



MEMORANDUM

The City of
OKLAHOMA CITY

Council Agenda
Item No. VI. H.
10/31/06

TO: Mayor and City Council

FROM: James D. Couch, City Manager *JDC*

Request for Qualifications to be advertised for professional consultant services to guide the development of an Urban Design Program, and to provide expert counsel on specific design considerations.

Purpose Authorization of this Request for Qualifications will allow solicitation for a professional consultant to provide guidance and advice in the effective application of design standards, design guidelines, and review processes in order to facilitate the City's Urban Design goals. Consultant shall be placed on retainer for a period of 12 months, and may also provide design review and advice on specific projects.

Background Over the last decade the center city has benefited from \$2.4 billion in public and private investment. In addition, several new design districts, and specialized review of development proposals have been developed to address a growing and changing city. In order to ensure that new development of this scale, value and impact promotes sustainability and quality growth of our city, the City Council allocated resources for four new positions to support an enhanced urban design function as part of the FY 2006-2007 budget. The Planning Department has created an Urban Design and Planning Division to house this staff and oversee this function. A high-level professional advisor is needed to supplement the expertise of staff for guidance and advice in developing the City's Urban Design Program, including review of high profile projects, and the development of design guidelines and procedures consistent with national standards.

Receipt Date Tuesday, November 14, 2006 4:00 PM

Source of Funds General Fund-General Operations-Planning Department-Other Services and Fees (001-0001-24001xx-52000001)

Review Planning Department, Finance Department and Municipal Counselor's Office

Recommendation: Approve the Request for Qualifications and authorize the City Clerk to advertise for Statements of Qualification.

Attachment

**REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL CONSULTANT
SERVICES TO GUIDE THE DEVELOPMENT OF AN URBAN DESIGN PROGRAM,
AND TO PROVIDE EXPERT COUNSEL ON SPECIFIC DESIGN CONSIDERATIONS**

I. SOLICITATION

The City of Oklahoma City, hereinafter referred to as The City, invites the submittal of Statements of Qualification (SOQ) for consulting services to guide the Planning Department in developing an Urban Design Program. The City wishes to contract with an experienced and accomplished urban designer and have access to the full depth of Urban Design capabilities within the firm. The consultant shall provide:

- Guidance on how to ensure the most effective application of design standards, design guidelines and review processes to achieve the City's Urban Design goals;
- Assistance with the content and development of a Design Guidelines booklet;
- Advice on Urban Design considerations recommended by other consultants under contract with the City;
- Design review of important projects and design advice on Capital projects; and
- Advice on how to ensure quality design in new development and how to build appreciation for Urban Design principles in Oklahoma City.

A full scope of services is outlined in Section IV of this Request for Qualifications. The minimum performance period will be twelve (12) months, with the potential for contract extension subject to workload and funding.

II. OBJECTIVES

The City recognizes that quality development is a major driver for future economic success and an enhanced quality of life, and that quality development requires higher design standards. The City aims to develop and an Urban Design program that will help create places that, because they are attractive, are economically and socially successful. The Urban Design program will establish the processes that make quality development possible, through guiding the design and massing of buildings, public spaces, and landscapes. The consultant will help the City develop this program to achieve these goals:

- To support The City's economic and quality of life objectives through improving the visual appearance of Oklahoma City – its streets, public spaces and buildings
- To promote and perpetuate a distinct community identity through the unique details and character of new development
- To enhance development of a site or district without compromising the character and integrity of surrounding districts and neighborhoods
- To address primary site design and circulation elements to ensure the site will be integrated, compatible and will enhance the built environment
- To protect the integrity of existing residential Historic Preservation districts and expand them where feasible to preserve additional historic residential fabric

- To protect the city’s remaining commercial historic fabric while supporting complementary redevelopment
- To include all elements that constitute good design in the design consideration process, such as architecture, site planning, landscape architecture and contextual considerations
- To develop a walkable community by
 - Incorporating pedestrian-friendly design, parking, form-based design, linkages and connections within and between important districts
 - Improving pedestrian orientation, efficient access, circulation and accessibility in new developments citywide
 - Encouraging provisions for increased comfort, convenience, safety and enjoyment of the pedestrian environment
- To demonstrate the cost effectiveness of quality urban design
- To improve interaction with other City departments and divisions to ensure that solutions to development issues result in quality sustainable development

III. BACKGROUND

Oklahoma City is a typical midwestern city with a huge land area and inexpensive land. Known for being “built in a day” from its Land Run heritage, it has gone through various cycles of prosperity and recession. Development in Oklahoma City ranges in quality – some high, and some that was built to serve a short-term purpose, offering little sustainable contribution to the city.

