

REPORT TO COUNCIL
RFP BACKGROUND STUDY FOR MDP REVIEW
January 8, 2025

COUNCIL DECISION	
	TOPIC: Request for Proposals (RFP) for background study that will inform a fulsome Municipal Development Plan (MDP) review.
Prepared by: Julie McLean	

BACKGROUND:

October 30, 2024, administration brought a report to Council regarding undertaking an MDP review. Administration proposed that a two-phase review be undertaken. Phase 1 would be a limited scope review contemplating only those amendments that would be required to bring the MDP into alignment with the CMRB Growth Plan. Phase 2 would be a more fulsome review to modernize policy, ensure that the goals and objectives are still in alignment with Council and resident priorities, and address some emerging issues like alternative energy generation development.

During the October 30th discussion administration also suggested that in anticipation of the fulsome MDP review Council may wish to consider hiring a consultant to undertake technical background studies that would inform the MDP review process. A number of examples of studies that could be undertaken were provided and discussed.

With the uncertainty around the status of the CMRB and the Growth Plan, the Phase 1 review may no longer be required. Should Council wish to proceed with the fulsome review (regardless of whether the Phase 1 review is undertaken), Council may wish to consider issuing an RFP for a technical background study. Administration suggest that the RFP would be sent to selected consultants that are known to undertake this kind of work.

PREVIOUS COUNCIL DIRECTION:

Subsequent to discussion of the MDP review project at the October 30 Council meeting, Council approved the following motion:

Resolution 914

Moved by: Deputy Reeve Waldorf

That Council direct administration to provide Council with information and detail for an RFP to commission a report to support an MDP update that includes a land use inventory and growth forecasts in residential and employment.

REQUEST OF COUNCIL:

In Appendix A administration has provided a draft RFP for a technical background study to support an MDP review for Council's review and consideration. Council is asked to discuss the draft RFP and provide direction to administration.

SUGGESTED MOTION:

Council directs administration to send out the RFP to selected consultants and report back to Council with a recommendation once proposals have been received and evaluated.

Council may wish to provide additional direction including if there are any changes to the RFP that should be incorporated prior to it being sent out.

APPENDICES:

APPENDIX A: Draft RFP for MDP Background Study



REQUEST FOR PROPOSALS

January 20, 2025

MUNICIPAL DEVELOPMENT PLAN BACKGROUND STUDY

Foothills County
High River, Alberta

CLOSING DATE:

February 28, 2025, at 4:00 p.m. (Mountain Time)

Foothills County reserves the right to cancel this Request for Proposals at any time without any liability to the County.

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PART I – Instructions to Proponents

1.1. INTRODUCTION

Foothills County (“FC” or “the County”) is inviting proposals from consulting firms, or groups of consultants, to complete a background study to support the County undertaking a Municipal Development Plan (MDP) review.

This is a Request for Proposals and not a call for tender and is not subject to the law of competitive bidding. No contractual obligations will arise between the County and any Proponent until, and unless, the County and a Proponent enter into a formal, written contract to provide the required services.

1.2. RFP DOCUMENTS

The following documents are attached to and form part of this RFP:

Schedule “A” - Proposal Content Requirements

1.3. INQUIRIES

- 1.3.1. Any inquiries concerning this RFP should be directed in writing by email to the following:

Heather Hemingway, Director of Planning

E-mail: Heather.Hemingway@FoothillsCountyAB.ca

- 1.3.2. All inquiries should be received by FC **on or before February 28, 2025 at 4:00 PM** (local time).
- 1.3.3. FC may circulate its response to any inquiries to all proponents, along with the original inquiry or may choose not to reply to any inquiry.

Proponents should refrain from contacting other employees, agents or members of Council of FC in respect of this RFP process, including for the purposes of lobbying or attempting to influence the outcome of this RFP process. Any such contact may, in FC’s sole discretion, result in disqualification.

