



## **City of Burleson**

# **REQUEST FOR QUALIFICATIONS**

**Reference Number: #2020-003**

**Project Title: Zoning Ordinance Update**

**Qualification Due Date: 3:00 P.M.(CST), August 17, 2020**

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# Request for Qualification

Date: July 22, 2020

RFQ #:2020-003

From: Justin Scharnhorst, Purchasing Manager, City of Burleson  
[jscharnhorst@burlesontx.com](mailto:jscharnhorst@burlesontx.com)

**1. INTRODUCTIONS:** City of Burleson requests an immediate qualification for Vendor(s) “**The City of Burleson, Texas is interested in engaging talented professional services to update our Zoning Ordinance in conjunction with the Development Services staff and City leadership.**”

**QUALIFICATION DUE NO LATER THAN August 17, 2020 @ 3:00 P.M.**

**2. PAYMENT TERMS:** Payment Terms for the City of Burleson are net 30 days after the City’s receipt of the Vendor’s invoice(s). Vendor should perform all services and provide all products, as determined by the City, prior to issuing the invoice(s). All charges are to be less sales tax as the City is sales tax exempt. Vendor’s invoice must include:

- A. Name, address, telephone number, and fax number of vendor
- B. Name of requesting department
- C. Job site location (if applicable)
- D. Itemized description of services and/or product
- E. City’s Purchase Order number
- F. City’s RFQ number referenced above

**Mail invoices directly to:** Accounts Payable  
City of Burleson  
141 West Renfro  
Burleson, TX 76028  
or  
via email to [finance@burlesontx.com](mailto:finance@burlesontx.com)

Payment will be processed after requesting department notifies Finance that **all** services are satisfactorily performed and/or products are received in the expected condition from the Vendor. ***All submitted Qualification must be accompanied by a signed and completed Form CIQ. Qualification received without this form may be considered ‘non-responsive.’***

**3. CERTIFICATION OF AGREEMENT:** Please indicate below that vendor’s Agreement will be subject to and comply with all applicable federal, state, and local laws, ordinances, rules and regulations.

**Yes, We agree**

**No, We do not agree**

**4. INSURANCE:** The Vendor, consistent with its status as an independent contractor, shall carry, and shall require any of its subcontractors to carry, at least the following insurance in such form, with such companies, and in such amounts (unless otherwise specified) as City may require:

**4.1. Worker’s Compensation and Employer’s Liability insurance,** including All States Endorsement, to the extent required by federal law and complying with the laws of the State of Texas;

**4.2. Commercial General Liability insurance,** including Blanket Contractual Liability, Broad Form Property Damage, Personal Injury, Completed Operations/Products Liability, Premises Liability, Medical Payments, Interest of Employees as additional insureds, and Broad Form General Liability Endorsements, for at least One Million Dollars (\$1,000,000) Combined Single Limit Bodily Injury and Property Damage on an occurrence basis;

**4.3. Comprehensive Automobile Liability insurance** covering all owned, non-owned or hired automobiles to be used by the Contractor, with coverage for at least One Million Dollars (\$1,000,000) Combined Single Limit Bodily Injury and Property Damage.

## APPENDIX A – SCOPE OF SERVICES

RFQ# 2020-003

### **1. SUBMITTING VENDOR INFORMATION:**

Vendor Company Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Texas Certified Vendor # (CMBL): \_\_\_\_\_ HUB: Yes No (*circle one*)  
Vendor Physical Address: \_\_\_\_\_  
Vendor Mailing Address: \_\_\_\_\_  
Owner Name (please print): \_\_\_\_\_ TIN: \_\_\_\_\_  
Owner Phone: \_\_\_\_\_ Owner Email: \_\_\_\_\_

### **2. SCOPE OF SERVICES:**

The City of Burleson is requesting Statements of Qualifications (SOQs) from qualified, multidisciplinary professionals in the fields of urban planning, architecture, historic preservation, Form Based Codes, community development and computer visualization to assist in the preparation of a new Zoning Ordinance and design guidelines.

The current Zoning Ordinance was adopted 2010, and has been amended periodically from time to time. In its current form, the Ordinance fails to meet the City’s needs in several areas. It is a conventional use based, “Euclidean” model ordinance that segregates uses and offers little guidance on how streets and buildings will function, and on the form or human interaction elements of neighborhood development. The City desires professional planning and zoning assistance to explore and develop a practical and useable hybrid ordinance that incorporates the goals identified in the City’s Comprehensive Plan update effort, currently underway.

