

LEGAL NOTICE

Town of Branford Request for Qualifications/Proposals Update to Landscaping section (and possibly additional sections) of the Branford Zoning Regulations

The Town of Branford (the “Town”) intends to contract for the services of an experienced individual or consulting firm to develop revisions to Section 6.3 (Landscaping) and related provisions of the Town’s Zoning Regulations concerning landscaping requirements as well as possibly other subsections of Section 6 (Basic Standards) of the Zoning Regulations concerning parking, stormwater drainage, grading, and lighting, etc. depending on available funding.

Firms interested in being considered for a contract to provide the required services should reply with a proposal no later than 11:30 AM local time on October 7, 2024. Proposals received after this deadline will not be considered.

As more particularly described in Section 7, Submittal Requirements, the proposal should include information regarding the firm’s history; education and experience of owners and key personnel; the technical expertise of the firm’s current staff; the firm’s experience in connection with preparing revisions to Zoning Regulations.

Firms desiring a Request for Qualifications/Proposals (RFP) package may obtain such documents from the Town of Branford website www.branford-ct.gov or from:

Town of Branford
Tyechia Pettway, Purchasing Clerk
P.O. Box 150
1019 Main Street
Branford, CT 06405

Responding firms will be evaluated based on their qualifications and proposal. The Town of Branford reserves the right to reject any and all proposals or any part thereof, or to waive defects in same, or to accept any proposal, or part thereof, deemed to be in the best interest of the Town of Branford.

PROJECT SPECIFICATIONS

1. INTRODUCTION:

The Town of Branford is accepting statements of qualifications, generalized scope of services, and a sealed formal cost proposal from qualified individuals or consulting firms to undertake an update of the landscaping section (and other related sections) of the Town's Zoning Regulations as well as possibly additional sections as specified below as alternative work items to be separately quoted. Consultants/firms must have extensive experience and knowledge in the field of municipal planning and zoning including experience in the writing and updating of zoning regulations.

The lead agency is the Town of Branford. The selected consultant will work under the general direction of the Town Planner and/or his designee.

2. BACKGROUND INFORMATION:

Branford is a mature, largely developed, suburban residential community with an extensive commercial, retail, and modern industrial base. The 2020 U.S. Census reported the Town's population at 28,273.

The Town's land area is 22 square miles, with more than 20 miles of shoreline along the Long Island Sound. Located in the south-central part of Connecticut in New Haven County, Branford is approximately 90 miles east of Manhattan, 130 miles west of Boston, and 40 miles south of the state capital, Hartford. It is bounded on the north by the Town of North Branford, east by the Town of Guilford, south by Long Island Sound, and west by the Town of East Haven. The Town also has the first Shoreline East Train Station east of New Haven.

More information on the Town can be found at its website, www.branford-ct.gov. The current Zoning Regulations are available via the following link:

https://www.branford-ct.gov/sites/default/files/field/files-docs/branfordzr_-_effective_122519.pdf

The current POCD, adopted in November 2019 is available on the Town of Branford website via the following link:

https://www.branford-ct.gov/sites/default/files/field/files-docs/adopted_2019_pocd_effective_020119_rfs_with_modified_cover_letter.pdf

Minutes of a previous Planning and Zoning Commission meeting at which several proposed amendments to the Zoning Regulations were discussed, minutes include each change proposed.

https://www.branford-ct.gov/sites/default/files/field/files-docs-agenda-minutes/may_2_2024_1.pdf

3. SCOPE OF SERVICES:

It is anticipated that the work plan and final Scope of Services (consultant tasks) will include the following components/process steps:

Preliminary Research and Input Solicitation –

A. Research background and previously (2023) proposed amendments to the landscaping (6.3) and other related Zoning Regulations sections –

- a. Review Branford Zoning Regulations and other relevant documents for background information and assessment including the Plan of Conservation and Development (POCD), previous proposal for changes to this and related sections of the zoning regulations (and issues raised during the review of this proposal), as well as best practices for landscaping regulation from the zoning regulations of other communities in Connecticut and meet with the Town Planner to discuss approach to the project.

