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STAFF REPORT

Item # 8

To: Lemoore City Council
From: Holly Smyth, Planning Director
Date: March 4, 2010
Subject: Contract Award for the Zoning Ordinance Update

Background:

On January 19th the City released Requests for Proposals (RFP) to Comprehensively Update the City's Zoning Ordinance and Development Codes so that they are brought into conformity with the 2030 General Plan. A posting was made on the American Planning Association's national RFP listing website and approximately 90 firms received direct mailings. Staff conducted a pre-bid conference call where 22 consulting firms expressed interest in the project and learned more about the scope of work. Two sets of question and answer briefings were posted to the City website and constitute part of the solicitation. At the close of business day on February 19th, the deadline date for submission, staff was in receipt of 10 proposals.

Over a week the appointed Review Committee made up of Mayor Murray, Council Member Siegel, Planning Commission Chairperson Kendall (later Vice-Chair Elgin) and Planning Director Smyth, reviewed the proposals and the sample documents of all of the firms and discussed their ratings at a February 26th meeting. The consultant group was then narrowed to the top 3 rated firms that included Design, Community & Environment, Dyett & Bhatia, and PMC. This selection was based on the total tabulated rankings by Committee members in four categories that included 1) qualifications of the firm and any sub-consultants, 2) relevant experience of key team members, 3) quality of work plans and products, and 4) cost in relation to services offered as spelled out in the RFP.

On March 2nd, the top firms gave presentations and were interviewed. Staff was directed to follow up with several clients of each firm which the group believed were needed in addition to pulling together comparable budgets and available options that the Committee favored. The initial proposal costs, once adjusting cost to only include 8 meetings for equal comparison, was DCE with \$162,000, Dyett & Bhatia with \$170,000, and PMC with \$146,035.

On March 4th, the Committee met a final time to discuss their ratings from the interview presentations and came up with ranking sub-totals. Reference information was then shared and only reinforced the group rankings: PMC is the recommended Consultant. Because of the reduced price, the Committee felt that the contract should allow for some additions to accommodate a more effective document and enhanced public participation as determined by staff as public workshops help define. The initial thoughts were to include the following tasks:

- Provide up to two additional meetings (one for additional stakeholder outreach and one to refine design preferences with clicker technology) at cost quote of \$1,110 (x 2).
- Provide up to three design concept renderings which show the before picture of an area and enhanced after potential design layout for a city block that reflects the zoning policies. This could include 1 new area of town by the College that is mixed use and 1 area that is half developed in downtown at cost quote of \$11,600.
- Other items as determined so long as it does not exceed budget.

The project will cause other required internal expenses to the City from City Attorney and City Engineer, in addition to publications, mailings, noticing, and part-time staffing costs to complete the project. Most of these costs will be incurred in the 2010/11 Fiscal Year and will be programmed into next years budget. It is estimated that these one-time expenses would be about \$40,000.00 - \$50,000.00 to carry out the work the City stated they would be responsible for as part of the overall project.

Due to the above internal cost and the desire to reduce the original budget of \$235,000 (for consulting fees only) and shrinking budgets, staff feels that a 10% contingency to the contract is more than enough to cover additional work that may be wanted, which would add \$14,605 to the base proposal for a total contact amount not to exceed \$160,640.

Budget Impact:

The Fiscal Year 2009/10 O & M Budget includes \$235,000 for the project. However, costs not incurred this fiscal year will need to be included as one time costs in the Planning Department budget for FY 2010/11 which will affect associated contract services by not only the proposed award, but also the attorney and engineer for various reviews prior to adoption, in addition to required publications, mailings, noticing, and part-time staffing costs needed to complete the project. It is estimated that the total spent during this fiscal year and 2010/11 will be about \$200,000.

Recommendation:

Staff recommends that the City Council Award the Comprehensive Zoning and Development Code update to PMC in the amount of \$160,640, which includes the \$146,035 base price (for services defined in the City's RFP and the consultant's proposal) and up to \$14,605 in additional work as determined by staff in writing as needed during the project and direct the City Manager to execute the contract.