The City’s Comprehensive Plan identifies 20 goals for Burleson’s future. The plan outlines a general growth and development vision for the City and several specific goals with certain recommendations intended to assist in the accomplishment of that goal. Staff has included our draft Comprehensive Plan goals still under consideration by the City Council, which should be adopted by the time the contract is really underway.

An initial Diagnostic Report was prepared by a previous consultant in 2016. The diagnostic report has provided staff the data to move forward with the Comprehensive Plan efforts and the start of the Zoning Ordinance update.

The following professional planning services and general scope of work is anticipated. However, consultants are encouraged to expand on this description and to suggest alternative approaches they believe will better achieve the City’s objectives within budget:

**2.1 Initial Review and Analysis.** The previous consultants worked with the Planning Commission, the Zoning Administrator, the City Manager and the City Council in a thorough review of the current Zoning ordinance and prepared a Zoning Diagnostic Report. The primary purpose is to update the Zoning Ordinance to current industry standards and make it more useful for staff and the development community. The Zoning Diagnostic report is a checklist to start getting the City of Burleson to those items noted above.

**2.2 Stakeholder Interviews and Charrette.** This element will involve key community stakeholders in a series of interviews to communicate community goals and to gain a better understanding of stakeholder objectives and concerns. These sessions will also be used to educate and inform residents, land owners, developers and others about the advantages and challenges of a form-based approach at specific nodes in the Transit Oriented Development and possibly the Old Town Overlay District. It is expected that as the stakeholder interviews

proceed, the consultant will maintain frequent and complete communication with the City staff.

The consultant and staff will host a visioning charrette intended to move from general visions to specific form-based recommendations including street type, neighborhood type, building form, liveable neighborhoods, pedestrian connections and design strategies. These will be developed in concept, based on the overall vision of the City and will form the basis for the actual ordinance. The goal of the charrette process will be to form a consensus among participants concerning practical neighborhood, street and building form for general areas of Burleson.

**2.3 Zoning Code.** The consultant will work with the Planning and Zoning Commission, City Council and staff to develop the initial and final draft of an updated Zoning ordinance. This process will involve several steps including resolution of the final form of the ordinance, development of key definitions and general provisions, creation of ordinance graphics and finally regulatory language. The City will expect advice from the consultant in working with the staff on the most effective form for the regulatory structure incorporated in a hybrid ordinance. Thus, some elements of the ordinance regulatory structure may be more effectively handled in such guideline documents and the consultant will be expected to provide advice on the most effective means to incorporate this approach and to develop such advisory texts or patterns that will preserve the best of the City of Burleson and create more vibrant places; with a focus on urban form. The City anticipates a user-friendly and realistic ordinance, rich in graphics and illustrations that is practical and responsive to existing conditions and the City's Comprehensive Plan goals and objectives.

It is expected that the consultant will be responsible for the assembly of the initial and final draft, but some tasks may be delegated to city staff under the direction of the consultant. A key element of this process must be the on-going involvement of the City staff. In addition, the consultant may revisit with stakeholders or charrette participants to test concepts and approaches to assure that the emerging document is at once responsive to the overall vision, yet practical in its application.

**2.4 Presentation.** The presentation sessions will be structured as informal, open houses including story-board or other presentation formats to introduce the draft document and to explain how it varies from the current and how it supports the goals of the Comprehensive Plan to a selected group of stakeholders and the public. . The form of the open house will be at the direction of the consultant, but the City desires a brief synopsis of the draft ordinance which may be prepared as a hand-out for open house attendees. Following these meetings, the consultant will confer with the City's planning team to resolve any major issues on the draft. Remaining implementation tasks will be completed by the consultant. Final adoption of the ordinance will be the responsibility of the City staff.

**2.5 Deliverables.** The consultant will be expected to provide the draft ordinance and final ordinance and all graphics and, the synopsis and any hand-outs used in public meetings electronic form. In addition, all text produced through this assignment will be provided in "hard copy" and electronic form.

### **3. GENERAL INFORMATION:**

The City of Burleson reserves the right to accept or reject any or all qualifications and to accept only those qualifications that are in the best interest of the City. There is no expressed or implied obligation for the City to reimburse responding firms for any expenses incurred in preparing responses to this request. There is no expressed or implied obligation for the City to assign any project to selected firms during the active term. . The City reserves the right to retain all responses and to use any ideas included in a response regardless of whether that response is selected. Submission of a response indicates acceptance by the firm of the conditions contained in this request for qualifications (RFQ), unless clearly and specifically noted in the response and confirmed in the contract between the City and the firm selected. Each responding firm certifies by submission of their qualifications that neither it nor its principals are presently debarred, suspended, proposed for debarment declared ineligible, or voluntarily excluded from participation in this transaction by any Federal, state, or local, department or agency. Respondents must possess the required professional license(s) to practice in Texas and the Firm must be registered with the State of Texas.