B. Coordinate work with Planning and Zoning Commission (and involved sub-committee as appropriate) –

- a. Based on the above and in conjunction with Town Planner prepare an issues list with topic specific proposed options or recommendations as appropriate.
- b. Attend and assist Town Planner in seeking input and feedback regarding the issues list from a sub-committee of the Town Planning and Zoning Commission (Landscaping Sub-committee) recently established to review a previous proposal to revise the landscaping section of the zoning regulations and issues raised during the review of that proposal.
- c. Revise the issues list with refined proposed issues and specific dispositions/recommendations based on what consensus may emerge from the feedback and discussion referenced above and review with the Landscaping Sub-committee.
- d. Meet with the full Planning and Zoning Commission to review the above issues list focusing on any areas upon which the Landscaping Sub-committee did not reach a consensus to solicit agreement on the approach regarding the topics on the Issues List.
- e. Based on additional input/direction from the Planning and Zoning Commission, prepare a final version of the Issues List including revised/additional recommendations for regulatory changes.

Regulatory Modifications –

C. Proposed Draft Amendments –

- a. Based on the final version of the Issues list from Section B. above and the input from the Planning and Zoning Commission, draft proposed amendments (amendments to Section 6.3 should be drafted as a total replacement).
- b. Revise draft as directed by the Town Planner after review of the draft with him and other Planning and Zoning Department Staff.
- c. Present revised draft at a meeting of the Landscaping Sub-committee and the full Planning and Zoning Committee for comment. Further revise at the direction of the Planning and Zoning Commission as they may direct into proposed Zoning Regulation Amendments.

Supplemental Work Items - provides a general allowance estimate of cost to revise and update other sections of the Zoning Regulations as noted below:

D. Follow the process and task list in Section A-C above (except for meetings with the Landscaping Sub-committee and related process steps) for the preparation of amendments to update the following other portions of Section 6 (Basic Standards) of the Zoning Regulations:

- a. Section 6.5 (Off-Street Parking and Loading) – *Including adding provisions for Electric Vehicle (EV) charging stations*
- b. Section 6.7 (Outdoor Lighting) – *Including changes to address LED lighting and new Dark Sky International Model Lighting Ordinance*
- c. Section 6.8 (Grading and Earth Removal Activities) – *Revisit per the policies and action steps in Sections 5.3, 7.3.1.b and 7.3.2.d of the Plan of Conservation (PCOD) and Development and possibly combine with Section 6.10 (see below)*
- d. Section 6.9 (Drainage and Stormwater Control) – *Update based on recommendations in the POCD including, but not limited to, Sections 5.1, 5.2, and 16.1; changes to the CT Stormwater Quality Manual; and other recommendations of the Town Engineer*
- e. Section 6.10 (Soil Erosion and Sediment Control – *Update based on recommendations in the POCD including, but not limited to, Sections 5.1 and possibly combine with Section 6.8*
- f. Section 6.15.D (Pedestrian Facilities) - *Update based on recommendations in the POCD including, but not limited to, Sections 8.1 and 15*
- g. Sections 5.4, 5.7, etc. (Planned Development District (PDD), Incentive Housing Overlay District, and possibly a new section) – *Develop additional or revised provisions for PDDs including possible requirements for provision of affordable housing in PDDs proposing residential development as well as Inclusionary Housing per CGS Section 8-2i; all based on recommendations in the Town’s Affordable Housing Plan as well as recommendations in the POCD including, but not limited to Sections 8.3 and 11*
- h. General Examination to determine any remaining potential conflicts of provisions of the Town’s Zoning Regulations with recent case law such as the “MacKenzie” decision (and related follow-up court decisions) as well as with recent statutory changes such as Public Act 21-29 (including the change to draft zoning regulations with “reasonable consideration as to the *physical site characteristics*” of a zoning district rather than “reasonable consideration as to the *character*” (emphasis added).
➔ ONLY COMPONENT TASK SECTIONS B AND C ABOVE EXCLUDING THE LANDSCAPE SUBCOMMITTEE RELATED SUBSECTIONS WOULD APPLY HERE

4. DELIVERABLES:

The consultant will provide all draft documents, presentations, and the final documents in electronic form in both Microsoft Word format and .pdf format.

5. RESOURCES AVAILABLE:

The Town will make available to the consultant the following information related to this work:

- Zoning Regulations of the Town of Branford as revised through 12/25/2019 and all amendments adopted since then.
- Plan of Conservation and Development (prepared by Planimetrics, LLP), January 2019.
- Draft for Public Hearing of proposed amendments to the Branford Zoning Regulations - final version of items discussed at 5/2/24 Planning and Zoning Commission meeting when available.

6. PROJECT SCHEDULE AND MANAGEMENT:

It is anticipated that project "kick off" will occur no later than October 31, 2024 and that the entire project will be completed within three (3) months of the kick off date. It is understood that the undertaking of one or more of the Supplemental Work Items noted above may extend this period significantly and that the project may be broken into more than one contract with different completion timeframes. The contract will be administered and managed by the Town Planner or his designee.

