

Information for Town Council Meeting on March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving the Award of RFQ No. 2022-10, Planning Services for Code Reform for Town of Palm Beach to ZoneCo, LLC and The Corradino Group, Inc.;
Resolution No. 036-2022

DATE: 2 March 2022

STAFF RECOMMENDATION

Staff recommends Town Council approve the Award of RFQ No. 2022-10, Planning Services for Code Reform for Town of Palm Beach to ZoneCo, LLC and The Corradino Group, Inc.

SUMMARY EXPLANATION/BACKGROUND

The Town invited proposals from qualified firms/consultants with expertise in zoning and land use for assisting staff with a process resulting in the preparation of an improved and updated zoning code for the Town. The Scope of Work was developed by PZB for issuance.

SCOPE OF WORK

The selected Consultant(s) will work with Town staff, the Planning and Zoning Committee, Town Council and the community (through public outreach sessions and Town meetings) to develop zoning amendments and related code amendments.

The services being requested by the Consultant(s) for this project include the following:

- Review and assess the Town zoning regulations and all other relevant Town ordinances with staff, the local development community, elected officials, appointed officials, residents and other interested parties to determine deficiencies.
- Conduct public outreach meetings / workshops to cooperatively develop regulations with elected and appointed officials, Town staff, the development community and members of the public.

- Addressing new FEMA requirements to deal with rising sea levels.
- Review, identify, recommend and facilitate potential changes to the Code of Ordinances.
- Prepare specific updates to the Town Code of Ordinances to ensure elected officials, appointed officials, staff and the general public understand the use of the Town codes.
- Evaluate different approaches and determine the most effective type of code amendments for the Town.
- Consideration of sustainable and resilient development practices, design features and other approaches.
- Prepare amendments that will clearly define the expectations of the Town in regard to the appearance, quality, density of development, and address any identified weaknesses.
- Work in partnership with Town staff and advisory committees, as needed.
- Coordinate the development of the amendments with any concurrent projects.
- Provide guidance regarding any possible zoning map amendments which may result from text amendments to the zoning code.
- Prepare updates as necessary to the Town zoning map, or the creation of new maps, using files compatible with ArcGIS shapefile format.
- Present the amendments at public meetings and public hearings (the ultimate number of meetings to be determined by Town staff).
- Ensure compliance with all applicable State statutes and regulations.
- Act as facilitator with representatives of the Town's business community, residents, elected and appointed officials, and the Town staff in the formulation of the regulations.
- Provide all meeting materials (drafts and final drafts) to the Town in common formats such as PDF or Word for reproduction at meetings and printing the final amendments; and
- Recommend the best approach for managing and maintaining codification of the amendments for adoption.

- The Consultant(s) shall commit to the continued participation by high-level professionals to ensure that all products are well-written, technically accurate and address the concerns of the Town and its residents.

- **PUBLIC PARTICIPATION**

Public participation is paramount to the development of the zoning amendments. This is especially true given the current development concerns within the Town, maintaining the traditional feel of the Town of Palm Beach, while preserving single-family neighborhoods and enhancing the commercial areas. Consequently, the planning process should incorporate an intensive public participation program that will encourage and facilitate input from property owners, developers, engineers, planners, business owners, Town residents and special interest groups.

- **PROJECT SCHEDULE**

It is estimated by Town staff that the review of the code, public outreach component, preparation of amendments and presentation of the work to the appointed and elected Town officials could take between two and three years. However, the actual need for the Consultant(s) services may run longer or shorter than this estimation. As the project moves forward and specific tasks are assigned to the Consultant(s) by Town staff, the Consultant(s) shall provide the Town with an anticipated schedule and cost estimate for the completion of the task work.

METHOD OF PROCUREMENT

The PZB Department developed a scope of services which was reviewed by the Purchasing. The Request for Qualifications (RFQ) was issued on January 11th and closed on February 10th.

