

# City of Elmhurst Zoning Code Update Request for Qualifications



ISSUED: August 15, 2019

RFQ/RFP SUBMITTAL DEADLINE: September 9, 2019 at 5:00 p.m. CST

## CONTACT INFORMATION

City of Elmhurst

209 N York Road

Elmhurst, Illinois 60126

630-530-3121

Attention: Eileen Franz

City Planner

[eileen.franz@elmhurst.org](mailto:eileen.franz@elmhurst.org)

LEGAL NOTICE/PUBLIC NOTICE  
CITY OF ELMHURST  
REQUEST FOR QUALIFICATIONS NOTICE

The City of Elmhurst, Illinois (209 N. York Street, Elmhurst, Illinois 60126) is issuing a request for qualifications (RFQ) from qualified planning and zoning teams for the following project:

**City of Elmhurst Zoning Code Update**

All RFQ submissions must be made in accordance with this RFQ which is on file and available for examination at City Hall at the above address and are made a part of this notice as fully set forth herein. Copies of this RFQ can be obtained in person at City Hall. Vendors may obtain copies of this Request for Qualifications, Monday – Friday between the hours of 8:30 A.M. to 5:00 P.M. (CST), or at [www.elmhurst.org/bidpostings](http://www.elmhurst.org/bidpostings).

**NOTES:**

1. Sealed submittals for this contract must be received before 5:00 P.M. CST September 9, 2019 at the Office of the City Clerk, City of Elmhurst, 209 N. York Street, Elmhurst, Illinois 60126. Each participant's statement of qualifications must be in a sealed envelope clearly marked "City of Elmhurst Zoning Code Update".
2. All applicants interested in receiving RFQ amendments or answers to questions submitted please forward an email with the subject line "Elmhurst Zoning RFQ" to [eileen.franz@elmhurst.org](mailto:eileen.franz@elmhurst.org).
3. The scope of work includes reviewing the current zoning ordinance, analyzing current conditions, making recommendations for change, and developing a draft ordinance to update the City of Elmhurst zoning ordinance.
4. All responsive qualification submittals will be reviewed according to the criteria for selection requirements using a Qualifications Based Selection (QBS) process.
5. There is no express or implied obligation for the City to reimburse responding vendors for any expenses incurred in preparing proposals in response to this request. The City reserves the right to reject any or all proposals submitted and retain all proposals submitted.
6. Submission to the City indicates acceptance by the vendor of the conditions contained in this RFQ. Vendors are hereby notified that all information submitted as part of, or in support of proposals will remain confidential until the date of award; thereafter the documents will be available for public inspection in compliance with Illinois State Statutes.

## **REQUEST FOR QUALIFICATIONS**

### **INVITATION TO SUBMIT**

The City of Elmhurst, Illinois is issuing a request for qualifications (RFQ) from qualified planning and zoning design teams for the following project:

#### City of Elmhurst Zoning Code Update

Team Structure: The project team shall have a single lead planning or zoning firm who will be the prime consultant selected to direct and coordinate the work of others, be responsible for the schedule, and for submitting deliverables to the City. Consultant participation is subject to the following structures:

- *Prime-Consultant:* The prime consultant may only submit one statement of qualifications and may not participate as a sub-consultant on any other team.
- *Sub-Consultants:* Regardless of discipline, firms that participate only as sub-consultants may do so with as many teams as desirable.

Deadline for Questions: Questions regarding this RFQ must be made in writing via email to Eileen Franz ([eileen.franz@elmhurst.org](mailto:eileen.franz@elmhurst.org)) and submitted by August 30, 2019. If an organization or individual asks a question which produces relevant information, an addendum to this RFQ will be posted (on the City's website in the same section the RFQ was posted) containing the question and any relevant information contained in the answer.

Submittal Deadline: Qualifications submittals must be received at Elmhurst City Hall, 209 N. York Street, Elmhurst, IL 60126, no later than 5 P.M. on September 9, 2019. Qualifications and Proposals received after the closing time and date will be returned unopened. Faxed or emailed Qualifications will not be accepted.