#### **4. PROPOSAL FORMAT:**

The SOQ shall include a **one-page** cover letter plus a maximum of thirty-five (35) pages to address the SOQ criteria specified herein (including resumes). The table of contents and divider pages (not required) **will** count towards the total page count. The cover letter, front and back covers, and certificate of insurance **will not** count towards the total page count.

Qualification must be submitted electronically through Bonfire and received by **August 17, 2020 at 3:00 p.m.** Please visit <https://burlesontx.bonfirehub.com/login> and register for this free service. Once an account is created, the qualification can be submitted electronically via Bonfire by selecting the appropriate Qualification Identification and following submittal instructions.

Compliance with HB 89: Proposer agrees per HB 89 vendor shall not boycott Israel at any time while providing products or services to the City of Burleson.

**Yes, we agree**                       **No, we do not agree**                       **N/A**

Compliance with SB 252: Proposer agrees per SB 252 vendor shall not do business with Iran, Sudan or a foreign terrorist organization while providing products or services to the City of Burleson.

**Yes, we agree**                       **No, we do not agree**

#### **5. SELECTION:**

The consultants will be selected in accordance with Professional Services Procurement Act, Section 2254.004, Texas Code: In procuring professional services, a government entity shall:

- a) First select the most highly qualified provider of those services on the basis of demonstrated competence and qualifications; and
- b) Attempt to negotiate with that provider a contract at a fair and responsible price.

Information included within the SOQ may be used to evaluate your firm as part of any criteria regardless of where that information is found within the SOQ. Information obtained from the SOQ and from any other relevant source may be used in the evaluation and selection process.

Lobbying of selection committee members, City Staff or City Council Members will not be permitted or tolerated during the RFQ process.

#### **6. EXPECTANCIES:**

A response to this solicitation is an offer to enter into negotiations and contract with the City based upon the terms, conditions, and specifications contained in the City's solicitation.

**6.1. CIQ Form:** Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator (or designee) of the City of Burleson not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

**6.2. Insurance:** ALL RESPONDENTS must submit proof of insurance with the SOQ. Proof shall be by submission of copies of current policies or current Certificates of Insurance, including the effective dates of coverage. Upon selection, the City of Burleson shall be listed as an Additional Insured.

**6.3. Cover Letter:** The cover letter should be signed by a member of the consulting firm empowered to commit the firm to a contractual arrangement with the City. The cover letter should also identify the firm submitting the proposal and any sub-consultants that may be proposed. It should generally outline your understanding of the assignment.

**6.4. Work Approach and Timeframe:** Present a detailed description of the work you propose to fulfill the requirements of this request for proposal. For each task, describe the activity, the intended results, any work or activity you assume will be conducted by the City and an anticipated timeframe for completion.

**6.5. Professional Staff:** Describe which individual professionals would work with the City, their respective roles in the project and provide professional resumes of each key member of the project team.

**6.6. Qualifications and References:** Provide descriptions of at least four recent prior experience/projects with other clients, which is relevant to the challenges of this assignment. For each project, include the name, title and phone number of a representative that the City may contact to discuss your experience. Please also provide a listing of your team members that worked on the projects.

## **7. EVALUATION OF PROPOSALS:**

The City will evaluate all submitted proposals based on the responsiveness of the work approach proposed, the qualifications of the staff that will work with the City, the overall qualifications of the firm and the fees. Specifically, the City is seeking consultants with the following capabilities and experience:

1. Cover Letter: 5%
2. Work Approach/Timeframe: 25%
3. Staff Expertise: 30%
4. Qualifications/References: 30%
5. Past experience with the City 10%

The City may schedule oral interviews with some or all of the firms responding and, in that event, the outcome of such interviews may influence the evaluation of proposals.

