODULES IN USE: _____
YEAR IMPLEMENTED: _____
SERVICE DATES:
BEGINNING _____ END _____

3. COMPANY NAME: _____
PERSON TO CONTACT: _____
TELEPHONE NUMBER: _____
EMAIL ADDRESS: _____
PROGRAMS/MODULES IN USE: _____
YEAR IMPLEMENTED: _____
SERVICE DATES:
BEGINNING _____ END _____

4. COMPANY NAME: _____
PERSON TO CONTACT: _____
TELEPHONE NUMBER: _____
EMAIL ADDRESS: _____
PROGRAMS/MODULES IN USE: _____
YEAR IMPLEMENTED: _____
SERVICE DATES:
BEGINNING _____ END _____

5. COMPANY NAME: _____
PERSON TO CONTACT: _____
TELEPHONE NUMBER: _____
EMAIL ADDRESS: _____
PROGRAMS/MODULES IN USE: _____
YEAR IMPLEMENTED: _____
SERVICE DATES:
BEGINNING _____ END _____

**ATTACHMENT B INTENT TO
PROPOSE RFP**

This form should be e-mailed to rhurley@woodfin-nc.gov to ensure you receive all addenda issued for this RFP.

I, _____ a representative of _____
_____ confirm that we intend to submit
a response for **RFP–Development Ordinance Update:**

Company Name _____

Address _____

Contact Name _____

Phone (____) _____

E-mail _____

Date _____

END OF ATTACHMENTS