In order to have your Qualifications considered, it must be submitted in a sealed envelope containing one (1) unbound original, three (3) copies, and one electronic copy, plainly marked "City of Elmhurst Zoning Code Update" to:

Office of the City Clerk  
City of Elmhurst  
209 N. York Street  
Elmhurst, Illinois 60126  
Attention: Eileen Franz, City Planner

All responsive qualification submittals will be reviewed according to the criteria for selection requirements using a Qualifications Based Selection (QBS) process.

## **PROJECT BACKGROUND**

Elmhurst is located in DuPage County with a small portion of the City within Cook County. Downtown Elmhurst is approximately 19 miles west of Downtown Chicago. The City of Elmhurst has fantastic transportation options and has easy access to highways I-290, I-294, Rt 83, North Avenue and the UP-W Metra. Elmhurst is known for its vibrant, tree-lined streets and fantastic amenities including great schools, parks, shopping, dining, recreation, employment opportunities, and community events all year-round.

The City of Elmhurst, seeks to update the City's Zoning Ordinance. This regulatory update will guide future development and redevelopment and help implement the recommendations of the City's Comprehensive Plan (adopted in 2009), the Subarea Plans (adopted in 2018), the Downtown Plan (adopted in 2016), North York Street Corridor Plan (adopted in 2015) and other planning documents.

The City of Elmhurst updated the Zoning Code in 1992, and has updated sections periodically as needed. The City would like to review the Zoning Code in totality and modernize it based on local conditions and revised City Plans. It is expected that the ordinances will require modification to reflect the current needs and desires of the community and best practices with respect to the content and administration of development regulations.

The updates to the ordinances should incorporate modern best practices to make the ordinances user-friendly for City staff, property owners, and developers. The new ordinances should include tables and illustrations whenever possible to help convey regulatory concepts; feature logical, streamlined organization; and remove legalese and jargon.

## **FUNDING**

All costs for the professional services sought through this RFQ shall be paid for by the City of Elmhurst using non-Federal funds.

## **MINIMUM QUALIFICATIONS**

- A. Project team must include planners and other design professionals licensed/certified to practice in the State of Illinois, that are necessary to perform the scope of services herein described.
- B. Prior experience with municipal clients, specifically in zoning code projects.
- C. Demonstrated knowledge of current zoning best practices, design guidelines and standards.
- D. Available to commence work as early as November 5, 2019.

## SCOPE OF SERVICES

- 1) Methodology: Confirm project goals, objectives, resources, existing conditions, stakeholder interests, and best practices that will be used. Please include an estimate for the number of hours needed to complete the project.
- 2) Review Existing Conditions: The consultant should propose an approach to understanding existing conditions in the community. The approach taken by the consultant should result in background information and analysis that shall be summarized in an existing conditions memo, which could be used as a justification in the preliminary recommendations memo to be created in a later phase. The existing conditions review should include, at a minimum, a thorough review of the City's existing plans and ordinances as they relate to zoning issues, conformity analysis of bulk and yard standards (such as minimum setbacks, lot widths, lot size, etc.) using ArcGIS, Google StreetView, site visits, or other means, and stakeholder interviews to identify key issues to be addressed during the planning process. In addition to the required existing conditions activities listed above, the consultant's approach may benefit from further inventory of physical conditions in Elmhurst, including existing land uses; building and siting characteristics; location and condition of parking; signage; transportation infrastructure; and landscaping and buffering of uses. Such an inventory could aid in setting bulk regulations, permitted uses, parking standards, and other development parameters during the update of the ordinances.
- 3) Definitions: Review Zoning Code definitions section to ensure they are comprehensive and meet current best practices and modern uses.
- 4) Use Lists: Review the By Right and Conditional Use lists for each zoning district for consistency and naming throughout all districts. Consider updates to the definitions and appropriate zoning districts for more modern uses. Consolidate, organize, and better define By Right and Conditional Uses.
- 5) Bulk Requirements: Review bulk requirements and make recommendations where necessary.
- 6) Signage: Review recent updates, provide suggestions for definitions of specific types of signs, ie., box signs, construction signage, and window signs. Review for consistency within the Sign Section and Zoning Code overall. Ensure it meets modern best practices.
- 7) Administration and Procedures: Work with staff to ensure that the Zoning Code reflects current practices.
- 8) Add Administrative Variations: Include a new section of the code that identifies a process and list of allowed Administrative Variations. This would allow more flexibility to approve clearly defined Variations with requirements for public notice to provide a more streamlined process for residents, business owners, and property owners.
- 9) Lighting and Noise: Review and update requirements for lighting and noise for various uses.
- 10) Parking Requirements: Review and provide suggestions for updates to modernize the parking requirements based on best practices. The parking requirements should be

updated to include contemporary uses like grocery store pick-ups, ride share uses, and multi-use industrial/office buildings.

