



City of Kenmore
Request for Proposals (RFP)

RFP Number: 23-C2995

RFP Title: Kenmore Middle Housing Code Development & Comprehensive Plan Amendments

Date Issued: Friday, December 15, 2023

Submittals Due: **Friday, January 5, 2024, 9:00 AM**
Submittals shall be delivered electronically no later than 9:00 AM on Friday, January 5, 2024. Proposals shall be marked and referenced as RFP #23-C2995, Kenmore Middle Housing Code Development & Comprehensive Plan Amendments. Proposals submitted after the deadline date and time will not be accepted. Only proposals submitted electronically will be accepted. Proposers should request confirmation that the proposal has been received.

Publication Dates: Seattle Times, Daily Journal of Commerce
Friday, December 15, 2023
Friday, December 22, 2023
Washington Chapter APA – Friday, December 15, 2023

Submittal Address:

Electronic: bids@kenmorewa.gov

Section 1 – GENERAL INFORMATION

NOTICE:

Notice is hereby given that the City of Kenmore, Washington (the City) seeks Proposals in response to this Request for Proposals (RFP) #23-C2995. A proposal submitted in response to this RFP must be filed with the City electronically by 9:00 AM on Friday, January 5, 2024. The City encourages submittals from a team of land use & urban design professionals (hereafter referred to as “team”) that demonstrate a commitment to equal employment opportunity.

PURPOSE:

The City of Kenmore is requesting a scope of work and associated cost proposal from a consulting team to develop amendments to Kenmore’s Comprehensive Plan Housing and Land Use chapters and also develop new middle housing regulations, including: new cottage housing regulations; new unit lot subdivision regulations; small houses on small lots regulations; and amending existing accessory dwelling unit regulations.

DURATION OF SERVICES:

The term of the Contract will be from approximately February 2024 to December 2024. The Contract resulting from this RFP shall remain in effect until completion and final payment of the services described in the Contract, unless amended or terminated in accordance with the City's contractual policies.

RFP SCHEDULE:

(These dates are estimates and subject to change by the City)

Event	Date
RFP Release	December 15, 2023
Deadline to Submit Questions	January 3, 2024 5:00 PM
City Staff Posts Responses to Website	January 4, 2024
Submittals Due	January 5, 2024 9:00 AM
Submittal Evaluation Complete	January 8, 2024
Finalist Interviews	Week of January 8-12, 2024
Selection	January 16, 2024
Contract scope development	Weeks of January 16, 2024, through February 2, 2024
City Council authorize contract execution	February 2024
Execute contract	February 2024

BACKGROUND INFORMATION AND BUDGET:

Kenmore is a relatively new city in King County, recently celebrating its 25th anniversary (incorporated August 31, 1998). Today the city is home to just under 25,000 residents. Most of Kenmore is developed with single-family residences, with multi-family and commercial uses located mainly along State Route 522 (SR-522/Bothell Way) which bisects the City from west to east. The city is ideally located at the north end of Lake

Washington, and in between Seattle and the Eastside suburbs. Stride Bus Rapid Transit (BRT) will be arriving in Kenmore along SR-522, with an expected opening date in 2026. The City will have three BRT stations and plans are underway for a significant Transit-Oriented Development in the area of a large existing Metro Park and Ride lot near downtown. VISION 2050—the approved multicounty planning policies for the region—identifies Kenmore as a High-Capacity Transit (HCT) community, with regional expectations for transit-supportive growth. King County has recently identified downtown Kenmore as a Countywide Growth Center.

Throughout 2022 and 2023, the City has been updating its Comprehensive Plan as part of the state required periodic update process. In 2022, the City Council adopted amendments to the Vision Statement, Housing, and Land Use Elements. In November, the City Council recently adopted amendments to Public Services, Utilities, Transportation, and Climate Action elements. A significant focus of the 2024 Docket will be updating the Comprehensive Plan Housing and Land Use Elements and developing new regulations to be consistent with recently passed State legislation regarding middle housing, allowing for mixed housing types in single-family residential areas.

The City, along with a consulting team, recently completed “Phase 1” of the middle housing scope of work, which included a city-wide analysis of appropriate locations for middle housing types, an extensive public engagement program, a racial equity analysis report, and analysis of development regulations and comprehensive plan policies.