## Appendix B – Form CIQ

### **INFORMATION REGARDING VENDOR CONFLICT OF INTEREST QUESTIONNAIRE**

**WHO:** The following persons must file a Conflict of Interest Questionnaire with the City if the person has an employment or business relationship with an officer of the City that results in taxable income exceeding \$2,500 during the preceding twelve – month period, or an officer or a member of the officer’s family has accepted gifts with an aggregate value of more than \$250 during the previous twelve – month period and the person engages in any of the following actions:

1. contracts or seeks to contract for the sale or purchase of property, goods or services with the City, including any of the following:
  - a. written and implied contracts, utility purchases, purchase orders, credit card purchases and any purchase of goods and services by the City;
  - b. contracts for the purchase or sale of real property, personal property including an auction of property;
  - c. tax abatement and economic development agreements;
2. submits a bid to sell goods or services, or responds to a request for proposal for services;
3. enters into negotiations with the City for a contract; or
4. applies for a tax abatement and/or economic development incentive that will result in a contract with the City

**EXCLUSIONS:** A questionnaire statement need not be filed if the money paid to a local government official was a political contribution, a gift to a member of the officer’s family from a family member; a contract or purchase of less than \$2,500 or a transaction at a price and subject to terms available to the public; a payment for food, lodging, transportation or entertainment; or a transaction subject to rate or fee regulation by a governmental entity or agency.

**WHAT:** A person or business that contracts with the City or who seeks to contract with the City must file a “Conflict of Interest Questionnaire” (FORM CIQ) which is available online at [www.ethics.state.tx.us](http://www.ethics.state.tx.us) and a copy of which is attached to this guideline. The form contains mandatory disclosures regarding “employment or business relationships” with a municipal officer. Officials may be asked to clarify or interpret various portions of the questionnaire.

**WHEN:** The person or business must file:

1. The questionnaire – no later than seven days after the date the person or business begins contract discussions or negotiations with the municipality, or submits an application, responds to a request for proposals or bids, correspondence, or other writing related to a potential contract or agreement with the City; and
2. A n updated questionnaire – within seven days after the date of an event that would make a filed questionnaire incomplete or inaccurate.

It does not matter if the submittal of a bid or proposal results in a contract. The statute requires a vendor to file a FORM CIQ at the time a proposal is submitted or negotiations commence.

**WHERE:** The vendor or potential vendor must mail or deliver a completed questionnaire to the Finance Department.

**ENFORCEMENT:** Failure to file a questionnaire is a Class C misdemeanor punishable by a fine not to exceed \$500. It is an exception to prosecution that the person files a FORM CIQ not later than seven business days after the person received notice of a violation.

**NOTE:** The City does not have a duty to ensure that a person files a Conflict of Interest Questionnaire.

# CONFLICT OF INTEREST QUESTIONNAIRE

## FORM CIQ

For vendor or other person doing business with local governmental entity

### OFFICE USE ONLY

Date Received

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

**1** Name of person who has a business relationship with local governmental entity.

**2**  Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

**3** Name of local government officer with whom filer has employment or business relationship.

\_\_\_\_\_  
Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes       No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes       No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes       No

D. Describe each employment or business relationship with the local government officer named in this section.

**4**

\_\_\_\_\_  
Signature of person doing business with the governmental entity

\_\_\_\_\_  
Date

Adopted 06/29/2007

## Appendix C: No Intent to Submit Form

If your firm has chosen not to submit a qualification for this procurement, please complete this form and submit to:

**City of Burleson**  
**Purchasing Division, Department of Finance**  
**141 West Renfro**  
**Burleson, Texas 76028**  
**Phone: 817-426-9646**

or

Via email to [jschamhorst@burlesontx.com](mailto:jschamhorst@burlesontx.com)

Please check all items that apply:

- |   |   |
|---|---|
| <input type="checkbox"/> Do not sell the item(s) required                               | <input type="checkbox"/> Cannot provide Insurance required              |
| <input type="checkbox"/> Cannot be competitive  | <input type="checkbox"/> Cannot provide Bonding required                |
| <input type="checkbox"/> Cannot meet specifications highlighted in the attached request | <input type="checkbox"/> Cannot comply with Indemnification requirement |
| <input type="checkbox"/> Job too large  | <input type="checkbox"/> Job too small                                  |
| <input type="checkbox"/> Do not wish to do business with the City of Burleson           | <input type="checkbox"/> Other: _____                                   |
| <input type="checkbox"/> Cannot submit electronically                                   |   |

Company Name: \_\_\_\_\_

Authorized Officer Name (Please print): \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_

I learned of this Request for Qualification by the following means:

- |   |   |
|---|---|
| <input type="checkbox"/> City Advertisement | <input type="checkbox"/> City E-mail Notification |
| <input type="checkbox"/> Website            | <input type="checkbox"/> Cold Call to City        |
| <input type="checkbox"/> Mailed Me a Copy   | <input type="checkbox"/> Other                    |
| <input type="checkbox"/> Bonfire            |   |