- 11) Modernize: Include user friendly and modern tools like hyperlinks, images, and tables whenever possible.
- 12) Public Engagement: The consultant should include a plan for community and stakeholder engagement in their proposal. Among the potential public engagement activities that should be considered (though not all are required to be included in the proposal) are updates to municipal staff, the Plan Commission/Zoning Board of Appeals, Development, Planning and Zoning Committee, City Council, open houses, and public meetings. Consultants are encouraged to propose other innovative public engagement methods as well. It is understood that details concerning the public meetings may not be able to be specified in the proposal, but consultants should specify the number of public meetings, open houses, workshops, charrettes, or other events that they assume will occur when putting together their price proposal. There should be at least three public meetings scheduled during the planning process, including at least one public open house, one focus group meeting, and one public hearing during the approval process.
- 13) Preliminary Recommendations Memo: The consultant should develop and present a memo, or equivalent document, describing their major preliminary recommendations related to the ordinances. This deliverable should also summarize the analysis and findings of the existing conditions review to provide a basis for the preliminary recommendations and describe the consultant's proposed approach to revising the existing ordinances. The purpose of this deliverable is to provide a check point for Elmhurst to ensure that all project partners are on the same page prior to drafting regulatory language. The draft memo will first be distributed to City Staff, who will review and provide comments prior to the document's distribution to the Zoning and Planning Commission and DPZ. The Consultant should also be available to schedule a DPZ meeting to discuss the memo.
- 14) Draft the Ordinances: Using the preliminary recommendations memo and community engagement process as a guide, the consultant should create an updated zoning ordinance for Elmhurst. The organization and contents of the ordinances are yet to be determined, but the following topics should be addressed: zoning districts; permitted uses; building design standards; parking and loading; landscaping and buffering; signage; administrative provisions. The new ordinances should be clearly worded and organized to encourage the document's accessibility to a wide range of audiences. The new ordinance should include a table of contents and utilize graphics, hyperlinks, and tables wherever possible to clearly illustrate concepts. The consultant should carefully keep track of significant points of departure from the existing ordinances to ensure clarity and transparency. The ordinance will first be presented to City Staff, who will review and provide comments prior to the document's distribution to the Zoning & Planning Commission, DPZ and public.
- 15) Prepare Final Ordinance: The consultant should prepare final ordinances based on comments made on the draft ordinances City staff, local stakeholders, the public, and

others. Consultants should assume that a series of meetings will be necessary to finalize the document, including a presentation to staff, the Z&P Commission, the DPZ Committee, and an informational open house. Consultants should indicate whether this process will take place during drafting and refining of the ordinances or after drafting of the ordinances is complete. In addition, more formal adoption procedures, such as a public hearing and presentations to the Zoning and Planning Commission and the City Council, will be necessary. Some of these meetings may take place concurrently. The final ordinances should be provided to the City in both Word and PDF formats; all illustrations, maps, and graphics contained therein should also be provided in electronic, editable formats.

- 16) Other Recommended Services or Tasks: Indicate any other recommended or required services that might be needed to accomplish the goals of this project. New zoning districts and/or a comprehensive rezoning are not anticipated to be part of the project. Unless after review additional zoning districts are recommended.

## **SELECTION PROCESS & TERMS/CONDITIONS**

All responsive qualification submittals will be reviewed according to the criteria for selection requirements using a Qualifications Based Selection (QBS) process.