1.4. SUBMISSION OF PROPOSALS

- 1.4.1. Proposals must be in electronic format.
- 1.4.2. Proposals must be submitted electronically via email to Heather Hemingway, Director of Planning for FC, at the following email address: Heather.Hemingway@FoothillsCountyAB.ca

- 1.4.3. The Subject line of the email should read “Proposal for Background Study to support Foothills County MDP review”
- 1.4.4. FC is not responsible for any submissions not received for any reason, such as, but not limited to, incorrectly used email, server issues, or spam filters.
- 1.4.5. If you require additional time to submit your proposal, you should contact Heather Hemingway by email. FC may, in its sole discretion, allow additional time for proponents to submit a proposal.
- 1.4.6. Proposals and accompanying documentation provided to FC in response to this RFP will not be returned.

1.5. CONTENT OF PROPOSALS

- 1.5.1. Proposals should address the items set out in Schedule "A" - Proposal Content Requirements
- 1.5.2. Proponents may provide additional information or proposals for value added items beyond that requested in the RFP for FC’s consideration. Any such additional information may be considered by FC in its sole discretion.
- 1.5.3. Proponents may be asked to submit additional information pertaining to their past experience, qualifications and such other information that FC might reasonably require.

1.6. COST OF PROPOSALS

- 1.6.1. FC is not responsible for any costs incurred by proponents in preparing their proposals, attending any meetings or interviews with FC, making any presentations to FC in connection with their proposals, or otherwise incurred in connection with this RFP process.

1.7. EVALUATION PROCESS

- 1.7.1. Proposals will be opened and evaluated privately.
- 1.7.2. In assessing proposals, FC will take into consideration the following evaluation criteria:
 - a) qualifications and experience of the proponent (lead consultant) and its personnel in the service areas being offered;
 - b) qualifications and experience of any proposed sub consultants and their lead personnel in the service areas being offered;
 - c) demonstrated ability to perform the work required on schedule and within the allotted budget;

- d) demonstrated understanding of the project and the project goals;
- e) proposed project approach and methodology including how the project will be phased;
- f) completeness of the work plan;
- g) fee proposal and its breakdown of various components;
- h) overall quality of the presentation of the submission; and
- i) such other criteria as the County considers relevant.

1.7.3. Proposals will be evaluated on the basis of the information provided in response to these Instructions to Proponents. In addition, in assessing the proponent's qualifications, experience and capacity, FC may also consider the following:

- a) clarifications and/or additional information that may be supplied pursuant to requests from FC;
- b) interviews and/or reference checks that may be conducted at FC's discretion;
- c) previous experience of FC in working with the proponent; and
- d) information received from any source that FC considers reliable.

FC has not predetermined the relative importance of the above evaluation criteria.

1.7.4. FC has no predetermined preference for selecting specialized firms that work in a limited number of specialized areas or for full-service firms that work in all or most of the required areas of expertise.

1.7.5. FC expects to select a firm who provides the best combination of the preceding evaluation criteria to meet the anticipated service needs of the County as determined by the County in its sole discretion.

1.7.6. Proponents are advised that the evaluation process is subjective in nature and the County's intention is to consider, in its sole discretion, each proposal on its merits, without regard to the rules or principles of competitive bidding or other legal duties.

1.7.7. An invitation to interview or to negotiate does not obligate FC to conclude a Consulting Services Agreement with that proponent. FC may interview or may negotiate any aspect of any proposal with one or more proponents at any time.

1.8. INTERVIEWS WITH PROPONENTS (IF NECESSARY)

- 1.8.1. FC may short-list proponents and conduct interviews with short-listed proponents at its sole discretion. Furthermore, FC may negotiate any and all aspects of a proposal, including but not limited to the fee proposal, lead personnel and Consulting Services Agreement terms.
- 1.8.2. An invitation to interview or to negotiate does not obligate FC to conclude the Consulting Services Agreement with that proponent. FC may interview or may negotiate any aspect of any proposal with one or more proponents at any time.

1.9. NOTIFICATION

- 1.9.1. FC will notify all unsuccessful proponents after entering into a definitive agreement with the successful proponent. Unsuccessful proponents may request a debriefing interview to obtain feedback on their proposal after receiving this notification.