7. SUBMITTAL REQUIREMENTS:

By submitting a response, respondents represent that they have thoroughly examined and become familiar with the scope of services outlined in this RFP and are capable of performing the work to achieve the objectives stated.

Primary Project Responsibility - Respondents responding to this RFP must clearly explain and identify, in detail, which company will be the Prime Vendor. It must be clearly understood that only the Prime Vendor will enter into a contract with the Town of Branford. All other parties will be considered sub-contractors to the Prime Vendor. Regardless of which Consultant performs the work, the Prime Vendor is ultimately responsible for the performance of all contract work.

RFP Respondents are asked to organize their Proposals in the order requested, in accordance with the following format:

- A. Letter of Introduction and Statement of Experience.** Provide a letter of introduction with a description of your firm and its individual personnel and recent experience in the field of municipal planning and zoning including experience in the writing and updating of zoning regulations. Specifically describe the projects you have completed. Please include a summary of references for similar projects completed by your firm for work proposed in response to this RFP. Include the name, address, contact name, title, phone number, email, and website addresses of the prior clients for these reference projects.
- B. Work Plan Process, Approach and Timetable.** Please provide a detailed description of the proposed Work Plan that the Respondent proposes to provide in response to the Consultant Tasks outlined in this RFP, including the Respondent's proposed methodology, process, and approach to the Scope of Service and a proposed sequence and timetable of the proposed Work Plan.
- C. Price Proposal and Estimated Costs.** Other than hourly costs for meeting attendance and reimbursable expenses such as printing and mailing and other extraordinary expenses, this work will be contracted on a lump sum proposal. Please provide a detailed breakdown of the lump sum proposal to complete tasks within each of the project components. Please furnish all-inclusive total

costs, by task, for the proposed work including personnel costs (anticipated hours, hourly rate, and associated travel costs), materials, and any other requirements as may be necessary for the respondent to complete the work proposed in response to the Scope of Service. Negotiations may be undertaken to potentially modify the lump sum proposal as appropriate.

For the Supplemental Work Items please provide a general allowance estimate for the lump sum items for each bulleted Supplemental Work Item.

- D. Response Page.** Respondent must submit a filled-in and signed Response Page (See Attachment A) with its response to this RFP.
- E. Non-Collusion Affidavit.** Respondent must submit a filled-in and signed Non-Collusion Affidavit (See Attachment B) with its response to this RFP.

Responses should be sealed and **must be received no later than October 7, 2024 , 11:30 AM. E.T.** Responses should be delivered to the Town of Branford Purchasing Agent 1019 Main Street, P.O. Box 150, Branford, CT, 06405. **Any responses received after this date and time will not be considered.**

All submissions should be clearly marked **“Branford Responsible Growth and Transit Oriented Development Planning Grant – RFP.”** Proposals submitted for both this Plan of Conservation and Development and the Responsible Growth and Transit Oriented Development Planning Grant should be marked as a proposal for both projects. **Four (4) copies of the proposal along with one digital copy must be submitted.** The towns will only accept submittals for all parts of the project. No partial submittals will be accepted.

8. PROCEDURE FOR CONSULTANT SELECTION:

In securing professional services, it is the primary goal to obtain a consultant on the basis of demonstrated competence and qualifications for the service at a fair and reasonable price. It is recognized that competence, experience, and ability are very important considerations, and the amount of fee alone is not the only criteria for selecting professional services.

The contract will be awarded to the respondent best satisfying the overall requirements of the RFP, but not necessarily quoting the lowest rate. The contract proposals will be rated based upon an evaluation scale, the highest rating of which is 25 points. The factors by which the proposals will be evaluated are as follows:

Factors for Award:

Technical Approach/Understanding of the Project	5 pts.
Work Management Plan	5 pts.
Expertise of Proposed Personnel	5 pts.
Experience with similar projects in similar suburban areas	5 pts.
<u>Cost</u>	<u>5 pts.</u>
Total	25 pts.

The Town reserves the right to award the total proposal as submitted to award or eliminate certain individual task(s)/item(s) in the proposal and/or reject any and all proposals for service.

The Town may choose to conduct interviews with any or all of the respondents to this RFP at its discretion as part of the selection process.

In securing professional services, it is the primary goal to obtain the services of a consultant on the basis of demonstrated competence and qualifications for the services at a fair and reasonable price. It is recognized that competence, experience, and ability are very important considerations, and the amount of the fee alone is not the only criteria for selecting professional services.