1. Responses to the RFQ: The prospective firms shall submit a response to the RFQ which will in turn be evaluated and ranked by a committee comprised of City of Elmhurst staff. The three (3) highest ranking firms shall then be asked to interview with the selection panel.
  - a. A recommendation for selection, along with a negotiated contract and cost from only the most qualified firm, is then presented to the Elmhurst City Council for final approval and execution.
2. Submission Requirements: One unbound original, three (3) copies, and one electronic copy of the RFQ submittal are requested. Lengthy submittals are discouraged.
3. Submission Due Date/Time: Qualifications must be received at the Office of the City Clerk, City of Elmhurst, 209 N. York Street, Elmhurst, IL 60126, no later than September 9, 2019 at 5:00 p.m. Qualifications received after the closing time and date will be returned unopened.
4. Reserved Rights: The City of Elmhurst reserves the right at any time and for any reason to cancel this consultant procurement process, to reject any or all proposals, or to accept an alternative proposal. The City of Elmhurst reserves the right to reject any immaterial proposal. The City and/or staff may seek clarification from an offer at any time and respond promptly if there is cause for rejection. The City of Elmhurst reserves

the right to waive any informality in any submission to the extent the City Council finds it in the best interest of the City.

5. Incurring Costs: The City of Elmhurst will not be liable in any way for any costs incurred in the preparation of the statement of qualifications, proposal, or other related activities. All submissions will become the property of the City of Elmhurst once they are submitted.
6. Hold Harmless: All respondents to this RFQ shall hold harmless the City of Elmhurst and any of their officers and employees from all suits and claims alleged to be a result of this RFQ. The issuance of this RFQ constitutes only an invitation to present qualifications and a proposal. The City of Elmhurst reserves the right to determine, at its sole discretion, whether any aspect of the respondent's submittal meets the criteria in this RFQ. The City of Elmhurst shall have no liability to any respondent for any costs or expenses in connection with this RFQ or otherwise.

## EVALUATION PROCESS

The City follows Qualification Based Selection procedures. A selection panel consisting of City of Elmhurst staff will evaluate proposals received. Following this evaluation, the panel will select the firms deemed best qualified.

Criteria for Selection: The following criteria will be used to evaluate and rank the submittals:

- 1) **Qualifications and Experience of the Project Team (30%)** – Whether the firm(s) and personnel assigned to the project have the knowledge, experience, education and qualifications necessary to successfully perform this task. Submittals will be scored on both planning and zoning qualifications based on past project experience and resumes of the assigned team members, and references provided (at least three must be provided).
- 2) **Project Approach (25%)** – This refers to the firm's recommended direction to complete the ordinance process, including but not limited to suggested scope of services, cost control approach, outreach with project stakeholders, available resources to complete the project, responsiveness to the RFQ, etc.
- 3) **Experience on Similar Projects Portfolio (30%)** – Provide related project experience of the firm(s) and the individuals who would be assigned to this project. Include a brief description of similar projects of comparable size and complexity for which the firm provided professional services within the past five (5) years. Limit information to no more than five projects.

- 4) **Scheduling (10%)** – This refers to the firm’s proposed workload and the capability to provide adequate personnel to meet the scope of services in an appropriate amount of time.
- 5) **Other Services and Experience to be Provided (5%)** – This refers to the exact type and nature of the service to be provided. Modification or expansion of the scope of services is encouraged where the consultant feels essential elements have been overlooked by the City. However, each of the listed work elements must be addressed in some manner to qualify for consideration. Explain and support how your firm is uniquely qualified to provide this service to the City of Elmhurst.

RFQ Evaluation & Ranking: The above categories will be used to evaluate the firm based on the following weight ranking worksheet.