1.10. ANTICIPATED SCHEDULE FOR RFP PROCESS

- 1.10.1. The following is the anticipated schedule of events related to this RFP. These dates are provided as target dates only and may be changed at any time by Foothills County in its sole discretion:
 - a) RFP Released: Jan 20, 2025
 - b) Inquiries respecting RFP by Feb 6, 2025
 - c) Closing Date: Feb 28, 2025
 - d) Tentative Evaluation: Approx. 4 weeks following Closing Date
 - e) Interviews with Proponents (if necessary) TBD
 - f) Consulting Services Agreement Execution: April 18, 2025

1.11. FORM OF AGREEMENT

- 1.11.1. Any successful proponent(s) will be expected to enter into a Consulting Services Agreement as agreed to by FC and a chosen proponent.

1.12. EFFECT OF RFP

- 1.12.1. This RFP is not intended to be a tender or otherwise subject to the laws applicable to competitive bidding. Until such time as FC signs a definitive Consulting Services Agreement with a proponent, FC does not intend to create a contractual relationship including a bid agreement/contract (either express or implied) with any proponent submitting a response to this RFP.

- 1.12.2. Submission of a proposal does not obligate FC to accept any proposal or to proceed further with any of the Service. Consideration of any proposal shall be in FC's sole discretion.
- 1.12.3. Proposals may be withdrawn or amended by proponents at any time by written notice to FC prior to FC and a proponent signing a formal agreement.
- 1.12.4. Proponents are advised that FC is intending to conduct a flexible procurement process, not subject to the law of competitive bidding, and that FC may, in its sole discretion, at any time and for any reason:
 - a) reject any and all proposals (including, for greater certainty, the lowest cost proposal);
 - b) modify or vary any aspect of this RFP at any time before or after the time for submission of proposals;
 - c) extend the deadline for submission of proposals at any time before or after the time for submission of proposals;
 - d) accept any non-compliant, conditional or irregular proposal or any alternate proposal, in whole or in part;
 - e) discuss the terms of a proposal submitted by a proponent with that proponent at any time, on a confidential basis, for the purposes of clarification and/or negotiation of that proposal;
 - f) allow any proponent submitting a proposal to modify or vary any aspect of its proposal at any time;
 - g) verify or seek clarification of any and all information provided pursuant to this RFP;
 - h) negotiate any and all aspects of any proposal and the provisions of the Consulting Services Agreement (including, without limitation, those provisions relating to fees and/or any scope of Service) with any one or more proponents at any time in its sole discretion, whether before, during or after the selection and evaluation process;
 - i) decide to proceed with only certain aspects of the work outlined in the RFP; and
 - j) cancel this RFP at any time for any reason and thereafter proceed in any manner it sees fit, in its sole discretion, including:
 - i. issuing a new request for proposals or other procurement document based on the same or changed specifications, scope of service, or other requirements;

- ii. entering into sole source negotiations with any one or more of the proponents or any other person; or
- iii. cancelling the procurement in its entirety.

1.13. CONFIDENTIALITY, PUBLIC ANNOUNCEMENTS

- 1.13.1. Proponents are expected to keep confidential all documents, data, information and other materials of FC which are provided to or obtained or accessed by a proponent in relation to this RFP, other than documents which FC places in the public domain. Proponents are expected not to make any public announcements or news releases regarding this RFP or the entering into a Consulting Services Agreement pursuant to this RFP, without the prior written approval of FC.
- 1.13.2. Proponents are advised that as a municipality, FC is subject to the provisions of the *Freedom of Information and Protection of Privacy Act* (Alberta), which provides a right of access to information in records under the control of a municipality. Proponents are advised that FC may be required to disclose all or a portion of any proposal or other communications in response to this RFP pursuant to the *Freedom of Information and Protection of Privacy Act* (Alberta).

Part II – Terms of Reference

2.1. BACKGROUND

The Municipal Government Act (MGA) Section 632 states that the council of every municipality shall adopt a Municipal Development Plan (MDP) by bylaw. The Municipal Development Plan is a statutory document that outlines the overall vision for the municipality and provides a broad framework for future growth and development. The vision, goals and objectives of the MDP should reflect the goals and aspirations of Foothills County and its residents. The plan sets out our long-term goals for future generations and the means to make decisions today.

