



**REQUEST FOR PROPOSAL
1220-20-533-2019
District of Port Hardy
Official Community Plan
Review and Update**

Attention: Heather Nelson-Smith, Director of Corporate and Development Services

District of Port Hardy

7360 Columbia Street PO Box 68

Port Hardy, BC, V0N 2P0

Submission Deadline: Friday October 18, 2019 at 2:00 pm

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Documents

[Port Hardy Official Community Plan](#)

[Land Use Map](#)

[Sensitive Ecosystems Map](#)

[Development Permit Areas Map](#)

[Utilities Map](#)

[Transportation Map](#)

[Port Hardy Zoning Regulation](#)

[Port Hardy Zoning Bylaw Maps \(December 2018\) – Schedules A, B, C, D](#)

REQUEST FOR PROPOSAL
Official Community Plan Review and Update

DEFINITIONS

“CONTRACTOR or CONSULTANT”	means the Proponent whose Proposal has been accepted by the District and is awarded a contract by the District to carry out the Work.
“DISTRICT”	means the District of Port Hardy.
“PROPONENT”	means the responder to this RFP.
“PROPOSAL”	means a proposal to carry out the Work submitted by a Proponent in response to this RFP.
“RFP”	means this Request for Proposal.
“WORK”	means and includes anything and everything required to be done for fulfillment and completion of the project in accordance with this RFP.

1.0- INTRODUCTION

➤ **PROJECT SUMMARY**

The District of Port Hardy is seeking the services of a consultant or team of consultants to undertake a comprehensive review of the District's 2011 Official Community Plan (OCP) Bylaw No. 15-2011

The District Council have identified the review of the current OCP as a priority for 2019 with the goal to have the comprehensive update adopted in 2020. The update of the OCP should focus on land use, transportation including a pedestrian friendly community, housing and social wellbeing. The review will also result in a more efficient OCP through the application of easier to interpret text and illustrations and the deletion of unnecessary regulation.

Accordingly, we are requesting proposals from consultants with proven experience in master planning, community and stakeholder consultation, zoning regulations, and bylaw preparation to assist the District of Port Hardy in achieving a new OCP that is technically sound and reflective of our community vision. This project will have a significant public consultation component that includes background exploration to self-identify the community and to shape a robust and inclusive direction for future growth of the District.

Primary Contact:

Heather Nelson-Smith
Director of Corporate and Development Services
Email: hnelson.smith@porthardy.ca
Office No. (250) 949-6665
Fax No. (250) 949-7433

The District reserves the right to waive informalities in or reject any or all proposals. The District also reserves the right to negotiate scope and price with the selected preferred proponent, without obligation to any other proponent. The job will be awarded to the proponent whose proposal is deemed to be the most favorable to the interests of the District. Proposal evaluation will be based on methodology and approach, capability and experience, pricing and ability to meet the proposed timeline. The District shall not be obligated in any manner to any proponent whatsoever until a written agreement has been duly executed.

2.0- BACKGROUND

Located on the northeastern end of Vancouver Island Port Hardy is the gateway to Cape Scott Provincial Park, the North Coast Trail and the BC Marine Trail. The community has access to spectacular wilderness adventures, such as kayaking, world-class scuba diving, nature viewing, unique saltwater rapids, fishing and camping.

The District of Port Hardy is the largest of six communities in the Regional District

of Mt. Waddington with a current population of approximately 4,132 (2016 census) and a land base of 4,081 hectares. The District is located on the Traditional Territory of the Kwakiutl people and provides services to an additional 1,050 area residents, including three First Nations bands: the Kwakiutl, Quatsino, and Gwa'sala-'Nakwaxda'xw.

The District has been experiencing growth since the OCP was adopted. The review of the Official Community Plan provides an opportunity to redirect key District and regulatory documents so that they reflect the District as it exists in the eyes of its residents today and as we shape the direction for future growth of the community desired by its residents for the future.