CRITERIA		WEIGHT	RANK	TOTAL
i.	Technical Qualifications & Experience of the Project Team	30		
ii.	Project Approach	25		
iii.	Experience on Similar Projects	30		
iv.	Scheduling	10		
v.	Other Services and Experience (if selected by the City)	5		
vi.	<b>TOTAL</b>	<b>MAX. 100</b>		

## **SUBMITTAL FORM AND CONTENT**

### Items To Be Submitted in Separate Tabbed Sections:

- 1) *Cover Letter*
- 2) *Firm Information:* Name, address, telephone number of all firms involved in the project. Also include number of years in business, principals in the firm, primary contacts, and the proposed role for each firm in the project.
- 3) *Financial and Legal Status:*
  - a) Describe the general financial capability of the firm.
  - b) List any litigation, and any actions taken by any regulatory agency, against or involving the firm or its agents or employees with respect to any work performed within the previous ten years.
  - c) List insurance coverage that the firm has which would be applicable to the work described in this RFQ.
- 4) *Project Understanding:* State in concise terms your understanding of the project and its goals, as well as suggested scope of services. State the team's project and cost control approach in providing the highest quality service at the best value. Also note the proposed approach for outreach with project stakeholders and available resources to complete the project.
- 5) *Project Team Information:* List any partners, subcontractors or sub-consultants, which may be used as well as their roles in the project. Include primary contact information for each firm, including name, address, and phone/email.
- 6) *Project Staffing:* List personnel who will be directly involved with the project and their experience with similar type and size projects. Include resumes (maximum two pages per staff member).
- 7) *Scope of Services:* Indicate a detailed recommended scope of services and suggested tasks the City of Elmhurst should consider to meet the goals of this project. This will include, but is not limited to, the items listed in the RFQ document.
- 8) *References:* List three references for each consultant and sub-consultant, which you believe support your qualifications to complete this project.
- 9) *Project Portfolio:* Listing of no more than five projects in similar scope and magnitude completed by the firm within the past five (5) years, including reference owner information.

10) *Project Proposed Timeline*: Submit a proposed timeline for the project with deliverable deadlines and with an anticipated completion date in summer 2020.

Additional Information and Comments: Include any other information you believe to be pertinent, but not specifically mentioned elsewhere.

## SCHEDULE

ITEM	DATE	TIME
RFQ/RFP Issued	August 15, 2019	5:00 p.m.
RFQ/RFP Submissions Due	September 9, 2019	5:00 p.m.
Short List of Firms Identified and Notified	September 13, 2019	5:00 p.m.
Interviews	September 16-20, 2019	--
Complete Contract Negotiation with Most Qualified Firm	September 25, 2019	--
Development Planning and Zoning Committee contract recommendation to City Council	October 15, 2019	
City Council Contract approval	November 4, 2019	
Kick-off meeting with staff	November 5, 2019	--
Kick off meeting with Z&P and DPZ	November 12, 2019 November 19, 2019	--
Existing Conditions memo	TBD	
Preliminary Recommendations Memo	TBD	

Draft Ordinance	TBD	
Public Hearing Process	TBD	
Project Completion	Summer 2020	

## GENERAL TERMS AND CONDITIONS

### A. Indemnification

The contractor shall indemnify, defend and save harmless the City of Elmhurst, its officers, agents, employees, representatives and assigns, from lawsuits, actions, costs (including attorneys' fees), claims or liabilities of any character brought because of any injuries or damages received or sustained by any person, persons, or property on account of any act or omission, neglect or misconduct of said contractor, its officers, agents and/or employees arising out of, or in performance of any of the provisions of the contract, including any claims or amounts recovered for any infringements of patent, trademark or copyright; or from any claims or amounts arising or recovered under the "Worker's Compensation Act" or any other law, ordinance, order or decree. In connection with any such claims, lawsuits, actions or liabilities, the City of Elmhurst, its officers, agents, employees, representatives and their assigns shall have the right to defense counsel of their choice. The contractor shall be solely liable for all costs of such defense and for all expenses, fees, judgments, settlements and all other costs arising out of such claims, lawsuits, actions or liabilities.

B. The City reserves the right to accept or reject any and all proposals and to waive technicalities in order to select the proposal deemed to be the most advantageous to the City.

C. The City reserves the right to request clarification of information contained in proposals and to request additional information from any proposing firm. This information should be delivered to the City in a timely fashion. Upon receipt of this information, the City may request an interview and/or presentation.

D. An agreement or contract resulting from the acceptance of a proposal shall be on terms approved by the City Attorney and shall contain, as a minimum, the applicable provisions of the request for proposal and the proposal itself. The City reserves the right to reject any agreement or contract which does not conform to the request for

proposal, the proposal of the firm concerned or the City's requirements for agreements and contracts.