As a result of the recent passage of State of Washington House Bill 1110 and HB 1337 in 2023, zoning and other related land use regulations and comprehensive plan policies need to be adopted to be consistent with state law. The City is seeking assistance from a land use consulting team to complete “Phase 2” of the project, which includes comprehensive plan and development regulations for middle housing, as well as amendments to accessory dwelling unit regulations. The City is also requesting amendments to its subdivision and land use regulations to allow for unit lot subdivisions, as well as small houses on small lots. Extensive community engagement was conducted during the initial phase of the project. A community engagement plan and process must be developed and implemented as part of the Phase 2 project.

The budget for the entire project scope is a not-to-exceed amount of \$85,000, which includes funding from Department of Commerce grants awarded in 2022-2023. Budget is inclusive of all deliverables, including draft/final development regulations, draft/final comprehensive plan amendments, photo libraries and informative graphics, public engagement, and presentations.

SCOPE OF SERVICES:

The City will evaluate proposals and select a land use team to perform the scope of work as outlined below. The team will be selected based on its ability to efficiently (in terms of

cost, time, and resources) and effectively perform the services requested as detailed below:

1. Review Phase 1 consultant analysis reports, existing City regulations, and other resources to identify necessary code and Comprehensive Plan amendments related specifically to middle housing, cottage housing, accessory dwelling units and unit lot subdivisions. Deliverable is a summary report of findings.
2. Prepare draft and final amendments to Housing and Land Use Elements of the Kenmore Comprehensive Plan related to newly adopted middle housing and accessory dwelling unit legislation.
3. Prepare draft and final regulations for middle housing, unit lot subdivisions, cottage housing, accessory dwelling unit regulations, and small houses on small lots regulations.
4. Preparation of informative graphics, tables, charts, and photos that accurately represent written development regulations and planning concepts.
5. Attending regular meetings with the City's Principal Planner (project manager for this project) and periodic meetings with the Community Development Director. Include proposed number of meetings and Team staff.
6. Attending meetings with Planning Commission and City Council regarding development regulations and comprehensive plan amendments. Number of suggested meetings and Team staff attending must be included in the scope of services.
7. Community engagement regarding draft regulations and comprehensive plan amendments. A proposed community engagement plan must be included in the scope of services.

Per requirements of the City's grant award, draft amendments to the Comprehensive Plan elements and draft regulations (Items 2 and 3 above) are due to Department of Commerce by June 15, 2024, with final versions adopted by City Council late November/early December 2024.

Upon authorization by the City Council, the City Manager will execute a contract with the team which will include the terms for providing these services to City staff.

SUBMITTAL REQUIREMENTS:

Responses to this RFP must include the following:

Letter of interest: Introduce the team and demonstrate the team's understanding of the nature of the proposal.

Personnel: Identify individuals and include brief resumes listing qualifications, including experience with producing similar items listed in the scope of services above, of key personnel who would be assigned to this project and describe the anticipated roles of team members in the project. Specify the Principal in Charge and the Project Manager who will serve as the primary contact person, as well as the team member(s) who will be

the primary authors and contributor during the project. Provide a chart showing the organizational structure of the project team, including any additional sub-consultants. The qualifications of each member of the team are important criteria in the selection process.

The selected team will not be allowed to substitute any members without prior approval by the City. The City, at its sole discretion, reserves the right to accept or reject proposed changes to the team. Team members may participate in multiple team submittals.

Experience: Briefly discuss the team's experience from 2-4 relevant projects (not exceeding 4), including client and project information, the firm's responsibility on the project, the challenges presented by the project, and the results or tangible efforts that have followed completion of the project.

Approach to Project: Discuss how the team would approach Kenmore's project, given your experience and the scope as presented. Identify key tasks, who will be responsible for completing them, and what is needed from the client or other sources to ensure successful completion. Include timeline expectations that reflect the team's experience in what is practical and feasible.

Estimated Effort and Proposed Budget: Estimate the team's effort by team member and demonstrate how the desired work can be completed in the timeline presented in this RFP. Provide a statement that clearly conveys the ability of proposed project personnel to complete the project in view of the firm's current workload. Provide a detailed budget breakdown, including project costs and billable rates for each component and team personnel assigned on the project.

Client References: Please provide three references from those who are familiar with your team's ability to undertake and complete comparable projects. Include contact names, titles, and contact information.