Foothills County's current Municipal Development Plan (MDP) was adopted in 2010 and underwent minor amendments in 2017 to incorporate aspects of the Foothills County Growth Management Strategy (adopted in 2013) and better align with the Land Use Bylaw which had undergone a major update in 2014. Since the last iteration of the MDP, the County has been through a regional planning process with the Calgary Metropolitan Region Board, and Foothills County Council has approved an inaugural Strategic Plan and taken some first steps towards undertaking an economic development strategy.

Foothills County Council has expressed a desire to undertake a thorough MDP review to ensure the document remains current and relevant and accurately reflects updated legislation and priorities of Council and the Foothills County residents.

2.2. PROJECT PURPOSE

Prior to commencing work on the MDP review, County administration have recommended to Council that it would be beneficial to undertake some background study. The study would examine the current state of development across the County (providing a baseline) and predict how much and what type of growth we are likely to see within the next 20 years (the estimated timeframe for the plan). Understanding what future growth is likely to look like is essential to planning to accommodate that growth.

The County is seeking the services of a consultant or consultant teams to undertake a technical growth study which would:

- create a baseline understanding of current population, housing and employment in the County,
- outline population, housing and employment projections for the next 20 years,
- analyze residential and commercial / industrial land supply needs for the next 20 years, and
- determine servicing and infrastructure requirements to accommodate predicted growth.

All of these items should be considered both from a county wide perspective and with respect to the County's five growth management districts. The employment projections and

non-residential land supply analysis are to be high level. It is anticipated that more detailed projections and analysis will be undertaken subsequent to this study in conjunction with the development of an economic development strategy for the County.

2.3. STUDY AREA & GROWTH MANAGEMENT DISTRICTS

Foothills County is interested in understanding the elements of the technical growth study both from a County wide perspective and also broken down by growth management district. The County’s Growth Management Strategy, which was approved in 2013 created five growth management districts across the County, each with its own unique characteristics and its own approach to growth. The five districts are illustrated in the figure below.