3.0- PROJECT SCOPE

➤ GENERAL

The primary objective of this project is to complete a comprehensive revision of the District's Official Community Plan that responds to the changing nature of development in Port Hardy, is technically sound, and is 'user friendly'. Secondary objectives include implementation of the sustainable policies related to land use and inclusion of regulations to address specific land use issues and consistency within the bylaws. The successful consultant will be expected to achieve the following:

- a) A public and stakeholder engagement strategy that uses innovative and technical techniques to explore the community and to shape its future via meaningful public participation;
- b) A complete revised Official Community Plan that complies with all legislative requirements, sets our clear objectives and policies for landowners, developers, Council and staff, and is aligned with other District strategies and plans; and
- c) A complete review of the Districts Zoning Bylaw No. 1010-2013 to ensure that complies in all respects with current legislative requirements, is internally consistent, and is a highly practical and workable document for staff and readable to the general public.

➤ OFFICIAL COMMUNITY PLAN

The Official Community Plan, adopted in 2011, requires review with focus on land use, transportation including a pedestrian friendly community, housing and social wellbeing.

Concerns from the District Council include visioning for vacant land designations and the need for suitable housing which will address the varying housing needs for the community. Transportation networks and creating a livable community through pedestrian corridors, safe streets and traffic calming. Addressing and planning for a

community that is supportive and creates a provision for ensuring support for the social wellbeing of Port Hardy residents.

Mapping of the community including transportation, development permit areas, utilities, sensitive eco systems and land use require review and updating.

➤ **ZONING BYLAW**

The Zoning Bylaw, adopted in 2013, requires review to ensure consistency with the Official Community Plan.

➤ **DESCRIPTION OF WORK**

The Official Community Plan (OCP) review is organized into the six components outlined below. The following components of the project are identified as a guide to the tasks to be undertaken with associated deliverables to the District for the review of the OCP. They are not exhaustive or limiting; the successful Proponent should expect to accommodate changing dynamics of the project.

- Project Initiation
- Community Exploration and District Shaping
- Technical Review and issues identification
- Community and Stakeholder Consultation
- Bylaw Preparation
- Approval

Project Initiation

- Establish key staff level contacts and consultant team introduction.
- Meet with District Council to provide an overview of the proposed OCP review process and specifically identify when in the process Council will have the opportunity to provide input.
- Develop, with staff, a detailed work plan for the overall project with key deliverables identified.
- Develop a community and stakeholder consultation strategy to maximize local resources, existing events and identify opportunities for meaningful public participation in a practical context.
- Deliverables: Detailed Work Plan and Community and Stakeholder Consultation Strategy.

Community Exploration

- Working with the Director of Corporate and Development Services, engage with the community to explore how residents self-identify with the District and how it may be shaped for current and future residents.
- Create energy and excitement in the community to participate in OCP review. Use existing and planned District events and activities to promote input and engage citizens.

- Organize and facilitate enjoyable informal and formal events, sessions and presentations such as speaker’s series, community mapping activities, visual preference surveys and solution sprints, to create and sustain ongoing forums that encourage multi-way communication opportunities.
- Facilitate conversations with residents and visitors to self-identify the District to determine “who we are?”
- Document and channel information to determine snapshots for “who Port Hardy wants to be?” and “what does Port Hardy want to be known for?”
- Deliverables: Elevated community awareness and engagement in the OCP project and a report of stakeholder demographics, perceptions and preferences.

Technical Review and Issues Identification

- Review OCP including the following components: sustainability targets, development permit areas and associated guidelines and land use designations.
- Review all relevant bylaws, policies and plans.
- Review OCP in relation to above listed bylaws, policies and plans.
- Update population projection, housing characteristics and legislative requirements.
- Consult with staff, Council, Committee, the public and local Indigenous communities to obtain local knowledge, identify known issues, assess priorities, identify local challenges and opportunities (issues identification).
- Deliverables: Report on challenges and opportunities for the OCP, Report on recommendations to update the OCP, including improvements to format and use of graphics.