Required Number of Submittals: 1 electronic copy (.pdf)

All submittals will become the property of the City and will become public documents subject to public disclosure with limited exceptions. The Washington State Public Records Act (Chap. 42.56 RCW) requires public agencies in Washington to promptly make public records available for inspection and copying unless they fall within the specified exemptions contained in the act or are otherwise privileged. Qualifications submitted under the RFP process shall be considered public records and with limited exceptions will be subject to disclosure under state law.

Page Limit: The RFP response shall not exceed 20 pages (8.5" x 11"), not including cover letter and resumes.

EVALUATION PROCEDURES:

Submittals will be evaluated by Community Development staff, who will consider the completeness of a team's submittal and how well the qualifications of the team meet the needs of the City as outlined in this RFP. After a review of the submittals, City staff may at their discretion schedule interviews with one or more teams. The selected team will be chosen no later than January 16, 2024, whereafter a contract will be scoped and then authorized by City Council at a meeting in February 2024.

Evaluation Criteria: Submittals will be evaluated based upon the responsiveness of the submittal to this RFP. Evaluations will be based on criteria outlined herein, which may be weighted by the City in any manner it deems appropriate. Interviews with selected teams may be in person or through the online Zoom/Teams platform. All submittals will be evaluated using the same criteria and weighting.

Evaluations of the proposal will be based on the criteria listed below:

- Team's experience with comparable projects of this type and scope.
- Experience developing amendments to Comprehensive Plan elements, specifically Housing and Land Use elements.
- Demonstrated understanding of Middle housing and related code development experience, including cottage housing and small housing on small lots.
- Demonstrated understanding and related code development experience for accessory dwelling units and unit lot subdivision regulations and their application to middle housing.
- Project Manager/Team Lead's overall experience managing projects and processes of this type.
- Production team's overall experience and ability to produce accurate and easy to understand documents and graphics
- Creative community engagement methods that will be effective in reaching out to community-based organizations and disadvantaged groups in the Kenmore community.
- Availability to immediately begin work and work within tight deadlines.
- Proposed budget.
- Past performance and references.

QUESTIONS:

Questions regarding this project may be directed to the Kenmore City Clerk via e-mail at bids@kenmorewa.gov Please place "RFP 23-C2995 Middle Housing Code Development and Comprehensive Plan Amendments" in the subject line. The deadline for questions is 5 p.m., January 3, 2024. Responses will be posted on a rolling basis to the City's website. Final questions will be answered by January 4, 2024. Unauthorized contact regarding this RFP with other City employees may result in disqualification. Any oral communications will be considered unofficial and non-binding on the City.

All questions and answers will be posted on the City's website at <https://www.kenmorewa.gov/government/departments/finance-administration/working-with-the-city/requests-for-proposals>.

It is the responsibility of individual agencies to check the website for any amendments or Q&As related to this RFP.

For materials from Phase 1 of the Middle Housing project, see the Middle Housing section of [Framing the Future of Housing website](#). Documents are located on the left side of the page under 'Phase 1 Documents.'

For a list of Pre-Submittal FAQs, please see Attachment 1 of the RFP.

SECTION 2 - CODE OF CONDUCT POLICY - COMPETITIVE SOLICITATIONS

DEFINITIONS:

Solicitations: method of acquiring goods, services, and construction for public use in which offers are made to the City between two or more sources. Typical documents used by the City are titled: Invitation to Bid, Invitation to Quote, Request for Proposals, Request for Qualifications, Request for Information, or any other method of obtaining competitive offers.

Blackout Period: The period between the time a solicitation is issued by the City and the time the City awards the contract.

Lobbying: The attempt to persuade or influence any City employees, officials, or representatives responsible for reviewing, evaluating, ranking, or awarding the work or contract for goods or services for or against any solicitation; provided, however, that lobbying shall not include the submission of required materials in direct response to the solicitation according to the instructions to respondents in such solicitation.

CONDUCT OF PARTICIPANTS: After the issuance of any solicitation, all bidders, proposers, contractors, agencies, or individuals acting on their behalf are hereby prohibited from lobbying any City employee, official, or representative at any time during the blackout period.

SANCTIONS: The City may reject the submittal of any bidder, proposer, contractor, and/or team who violates the policy set forth herein.

REJECTION OF SUBMITTALS: The City reserves the right to reject any and all submittals and to waive irregularities and informalities in the submittal and evaluation process. This RFP does not obligate the City to pay any costs incurred by agencies in the

preparation and submission of their proposals. Furthermore, the RFP does not obligate the City to accept or contract for any expressed or implied services.