A threat to the city’s historic neighborhoods first initiated local concern for preservation and an awareness of urban design considerations. The first historic neighborhood was designated in 1969 through the adoption of a Historic District Zoning Ordinance. There are now nine Historic Districts, all of which are residential. Much of the city’s historic commercial infrastructure was removed during the urban renewal period of the 1960s and 1970s. Nevertheless, there are a significant number of remaining historic structures that The City considers important to enhancing the business environment.

The City created its first Urban Design Zoning Ordinance overlay in 1997. Today, there are eight Urban Design Overlay Districts within Oklahoma City. The urban design overlay aims to preserve the integrity of these districts by setting standards for new development that are compatible with the historic fabric. Four separate commissions and committees currently oversee The City’s urban design and historic preservation districts.

Most recently, The City has developed a Master Plan for the newly restored Oklahoma River. The proposed Scenic Riverfront Overlay District establishes six new design districts, which will become effective by the end of the year. The Central Business District will also have a new design overlay within this timeframe. These new districts will require design review oversight through administrative and commission approval. A specific design review process has not yet been established. It is likely that other districts will also require specific design guidance or review, such as the area impacted by the relocation of Interstate-40 south of downtown. The future of this area is the subject of a separate consultancy that will not be

completed until 2007-08. Several other consultancies focused on the center city are also in process. Each of these will propose design considerations that will require assistance to implement.

Over the last decade the center city has benefited from \$2.4 billion in public and private investment. The pace and scale of this development has increased awareness of the need to improve standards for design. The aforementioned consultancies are being undertaken with the intent of generating substantial new development activity. The City and other key stakeholders believe it critical that this new development features high quality design that promotes sustainability and quality in future development. In preparation for this and other opportunities on the horizon, the City Council allocated resources for four new positions to support an enhanced urban design function in The City as part of the FY 2006-2007 budget. The Planning Department has created an Urban Design and Planning Division to house this staff and oversee this function.

IV. SCOPE OF SERVICES

The City estimates that the services described in this Request for Qualifications will total approximately ten (10) hours per week. Quarterly visits will be required to The City's offices to liaise with staff on tasks authorized by this contract. Consultants should assume quarterly visits will be limited to two working days in Oklahoma City. An initial visit and kick-off meeting will also be required in addition to the quarterly meetings. The successful proposer will be placed on a 12-month retainer with contract options to allow for the negotiation of additional services or for the renewal of the contract. The consultant's expertise may be required to address urban design issues throughout the city; however, it is estimated that a large percentage of the activities under this contract will be focused on the current development and redevelopment activity in Oklahoma City's urban core. The consultant shall perform the following types of services under this contract:

- 1) Consultant shall guide The City in developing its emerging urban design program, assess existing operational procedures, and recommend modifications to allow us to more effectively accomplish our goals. Services include:
 - a. Recommend procedures for plan review and processing internally and between other City Departments
 - b. Confer with urban design committees and offer advice on composition of proposed new committees and operational procedures
 - c. Recommend ways to promote The City's urban design objectives and articulate them to developers

- 2) Consultant shall provide:
 - a. Advice on applications or site plans of public and private projects with unique urban design challenges
 - b. Input on existing design guidelines and guidelines under development
 - c. Assistance in developing an Urban Design Guidelines booklet

- 3) Consultant shall collaborate with other City consultants on active planning projects including:
 - a. Interstate-40 Relocation and Expansion Study Area
 - b. Medical Business District Master Plan
 - c. OU Health Center Expansion Master Plan
 - d. Downtown Streetscape Master Plan
 - e. G.O. Bond Issue projects

- 4) Other potential services that may be required of the consultant include the following:
 - a. Prepare reports
 - b. Generate conceptual sketches, details or other graphics
 - c. Generate narratives to accompany conceptual graphics
 - d. Review and provide comments on other planning documents
 - e. Interact with City staff, commissions, committees, other consultants, and the development community
 - f. Generate progress reports

The City will assist the Consultant by providing logistical support as needed to facilitate performance of the Scope of Services. Logistical support shall entail organization of meeting space and times, assistance in contacting meeting participants and interviewees, distribution of review and analysis documents, and other services subject to negotiation during the Contract execution phase. The City wishes to ensure that the Consultants focus their time and energies on the core elements of the contract scope. The City therefore shall endeavor to provide whatever logistical assistance it can to facilitate this focus. The Consultant shall specify the type of assistance that may be requested in support of fulfilling their contract. The exact level of service shall be determined during contract negotiations.

Copies of pertinent planning documents, ordinances and guidelines may be downloaded from the City of Oklahoma City's web site link at www.okc.gov/planning/urbandesign-rfq or requested from the City Planning Department, 420 West Main Street, Suite 900, Oklahoma City, Oklahoma, 73102; Phone (405) 297-2576.