Community and Stakeholder Consultation

- Conduct working or focus groups with key stakeholders including, but not limited to, District committees, First Nations, the business and development community, seniors and youth. Working with the District’s Director of Corporate and Development Services employ enjoyable and interactive consultation and engagement methods that encourage meaningful public participation.
- Collection and analysis of community and stakeholder input.
- Deliverables: Report on community and stakeholder consultation, presentation of findings and technical review to the Planning and Development department.

Bylaw Preparation

- Prepare a Draft OCP bylaw following input from staff, Council and community and stakeholder consultation.
- Prepare Draft graphics and mapping; mapping support to revise OCP maps, as necessary will be required.

- Attend meetings of the Council.
- Organize and Facilitate community and stakeholder consultation sessions; may include Open House formats and other engagement methods to review Draft Bylaw.
- Deliverables: Draft OCP (with maps), Open House, presentation to Council. Note that staff will review the recommended wording and format with the District’s legal counsel.

Approval

- Formulate final products in consultation with key staff.
- Prepare final OCP and Zoning Bylaw amendments.
- Present at a Public Hearing.
- Deliverables: OCP Bylaw and presentation at Public Hearing. Note that the Planning Department will review the final Land Use Bylaw with the District of Port Hardy legal counsel. The consultant(s) will be responsible for all necessary changes to any maps associated with the OCP.

Proposed timeline – to be refined in consultation with the selected consultant team

OCP Contract awarded	Review and identification of project	Public Consultation	Draft OCP to Council	OCP Refinement	Draft OCP to Public for comment	OCP Refinement	OCP Adoption
Fall 2019	Fall/Winter 2019	Winter 2019/2020	Spring 2020	Spring/Summer 2020	Summer 2020	Fall 2020	Fall 2020

➤ **BUDGET**

The District has a budget of \$60,000 to complete the “District of Port Hardy Official Community Plan Review”.

Fees for the project will be charged on an hourly rate basis. A schedule of rates for each project personnel will be included with the proposal. An estimate of the time required for each task, the fee for the labour component and the expenses for each task of the Scope of Work and others if suggested by the proponent, shall be included in the proposal.

The estimated fee for each task shall be regarded as an upset amount and shall not be exceeded without prior approval of the District and such approval will only be considered for changes in the scope of the work required due to factors that could not have been anticipated with information available at the time of submitting the proposal.

Costs related to public consultation, including meeting room rentals and advertising, will be the responsibility of District. Costs associated with Bylaw review from the District legal counsel will be the responsibility of the District.

4.0- GENERAL PROVISIONS

➤ **FREEDOM OF INFORMATION**

All proposals submitted become the property of the District and as such are subject to the Freedom of Information and Protection of Privacy legislation. To request documentation confidentiality, respondents must submit a covering letter with their proposal, detailing the specifics of their request.

➤ **CONFIDENTIALITY OF INFORMATION**

This document, or any portion thereof, may not be used for any purpose other than the submission of proposals. Information pertaining to the District obtained by the Proponent as a result of participation in this project is confidential and must not be disclosed except as required to fulfill the obligations of the Proponent under the Contract.

➤ **LIABILITY FOR ERRORS**

While the District has used considerable efforts to ensure an accurate representation of information in this Request for Proposal, the information contained in this Request for Proposal is supplied solely as a guideline for Proponents. The information is not guaranteed or warranted to be accurate by the District, nor is it necessarily comprehensive or exhaustive. Nothing in this Request for Proposal is intended to relieve Proponents from forming their own opinions and conclusions with respect to the matters addressed in this Request for Proposal.

➤ **MODIFICATION OF TERMS**

The District reserves the right to modify the terms of this Request for Proposal at any time at its sole discretion. This includes the right to cancel this request for Proposal at any time prior to entering into a contract with the successful Proponent.