RFP ADDENDUMS: The City reserves the right to change the RFP schedule or issue addendums to the RFP at any time. The City also reserves the right to cancel or reissue the RFP. All such addenda will become part of the RFP. In the event that it becomes necessary to revise any part of this RFP, the City will issue the addenda on the City's website

(<https://www.kenmorewa.gov/government/departments/finance-administration/working-with-the-city/requests-for-proposals>).

It is the agencies' responsibility to confirm whether any addenda have been issued.

QUALIFICATION MODIFICATION & CLARIFICATIONS: The City reserves the right to request that any team clarify its submittal or to supply any additional material deemed necessary to assist in the evaluation of the submittal.

Modification of a submittal already received will be considered only if the request is received prior to the submittal deadline. All modifications must be made in writing, executed, and submitted in the same form and manner as the original submittal.

EXCEPTIONS: If a team takes exception to any term or condition set forth in this RFP and/or any of its Exhibits and Attachments (including Insurance Requirements), said exceptions must be clearly identified in the response to this RFP. Exceptions or deviations to any of the terms and conditions must not be added to the proposal pages but must be submitted in a separate document accompanying team's proposal and identified as "Exceptions." Such exceptions shall be considered in the evaluation and the award processes. The City shall be the sole determiner of the acceptability of any exception.

QUALIFICATION SIGNATURES: An authorized representative must sign submittals, with the team's address, telephone, and email information provided. Unsigned submittals may not be considered.

CONTRACT AWARD: The City reserves the right to make an award without further discussion of the submittals. The team selected as the apparently successful team will be expected to enter into a contract with the City. The City shall not be bound, or in any way obligated, until both parties have executed a contract. No party may incur any chargeable costs prior to the execution of the final contract.

The City reserves the right to award multiple contracts to multiple agencies for this scope of service if it is in the best interest of the City or use a contract different from the sample City contract.

SECTION 3 - TERMS & CONDITIONS

EQUAL OPPORTUNITY EMPLOYMENT: The successful team(s) must comply with the City of Kenmore equal opportunity requirements. The City of Kenmore is committed to a program of equal employment opportunity regardless of race, color, creed, sex, age, nationality, disability, or sexual orientation.

TITLE VI: It is the City of Kenmore's policy to assure that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities.

INSURANCE REQUIREMENTS: The selected team(s) shall maintain insurance that is sufficient to protect the team's business against all applicable risks, as set forth in the City's Standard contract (available upon request).

INDEMNIFICATION: The selected team will be required to indemnify the City in the manner identified in the City's Standard contract (available upon request).

BUSINESS REGISTRATION AND TAXATION: If applicable, the team(s) awarded the contract will be subject to City of Kenmore Business Registration and Business Taxation as presented in the Kenmore City Code.

NON-ENDORSEMENT: As a result of the selection of a team to supply products and/or services to the City, team agrees to make no reference to the City in any literature, promotional material, brochures, sales presentation, or the like without the express written consent of the City.

NON-COLLUSION: Submittal and signature of a proposal swears that the document is genuine and not a sham or collusive, and not made in the interest of any person not named, and that the team has not induced or solicited others to submit a sham offer, or to refrain from proposing.

COMPLIANCE WITH LAWS AND REGULATIONS: In addition to nondiscrimination and affirmative action compliance requirements previously listed, the team(s) ultimately awarded a contract shall comply with federal, state, and local laws, statutes, and ordinances relative to the execution of the work. This requirement includes, but is not limited to, protection of public and employee safety and health; environmental protection; waste reduction and recycling; the protection of natural resources; permits; fees; taxes; and similar subjects.

OWNERSHIP OF DOCUMENTS: Any reports, studies, conclusions, and summaries prepared by the team and submitted to the City shall become the property of the City.

CONFIDENTIALITY OF INFORMATION: All information and data furnished to the team by the City, and all other documents to which the team's employees have access during the term of the Contract, shall be treated as confidential to the City. Any oral or written disclosure to unauthorized individuals is prohibited.

FEDERAL DEBARMENT: The Bidder shall not currently be debarred or suspended by the Federal government. The Bidder shall not be listed as having an "active exclusion" on the U.S. government's "System for Award Management" database (www.sam.gov). Any team currently debarred or suspended by the Federal government or having an "active exclusion" will be automatically disqualified.