V. STATEMENTS OF QUALIFICATION

One original and one copy of the SOQ, as described herein and subject to the conditions herein, shall be submitted by each proposer to the Office of the City Clerk, Municipal Building, 200 North Walker Avenue, Oklahoma City, Oklahoma, 73102 by 4:00 p.m. C.S.T. on **Tuesday, November 14, 2006**. Upon receipt, the City Clerk shall time stamp the SOQ. SOQs not timely received in the City Clerk's office shall not be considered and shall be returned unopened.

The SOQ must be typed or clearly legible so as to convey to The City the proposer's ability to undertake the required services. The proposer is also required to provide evidence, in the form of previously published materials or the like, that demonstrate the proposer's capacity to undertake the required services. The City reserves the right to thoroughly investigate the

experience and record of the proposer.

Failure to submit detailed information will justify rejection of any SOQ submitted hereunder.

Should the proposer find a discrepancy in, or omissions from the information and the description of the solicitation as herein contained, or should it be in doubt as to its meaning, the proposer shall at once, and not later than ten (10) days prior to the closing date for receiving SOQs, notify the City Manager in writing. The City Manager will, at his discretion, thereupon send a written instruction and/or clarification to all proposers in the form of an addendum to the SOQ Documents. **THE CITY WILL NOT BE RESPONSIBLE FOR ANY ORAL INSTRUCTION.** Any questions regarding this SOQ shall be directed to Susan Miller, Urban Design and Planning Division Head, Oklahoma City Planning Department, 420 W. Main, 9th Floor, Oklahoma City, Oklahoma 73102, (405) 297-3836, susan.millerA@okc.gov.

The SOQ must be presented in a sealed envelope addressed to the Office of the City Clerk with the words "Consultant Services for Urban Design Program" plainly written on the face of the envelope. The name and address of the proposer submitting the SOQ must also appear on the face of the envelope.

Addenda: Any addenda to the solicitation issued by the City Manager during the time of solicitations for SOQs will be considered a part of these documents. Addenda will be furnished to each recipient of these documents. The proposer must acknowledge receipt of such addenda. Copies of the City Guidelines and Procedures relating to Requests for Qualifications may be obtained from the Office of the City Clerk, Municipal Building, 200 North Walker Avenue, Oklahoma City, Oklahoma, 73102.

VI. SUBMITTALS SHALL INCLUDE

At minimum, Statements of Qualifications shall include:

1. The name, resume and background of the managing professional and other key individuals, affiliates, and subcontractors to be associated with the services;
2. A description of the ability and capacity of the proposer, the management structure, and the procedures and practices for management of the engagement;
3. A description of past performance and references on similar services;
4. An estimated breakdown of staff resource allocations.

VII. CLARIFICATION

The City reserves the right to request clarification of information submitted and to request additional information from any or all of the proposers.

VIII. DISQUALIFICATION OF SUBMITTALS

More than one submittal under the same or different names from any one consulting firm will

not be considered. Reasonable grounds for believing the firm is interested in more than one submittal will cause the rejection of all submittals in which the firm is interested. One or more or all submittals will be rejected if there is reason for believing that collusion exists among firms or individuals.

A submittal will not be accepted from any firm or individual who is in arrears or is in default to The City upon any debt or contract, or who is a defaulter as surety or otherwise upon any obligation to The City, or has failed to perform faithfully any previous contract with The City.

IX. SUBMITTALS TO BE RETAINED

No submittal may be withdrawn for a period of thirty (30) days after the scheduled time for receipt of submittals pending execution of a Contract with the successful consultant or firm.

X. RESPONSIBILITY FOR SUBMITTAL

The Consultant or firm shall carefully examine the terms of the RFQ documents and minimum requirements, and shall judge for itself all of the circumstances and conditions affecting its submittal.

XI. INDEMNIFICATION

To the maximum extent permitted by law, the Consultant shall be liable for and shall hold The City of Oklahoma City harmless from all damage or injury caused to persons or property arising out of the performance of any contract resulting from this Request for Qualifications. The Consultant shall agree to assume the defense of The City and their officers and employees in all legal proceedings with third parties connected with the Consultant's performance under this Contract, and to pay all expenses, including court costs and reasonable attorney's fees, incurred by The City directly, or indirectly on account of such legal proceedings.

The Consultant's obligations hereunder are expressly conditioned upon The City's provision of notification to the Consultant of any pending such claim or suit, The City shall cooperate with the Consultant in its handling of any such claim or suit to the extent their interests do not conflict. In no event shall the Consultant be obligated to indemnify or hold The City harmless with respect to any liability caused by the sole negligence of The City.