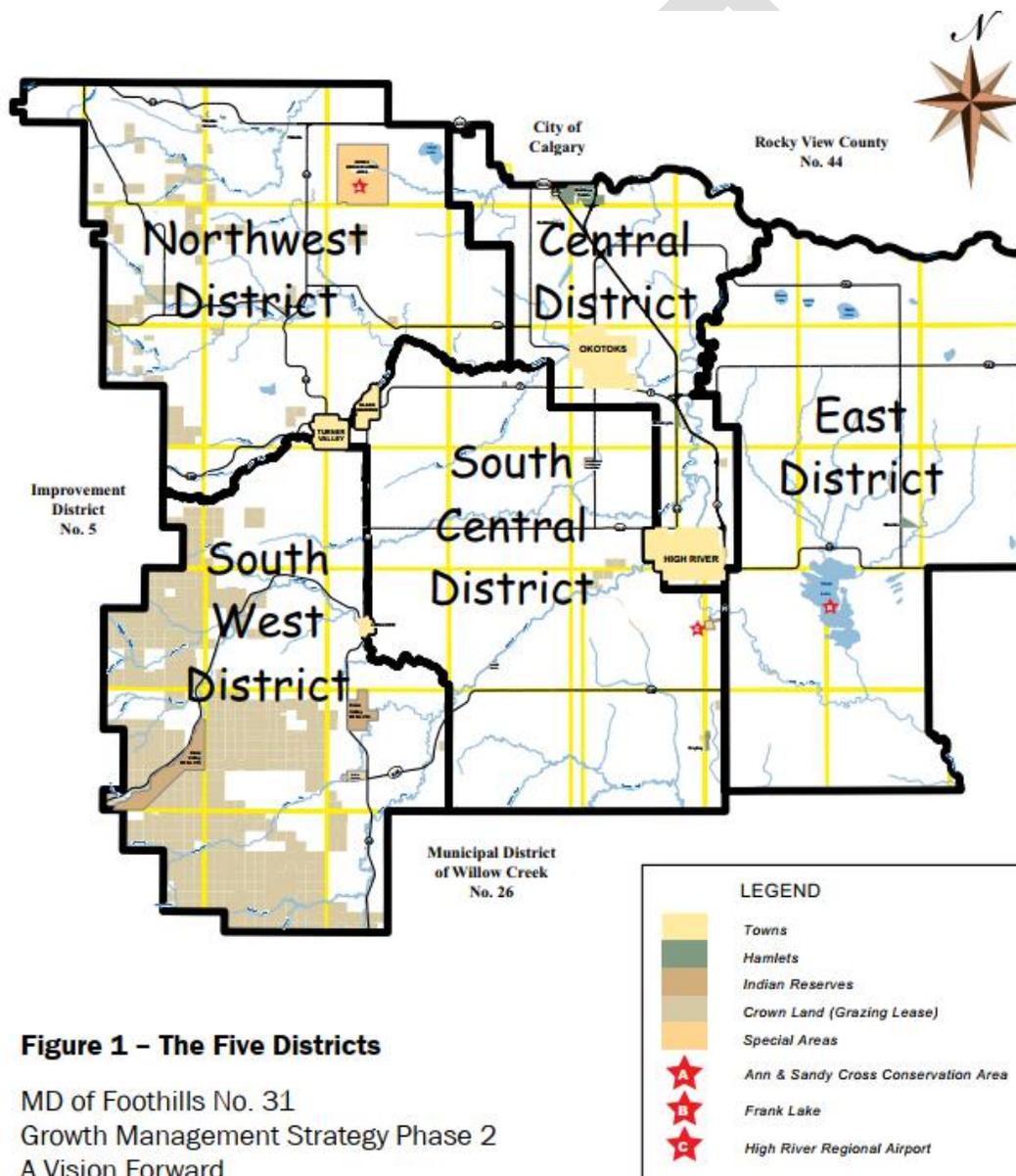


Figure 1 – The Five Districts

MD of Foothills No. 31
 Growth Management Strategy Phase 2
 A Vision Forward

2.4. PROJECT GOALS

The Goals of the project are as follows:

- To provide technical background information that will assist the County with developing goals, objectives and policies in an amended Municipal Development Plan to address the growth needs in the County over the next 20 years.
- To create a baseline understanding of current population, housing and employment in the County, both in terms of numbers and geographic distribution relative to the Growth Management Districts.
- To develop population, housing and employment projections for the period of 2025-2045.
- To understand current residential land supply (undeveloped residential land) and future requirements for residential land supply to accommodate anticipated population growth.
- To understand if additional lands are necessary to support continued growth in commercial / industrial land uses.
- To provide an understanding of what the servicing and infrastructure requirements will be to accommodate predicted residential and commercial / industrial growth.

2.5. SCOPE OF WORK

The consulting team will be responsible for undertaking the necessary activities to achieve the project goals as outlined in Section 2.4 of the RFP. It is expected that all proposals from consulting teams will include a methodology and work plan that outlines how the project goals will be achieved. While creativity in proposals is encouraged and there may be some flexibility in the scope and deliverables, it is anticipated that the following will fall under the scope of work:

- a) Developing a detailed work plan and schedule for the project.
- b) Undertaking background study on relevant provincial and municipal legislation, plans, policies, etc.
- c) Gathering data on population, housing, employment, land use and land supply.
- d) Liaising with municipal staff for data collection and to answer questions.
- e) Undertaking analysis of data gathered to create base line numbers and projections for population, housing, employment and land supply.
- f) Compiling data and analysis into a comprehensive report.

2.6. MUNICIPAL RESOURCES

Foothills County will assign a project manager who will be the key liaison between the consulting team and the County. Foothills County planning staff will work cooperatively with the consulting team towards achieving the project goals. Foothills County administration may also be able to provide assistance with mapping and GIS services.

Schedule A– Proposal Content Requirements

A.1. COVER LETTER

- A.1.1. Attach a cover letter outlining the proponents desire to submit a proposal in response to the RFP, and describing what the consultant has to offer.