The contract will be awarded to the respondent best satisfying the overall requirements of the RFP, but not necessarily quoting the lowest rate. The Town reserves the right to award a contract to someone other than the low bidder if deemed in the best interest of the Town.

9. QUESTIONS:

Questions regarding this RFP should be directed to the Town of Branford at the following e-mail address: hsmith@branford-ct.gov

However, **no oral interpretations shall be made to** any respondent as to the meaning of any of the documents. Every request for an interpretation shall be made in writing, addressed, and forwarded to receive consideration; such questions must be received by September 23, 2024 at 2:00 P.M. E.T.

Town of Branford staff will arrange as addenda all questions received as above provided and the answers regarding each. The addenda shall be made a part of this Request for Proposals (RFP). At least seven (7) days prior to the receipt of proposals, Town of Branford staff will post a copy of any such addenda to Town of Branford's website, located at www.branford-ct.gov. **It shall be the responsibility of each RFP Respondent to determine whether any addenda have been issued and if so, to download copies directly from Town of Branford's website.**

ATTACHMENT A

RESPONSE PAGE

**Request for Proposals
Responsible Growth and Transit Oriented Development Planning Grant Study**

Date Advertised: September 16, 2024

Date / Time Proposals Due: October 7, 2024 by 11:30 AM

Type or Print Name of Officer

Name of Firm

Type or Print Name of Individual

Doing Business as (Trade Name)

Signature of Authorized Officer/Individual

Street Address

Title

City, State, Zip Code

Date

Telephone Number / Fax Number

E-mail Address/ Website

SS# or TIN#

ATTACHMENT B

NON-COLLUSION AFFIDAVIT OF BIDDER

State of: _____

County of: _____, SS)

_____; being first duly sworn, deposes and says that:

- 1) S/he is (owner, partner, officer, representative or agent) of _____, the Bidder that has submitted the attached Bid:
- 2) S/he is fully informed regarding the preparation and contents of the attached Bid and of all pertinent circumstances regarding such Bid:
- 3) Such Bid is genuine and is not a collusive or sham Bid:
- 4) Neither the said Bidder nor any of its officers, partners, owner, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed, directly or indirectly with any other Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices in the attached Bid or of any Bidder, or to fix any overhead, profit or cost element of the bid price or the bid price of any other Bidder or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage with the Owner or any person interested in the proposed Contract.
- 5) The price quoted in the attached Bid is fair and proper and is not tainted by collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest.

Signed: _____

Title: _____

Subscribed and sworn before me this _____ day of _____, 20_____.

Notary Public: _____

NOTARY SEAL

My Commission expires _____, 20_____.

Each bidder **must complete and have notarized with a notary stamp** the “Non-Collusion Affidavit of Bidder” form. **This form must accompany all bids being submitted.**

TOWN OF BRANFORD
OFFICE OF THE TREASURER



1019 Main Street
Post Office Box 150
Branford, CT 06405

(203) 488-8394
FAX: 315-3736

**General Requirements for Bidding
and
Instructions to Bidders**

NOTICE

Information provided in these specifications is ***CONFIDENTIAL*** and is to be used only for the purpose of preparing a proposal. It is further expected that each bidder will read these specifications with care, for failure to meet every one or a combination of specified conditions may invalidate the proposal.

The Town reserves the right to reject any or all bids or any portion thereof and to accept the bid deemed to be in the best interest of the Town of Branford.

Bidders are requested to submit quotations on the basis of these specifications. Alternate quotations will receive consideration providing such alternatives are clearly explained.

The information contained herein is believed to be accurate and is based upon the latest available information but is not to be considered in any way as a warranty.

Revised 8/2021
Standard Form

SECTION I - General Terms and Conditions

A. Compliance with Laws

The bidder shall at all times observe and comply with all laws, ordinances, and regulations of the federal, state and local governments, which may in any way affect the preparation or the performance of the contract.

B. Timetable

Price quoted must be valid for **60** days. Delivery and installation completion dates must be included in the bid proposal.

C. Consideration of Proposals

The Board of Selectmen, or a majority of them, reserve the right to select or reject alternate proposals; to waive informality in proposals; and to reject any and all bids, or accept such bid as shall in its judgement be to the best interest of the Town of Branford.

D. Bid Bond *NOT REQUIRED*****

1. A certified check or bank draft made payable to the “Treasurer, Town of Branford,” or a satisfactory bid executed by the bidder and a surety company in an amount no less than five percent (5%) of the base bid, may be required with each proposal.
2. Checks or drafts will be returned to unsuccessful bidders within ten (10) business days of the bid award.