➤ **NO COLLUSION**

Except as otherwise specified or as arising by reason of the provision of the contract documents, no person whether natural, or body corporate, other than the Proponent has or will have any interest or share in this Proposal or in the proposed contract which may be completed in respect thereof. There is no collusion or arrangement between the Proponent and any other actual or prospective Proponents in connection with Proposals submitted for this project and the Proponent has no knowledge of the contents of other Proposals and has made no comparison of figures or agreement or arrangement, express or implied, with any other party in connection with the making of the Proposal.

➤ **LITIGATION**

Proponents who, either directly or indirectly through another corporation or entity, have been or are in litigation, or who have served notice with intent to proceed with court action against the District in connection with any contract for works or services, may be considered ineligible Proponents. Receipt of Proposals from such

Proponents may be disqualified from the evaluation process.

➤ **NO CONTRACT**

This RFP is not a tender and does not commit the District in any way to select a preferred Proponent. By submitting a Proposal and participating in the process as outlined in this RFP, Proponents expressly agree that no contractual, tort or other legal obligation of any kind is formed under or imposed on the District by this RFP or submissions prior to the completed execution of a formal written Contract.

5.0- PROPOSAL SUBMISSION INSTRUCTIONS

➤ **CLOSING DATE AND TIME**

Proposals will be accepted up to **2:00 pm Wednesday October 9, 2019**.

➤ **REQUESTS FOR CLARIFICATION**

Proponents may inquire into and clarify any requirements of this RFP. Questions must be communicated to the contact person at least five days prior to the RFP closing. Questions must be in writing.

It is the proponent's responsibility to clarify any details prior to submitting a proposal. The District will assume no responsibility for any oral instruction or suggestion.

➤ **OMISSIONS AND DISCREPENCIES**

If a proponent finds discrepancies in, or omissions from the proposal documents, or if he/she is in doubt as to their meaning, he/she should advise the District immediately.

Responses, if not already addressed in the RFP, will be addressed in the form of addendum, if required and posted to the District website at www.porthardy.ca No oral interpretations will be effective to modify any provisions of the Proposal, unless a written addendum has been issued by the Director of Corporate and Development Services, prior to the advertised closing date and time. The Proponent is solely responsible for ensuring any addenda are downloaded, reviewed and included in their proposal.

➤ **PROPOSAL IRREVOCABILITY**

- By submission of a clear and detailed written notice, the Proponent may amend or withdraw its proposal prior to the closing date and time. Any amendment submitted which results in the disclosure of pricing or other salient points of the original proposal will result in disqualification of the Proponent. At closing time, all proposals become irrevocable.
- Proposals shall be firm for a period of at least 60 days from the RFP closing date and shall be used as the basis for and be included as part of the contractual agreement that will be entered into with the selected Proponent.

- By submission of a proposal, the Proponent agrees that should its proposal be successful, the Proponent will enter into a contract for the work with the District, the content and format of such contract to be determined by the District.

➤ **EXPENSE PREPARING PROPOSAL**

Proponents shall bear sole responsibility for any costs associated with preparing a Proposal in response to this RFP. In no event will the District be responsible for the costs of preparation or submission of any Proposal. Furthermore, by submitting a proposal, it is agreed that no claim for damages, for whatever reason, relating to the proposal or in respect of the expense incurred in preparing a proposal will be brought against the District. The consultant, by submitting a proposal, waives any claim for loss of profits if no agreement is entered into.

➤ **PROPOSAL FORMAT**

The Proponents are required to provide the following information:

- Description of the team’s expertise and qualifications.
- Description of the responsibility and tasks of each member of the team.
- Proposed work program and schedule of key tasks, deliverables and budget allotments corresponding with each task. Work plan will include an engagement plan outlining tasks associated with public and stakeholder consultation from project start up to completion.
- Total fee for service (including total hours and budget for each team member) include taxes, travel expenses and other disbursements.
- Reference to three (3) projects of similar size and scope completed by individual/firm.
- The Proponent will name two references who may be contacted concerning the performance of the Proponent on recent, similar projects.
- Authorization: The proposal will be signed by a representative of the Proponent.