- E. If through any cause the firm fails to fulfill the obligations agreed to in a timely and proper manner, the City shall have the right to terminate the contract by providing notification to the firm. This notification shall specify a termination date not less than thirty (30) calendar days in advance. In such an event, the contracted firm shall be entitled to receive just and equitable compensation for any satisfactory work completed. Compensation given to the firm shall be based on the City's evaluation of what constitutes "satisfactory work completed." This evaluation will be based upon accepted industry standards of satisfactory work as determined by the City.
- F. The City reserves the right to reject any and all proposals submitted for any reason. Rational for rejection need not be given to the proposing firm.
- G. Reasons for rejection will be consistent with federal statutes governing equal opportunity and shall not be made on the basis of race, color, religion, sex (including pregnancy), national origin, age, disability status, or genetic information.
- H. The City of Elmhurst shall own and retain all rights to the completed reports and all other components of the Survey upon submission.
- I. All components of this Survey consisting of materials, workmanship, and necessary labor, either mentioned or inferred, shall be furnished by the contracted party. The agreed upon permanent and fixed fee shall encompass the costs of all such components which shall be provided at no additional expense to the City of Elmhurst.

## **IX. CERTIFICATIONS**

### **Certifications**

Each bid shall be accompanied by a Bidder's Certification in the form provided by the City of Elmhurst with the bid form package. The Bidder shall certify the following:

#### **a. Illinois Taxes**

The Bidder shall certify that if it is a partnership, that it is, and its general partners are and, if it is a corporation, its shareholders holding more than five percent (5%) of the outstanding shares of the corporation, its officers and directors are, not delinquent in the payment of taxes to the Illinois Department of Revenue in accordance with 65 ILCS 5/11-42.1-1.

#### **b. Bid Rigging**

The Bidder shall certify that, if it is a partnership, that it has, and its general partners have and, if it is a corporation, its shareholders holding more than five percent (5%) of the outstanding shares of the

corporation, its officers and directors have not been barred from contracting with a unit of state or local government as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961.

**c. Drug-free Workplace**

The Bidder shall certify that it will provide a drug-free workplace by:

(A) Publishing a statement:

(1) Notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, including cannabis, is prohibited in the Bidder's workplace;

(2) Specifying the actions that will be taken against employees for violations of such prohibition;

(3) Notifying the employee that, as a condition of employment on such contract, the employee will:

a. abide by the terms of the statement; and

b. notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;

(B) Establishing a drug-free awareness program to inform employees about:

(1) the dangers of drug abuse in the workplace;

(2) the Bidder's policy of maintaining a drug-free workplace;

(3) any available drug counseling, rehabilitation, and employee assistance program; and

(4) the penalties that may be imposed upon employees for drug violations;

(C) Making it a requirement to give a copy of the statement required by subparagraph (A) to each employee engaged in the performance of the Contract and to post the statement in a prominent place in the workplace;

(D) Notifying the City within ten (10) days after receiving notice under subparagraph (A)(3)b from an employee or otherwise receiving actual notice of such conviction;

(E) Imposing a sanction on or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is so convicted, as required by 30 ILCS 580/5;

(F) Assisting employees in selecting a course of action in the event drug counseling treatment and rehabilitation is required and indicating that a trained referral team is in place;

(G) Making a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

d. **Educational Loan**

The Bidder shall certify that if it is an individual, that it is, if it is a partnership, its general partners are, and, if it is a corporation, its shareholders holding more than five percent (5%) of the outstanding shares of the corporation, its officers and directors are, not in default, as defined in 5 ILCS 385/2, on an educational loan, as defined in 5 ILCS 385/1.

e. **Human Rights Number**

The Bidder shall certify that at the time the Bidder submitted a bid on this contract, the Bidder had an Illinois Department of Human Rights pre-qualification number or had a properly completed application for same on file with the Illinois Department of Human Rights, as provided for in 44 Illinois Administrative Code 750.210.

f. **Gift Ban**

The Bidder shall certify that the bidder has not given to any officer or employee of City of Elmhurst any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer in violation of the Code of the City of Elmhurst.