



City of Emeryville
CALIFORNIA

REVISED REQUEST FOR PROPOSALS
(Revision is Interviews August 3)

OBJECTIVE DEVELOPMENT STANDARDS

Questions Due: Friday June 12
Mandatory Pre-Submittal Meeting: Tuesday June 23, 10am
Proposals Due: Friday, July 10

Contact Information:

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I. INTRODUCTION

The City of Emeryville ("City") wishes to hire a consultant to prepare Objective Development Standards for use in required ministerial approval of residential projects, in order to ensure that the design of each such project meets the City's minimum standards. The goals are to express as much as possible of the residential development standards in Emeryville's plans, regulations, and guidelines as ministerial checklists of measurable, yes-or-no standards, and to develop criteria for issues not addressed in existing documents. These checklists are intended to be adopted as part of the Planning Regulations for use in evaluating projects for which state laws limit the City to ministerial review only.

II. BACKGROUND

The City has been awarded an SB 2 Planning Grant from the State Department of Housing and Community Development in the amount of \$160,000 for preparation of Objective Development Standards. Funds must be expended before the end of 2022. The City would like to have the standards completed as soon as is reasonably possible.

III. SCOPE OF WORK, TIMELINE, AND BUDGET

The scope of work includes reviewing the General Plan, Planning Regulations, related parts of the Municipal Code that affect Planning approvals, Design Guidelines, five area plans, and other related documents to identify standards that can be stated in ministerial form, and compiling them into a set of Objective Design Standards. These would then be augmented by any additional objective standards that the consultant may wish to recommend. These could include turning existing subjective standards into standards that can be measured, developing menus that developers can choose from, and developing standards for issues the existing standards do not address. The next steps are preparation of a checklist and administrative and public review drafts for Planning Commission and City Council study sessions, revisions per Council direction, and preparation of administrative and public review documents for a Planning Commission public hearing and a City Council adoption hearing.

IV. CITY CONTRACT REQUIREMENTS

See the attached standard Professional Services Contract template. By submitting a response to this Request, consultant agrees it is willing and able to execute the Agreement, including all applicable insurance requirements.

V. PROPOSAL SCHEDULE AND SUBMITTAL

A. Schedule

The City anticipates that the selection schedule will be as follows:

RFP Issued - Thursday June 4
Questions Due – Friday June 12
Mandatory Pre-Submittal Meeting – Tuesday June 23, 10am
Proposals Due – Friday, July 10
Shortlist Selection – Thursday July 16
Interviews – Monday August 3
Contract Negotiation – August 4-7
Contract to City Council – Tuesday September 15
Contract Signed – Friday September 18

The City reserves the right to adjust the above noted schedule as necessary.

B. Proposal Contents

1. Cover Letter:

- Name and address of entity proposing to do the work
- Date entity was established
- Name and signature of person authorized to sign a contract
- Contact person's name, address, email address and phone number

2. Scope, Budget and Timeline

- For each major task show activities, deliverables, staff hours, hourly rates, cost, and time frame.

3. Experience and Qualifications of Team and Key Staff Members

- Relevant projects the entity has completed
- Three references from three different projects
- Resumes for key staff members
- Assurance that key staff members will work the indicated number of hours on the project

C. Submittal of Proposal

Proposals are due on Friday July 10.

Please email a PDF of your proposal, or a link to it if it is more than 10 MB, to Diana Keena at dkeena@emeryville.org.

VI. EVALUATION OF PROPOSALS

A. Selection Process Generally

All responsive submittals to this RFP will be evaluated by a selection committee composed of City staff. Proposals will be reviewed and ranked by the Selection Committee according to the rating criteria described in this RFP. All teams will be notified if they have been shortlisted via email. Following the Selection Committee's evaluation process and determination of short-listed firms, the City may contact teams' references and request teams to interview with the selection committee.

B. Evaluation Criteria and Scoring

Each submittal will be evaluated on the following evaluation criteria:

- Qualifications and experience of firm and key staff
- Scope and staffing
- Feasibility of budget and timeline
- References, ability to work with clients
- Complete, succinct proposal

VII. GENERAL TERMS AND CONDITIONS

A. Errors and Omissions

Proposing firms (consultants) are responsible for reviewing all portions of this Request. Consultants are to promptly notify the City, in writing, if the team discovers any ambiguity, discrepancy, omission or other error in the Request. Any such notification should be directed to the City promptly after discovery, but in no event later than the Deadline for RFQ Questions: Friday, June 12.

B. Additional Questions

Any questions regarding this Request must be submitted in writing to the City staff contact person listed on the cover page no later than the Deadline for RFQ Questions: Friday, June 12. The City may share the question(s) and its response(s) with all known consultants who are considering a response to this Request.

C. Addendum

The City may revise this Request prior to the submittal deadline. The City will communicate modifications to this Request by issuing an addendum. The City may extend the submittal deadline at its sole discretion.

D. Additional Information

In the City's sole discretion, it may contact any, all or no consultant to seek additional information about a submittal. Such additional information may include requesting that the consultant meet with the selection committee, financial information, clarification on the submittal, etc.

E. No Contract

This Request and the selection process shall in no way be deemed to create a binding contract, agreement or offer of any kind between the City and submitting consultant. If the City selects a consultant(s) pursuant to this Request, any legal rights and obligations between the successful firms, if any, and the City will come into existence only when a written contract is fully executed by the parties, and the legal rights and obligations of each party shall at that time be only those rights and obligations which are set forth in the contract and any other documents specifically referred to in that contract.

F. No Costs to City

Each consultant submitting a response to this Request agrees that it shall bear all costs and expenses associated with the preparation of the, and the City shall not be

responsible for any costs or expenses incurred by the consultant, under any circumstances.

G. Public Records

All submittals become the property of the City, regardless of whether the City enters into a contract with the consultant, and no submittals will be returned to the consultant. In accordance with California law relating to access to public records, the City may be required to publicly disclose all submitted information and materials to third parties requesting such information. At the City's sole discretion, it may delay disclosure of submittals until negotiations with the selected consultant(s) has concluded, if such disclosure would compromise the City's negotiating position. If the submitting consultant claims that any submitted information constitutes a trade secret or is proprietary, the bidder shall identify the trade secret or proprietary information in the submittal. Pricing is not considered a trade secret or proprietary information.

H. Award

This Request does not commit the City to award a contract. The City reserves the right to accept or reject any or all submittals, to negotiate a different proposal, to split the award, to waive irregularities, and technicalities, to alter the selection process in any way, to postpone the selection process for its own convenience at any time for any reason, to waive any defects or irregularities in any submittal, to issue a new Request at any time, or to hire any consultant it deems appropriate in its sole and absolute discretion within or outside of the evaluation process.

I. Protest

Should any proposer question or protest the determination made by the awarding entity (City Manager or City Council), such question or protest must be furnished in writing to the City Clerk within three calendar days after the City notifies all proposers of its intent. Such question or protest must fully explain its basis, supported by all relevant evidence, and citations to laws and regulations. The writing must be signed by an authorized representative stating specific reason(s) for the objection or protest. Questions or protests that do not comply with this section will be rejected without further action.

J. Federal, State and Local Laws

Any consultant executing a contract with the City will be required to comply with all applicable federal, state and local laws, including state Prevailing Wage Law (Cal. Labor Code, § 1720, et seq.) and the City of Emeryville's Minimum Wage, Paid Sick Leave, and Other Employment Standards (Emeryville Municipal Code Chapter 37) and Living Wage Ordinance (Emeryville Municipal Code Chapter 31), as applicable.

Attachments:

Recipients List

Professional Services Contract Template