It is expected that Proponents will review and demonstrate an understanding of current District documents in their response to the District’s request for proposals for the “District of Port Hardy OCP Review.” Relevant District documents and background information can be found on the District’s website at porthardy.ca.

- The proposal submission should address all factors identified as the evaluation criteria in the same order as above. Failure to address all factors will impair the proposal and the District will not be obliged to seek clarification or inclusion of vague or incomplete information in making its selection.
- The proponent should include statements concerning independence as follows:
 - Confirming that any other services performed by the proponent for the District will neither prejudice the independence of this project nor be in conflict of interest under any governing code of

professional ethics.

- The proponent should disclose information where there may be a conflict of interest or perceived conflict of interest (or state that there is no conflict of interest), including:
 - Information on the proponent's partners, managers and members of their immediate family who are on the Council of the District or in a senior management capacity with the District. The District's website contains the names of Council members and the District senior management. ("Immediate family" is defined as an individual's spouse and those dependent on the individual or the individual's spouse, whether related or not).
 - Clients of the firm who engage in significant activity with the District.
 - Clients or agents of the firm who are members of the Council or senior management of the District.
 - Information that may have been provided to Council that may influence the consideration of the proposal.

➤ **SUBMISSION OF PROPOSALS**

Proposals must be received on or before the Closing Time of:

TIME: 2:00 PM

DATE: Friday October 18, 2019

By Mail with envelope clearly marked **RFP 1220-20-533-2019** to:

District of Port Hardy

7360 Columbia Street, PO Box 68

Port Hardy, BC V0N 2P0

Office No. (250) 949-6665

By Email with subject line **RFP 1220-20-533-2019** to:

tenders@porthardy.ca

NOTE: Proponent to verify receipt of email submission by requesting a confirmation or calling the office to verify.

Proposals will be accepted until the Closing Time specified. It is the Proponent's sole responsibility to ensure its Proposal is received at the addresses set out above by the Closing Time. Proposals received after the Closing Time will not be accepted or considered. However, the District may consider extending the submission deadline should it be proven that preparation time is not sufficiently long. Requests for extension can be submitted to the above listed project contact.

More than one proposal from an individual, firm, partnership or association under the same or different names will not be considered.

Proposals will not be opened in the public.

➤ **INQUIRIES**

Proponents must carefully examine the RFP documents and should fully inform themselves as to the intent, existing conditions and limitations that may affect their Proposal submission. No consideration will be given after submission of a Proposal to any claim that there was any misunderstanding with respect to the conditions imposed.

Proponents finding discrepancies or omissions in the RFP, or having doubts as to the meaning or intent of any provision, should immediately notify the primary contact. If there are any changes, additions, or deletions to the Proposal scope, conditions, or closing date, Proponents will be advised by means of an Addendum issued by the District. All Addenda will become part of the Proposal documents and Proponents must acknowledge receipt of Addenda in the Proposal submission.

Verbal discussions between District Councillors or staff and a Proponent will not become a part of the RFP or modify the RFP or the Proposal unless confirmed by the District in writing.

➤ **INDEMNIFICATION**

The successful Contractor hereby releases and shall indemnify and save harmless the District, its officers, employees, officials, agents, contractors and representatives from and against any and all claims, costs, damages, actions, causes of action, losses, demands, payments, suits and expenses, legal fees or liability arising from:

- errors, omissions or negligent acts of the Contractor, its officers, agents, members, employees, contractors or subcontractors, or any other person for whom the Contractor is in law responsible in the performances of the Services;
- the breach, violation or non-performance of this RFP by the Contractor, its officers, agents, members, employees, contractors or subcontractors, or any other person for whom the Contractor is in law responsible in the performance of the Services; or
- personal injury including death, property damage and loss arising out of, suffered or experienced by any person in connection with or during the provision of the Services under this RFP, including without limitation WorkSafeBC claims and assessments.