A.2. PROPONENT AND SUB-CONSULTANTS

- A.2.1. Provide the Legal name and company profile of the primary consulting firm (the proponent).
- A.2.2. List the members of the primary consulting team including their background, qualifications, curriculum vitae, and any licenses and certifications pursuant to provincial and federal laws and regulations, and the role each will play in the completion of the work program.
- A.2.3. Give a brief description of any sub-consultants or additional consulting firms that will be working on the project and the role that they will play in the completion of the work program.

A.3. RELEVANT EXPERIENCE

- A.3.1. Describe the proponent's experience in performing similar work, including three (3) references of similar work performed recently and appropriate contact information for references.
- A.3.2. Outline the sub-consultant's experience in performing similar work, including three (3) references of similar work performed recently and appropriate contact information for references.

A.4. CAPACITY

- A.4.1. FC expects that you will have enough resources available to meet the service requirements of the County in a timely and efficient manner.
 - a. Provide a brief description of your companies' staffing resources that will be utilized to meet the requirements of the project.
 - b. Identify the Project Manager(s) who will be responsible for the Work and provide their contact information.
 - c. Describe how between the proponent and sub-consultants, there are sufficient resources to complete the work program according to schedule.

A.5. PROJECT APPROACH AND METHODOLOGY

- A.5.1. Demonstrate an understanding of the project goals and deliverables.

- A.5.2. Provide a detailed description of the approach and methodology that is proposed for the project.
 - A.5.3. Provide an outline of any information or resources the firm expects or requires to be provided by Foothills County.
 - A.5.4. May provide suggestions for value added components for the County's consideration. Include reasons why the components are suggested and what benefit they would provide.
- A.6. WORK PLAN
- A.6.1. Work is expected to commence on or around April 22, 2025 with submission of the final deliverables expected by Sept 5, 2025.
 - A.6.2. The proponent is expected to provide a detailed schedule and work plan for the achievement of milestones in the performance of the Work.
- A.7. LIABILITY INSURANCE
- A.7.1. Foothills County expects that you carry commercial general liability insurance in an amount of not less than \$5,000,000.00 per occurrence, and Errors and Omissions/Professional Liability Insurance, with a limit of not less than \$2,000,000 per claim. Provide certificates of insurance outlining the amounts of commercial general liability, and professional liability insurance carried.
- A.8. FEE PROPOSAL
- A.8.1. Foothills County expects the Work will be performed on a "fixed sum" basis. Provide a "fixed sum" price in Canadian Dollars for the Work, exclusive of any applicable GST. Foothills County may consider any value-added services and options a proponent may have to offer, but these should be listed separately as per section A.8.4.
 - A.8.2. Provide an itemized cost to complete the project, including pricing for the required components of the Work as outlined in Section 2.5 - Scope of Work. The fees should be broken down by the individual project components.
 - A.8.3. Provide a list of any items or services related to the items outlined in Section 2.5 Scope of Work, that have been excluded from the proposal and outline potential additional costs that may be incurred by Foothills County.
 - A.8.4. Provide a list of value-added services that were not included in the project deliverables but that may be beneficial if included in the project.

A.9. EXCEPTIONS TO CONSULTING SERVICES AGREEMENT TERMS

A.9.1. A detailed description of any exceptions or additions to the Agreement should be clearly set out in a proponent's proposal. Foothills County will assume, in the absence of any such exceptions or additions, that the proponent accepts the form of Agreement.

A.10. CONFLICT OF INTEREST DISCLOSURE

A.10.1. Disclose any actual or potential conflicts of interest that may exist between your firm and its management, and Foothills County, its members of Council and management, and the nature of such conflict of interest. If a proponent has no such conflict of interest, a statement to that effect should be included in its proposal. Foothills County employees are ineligible to participate, directly or indirectly, with any proponent.

A.10.2. Disclose any actual or potential conflicts of interest that may exist between the sub-consult(s) or consulting firm(s), and Foothills County, its members of Council and management, and the nature of such conflict of interest.

DRAFT