E. Performance Bond *NOT REQUIRED*****

Successful bidders may be required to furnish a Performance and Payment Bond in the amount of 100% of the contract sum.

F. Protection of Work and Property

Successful bidders shall be responsible for the protection of their equipment and materials against theft, damage, or deterioration on the site.

G. Competency of Bidders

1. Bidders shall have had proven experience in the field of work.
2. Bidders shall submit with their bid a listing of recent work performed within the State of Connecticut of the size equal to or greater than the work being bid.

H. Alternates

1. Any alternates to specified materials or workmanship must be separately listed and described in detail.
2. Alternates will be considered in awarding the contract only if they provide, as a minimum requirement, all features contained in the specifications.
3. The Town of Branford reserves the sole right to determine through its agents the equality of alternate products and/or installation procedures.

I. Bid Requirements

1. Each bidder shall return four (4) copies of the proposal sheet entitled “Request for Proposals”. Each bid proposal must be signed by an authorized agent of the bidder.
2. Each bidder **must complete and have notarized with a notary seal** the “Non-Collusion Affidavit of Bidder” form. **This form must accompany all bids being submitted.**
3. Each bidder must be in good standing with the Town of Branford.
4. Successful bidders must obtain any required governmental approvals.

J. Specifications – General

The contract shall include all labor and materials, tools and equipment and services required for proper performance of the work as specified hereinafter and as may be required for proper completion of the work in accordance with the highest standards of the trades involved.

K. Examination of Site

Prior to submission of the bid, the contractor shall visit the site, consult with the supervisor, and become thoroughly familiar with all conditions under which the work will be installed. The contractor will be responsible for any assumptions made regarding the site for the work to be performed.

SECTION II - Insurance Requirements

Bidder shall agree to maintain in force at all times during which services are to be performed the following coverages and shall name the Town of Branford as an Additional Insured on a primary and non-contributory basis to the Bidder’s Commercial General Liability and Automobile Liability policies. **These requirements shall be clearly stated in the remarks section on the bidders Certificate of Insurance.** Insurance shall be written with Carriers approved in the State of Connecticut and with a minimum Best’s Rating of “A”VIII-. In addition, all Carriers are subject to approval by the Town of Branford.

		(Minimum Limits)
General Liability	Each Occurrence	\$1,000,000
	General Aggregate	\$2,000,000
	Products/Completed Operations Aggregate	\$2,000,000
Excess/Umbrella Liability	Each Occurrence	\$1,000,000
	Aggregate	\$1,000,000
Professional Liability	Each Occurrence	\$1,000,000
	Aggregate	\$1,000,000
Cyber Liability ⁽¹⁾	Each Occurrence	\$1,000,000
	Aggregate	\$1,000,000
Workers’ Compensation and Employers’ Liability ⁽²⁾	WC Statutory Limits	
	EL Each Accident	\$500,000
	EL Disease Each Employee	\$500,000
	EL Disease Policy Limit	\$500,000

If any policy is written on a “Claims Made” basis, the policy must be continually renewed for a minimum of two (2) years from the completion date of this contract. If the policy is replaced and/or the retroactive date is changed, then the expiring policy must be endorsed to extend the reporting periods for claims for the policy in effect during the contract for two (2) years from the completion date.

Original, completed Certificates of Insurance must be presented to the Town of Branford prior to purchase order/contract issuance. Bidder/Contractor/Vendor agrees to provide replacement/renewal certificates at least 30 days prior to the expiration date of the policies. Should any policy be cancelled for nonpayment of premium, 10 days written notice must be provided to the Town. Should any of the policies be cancelled for other reasons, limits reduced or coverage altered, 30 days written notice must be given to the Town.

Notes

- (1) Cyber Liability is required if Contractor is on Town’s network or houses Town information on their network.
- (2) Workers Compensation is required if employees come onto Town property.

Hold Harmless Requirements

The contractor shall, at all times, indemnify and save harmless the Town of Branford, its officers, agents, and servants on account of any and all claims, damages, losses, litigation expense, counsel fees and compensation arising out of injuries (including death) sustained by or alleged to have been sustained by the public, any or all persons affected by the contractor's work, or by the contractor, any subcontractor, material, men or anyone directly or indirectly employed by them or any one of them while engaged in the performance of this contract. The Town of Branford shall be named as an additional insured on said policy of public liability insurance to cover all claims against the Town arising out of said contract.