The Town did issue an addendum to the solicitation on February 2nd to all potential proposers for an inclusion as to how FEMA flood maps have changed and sea levels rise, that no meaningful effort has been taken to adjust the zoning regulations for elevated buildings and lots. Therefore, a primary objective of this zoning code update is to recognize the effects that rising water levels (ocean and intercoastal) impose on the barrier island.

The solicitation was broadcast nationwide to eight hundred thirty-two (832) firms through DemandStar and one thousand two hundred thirty-two (1,232) firms through Public Purchase. Town Purchasing also sent emails to nineteen (19) known consultants/individuals advising of the solicitation and invited the consultants to review and participate in the solicitation.

Additionally, the RFQ was advertised on the following four nationally recognized planning websites:

1. American Planning Association – for 30 days of offer phase
2. Congress for New Urbanism – -same-

- 3. Planetizen – -same-
- 4. Urban Land Institute – -same-

By use of the e-bidding platform purchasing is able to view potential firms that may show interest in our solicitations. For this particular solicitation, twenty-four (24) firms accessed and downloaded the solicitation. When the solicitation closed, five (5) firms submitted proposals through the e-bidding platform in addition to submitting a paper copy to purchasing.

Purchasing reached out to all twenty-four firms twice a week to encourage their submittal to the RFQ and to offer any assistance with the process of online submittal of their proposals.

The five firms that submitted were:

- ZoneCo, LLC
- The Corradino Group, Inc.
- MHCP COLAB
- NZ Consultants
- Bonnie C. Landry and Associates

The initial ranking of the Selection Committee was held on February 17, 2022. The Selection Committee consisted of the following members:

Voting

James Murphy, Assistant Director, PZB
Paul Castro, PZB
Paul Brazil, P.E., Public Works Director
Jane Le Clainche, CPA, Finance Director

Non-Voting

Wayne Bergman, Director of PZB

Facilitators

Dean Mealy, CPPO Purchasing
Duke Basha, CPPB Purchasing

The Selection Committee reviewed the five (5) proposals and short listed three (3) for oral presentations. The three (3) firms shortlisted for oral interviews were:

- ZoneCo, LLC
- The Corradino Group, Inc.
- MHCP COLAB

The oral interviews were held on February 28th and March 1st. The Selection Committee ranked and recommended award of the top two firms after engaged interaction with the firms presenting.

The recommendation to award two firms will provide PZB greater flexibility and management of tasks associated to the scope of work that was issued. In addition, the two firms can collaborate on specific tasks when best suited to specific work assignments.

When the Town issues a solicitation based on qualifications, better known as an RFQ, there is generally more than one firm noted in the award recommendation. This provides for a pool of

qualified firms that can respond to specific deliverables.

The Town has historically used a pool of qualified firms for engineering service projects with great success. By prequalifying the two topped ranked firms, PZB will have greater access to resources as they progress in the phases of the project.

When a RFQ is issued, price is not an evaluation factor. The proposal is based solely on qualifications of the consultants submitting.

FISCAL IMPACT/FUNDING SOURCE

The funding will come from the General Fund Contingency Account. Once cost proposals are finalized, a funding request will be made at a future Town Council meeting.

USER DEPARTMENT CONCURRENCE

PZB is in full concurrence with this recommendation. PZB staff believes that each firm brings certain significant strengths to the code review and reform project, with ZoneCo, LLC providing the stronger public engagement and code writing abilities; and The Corradino Group providing the stronger experience with South Florida barrier island resiliency and sustainability issues (FEMA, floodplain management, fill, minimum building floor elevations, freeboard and seawalls). The Corradino Group will also provide a land use attorney to assist, as needed, throughout the process.

Another advantage of this bifurcation of work involves proposed work that is contemplated by both Public Works and PZB regarding the implementation of the concepts that were presented in the Woods Hole Group Level Up Palm Beach coastal resiliency plan. The Corradino Group's strong experience with coastal communities in South Florida will not only be a benefit to the code review and reform process but will also help the Town as the resiliency plan takes shape and as new regulations are crafted.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

CC: Wayne Bergman, Director of Planning, Zoning and Building
Paul Brazil, Director of Public Works