The release and indemnity contained above shall apply except to the extent that the claims, costs, damages, actions, causes of action, losses, demands, payments, suits, expenses or legal fees or liability arise from the negligence of the District, its officers, employees, officials, agents, contractors, or representatives.

The Contractor is solely responsible for and shall promptly pay all WorkSafeBC premiums and assessments relating to the performance of the Services under this Agreement, whether by the Contractor, its officers, agents, members, employees, contractors or subcontractors, or any other person for whom the Contractor is in

law responsible.

The release and indemnity contained above shall survive the termination of this Project.

6.0- EVALUATION AND SELECTION PROCESS

➤ PROPOSAL EVALUATION

The District will first check proposals against the mandatory requirements. Proposals not meeting all mandatory requirements will be rejected without further consideration. Proposals that meet all the mandatory requirements will then be assessed against the criteria for assessment.

Only the information contained in the proposal will be used to evaluate the proposal. There will not be an opportunity to make a presentation to the evaluation committee beyond the information contained in the proposal.

The possibility of actual or perceived conflict of interest or lack in independence will be considered. If, in the opinion of the District a reasonable person would perceive there to be a conflict of interest or lack of independence on the part of the Proponent, the proposal will be rejected.

The District, at its sole discretion, reserves the right to:

- Reject any or all Proposals whether complete or not;
- Reject any Proposal it considers not in its best interests;
- Waive any minor irregularity or insufficiency in the Proposal submitted;
- Not be liable for misunderstandings or errors in the Request for Proposal;
- Issue addenda to the Request for Proposal;
- Contact references provided by the Proponents;
- Retain independent persons or contractors for assistance in evaluating Proposals;
- Request points of clarification to assist the District in evaluating Proposals;
- Negotiate changes with the successful Proponent; and
- Withdraw the Request for Proposal.

➤ MANDATORY REQUIREMENTS

The following are mandatory requirements. Proposals not clearly demonstrating that they meet them will receive no further consideration during the evaluation process.

- The proposal must be received by the closing date and time.
- The proposal must be signed by a person authorized to sign on behalf of the Proponent.
- The proposal must be in English.
- The Proponent must provide written confirmation of the Proponent's independence and that the Proponent has no conflict of interest with respect to the public body.

➤ **CRITERIA FOR ASSESSMENT**

Proposals meeting the mandatory requirements will be assessed against the criteria and weighting noted below:

Methodology and Approach – 30%

- Consideration is given to whether the proponent has effectively addressed each aspect of the Request for Proposals, thoroughly understood the requirements of the Request for Proposal, chosen a suitable approach, and identified problem areas.

Capability and Experience– 30%

- The experience with previous projects of a similar or relevant nature.

Pricing – 20%

- The total project cost, **excluding taxes**, for the requested work shall be provided, including cost breakdowns as follows:
 - principal contractor fees – hourly rate and estimated hours required to complete project.
 - sub-consultant fees, if any – total amount allocated for sub- contracted work.
 - travel costs – total amount allocated for travel.
 - other out of pocket costs, if any.

Timeline – 20%

- The proponent’s availability of resources and workplan must clearly demonstrate project completion.

7.0- FEES AND DISBURSEMENTS

The Proponent shall provide a lump sum cost. Any costs incurred by the Consultant above the submitted lump sum costs will be the sole responsibility of the Consultant unless pre-approved by the CAO.

A schedule of hourly rates for all personnel proposed, equipment and disbursement rates for the project shall be included in the Proposal. Ensure sufficient detail is provided to facilitate evaluation of level of effort by task and cost.

Fee Estimates must include all applicable taxes but show taxes as separate items.