XII. RIGHT TO ACCEPT OR REJECT SUBMITTALS

The City reserves the right to accept or reject, in part or in entirety, any or all submittals for any reason, to cancel in part or entirety the Request for Qualifications, to readvertise for new submissions, and to waive minor irregularities and informalities.

XIII. WITHDRAWAL OF SELECTION

The City reserves the right to withdraw its selection of a Consultant or firm without any liability to The City at any time before the Contract has been fully executed by all parties and approved by The City.

XIV. PROPRIETARY INFORMATION

At the proposer's request, The City will maintain any information marked "confidential" contained in the submittal as proprietary information to the extent possible unless information is common knowledge, and/or is available elsewhere in the marketplace, and/or is within the confines of the public information laws and the Open Records Act of the State of Oklahoma.

XV. NO SUBMITTAL COMPENSATION

No Consultant or firm will be compensated for submission of a SOQ or for any time or services provided as part of the submittal, evaluation or negotiation process.

XVI. SUBMITTAL EVALUATION

A Selection Committee shall evaluate all submittals, and may elect to conduct oral interviews with two or more finalists unless the Selection Committee can make its selection based on the SOQs submitted.

The Selection Committee shall evaluate the submittals based on the following criteria:

1. **Experience and Skill.** Must demonstrate fully the firm's experience with urban design; architectural design, commercial/retail project development; urban residential development; historic preservation; design of public places, landscape design, pedestrian studies; and ability to effectively represent findings and recommendations to professional, political and citizen audiences.
2. **Project Capability.** Must demonstrate capability to complete tasks by specified completion dates.
3. **Professional Qualifications.** Must provide relevant experience and qualifications for all persons that will be actively engaged in activities defined within this RFQ.
4. **Record of Past Performance.** Must demonstrate experience in successful performance of similar functions. Firms will be required to illustrate how their services were successful and how these experiences are salient to successful fulfillment of the scope of this RFQ. Examples of previous work and references may be requested.

The City may request the submission of additional information to assist in its evaluation of submittals, and the firm will be expected to cooperate fully with such a request. The City reserves the right to reject any or all submittals.

XVII. SCHEDULE OF PERFORMANCE

All contracted work shall be completed and submitted to The City no later than 12 months after the contract has been awarded, unless such term is modified by written agreement between the Coordinating Committee and the Consultant.

XVIII. CONTRACT

Upon selection, a Professional Service Contract shall be prepared, fully executed and encumbered before work is initiated. The contract may contain or incorporate the following:

- standard clauses;
- scope and nature of services;
- non-collusion affidavit;
- certificate of non-discrimination;
- business relationship affidavit;
- a requirement for insurance on City forms or forms acceptable to the City Manager;
- a requirement to keep records and a right to audit;
- a description of claim payment procedures and requirement to create and keep necessary records to support such claims;
- a statement making all working papers, reports, documentation, and products the property of The City;
- a description of the responsibilities of all parties;
- timelines and deadlines for completion of tasks and services;
- type, content and frequency of reports to be submitted;
- method, schedule and total amount of fees and payments, which may include payments related to specific tasks or services;
- procedures for resolving disputes (the resolution of such disputes shall be governed by Oklahoma Law and any action shall be brought in a court of competent jurisdiction, state or federal, located in Oklahoma County, Oklahoma);
- procedures for amending or terminating the contract or any task or services therein;
- a requirement that all authorizations and approvals have been or shall be obtained from the holders of patents, trademarks, copyrights, licenses or other rights;
- a requirement for indemnification and legal representation of The City, its trusts, officers, agents and employees for acts and omissions of the Consultant;
- a clause for inclusion by reference of the RFQ, the proposal, and the representations of the proposer into contract and a statement of the order of precedence should the terms, provisions or conditions thereof conflict;
- a requirement for insurance naming The City as additional insured and evidenced by a certificate of insurance on a form approved by the City Manager; and
- a right of The City to terminate the contract upon notice with or without cause.

All contracts shall be submitted to the Municipal Counselor's Office for review and approval. The Municipal Counselor's Office will forward the contract documents to the City Manager for inclusion on the formal docket for final approval or rejection by the City Council. The memorandum to Council shall include number of RFQ's obtained by firms and the number of firms submitting proposals.

Any document may be waived or amended as a part of contract negotiation subject to approval or ratification of the written contract by the City Council. However, should a *requirement or document* be imposed by law (for example a grant or federal requirement) then such requirement or document may only be waived as permitted by law. Firms shall further be required to bring to The City's attention in the submittal any exceptions to these requirements.